

Judiciary  
Scott, Chairperson  
Ashcraft  
Ramsey

FILED MAY 19 1977

SENATE FILE 410

By KELLY

Passed Senate, Date \_\_\_\_\_ Passed House, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_  
Approved \_\_\_\_\_

### A BILL FOR

1 An Act relating to the composition, organization, administra-  
2 tion, supervision and funding of the judicial department  
3 of Iowa.

4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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S.F. 410

1 DIVISION I

2 JUDICIAL DEPARTMENT ADMINISTRATION

3 Section 1. NEW SECTION. DEFINITIONS. As used in this  
4 chapter the following definitions shall apply, unless the  
5 context otherwise requires:

6 1. "Court personnel" means and includes all officers and  
7 all employees of all of the courts of this state, except  
8 judicial officers.

9 2. "Court administrator" means the person appointed as  
10 state court administrator by the supreme court pursuant to  
11 section five (5) of this Act.

12 3. "District court administrator" means a person appointed  
13 pursuant to section sixteen (16) of this Act.

14 4. "Judicial officer" means and includes supreme court  
15 justices, court of appeals judges, district judges, district  
16 associate judges and magistrates. The term also includes  
17 a retired judicial officer while serving on temporary  
18 assignment as a justice, judge or magistrate.

19 Sec. 2. NEW SECTION. JUDICIAL DEPARTMENT ORGANIZATION.  
20 The judicial department of this state shall be composed of  
21 all of the courts of this state. The supreme court, by and  
22 through the chief justice, shall exercise supervisory and  
23 administrative control over the judicial department, and over  
24 all judicial officers and court personnel. The supreme court  
25 is authorized to promulgate rules to provide for the  
26 administration of the department in an orderly, efficient  
27 and effective manner.

28 Sec. 3. NEW SECTION. JUDICIAL COUNCIL. There is created  
29 a judicial council composed of all chief judges of the judicial  
30 districts, the chief judge of the court of appeals, and the  
31 chief justice of the supreme court, or his or her designee,  
32 who shall be the chairman. The council shall convene not  
33 less than twice each year at such times and places as the  
34 chairman shall order. The council shall consider all court  
35 administrative rules, directives and regulations for the

1 achievement of the purposes stated in section two (2) of this  
2 Act, and may propose to the supreme court such rules as are  
3 deemed appropriate.

4 Sec. 4. NEW SECTION. ADMINISTRATIVE DIVISION. There  
5 shall be an administrative division of the judicial de-  
6 partment. The administrative division shall consist of the  
7 state court administrator and all state employees, other than  
8 judicial officers, who are employed by the supreme court,  
9 the court of appeals, the district court, the board of law  
10 examiners, the judicial council, the judicial qualifications  
11 commission and other agencies which serve the supreme court  
12 or the court of appeals or the district court. The  
13 administrative division does not include the office of the  
14 Code editor.

15 Sec. 5. NEW SECTION. STATE COURT ADMINISTRATOR--  
16 ASSISTANTS.

17 1. There is established the position of state court  
18 administrator. The court administrator shall be appointed  
19 by the supreme court and shall hold office at the pleasure  
20 of the court. The supreme court shall fix the compensation  
21 of the state court administrator and the employees of the  
22 office of the administrator. The supreme court is authorized  
23 to accept federal funds to supplement the funds appropriated  
24 to the court.

25 2. The court administrator, with the approval of the  
26 supreme court, shall appoint such assistants as are neces-  
27 sary to enable him or her to perform the powers and duties  
28 vested in him or her.

29 Sec. 6. NEW SECTION. DUTIES OF THE ADMINISTRATOR. The  
30 state court administrator, subject to the approval of the  
31 supreme court, shall exercise the following powers and duties:

32 1. Supervise all administrative affairs of the judicial  
33 department.

34 2. Supervise the methods and procedures used by district  
35 court administrators.

- 1 3. Supervise the methods and procedures used by district  
2 court clerks.
- 3 4. Determine and submit vouchers for the payment of  
4 salaries and expenses payable from appropriations to the  
5 supreme court.
- 6 5. Administer the judicial retirement system as provided  
7 in chapter six hundred five A (605A) of the Code.
- 8 6. Administer funds appropriated to the supreme court,  
9 district courts, office of court administrator, the judi-  
10 cial qualifications commission, the clerk of the supreme  
11 court, the board of law examiners and the board of examiners  
12 of shorthand reporters.
- 13 7. Collect and compile statistical and other data, and  
14 make reports relating to the business transacted by all courts  
15 of this state.
- 16 8. Collect statistical and other data, and make reports  
17 relating to the expenditure of money for the maintenance  
18 and operation of the judicial system of this state.
- 19 9. Obtain information from clerks of court, judges,  
20 associate judges and magistrates, in accordance with law or  
21 rules prescribed by the supreme court, of cases and other  
22 judicial business in which action has been delayed beyond  
23 periods of time specified by law or rule, and make reports  
24 of such information.
- 25 10. Review the dockets of the courts and determine the  
26 need for assistance by any court.
- 27 11. Make reports concerning the caseload of particular  
28 courts.
- 29 12. Make recommendations to the supreme court or inferior  
30 courts relating to the assignment of judicial officers where  
31 courts are in need of assistance.
- 32 13. Examine the administrative methods employed by clerks  
33 of court and probation officers, and make recommendations  
34 regarding the improvements of these methods.
- 35 14. Formulate recommendations for the improvement of the

1 judicial system, with reference to the structure of the system  
2 of courts and its organization and methods of operation, the  
3 functions which should be performed by various courts, the  
4 selection, compensation, number, and tenure of judges and  
5 court officials, and other matters as the chief justice or  
6 the supreme court may direct.

7 15. Perform other duties which are assigned to the state  
8 court administrator by the chief justice or the supreme court  
9 or by law.

10 Sec. 7. NEW SECTION. COOPERATION OF COURT OFFICERS.

11 District judges, district associate judges, judicial  
12 magistrates, court reporters, clerks of court, probation  
13 officers, bailiffs and officers and personnel of all courts  
14 shall comply with all requests made by the state court  
15 administrator or his or her deputies for information and  
16 statistical data bearing on the condition of the dockets of  
17 the courts and the progress of court business, and shall  
18 provide such other information as may reflect the business  
19 transacted by them and the receipt and expenditure of money  
20 in the maintenance and operation of the judicial department.

21 Sec. 3. NEW SECTION. FISCAL PROCEDURES.

22 1. The state court administrator, subject to the approval  
23 of the chief justice, annually shall prepare a consolidated  
24 operating budget for all courts. The budget shall be known  
25 as the judicial department operating budget.

26 2. The state court administrator, subject to the approval  
27 of the chief justice, shall prepare an annual budget request  
28 upon forms and according to procedures agreed to by the state  
29 comptroller and the budget committees of the general  
30 assembly. The budget request documents and such additional  
31 information as may be requested shall be submitted according  
32 to the time schedule for budgetary review and analysis  
33 applicable to executive department agencies. The governor  
34 shall include his or her judicial department budget  
35 recommendations as part of the budget message. The general

1 assembly shall make appropriations to the judicial department  
2 based on an evaluation of the budget request and the  
3 availability of state funds.

4 3. The state court administrator, subject to the approval  
5 of the chief justice, shall prescribe the procedures to be  
6 used by the judicial department and each court with respect  
7 to the following:

8 a. The preparation of budget requests.

9 b. The disbursement of funds appropriated to the judi-  
10 cial department.

11 c. The purchase of forms, supplies, equipment and other  
12 items as authorized in the judicial department operating  
13 budget.

14 d. Any other matter relating to fiscal administration.

15 4. The state court administrator shall consult with the  
16 state comptroller in the preparation of departmental regula-  
17 tions pertaining to budgetary and fiscal procedures and forms,  
18 and to the disbursement of funds.

19 Sec. 9. NEW SECTION. PERSONNEL.

20 1. The supreme court shall prescribe, and may amend from  
21 time to time, a personnel classification plan for court  
22 personnel.

23 2. The personnel classification plan shall include all  
24 of the following:

25 a. Classification of all positions of employment with-  
26 in the department, excluding judicial officers.

27 b. A basic plan of salary ranges to which classes of  
28 positions shall be assigned.

29 c. The qualifications for each position or class of  
30 positions, including education, experience, special skills,  
31 and legal knowledge.

32 d. An outline of duties to be performed in each posi-  
33 tion or class of positions.

34 e. The classification of all positions based on the  
35 required qualifications and the duties to be performed.

1 f. The number of full-time and part-time positions, by  
2 position title and classification, to be permitted in each  
3 court and in each county of a judicial district. The plan  
4 shall include all positions created by statute.

5 g. The procedures governing application for, appointment  
6 to, and removal of court personnel.

7 h. The procedures governing the promotion or transfer  
8 of court personnel.

9 3. The supreme court also shall prescribe the amount,  
10 terms and conditions of sick leave and vacation time for court  
11 personnel, including annual allowance and accumulation thereof,  
12 and the hours of work and other conditions of employment.

13 4. Court personnel shall be members of the Iowa public  
14 employees retirement system. However, the supreme court may  
15 exempt from membership any classification of employees who  
16 are temporary or part-time employees and who would be exempt  
17 if employed by some other department of state government.

18 5. To the end that all state employees are treated  
19 generally in a similar manner, the supreme court, in  
20 promulgating the classification plan set forth in this section,  
21 shall take into consideration the compensation and  
22 classification plans, vacation and sick leave provisions,  
23 and other conditions of employment applicable to employees  
24 of the executive and legislative departments of this state.

25 6. The Iowa merit employment department shall assist the  
26 supreme court and the state court administrator in analyzing  
27 the duties and responsibilities of court personnel, and in  
28 developing the personnel classification plan. However, court  
29 personnel shall be exempt from the provisions of chapter  
30 nineteen A (19A) of the Code.

31 7. The personnel classification plan shall contain such  
32 provisions as may be necessary to protect the rights of  
33 employees of the judicial department who, prior to the  
34 effective date of this Act, were within the provisions of  
35 sections four hundred point six (400.6) or six hundred two

1 point thirty-four (602.34) or chapter three hundred forty-  
2 one A (341A) of the Code.

3 8. The personnel classification plan shall be developed  
4 by and shall take effect on July 1, 1979. Prior to that date,  
5 personnel matters of the department shall be as determined  
6 by the chief judge of each such court, subject to the  
7 administrative rules and supervision of the supreme court.

8 Sec. 10. NEW SECTION. FUNDING--TRANSFER OF PROPERTY.

9 Commencing July 1, 1978, the state of Iowa shall provide funds  
10 by appropriation for salaries and other operating expenses  
11 of all courts of this state and the judicial department.

12 Effective July 1, 1978, all supplies, equipment and other  
13 personal property assigned to or owned or being used by the  
14 district court, the court of appeals and the supreme court,  
15 excluding real property and fixtures, shall be transferred  
16 to and shall become the property of the judicial department.

17 Sec. 11. NEW SECTION. PROVISIONS RELATING TO COURT  
18 PERSONNEL.

19 1. When court personnel are required in the discharge  
20 of official duties to leave the county of their residences  
21 or leave the city of their residences to perform such duties,  
22 they shall be paid actual and necessary expenses not to exceed  
23 the sum of twenty dollars per day, together with mileage at  
24 the rate specified for state employees in section seventy-  
25 nine point nine (79.9) of the Code. Such expenses shall be  
26 paid not less frequently than semi-monthly upon certification  
27 to the state comptroller.

28 2. Personnel employed full-time by the department shall  
29 not engage in the practice of law.

30 3. It is the duty of each employee of the judicial  
31 department to communicate to the governor or either house  
32 of the general assembly when requested any information in  
33 the possession of such person as a state employee.

34 Sec. 12. NEW SECTION. COURT APPOINTED ATTORNEY FEES.

35 1. The supreme court, with the advice of the judicial

1 council, shall promulgate by rule the fees to be paid to  
2 attorneys appointed by the courts pursuant to law to represent  
3 indigents and other persons.

4 2. Rules prescribed under this section shall be reported  
5 to the general assembly within twenty days after the  
6 commencement of a regular session and shall take effect July  
7 first following the adjournment of such session, with such  
8 changes, if any, as may have been enacted at such session;  
9 and thereafter all laws in conflict therewith shall be of  
10 no further force or effect.

11 At adjournment of the general assembly where such report  
12 has been filed, an enrolled copy thereof, together with any  
13 changes, shall be made in substantially the same manner as  
14 Acts are enrolled. The enrolled copy shall be certified as  
15 to whether or not any action was taken by the general assembly  
16 and what action if any was taken, and thereupon it shall be  
17 filed with the secretary of state and bound with the Acts  
18 of the general assembly.

19 3. The fees adopted pursuant to this section shall be  
20 the fees ordered for payment in all courts of this state,  
21 and shall be paid from appropriations to the judicial  
22 department. Fees shall be paid by the comptroller on  
23 certification by the district court administrator.

24 DIVISION II

25 DISTRICT COURT ADMINISTRATION

26 Sec. 13. NEW SECTION. SELECTION OF CHIEF JUDGES. Not  
27 later than December fifteenth in each odd numbered year the  
28 chief justice of the supreme court, with the approval of the  
29 judicial conference, shall appoint from the district judges  
30 of each district one of their number to serve as chief judge.  
31 The judge so appointed shall serve for a two-year term and  
32 shall be eligible for reappointment. Vacancies in the office  
33 of chief judge shall be filled in the same manner within ten  
34 days after the vacancy occurs. During any period of vacancy  
35 the judge of longest service in the district shall be the

1 acting chief judge. An order appointing one or more chief  
2 judges shall be filed with the clerk of the supreme court  
3 who shall mail certified copies to the clerk of each district  
4 court.

5 Sec. 14. NEW SECTION. DUTIES AND POWERS OF CHIEF JUDGES.  
6 In addition to their ordinary judicial duties, chief judges  
7 shall exercise continuing administrative supervision with-  
8 in their respective districts over all judicial officers and  
9 personnel thereof. They shall by order fix times and places  
10 of holding court and designate the respective presiding judges;  
11 they shall supervise and direct the performance of all  
12 administrative business of their districts; they shall conduct  
13 judicial conferences to consider, study and plan for  
14 improvement of the administration of justice; and may make  
15 administrative orders as necessary. No chief judge shall  
16 at any time direct or influence any judge in any ruling or  
17 decision in any proceeding or matter whatsoever.

18 The chief judge of a judicial district may appoint from  
19 among the other district judges an assistant or assistants  
20 to serve throughout the judicial district and at his or her  
21 pleasure. When so acting, such an assistant shall have those  
22 powers and duties given to the chief judge by statute or rule  
23 of court which are specified in the order of his or her ap-  
24 pointment. Such appointment shall by general order be made  
25 a matter of record in each county in the judicial district.

26 Sec. 15. NEW SECTION. DISTRICT JUDICIAL CONFERENCES.

27 1. The district judges within a judicial district shall  
28 convene at such times as are necessary for the following  
29 purposes:

- 30 a. To promulgate local rules of court.
- 31 b. To advise the chief judge respecting administration  
32 of the judicial district.
- 33 c. To employ, subject to the personnel classification  
34 plan, court personnel.
- 35 d. To exercise other duties of the conference which are

1 established by law or by rule of the supreme court.

2 2. Actions of a district judicial conference shall be  
3 by majority vote of its members.

4 3. The supreme court may provide by rule for the at-  
5 tendance at district judicial conferences of one or more  
6 district associate judges and magistrates who may advise  
7 the conference, but who shall not vote unless specifically  
8 authorized by supreme court rule.

9 Sec. 16. NEW SECTION. DISTRICT COURT ADMINISTRATOR.

10 1. Subject to the court personnel classification plan,  
11 each district judicial conference shall employ a district  
12 court administrator.

13 2. A district court administrator shall have such duties  
14 as are prescribed by law or by the court personnel  
15 classification plan. The district court administrator shall  
16 be subject to the immediate supervision of the chief judge  
17 of that judicial district.

18 Sec. 17. NEW SECTION. DUTIES. A district court ad-  
19 ministrator shall have the following duties and responsi-  
20 bilities throughout the judicial district:

21 1. Supervise the methods and procedures employed by court  
22 personnel within the district, and exercise such other  
23 administrative duties as are provided by supreme court rule  
24 or by the chief judge of the district.

25 2. Assist the state court administrator in monitoring  
26 receipts and disbursements of money.

27 3. Collect statistical and other data and make reports  
28 relating to the expenditure of money for the maintenance and  
29 operation of the courts within the judicial district.

30 4. Obtain information from clerks of court, judges,  
31 associate judges and magistrates of cases and other judicial  
32 business in which action has been delayed beyond periods of  
33 time specified by law or court rules, and make reports of  
34 such information.

35 5. Review the dockets of the courts and report the need

1 of assistance by any court to the state court administrator.  
2 Make reports to the state court administrator concerning the  
3 case load of the court in each county.

4 6. Examine the administrative methods employed in the  
5 offices of clerks of court and probation officers, and make  
6 recommendations to the state court administrator regarding  
7 the improvement of these methods.

8 7. Assist the state court administrator in formulating  
9 recommendations for the improvement of the judicial system,  
10 with reference to the structure of the system of courts and  
11 its organization and methods of operation, the functions  
12 which should be performed by various courts, the selection,  
13 compensation, number, and tenure of judicial officers and  
14 court personnel, and other matters as directed.

15 8. Collect and compile statistical and other data, and  
16 make reports relating to the business transacted by all courts  
17 in the judicial district.

18 9. Perform other duties which are assigned to the district  
19 court administrator by the chief judge, the supreme court,  
20 or by law.

21 Sec. 18. NEW SECTION. COOPERATION OF PERSONNEL AND  
22 JUDICIAL OFFICERS. District judges, district associate judges,  
23 judicial magistrates, court reporters, clerks of court,  
24 probation officers, bailiffs, and other personnel of the  
25 courts within a judicial district shall comply with all  
26 requests made by the district court administrator for  
27 information and statistical data bearing on the condition  
28 of the dockets of the courts and the progress of court  
29 business, and shall provide such other information as may  
30 reflect the business transacted by them and the receipt and  
31 expenditure of money in the maintenance and operation of the  
32 judicial district.

33 Sec. 19. NEW SECTION. DISTRICT COURT PERSONNEL.

34 1. Subject to the court personnel classification plan,  
35 the judicial conference of each judicial district shall provide

1 for the employment of a clerk of the district court in each  
2 county of the district, and for the employment of such deputy  
3 clerks, probation officers, assistants, certified shorthand  
4 reporters, stenographers and other personnel as are authorized  
5 for the transaction of business within the judicial district.  
6 Unless specifically authorized by the classification plan,  
7 court personnel shall not be permanently assigned to a single  
8 judicial officer.

9 2. Subject to the court personnel classification plan,  
10 the district judicial conference for each judicial district  
11 shall employ such bailiffs and deputy bailiffs as are necessary  
12 for the business of the district. Any person so employed  
13 shall have the authority of a deputy sheriff, but shall be  
14 an employee of the judicial department. Bailiffs and deputy  
15 bailiffs shall not be permanently assigned to a single judicial  
16 officer unless specifically authorized by the court personnel  
17 classification plan.

18 3. Effective July 1, 1978, deputy sheriffs who prior  
19 thereto were assigned to serve the district courts as bailiffs  
20 shall be employees of the judicial department. The sheriff  
21 shall deliver to the chief judge of the district all personnel  
22 records relating to such persons.

23 4. Effective July 1, 1978, all officers and employees  
24 of the district court in every county of this state shall  
25 be employees of the judicial department.

26 5. Effective July 1, 1978, and until superseded by the  
27 court personnel classification plan, all persons who are  
28 employees and officers of the courts as of July 1, 1978, shall  
29 retain the personal rights, duties, privileges and immunities  
30 which they have as of June 30, 1978.

31 Sec. 20. NEW SECTION. REFEREES AND SPECIAL MASTERS.  
32 A person who has been appointed as a referee or special master,  
33 or who otherwise has been appointed by a court pursuant to  
34 law to exercise a judicial function, shall receive a salary  
35 or other compensation as provided by the court personnel

1 classification plan. All persons so appointed shall be subject  
2 to the immediate supervision of the chief judge of the district  
3 in which appointed.

4 Sec. 21. NEW SECTION. BAILIFF FEES.

5 1. Each bailiff of the district court shall enter of  
6 record in each action in which his or her services are rendered  
7 the fee which is specified in this section.

8 2. Fees for the services of a bailiff shall be taxed by  
9 the clerk as costs of the action.

10 3. Fees for the services of a bailiff shall be as follows:

11 a. For serving a notice and making return thereof, for  
12 the first person served, seventy-five cents, and each  
13 additional person, fifty cents.

14 b. For each warrant served, three dollars plus the  
15 necessary expenses incurred in executing such warrant, as  
16 sworn to by the bailiff; if service of the warrant cannot  
17 be made, necessary expenses actually incurred by the bailiff  
18 while attempting in good faith to serve such warrant.

19 c. For serving and returning a subpoena, for each person  
20 served, fifty cents, and the necessary expenses incurred while  
21 serving subpoenas in criminal cases or insane process.

22 d. For summoning a grand or trial jury, all necessary  
23 and actual expenses incurred.

24 e. For summoning a jury to assess the damages to the  
25 owners of lands taken for works of internal improvement, and  
26 attending them, seven and one-half dollars per day, and  
27 necessary expenses incurred. This subsection shall not be  
28 so construed to allow a bailiff to make separate charges for  
29 different assessments, which can be made by the same jury  
30 and completed in one day of ten hours.

31 f. For serving an execution, attachment, order for the  
32 delivery of personal property, injunction, or any order of  
33 court, and making return thereof, three dollars.

34 g. For making and executing a certificate or deed for  
35 lands sold on execution, or a bill of sale for personal

1 property sold, one and one-half dollars.

2 h. For the time necessarily employed in making an inventory  
3 of personal property attached or levied upon, one dollar per  
4 hour.

5 i. For a copy of any paper required by law and made by  
6 the bailiff, twenty-five cents for each one hundred words  
7 or fraction thereof.

8 j. Mileage in all cases required by law, going and  
9 returning. In case one or more legal papers are served on  
10 the same trip, the bailiff shall be entitled to but one mileage  
11 at the rate prescribed herein, the mileage cost thereof to  
12 be prorated in the case of separate papers served. However,  
13 in the serving of original notices in civil cases and in the  
14 serving and returning of a subpoena the bailiff shall be  
15 allowed mileage expenses in each action wherein such original  
16 notices or subpoena are served, with a minimum mileage expense  
17 of one dollar for each service.

18 4. Bailiffs shall use judicial department vehicles in  
19 the performance of duties as bailiff, and shall not receive  
20 any mileage fees as personal compensation or reimbursement.

21 5. All fees accruing under this section shall be paid  
22 to the clerk of court.

23 Sec. 22. NEW SECTION. MAINTENANCE OF COURT FACILITIES.

24 1. Each county and city shall have the responsibility  
25 of providing and maintaining adequate courtrooms and other  
26 physical plant facilities to the extent provided in chapters  
27 three hundred thirty-two (332) and six hundred two (602) of  
28 the Code, respectively.

29 2. The state court administrator, subject to the approval  
30 of the judicial council, shall prepare and submit on the first  
31 day of November of each year a long-range capital construction  
32 plan for the district court in each county. The plan shall  
33 outline on a priority basis the capital construction needs  
34 of each court, by county, for the succeeding five years.  
35 A copy of the plan shall be filed with the state comptroller

1 and with the general assembly.

2 DIVISION III

3 COORDINATING AMENDMENTS

4 Sec. 23. Section eighteen point ninety-seven (18.97),  
5 subsection fifteen (15), Code 1977, is amended by adding the  
6 following new paragraph:

7 NEW PARAGRAPH. District court administrator.

8 Sec. 24. Section nineteen A point three (19A.3), sub-  
9 section twelve (12), Code 1977, is amended to read as follows:

10 12. All judges judicial officers and all employees-of  
11 the-courts court personnel.

12 Sec. 25. Section twenty point four (20.4), subsection  
13 seven (7), Code 1977, is amended to read as follows:

14 7. ~~Judges-of-the-supreme-court, district-judges, district~~  
15 ~~associate-judges-and-judicial-magistrates, and-the-employees~~  
16 ~~of-such-judges-and-courts~~ Judicial officers and court  
17 personnel.

18 Sec. 26. Section sixty-four point six (64.6), Code 1977,  
19 is amended by adding the following new subsection:

20 NEW SUBSECTION. Clerks of the district court and first  
21 deputy clerks, ten thousand dollars.

22 Sec. 27. Section sixty-four point eight (64.8), Code 1977,  
23 is amended to read as follows:

24 64.8 COUNTY OFFICERS. The bonds of ~~the-following-county~~  
25 ~~officers, viz:--Clerks-of-the-district-courts,~~ county  
26 attorneys, recorders, auditors, sheriffs and assessors shall  
27 each be in a penal sum of not less than ten thousand dollars  
28 each per annum.

29 Sec. 28. Section sixty-four point nine (64.9), Code 1977,  
30 is amended to read as follows:

31 64.9 MINIMUM BONDS OF COUNTY OFFICERS. Bonds of members  
32 of the board of supervisors, ~~clerks-of-the-district-courts,~~  
33 county auditors, sheriffs, and county attorneys shall not  
34 be in less sum than ten thousand dollars each.

35 Sec. 29. Section sixty-four point eleven (64.11), Code

1 1977, is amended to read as follows:

2 64.11 EXPENSE OF BONDS PAID BY COUNTY. If any county  
3 treasurer, ~~clerk-of-the-district-court~~, county attorney,  
4 recorder, auditor, sheriff, medical examiner, members of  
5 soldiers relief commission, members of the board of  
6 supervisors, engineer, steward or matron shall elect to furnish  
7 a bond with any association or incorporation as surety as  
8 provided in this chapter, the reasonable cost of such bond  
9 shall be paid by the county where the bond is filed.

10 Sec. 30. Section sixty-four point nineteen (64.19), Code  
11 1977, is amended by adding the following new subsection:

12 NEW SUBSECTION. By the state court administrator in case  
13 of district court clerks and first deputy clerks.

14 Sec. 31. Section sixty-four point twenty-three (64.23),  
15 subsection one (1), Code 1977, is amended to read as follows:

16 1. For all state officers, elective or appointive, except  
17 those of the secretary of state and a judicial magistrate,  
18 with the secretary of state. Bonds and official oaths of  
19 judicial magistrates and all other court personnel shall be  
20 filed in the office of the ~~district-court-clerk~~ state court  
21 administrator.

22 Sec. 32. Section sixty-nine point eight (69.8), subsection  
23 five (5), Code 1977, is amended to read as follows:

24 5. BOARD OF SUPERVISORS. In the membership of the board  
25 of supervisors, by the ~~clerk-of-the-district-court~~ treasurer,  
26 auditor, and recorder.

27 Sec. 33. Section two hundred seventeen point twenty-eight  
28 (217.28), subsection three (3), Code 1977, is amended by  
29 adding the following new unnumbered paragraph:

30 NEW UNNUMBERED PARAGRAPH. This subsection shall not be  
31 deemed to limit the authority of the courts with respect to  
32 judicial procedures or proceedings, or with respect to court  
33 personnel.

34 Sec. 34. Section two hundred thirty-one point three  
35 (231.3), Code 1977, is amended to read as follows:

231.3 DESIGNATION OF JUDGE OR JUDICIAL MAGISTRATE--REF-  
2 EREE.

3 1. The ~~chief-judge~~ judicial conference of the district  
4 shall designate one or more of the district judges, district  
5 associate judges, judicial magistrates serving pursuant to  
6 section 602.51, or any thereof, to act as ~~judge-or~~ judges  
7 of the juvenile court in any county or counties.

8 2. The A judge of the juvenile court may ~~appoint-a-referee~~  
9 ~~in-juvenile-court-proceedings--The-referee-shall-be-qualified~~  
10 ~~for-his-duties-by-training-and-experience-and-shall-hold~~  
11 ~~office-at-the-pleasure-of-the-judge--The-compensation-of~~  
12 ~~the-referee-shall-be-fixed-by-the-judge--The-judge-may-direct~~  
13 ~~order, subject to the approval of the judicial conference,~~  
14 that any case or class of cases arising under chapter 232 or chap-  
15 ter 600A shall be heard in the first instance by the a refer-  
16 ee in the manner provided for the hearing of cases by the court.

17 Upon the conclusion of a hearing ~~held-as-provided-herein;~~  
18 the referee shall transmit to the judge findings of fact.  
19 Notice of the findings of fact of the referee, together with  
20 a statement concerning the right to a rehearing, shall be  
21 given to the parties to the proceeding heard by the referee,  
22 including the parents, guardian or custodian of a minor, and  
23 to any other interested person as the court may direct. This  
24 notice may be given orally at the hearing, or by certified  
25 mail or other service as directed by the court.

26 3. The parties to a proceeding heard before ~~the~~ a referee  
27 shall be entitled to a rehearing by the judge of the juvenile  
28 court if requested within seven days after receiving notice  
29 of the findings of fact of the referee. In the interest of  
30 justice, the court may allow a rehearing at any time. If  
31 a rehearing is not requested, the court may enter any  
32 appropriate order based upon the referee's findings of fact.

33 ~~In-counties-having-a-population-of-more-than-two-hundred~~  
34 ~~fifty-thousand, the judge of the juvenile court may appoint~~  
35 ~~a-director-of-court-services-and-shall-fix-his-compensation.~~

1     Sec. 35. Section two hundred thirty-one point eight  
2 (231.8), Code 1977, is amended by striking the section and  
3 inserting in lieu thereof the following:

4     231.8 DISTRICT PROBATION OFFICERS.

5     1. The judicial conference of each judicial district may  
6 appoint such probation officers as may be necessary to carry  
7 out the work of each juvenile court in the district. Probation  
8 officers may be assigned to serve two or more counties.

9     2. In districts where more than one officer is appointed,  
10 one of those officers shall be designated as chief probation  
11 officer.

12     3. The judicial conference of any district having a county  
13 with a population in excess of two hundred thousand may appoint  
14 a director of court services who shall act as administrator  
15 of the probation services within that district.

16     4. Each judicial conference may authorize the employment  
17 of secretarial and clerical help necessary in the  
18 administration of probation services.

19     5. Probation officers, secretarial and clerical personnel,  
20 and probation service administrators are court personnel,  
21 and shall have such duties and responsibilities as are provided  
22 by law or by the court employee classification plan.

23     6. The number of persons appointed under this section  
24 shall be subject to the personnel classification plans.

25     Sec. 36. Section two hundred thirty-one point ten (231.10),  
26 Code 1977, is amended to read as follows:

27     231.10 POWERS AND DUTIES--OFFICE AND SUPPLIES. Probation  
28 officers, in the discharge of their duties as such, shall  
29 possess the powers of peace officers. ~~They shall be furnished~~  
30 ~~by the county with a proper office and all necessary blanks,~~  
31 ~~books, and stationery.~~ It shall be the duty of said probation  
32 officers to make such investigation as may be required by  
33 the court; to be present in court in order to represent the  
34 interests of the child when the case is heard; to furnish  
35 to the court such information and assistance as ~~the judge~~

1 it may require, and to take such charge of any child before  
2 and after trial as may be directed by the court.

3 Sec. 37. Section three hundred thirty-three point eleven  
4 (333.11), subsections one (1), two (2), three (3) and four  
5 (4), Code 1977, are amended to read as follows:

6 1. The amount of the various classes of warrants drawn  
7 on the county fund, ~~except for court expenses~~, during the  
8 preceding year, including therein, among other items, the  
9 total amount paid each county officer, also their deputies  
10 and extra help, also other employees of the county, and amounts  
11 paid for rent and various other expenses, including printing  
12 and stationery, furniture and fixtures, publishing proceedings  
13 of the board of supervisors, postage allowed each county  
14 official, complete election expenses, including printing of  
15 ballots, expenses of registration, and items of like nature.

16 2. The amount of warrants drawn on the county fund for  
17 ~~various court expenses, which shall include among other items~~  
18 the salary paid the county attorney and the amounts received  
19 by him or her as commission on fines and from other sources,  
20 and the amount paid to assistant counsel.

21 3. The amount paid ~~jurors, witnesses and bailiffs,~~  
22 ~~respectively, in district court, amount paid for shorthand~~  
23 ~~reporting, amount paid for printing and stationery, amount~~  
24 ~~paid for attorney fees for defending criminals, amount paid~~  
25 ~~for meals for jurors, and items of like nature~~ for the  
26 provision and maintenance of courthouses and other real  
27 property used by the courts.

28 4. ~~The expenses of the grand jury, stating amounts paid~~  
29 ~~grand jurors, bailiffs, witnesses, and items of like nature.~~

30 Sec. 38. Section three hundred thirty-three point thirteen  
31 (333.13), subsection three (3), Code 1977, is amended to read  
32 as follows:

33 3. The various reports made during the preceding year,  
34 by the county treasurer, auditor, recorder, sheriff, ~~clerk~~  
35 ~~of the district court~~, and the commission of veteran affairs

1 as required by law.

2 Sec. 39. Section three hundred thirty-six B point six  
3 (336B.6), Code 1977, is amended to read as follows:

4 336B.6 FEE TAXED AS COURT COSTS. If a court finds that  
5 a person desires legal assistance, and is financially able  
6 to secure counsel but refuses to employ an attorney, the court  
7 shall appoint an attorney to represent such person at public  
8 state expense. The attorney fee ~~paid-by-the-state-or-county~~  
9 in such cases shall be taxed as part of the court costs against  
10 the person receiving the legal assistance, ~~and-the-state-or~~  
11 ~~county-shall-be-reimbursed-for-said-fee-when-the-court-costs~~  
12 ~~are-paid.~~

13 Sec. 40. Section three hundred forty point two (340.2),  
14 unnumbered paragraph two (2), Code 1977, is amended to read  
15 as follows:

16 The board of supervisors may allow an additional five  
17 hundred dollars compensation for each county auditor, county  
18 treasurer, county recorder, ~~clerk-of-the-district-court,~~ and  
19 county sheriff in counties having two places at which the  
20 district court is held.

21 Sec. 41. Section three hundred forty A point eight  
22 (340A.8), unnumbered paragraph one (1) and subsection three  
23 (3), Code 1977, are amended to read as follows:

24 Effective July 1, 1975, the annual salary or per diem  
25 compensation of the members of the board of supervisors,  
26 county treasurer, county auditor, county recorder, county  
27 attorney, and sheriff, ~~and-clerk-of-the-district-court~~ as  
28 such salary or per diem exists June 30, 1975 may be increased  
29 by resolution of the board of supervisors, according to the  
30 following schedule which shall remain effective until modified  
31 by the county compensation board as provided in this chapter.  
32 The increase shall be consistent with the following schedule:

33 3. For the county auditor, county treasurer, county  
34 recorder, ~~clerk-of-district-court,~~ sheriff, and county  
35 attorney, a sum not to exceed one thousand five hundred

1 dollars.

2 Sec. 42. Section three hundred forty-one point one (341.1),  
3 Code 1977, is amended to read as follows:

4 341.1 APPOINTMENT. Each county auditor, treasurer,  
5 recorder, sheriff, and county attorney, ~~clerk-of-the-district~~  
6 ~~court~~, may, with the approval of the board of supervisors,  
7 appoint one or more deputies or assistants, respectively,  
8 not holding a county office, for whose acts he or she shall  
9 be responsible. The number of deputies, assistants, and  
10 clerks for each office shall be determined by the board of  
11 supervisors, and such number together with the approval of  
12 each appointment shall be by resolution made of record in  
13 the proceedings of such board.

14 Sec. 43. Section three hundred forty-one point seven  
15 (341.7), Code 1977, is amended to read as follows:

16 341.7 TEMPORARY ASSISTANCE FOR COUNTY ATTORNEY. The  
17 county attorney may with the approval of a judge of the  
18 district court procure such assistants in the trial of a  
19 person charged with felony as he or she shall deem necessary  
20 and for such assistants upon presenting to the board of  
21 supervisors a certificate of the district judge before whom  
22 said cause was tried, certifying to the services rendered,  
23 shall be allowed a reasonable compensation therefor, to be  
24 fixed by the board of supervisors, but nothing in this chapter  
25 shall prevent the board of supervisors from employing an  
26 attorney to assist the county attorney in any cause or  
27 proceeding in which the state or county is interested. The  
28 compensation allowed to any such assistants shall be paid  
29 out of the ~~court~~ general fund of the county.

30 Sec. 44. Section three hundred forty-two point one (342.1),  
31 Code 1977, is amended to read as follows:

32 342.1 FEES BELONG TO COUNTY. Except as otherwise provided,  
33 all fees and charges of whatever kind collected for official  
34 service by any county auditor, treasurer, recorder, or sheriff,  
35 ~~clerk-of-the-district-court~~, and their respective deputies

1 or clerks, shall belong to the county.

2 Sec. 45. Section three hundred sixty-four point three  
3 (364.3), subsection two (2), Code 1977, is amended to read  
4 as follows:

5 2. A city may not provide a penalty in excess of a one  
6 hundred dollar fine or in excess of thirty days imprisonment  
7 for the violation of an ordinance. An amount equal to ten  
8 percent of all fines collected by municipal corporations shall  
9 be remitted quarterly to the ~~county treasurer of the county~~  
10 ~~in which the municipal corporation is located~~ treasurer of  
11 state for deposit in the county general fund. However, one  
12 hundred percent of all fines collected by a city pursuant  
13 to section 321.236, subsection 1, shall be retained by the  
14 city.

15 Sec. 46. Section four hundred point six (400.6), subsection  
16 one (1), unnumbered paragraph one (1), Code 1977, is amended  
17 to read as follows:

18 The provisions of this chapter shall apply to all appointive  
19 officers and employees, ~~including former deputy clerks of~~  
20 ~~the municipal court who became deputies of the district court~~  
21 ~~clerks~~, in cities under any form of government having a  
22 population of more than fifteen thousand except:

23 Sec. 47. Section four hundred forty-four point ten  
24 (444.10), Code 1977, is amended to read as follows:

25 444.10 COURT EXPENSE. ~~In any county where the rates~~  
26 ~~herein fixed for ordinary county revenue are found to be~~  
27 ~~insufficient to pay all expenses incident to the maintenance~~  
28 ~~and operation of the courts, the~~ The board of supervisors  
29 may create an additional fund to be known as the court expense  
30 fund, and may levy for such fund such rate of taxes as shall  
31 be necessary to pay all court expenses chargeable to the  
32 county for the provision of services to the court as required  
33 by law, and to pay other expenses which by law are specified  
34 to be payable from the court expense fund. Such fund shall  
35 be used for no other purpose, and the levy therefor shall

1 be dispensed with when the authorized levy for the ordinary  
2 county revenue is sufficient to meet the necessary county  
3 expenditures ~~including such court expenses~~ payable from the  
4 court expense fund.

5 Sec. 48. Section five hundred ninety-eight point sixteen  
6 (598.16), Code 1977, is amended by adding the following new  
7 unnumbered paragraph:

8 NEW UNNUMBERED PARAGRAPH. Persons providing counseling  
9 and other services pursuant to this section are not court  
10 personnel, but shall be subject to court supervision.

11 Sec. 49. Section six hundred two point fifty-five (602.55),  
12 Code 1977, is amended to read as follows:

13 602.55 FUNDS, REPORTS. Each month each judicial magistrate  
14 and district associate judge shall file with the clerk of  
15 the district court of the proper county a sworn, itemized  
16 statement, of all cases disposed of and all funds received  
17 and disbursed per case, and at least monthly shall remit to  
18 the clerk all funds received by him or her. The clerk shall  
19 provide adequate clerical assistance to judicial magistrates  
20 and district associate judges to carry out this section.

21 The clerk shall remit ninety percent of all fines and forfeited  
22 bail received from a magistrate or district associate judge  
23 to the city that was the plaintiff in any action, and shall  
24 provide that city with a statement showing the total number  
25 of such cases, the total of all fines and forfeited bail  
26 collected and the total of all cases dismissed. The clerk  
27 shall remit the remaining ten percent to the ~~county~~ treasurer  
28 of state for deposit in the ~~county~~ general fund. The clerk  
29 shall remit to the treasurer of the county, for the benefit  
30 of the school fund, all other fines and forfeited bail received  
31 from a magistrate. All fees and costs for the filing of a  
32 complaint or information or upon forfeiture of bail received  
33 from a magistrate shall be remitted ~~monthly by the clerk as~~  
34 follows: to the treasurer of state for deposit in the general  
35 fund.

1 ~~1.---Three-fifths-to-the-state-treasurer-to-be-credited~~  
2 ~~to-the-general-fund-of-the-state-~~

3 ~~2.---Two-fifths-to-the-county-treasurer-to-be-credited-to~~  
4 ~~the-general-fund-of-the-county-~~

5 Sec. 50. Section six hundred two point sixty-three  
6 (602.63), unnumbered paragraph one (1), Code 1977, is amended  
7 to read as follows:

8 The clerk of the district court of the county in which  
9 a judicial magistrate resides shall furnish the judicial  
10 magistrate, district associate judge, or district judge acting  
11 as judicial magistrate, a docket in which shall be entered  
12 all proceedings except small claims. Such docket shall be  
13 indexed and shall contain in each case the title and nature  
14 of the action; place of hearing; appearances; and notations  
15 of the documents filed with the judicial magistrate, of the  
16 proceedings in the case and orders made, of the verdict and  
17 judgment including costs, of any satisfaction of the judgment,  
18 of whether the judgment was certified to the clerk of the  
19 district court, of whether an appeal was taken, and of the  
20 amount of the appeal bond. ~~All-costs-in-criminal-cases-shall~~  
21 ~~be-assessed-and-distributed-as-in-chapter-606,-except-that~~  
22 ~~the-cost-of-filing-and-docketing-of-a-complaint-or-information~~  
23 ~~for-a-nonindictable-misdemeanor-shall-be-five-dollars-which~~  
24 ~~shall-be-distributed-pursuant-to-section-602.55-~~ The five  
25 dollar cost for filing and docketing a complaint or information  
26 for a nonindictable misdemeanor shall not apply in cases of  
27 overtime parking. If the judgment and costs are not fully  
28 and immediately satisfied in criminal cases, the judicial  
29 magistrate shall promptly certify a copy of the judgment to  
30 the clerk of the district court indicating thereon the portion  
31 unsatisfied; and the clerk shall index and file the judgment,  
32 whereupon it shall be a judgment of the district court without  
33 recording.

34 Sec. 51. Section six hundred two point sixty-four (602.64),  
35 Code 1977, is amended to read as follows:

1 602.64 ADMINISTRATIVE REPORTS. Each judicial magistrate,  
2 district associate judge and district judge acting as a  
3 judicial magistrate shall report all judicial business handled  
4 by him or her to the district court clerk and-board-of  
5 supervisors of the appropriate county in which he or she held  
6 court and the chief-judge district court administrator of  
7 his or her judicial district. Such reports shall be on a  
8 form prescribed by the supreme state court administrator and  
9 shall be made at such times as required by him or her. The  
10 state court administrator may require the clerk to forward  
11 copies of individual reports to him or her or require a  
12 consolidated report for the county.

13 Sec. 52. Section six hundred six point one (606.1), Code  
14 1977, is amended by adding the following new unnumbered  
15 paragraph:

16 NEW UNNUMBERED PARAGRAPH. Each clerk of the district court  
17 shall be subject to the immediate supervision of the chief  
18 judge of the judicial district.

19 Sec. 53. Section six hundred six point eleven (606.11),  
20 Code 1977, is amended by adding the following new unnumbered  
21 paragraph:

22 NEW UNNUMBERED PARAGRAPH. Original records shall not be  
23 removed from the clerk's office except in compliance with  
24 section six hundred nineteen point four (619.4) of the Code.

25 Sec. 54. Section six hundred six point fifteen (606.15),  
26 unnumbered paragraph one (1) and subsection one (1), Code  
27 1977, are amended to read as follows:

28 Except in probate matters, the clerk of the district court  
29 shall charge and collect the following fees, all of which  
30 shall be paid into the ~~county-treasury-for-the-use-of-the~~  
31 county general fund of the state except as indicated:

32 1. For filing any petition, appeal, or writ of error and  
33 docketing the same, seven dollars. ~~Four-dollars-of-such-fee~~  
34 ~~shall-remain-in-the-county-treasury-for-the-use-of-the-county,~~  
35 ~~and-three-dollars-of-such-fee-shall-be-paid-into-the-state~~

1 ~~treasury and deposited in the general fund of the state.~~

2 In counties having a population of one hundred thousand or  
3 over, an additional one dollar shall be charged and collected,  
4 to be known as the journal publication fee and to be used  
5 for the purposes provided for in section 618.13.

6 Sec. 55. Section six hundred six point sixteen (606.16),  
7 Code 1977, is amended to read as follows:

8 606.16 ACCOUNTING FOR FEES. He or she shall, on the first  
9 Monday in January and July of each year, pay ~~into the county~~  
10 ~~treasury, for the use of the county,~~ to the treasurer of state  
11 for deposit in the general fund all other fees not belonging  
12 to his or her office, in his or her hands at the date of  
13 preceding payment and still unclaimed.

14 On July 1, 1978, each county shall pay to the treasurer  
15 of state all unclaimed funds in the hands of the county which  
16 were received after June 30, 1973.

17 Sec. 56. Section six hundred six point seventeen (606.17),  
18 Code 1977, is amended to read as follows:

19 606.17 RECEIPTS--FILING WITH AUDITOR. At the time of  
20 so doing, ~~he~~ the clerk shall take from the treasurer of state  
21 duplicate receipts therefor, giving the title of the cause  
22 and style of the court in which the same was pending, with  
23 the names of the witnesses, jurors, officers, or other persons,  
24 and the amount each one is entitled to receive; one of which  
25 receipts ~~he~~ the clerk shall file with the ~~county auditor~~ state  
26 comptroller.

27 Sec. 57. Section six hundred six point eighteen (606.18),  
28 Code 1977, is amended to read as follows:

29 606.18 ALLOWED CLAIMS--PAYMENT. The ~~auditor~~ state  
30 comptroller shall charge the amount thereof to the treasurer  
31 of state as so much county court revenue, and shall enter  
32 the same upon the proper records as a claim allowed, and,  
33 on demand and proper proof by the person entitled thereto,  
34 shall issue warrant accordingly, providing such demand is  
35 made within five years from the time the ~~county~~ treasurer

1 of state received said fund, ~~and that unless and within one~~  
2 ~~year from July 4, 1933, demand is made upon the county auditor~~  
3 ~~and proper proof is made by the person entitled to any~~  
4 ~~unclaimed fees, which have been paid to the county treasurer,~~  
5 ~~as provided in this chapter, on and prior to July 4, 1930,~~  
6 ~~the person entitled to such unclaimed fees shall be deemed~~  
7 ~~to have waived all right, claim or interest therein, and shall~~  
8 ~~not be permitted to have or make claim therefor.~~

9 Persons entitled to unclaimed fees paid by the clerk to  
10 the county treasurer prior to July 1, 1978 shall be deemed  
11 to have waived all right, claim, or interest therein, and  
12 shall not be permitted to have or make claim therefor, unless  
13 demand is made upon the state comptroller prior to July 1,  
14 1979.

15 Sec. 58. Chapter six hundred eighty-four (684), Code 1977,  
16 is amended by adding the following new sections as sections  
17 six hundred eighty-four point twenty-four (684.24) and six  
18 hundred eighty-four point twenty-five (684.25), respectively:

19 NEW SECTION. 684.24. CLERK OF SUPREME COURT--DEPUTY.

20 1. Within ninety days prior to the first secular day in  
21 January, 1927, and every four years thereafter, the judges  
22 of the supreme court shall appoint a clerk of the supreme  
23 court who shall hold office for four years and until his or  
24 her successor has been appointed and qualified. In case a  
25 vacancy occurs, the same shall be filled by appointment for  
26 the unexpired portion of the term only.

27 2. The clerk of the supreme court shall have an office  
28 at the seat of government, keep a complete record of the  
29 proceedings of the court, and allow no opinion filed therein  
30 to be removed except by the reporter, which opinions shall  
31 be open to examination and may be copied, and, upon request,  
32 shall be certified by him or her. He or she shall also, when  
33 required, make out and certify a copy thereof. He or she  
34 shall promptly announce by mail to one of the attorneys on  
35 each side any ruling made or decision rendered, record every

1 opinion rendered as soon as filed, and perform all other  
2 duties pertaining to his or her office.

3 3. The state court administrator may appoint, in writing,  
4 any person, except one holding a state office, as deputy clerk  
5 of the supreme court, and such appointment may be revoked  
6 in the same manner. The appointment and the revocation shall  
7 be filed and kept in the office of the secretary of state.  
8 The deputy shall qualify by taking the oath of the principal,  
9 to be endorsed upon and filed with the certificate of  
10 appointment, and, when so qualified, the deputy shall, in  
11 the absence or disability of the clerk, perform all of the  
12 duties of the clerk. The deputy clerk also shall perform  
13 such duties with respect to the court of appeals as are  
14 prescribed by the court administrator.

15 NEW SECTION. 684.25. FEES IN SUPREME COURT.

16 1. The supreme court shall by rule prescribe fees for  
17 the services of the court and clerk of the supreme court.  
18 The court shall account for fees as provided in section twelve  
19 point ten (12.10) of the Code and shall keep account of and  
20 report in a like manner all uncollected fees.

21 2. Rules prescribed under this section shall be reported  
22 to the general assembly within twenty days after the  
23 commencement of a regular session and shall take effect July  
24 first following the adjournment of such session, with such  
25 changes, if any, as may have been enacted at such session;  
26 and thereafter all laws in conflict therewith shall be of  
27 no further force or effect.

28 At adjournment of the general assembly where such report  
29 has been filed, an enrolled copy thereof, together with any  
30 changes, shall be made in substantially the same manner as  
31 Acts are enrolled. The enrolled copy shall be certified as  
32 to whether or not any action was taken by the general assembly  
33 and if any, what action, and thereupon it shall be filed with  
34 the secretary of state and bound with the Acts of the general  
35 assembly.

1 3. If any of the foregoing fees of the clerk are not paid  
2 in advance, execution may issue therefor, except where the  
3 fees are payable by the county or the state.

4 4. The fees established by Acts of the Sixty-sixth General  
5 Assembly, 1976 Session, chapter two hundred sixty-one (261),  
6 shall be the fees applicable in the supreme court until  
7 modified as provided in this section.

8 Sec. 59. Chapter six hundred eighty-five (685), Code 1977,  
9 is amended by striking the chapter and inserting in lieu  
10 thereof sections one (1) through twenty-two (22) of this Act.

11 Sec. 60. Sections sixty-six point twenty-five (66.25);  
12 sixty-nine point eight (69.8), subsections three (3) and six  
13 (6); one hundred fifteen point five (115.5); two hundred  
14 thirty-one point twelve (231.12); two hundred thirty-one point  
15 thirteen (231.13); three hundred thirty-two point seventeen  
16 (332.17), subsection six (6); three hundred thirty-three point  
17 three (333.3); three hundred thirty-seven point seven (337.7);  
18 three hundred thirty-seven point eleven (337.11); three hundred  
19 forty point seventeen (340.17); six hundred two point thirty-  
20 three (602.33); six hundred two point thirty-four (602.34);  
21 six hundred five point six (605.6); six hundred five point  
22 seven (605.7); six hundred five point eight (605.8); six  
23 hundred five point nine (605.9); six hundred five point ten  
24 (605.10); six hundred five point thirty-five (605.35) and  
25 six hundred six point nineteen (606.19), Code 1977, are amended  
26 by striking those provisions.

27 Sec. 61. This Act shall take effect on July 1, 1978.

28 EXPLANATION

29 This bill organizes all of the courts of this state as  
30 the judicial department and provides that the state would  
31 assume responsibility for funding the operations of the  
32 judicial system.

33 Sections 1 through 22 of the bill provide for the  
34 administration of the judicial department. All persons  
35 presently serving the courts, including court clerks, probation

1 officers and bailiffs, would become state employees subject  
2 to a personnel classification plan to be established by the  
3 supreme court. The supreme court administrator (redesignated  
4 "state court administrator") would prepare a consolidated  
5 budget encompassing all court operations. All personal  
6 property of the courts and all persons serving the courts  
7 are transferred to the judicial department effective July  
8 1, 1978.

9 Beginning at section 13 of the bill, district court  
10 administration is revised to provide for express statutory  
11 powers of chief judges and for a "district conference" of  
12 judges within judicial districts. A district court  
13 administrator is to be appointed in each judicial district  
14 who would have duties similar to those of the state court  
15 administrator.

16 Counties would be relieved of all expenses relating to  
17 the operation of the judicial system, including the provision  
18 of bailiff services, but would retain the obligation to provide  
19 and maintain physical facilities (buildings and fixtures  
20 only).

21 Sections 23 through 60 of the bill contain coordinating  
22 amendments to the Code.

23 The bill would take effect on July 1, 1978.

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