

**441—151.2(232) Administration of funds for court-ordered services and graduated sanction services.** Pursuant to the authority granted in Iowa Code chapters 232, 602, 7E, and 8 and the annual appropriations Acts, the executive branch, represented by the department, and the judicial branch, represented by the state court administrator and the chief juvenile court officers, are each charged with specific responsibilities for funding, administering, and providing graduated sanction services and court-ordered services.

**151.2(1) *Allocations for court-ordered services.*** Court-ordered services are funded by an appropriation made to the department for allocation by the state court administrator.

*a.* The state court administrator shall allocate the funds, minus the administrative set-aside specified in the appropriations bill, to the eight judicial districts for the payment of the expenses of court-ordered services provided to juveniles that are a charge upon the state pursuant to Iowa Code section 232.141, subsection (4), and also as allowed by subsection 5.

*b.* The state court administrator may use not more than the administrative set-aside, specified in the appropriations bill, for the costs of administering the court-ordered services program, including the costs of travel associated with court-ordered placements, that are a charge to the state pursuant to Iowa Code section 232.141, subsection (4).

*c.* The state court administrator shall allocate the funds, minus the administrative set-aside, among the judicial districts on or before the date directed by the legislature.

(1) The state court administrator shall base the allocation on each district's respective portion of the statewide population of children as reported in current census data.

(2) The source of the census data shall be determined and agreed upon by the state court administrator and the chief juvenile court officers.

**151.2(2) *Allocations for graduated sanction services.*** Graduated sanction services are funded by an appropriation to the department. The department allocates the funds to the state court administrator and to the chief juvenile court officers for administration. The funds are allocated and administered as follows:

*a.* The department shall allocate a set-aside amount up to, but not to exceed, 10 percent of the total allocation for graduated sanction services for the state court administrator to pay the administrative costs of the graduated sanction services, including the costs of a court accountant auditor position established in each judicial district.

*b.* The state court administrator shall:

(1) Establish and implement a written job classification and pay schedule for the court accountant auditor positions; and

(2) Administer the set-aside for the eight judicial districts.

*c.* The department shall allocate the funds for each of the four graduated sanction programs, minus the administrative set-aside, among the eight judicial districts based on each district's respective portion of the statewide population of children as reported in current census data. The source of the census data shall be determined and agreed upon by the department and the chief juvenile court officers.

**151.2(3) *Transfer of funds to a decategorization governance board for administration.*** Funds allocated to a district for court-ordered services or graduated sanction services, less the administrative set-asides, may be transferred to a decategorization governance board for administration.

*a.* To initiate a transfer of funds to a decategorization governance board:

(1) The chief juvenile court officer shall submit to the chair of the decategorization governance board a written notice of intent to transfer the funds to the board. The chief shall include in the notice a statement identifying any special conditions or limitations to which the funds would be subject. If no statement identifying any special conditions or limitations to which the funds would be subject is included, then no special conditions or limitations apply.

(2) The chair of the decategorization governance board shall provide the chief juvenile court officer with a written statement of acceptance of the funds; otherwise the chief juvenile court officer shall not transfer the funds. When the chief juvenile court officer has identified special conditions or limitations that apply to the funds, the decategorization governance board chair's signature on the written statement of acceptance of the funds indicates agreement with the special conditions or limitations.

(3) The chief juvenile court officer shall submit the written request to transfer the funds and the written statement of acceptance to the department.

*b.* The department must receive a signed agreement transferring the funds before the department signs any contract using the funds.

*c.* The decategorization governance board may authorize the chief juvenile court officer to act on behalf of the decategorization governance board in the administration of the funds, but is not required to do so. An authorization from the decategorization governance board granting authority to the chief juvenile court officer to act on behalf of the decategorization governance board in the administration of the funds must be in writing and must be received by the department before the department representative signs any contract using the funds. The request and authorization to administer the funds may be included in the request and agreement to transfer the funds.

*d.* Funds transferred to a decategorization governance board for administration are subject to the same audit requirements as specified in 151.6(1).

**151.2(4) *Availability of funds.*** The chief juvenile court officers, the state court administrator, and the department shall monitor the availability of the court-ordered services funds to ensure that funds are available within each district throughout the state fiscal year. The chief juvenile court officers and the department shall monitor the availability of the graduated sanction services funds to ensure that the funds are available within each district throughout the state fiscal year.

*a.* The department shall provide to each court accountant auditor at the start of each state fiscal year a blank electronic report, known as the “Y” form, as well as a spreadsheet showing the amount of the district’s allocations for graduated sanction services.

*b.* The state court administrator shall determine and provide to each district at the start of each state fiscal year the amount of the district’s allocation for court-ordered services.

*c.* Each court accountant auditor shall:

(1) Enter the beginning annual allocation on the “Y” form for court-ordered services and for each graduated sanction service;

(2) Enter on the “Y” form each month the monthly expenditures and transfers of funds to and from each service; and

(3) Submit each month to the department’s division of fiscal management the “Y” form showing the monthly balance of service funds, as well as the cumulative expenditures and fund transfers for each service for the district.

*d.* The department shall:

(1) Use the information provided by each court accountant auditor to prepare each month an electronic report, known as the Form Y Summary, showing the statewide balance of service funds, as well as the cumulative expenditures and fund transfers for each service for each district; and

(2) Distribute the Form Y Summary monthly to the state court administrator and to department and juvenile court services management.

*e.* The chief juvenile court officers, in consultation with the department or the state court administrator, shall reallocate funds as needed to ensure the availability of graduated sanction services and court-ordered services on a statewide basis throughout the state fiscal year.

*f.* If funding for either graduated sanction services or court-ordered services is exhausted in any district, the respective services within that district shall be discontinued.