

House Amendment to
Senate File 511

S-3220

1 Amend Senate File 511, as amended, passed, and
2 reprinted by the Senate, as follows:

3 1. By striking everything after the enacting clause
4 and inserting:

5 <DIVISION I
6 FY 2011-2012

7 Section 1. JUDICIAL BRANCH.

8 1. There is appropriated from the general fund of
9 the state to the judicial branch for the fiscal year
10 beginning July 1, 2011, and ending June 30, 2012, the
11 following amount, or so much thereof as is necessary,
12 to be used for the purposes designated:

13 a. For salaries of supreme court justices,
14 appellate court judges, district court judges, district
15 associate judges, judicial magistrates and staff,
16 state court administrator, clerk of the supreme
17 court, district court administrators, clerks of the
18 district court, juvenile court officers, board of law
19 examiners and board of examiners of shorthand reporters
20 and judicial qualifications commission; receipt and
21 disbursement of child support payments; reimbursement
22 of the auditor of state for expenses incurred in
23 completing audits of the offices of the clerks of the
24 district court during the fiscal year beginning July
25 1, 2011; and maintenance, equipment, and miscellaneous
26 purposes:

27 \$154,111,822

28 b. For deposit in the revolving fund created
29 pursuant to section 602.1302, subsection 3, for jury
30 and witness fees, mileage, costs related to summoning
31 jurors, fees for interpreters, and reimbursement of
32 attorney fees paid by the state public defender:

33 \$ 2,300,000

34 2. The judicial branch, except for purposes of
35 internal processing, shall use the current state budget
36 system, the state payroll system, and the Iowa finance
37 and accounting system in administration of programs
38 and payments for services, and shall not duplicate the
39 state payroll, accounting, and budgeting systems.

40 3. The judicial branch shall submit monthly
41 financial statements to the legislative services
42 agency and the department of management containing
43 all appropriated accounts in the same manner as
44 provided in the monthly financial status reports and
45 personal services usage reports of the department
46 of administrative services. The monthly financial
47 statements shall include a comparison of the dollars
48 and percentage spent of budgeted versus actual revenues
49 and expenditures on a cumulative basis for full-time
50 equivalent positions and dollars.

1 4. The judicial branch shall focus efforts upon the
2 collection of delinquent fines, penalties, court costs,
3 fees, surcharges, or similar amounts.

4 5. The judicial branch shall open the offices of
5 the clerk of the district court in all 99 counties
6 from 8:00 a.m. until 4:30 p.m. during each business
7 day the judicial branch is open for business in order
8 to address the relative needs of the citizens of each
9 county.

10 6. In addition to the requirements for transfers
11 under section 8.39, the judicial branch shall not
12 change the appropriations from the amounts appropriated
13 to the judicial branch in this Act, unless notice of
14 the revisions is given prior to their effective date
15 to the legislative services agency. The notice shall
16 include information on the branch's rationale for
17 making the changes and details concerning the workload
18 and performance measures upon which the changes are
19 based.

20 7. The judicial branch shall submit a semiannual
21 update to the legislative services agency specifying
22 the amounts of fines, surcharges, and court costs
23 collected using the Iowa court information system since
24 the last report. The judicial branch shall continue
25 to facilitate the sharing of vital sentencing and
26 other information with other state departments and
27 governmental agencies involved in the criminal justice
28 system through the Iowa court information system.

29 8. The judicial branch shall provide a report to
30 the general assembly by January 1, 2012, concerning
31 the amounts received and expended from the enhanced
32 court collections fund created in section 602.1304 and
33 the court technology and modernization fund created in
34 section 602.8108, subsection 7, during the fiscal year
35 beginning July 1, 2010, and ending June 30, 2011, and
36 the plans for expenditures from each fund during the
37 fiscal year beginning July 1, 2011, and ending June 30,
38 2012. A copy of the report shall be provided to the
39 legislative services agency.

40 9. The judicial branch is encouraged to purchase
41 products from Iowa state industries, as defined in
42 section 904.802, when purchases are required and the
43 products are available from Iowa state industries.
44 The judicial branch shall obtain bids from Iowa state
45 industries for purchases of office furniture during the
46 fiscal year beginning July 1, 2011, exceeding \$5,000.

47 Sec. 2. CIVIL TRIALS — LOCATION. Notwithstanding
48 any provision to the contrary, for the fiscal year
49 beginning July 1, 2011, and ending June 30, 2012, if
50 all parties in a case agree, a civil trial including a

1 jury trial may take place in a county contiguous to the
2 county with proper jurisdiction, even if the contiguous
3 county is located in an adjacent judicial district or
4 judicial election district. If the trial is moved
5 pursuant to this section, court personnel shall treat
6 the case as if a change of venue occurred. However,
7 if a trial is moved to an adjacent judicial district
8 or judicial election district, the judicial officers
9 serving in the judicial district or judicial election
10 district receiving the case shall preside over the
11 case.

12 Sec. 3. TRAVEL REIMBURSEMENT. Notwithstanding
13 section 602.1509, for the fiscal year beginning July 1,
14 2011, a judicial officer may waive travel reimbursement
15 for any travel outside the judicial officer's county of
16 residence to conduct official judicial business.

17 Sec. 4. POSTING OF REPORTS IN ELECTRONIC FORMAT —
18 LEGISLATIVE SERVICES AGENCY. All reports or copies of
19 reports required to be provided by the judicial branch
20 for fiscal year 2011-2012 to the legislative services
21 agency shall be provided in an electronic format. The
22 legislative services agency shall post the reports on
23 its internet website and shall notify by electronic
24 means all the members of the joint appropriations
25 subcommittee on the justice system when a report
26 is posted. Upon request, copies of the reports may
27 be mailed to members of the joint appropriations
28 subcommittee on the justice system.

29 Sec. 5. JUDICIAL OFFICER — UNPAID
30 LEAVE. Notwithstanding the annual salary rates
31 for judicial officers established by 2008 Iowa Acts,
32 chapter 1191, section 11, for the fiscal year beginning
33 July 1, 2011, and ending June 30, 2012, the supreme
34 court may by order place all judicial officers on
35 unpaid leave status on any day employees of the
36 judicial branch are placed on temporary layoff status.
37 The biweekly pay of the judicial officers shall be
38 reduced accordingly for the pay period in which the
39 unpaid leave date occurred in the same manner as for
40 noncontract employees of the judicial branch. Through
41 the course of the fiscal year, the judicial branch may
42 use an amount equal to the aggregate amount of salary
43 reductions due to the judicial officer unpaid leave
44 days for any purpose other than for judicial salaries.

45 Sec. 6. IOWA COMMUNICATIONS NETWORK. It is the
46 intent of the general assembly that the judicial branch
47 utilize the Iowa communications network or other secure
48 electronic communications in lieu of traveling for the
49 fiscal year beginning July 1, 2011.

50 DIVISION II

Sec. 7. JUDICIAL BRANCH.

1. There is appropriated from the general fund of the state to the judicial branch for the fiscal year beginning July 1, 2012, and ending June 30, 2013, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

a. For salaries of supreme court justices, appellate court judges, district court judges, district associate judges, judicial magistrates and staff, state court administrator, clerk of the supreme court, district court administrators, clerks of the district court, juvenile court officers, board of law examiners and board of examiners of shorthand reporters and judicial qualifications commission; receipt and disbursement of child support payments; reimbursement of the auditor of state for expenses incurred in completing audits of the offices of the clerks of the district court during the fiscal year beginning July 1, 2012; and maintenance, equipment, and miscellaneous purposes:

..... \$157,311,822

b. For deposit in the revolving fund created pursuant to section 602.1302, subsection 3, for jury and witness fees, mileage, costs related to summoning jurors, fees for interpreters, and reimbursement of attorney fees paid by the state public defender:

..... \$ 2,300,000

2. The judicial branch, except for purposes of internal processing, shall use the current state budget system, the state payroll system, and the Iowa finance and accounting system in administration of programs and payments for services, and shall not duplicate the state payroll, accounting, and budgeting systems.

3. The judicial branch shall submit monthly financial statements to the legislative services agency and the department of management containing all appropriated accounts in the same manner as provided in the monthly financial status reports and personal services usage reports of the department of administrative services. The monthly financial statements shall include a comparison of the dollars and percentage spent of budgeted versus actual revenues and expenditures on a cumulative basis for full-time equivalent positions and dollars.

4. The judicial branch shall focus efforts upon the collection of delinquent fines, penalties, court costs, fees, surcharges, or similar amounts.

5. The judicial branch shall open the offices of the clerk of the district court in all 99 counties

1 from 8:00 a.m. until 4:30 p.m. during each business
2 day the judicial branch is open for business in order
3 to address the relative needs of the citizens of each
4 county.

5 6. In addition to the requirements for transfers
6 under section 8.39, the judicial branch shall not
7 change the appropriations from the amounts appropriated
8 to the judicial branch in this division of this Act,
9 unless notice of the revisions is given prior to their
10 effective date to the legislative services agency.
11 The notice shall include information on the branch's
12 rationale for making the changes and details concerning
13 the workload and performance measures upon which the
14 changes are based.

15 7. The judicial branch shall submit a semiannual
16 update to the legislative services agency specifying
17 the amounts of fines, surcharges, and court costs
18 collected using the Iowa court information system since
19 the last report. The judicial branch shall continue
20 to facilitate the sharing of vital sentencing and
21 other information with other state departments and
22 governmental agencies involved in the criminal justice
23 system through the Iowa court information system.

24 8. The judicial branch shall provide a report to
25 the general assembly by January 1, 2013, concerning
26 the amounts received and expended from the enhanced
27 court collections fund created in section 602.1304 and
28 the court technology and modernization fund created in
29 section 602.8108, subsection 7, during the fiscal year
30 beginning July 1, 2011, and ending June 30, 2012, and
31 the plans for expenditures from each fund during the
32 fiscal year beginning July 1, 2012, and ending June 30,
33 2013. A copy of the report shall be provided to the
34 legislative services agency.

35 9. The judicial branch is encouraged to purchase
36 products from Iowa state industries, as defined in
37 section 904.802, when purchases are required and the
38 products are available from Iowa state industries.
39 The judicial branch shall obtain bids from Iowa state
40 industries for purchases of office furniture during the
41 fiscal year beginning July 1, 2012, exceeding \$5,000.

42 Sec. 8. CIVIL TRIALS — LOCATION.
43 Notwithstanding any provision to the contrary, for
44 the fiscal year beginning July 1, 2012, and ending
45 June 30, 2013, if all parties in a case agree, a civil
46 trial including a jury trial may take place in a county
47 contiguous to the county with proper jurisdiction, even
48 if the contiguous county is located in an adjacent
49 judicial district or judicial election district. If
50 the trial is moved pursuant to this section, court

1 personnel shall treat the case as if a change of venue
2 occurred. However, if a trial is moved to an adjacent
3 judicial district or judicial election district, the
4 judicial officers serving in the judicial district or
5 judicial election district receiving the case shall
6 preside over the case.

7 Sec. 9. TRAVEL REIMBURSEMENT. Notwithstanding
8 section 602.1509, for the fiscal year beginning July 1,
9 2012, a judicial officer may waive travel reimbursement
10 for any travel outside the judicial officer's county of
11 residence to conduct official judicial business.

12 Sec. 10. POSTING OF REPORTS IN ELECTRONIC FORMAT —
13 LEGISLATIVE SERVICES AGENCY. All reports or copies of
14 reports required to be provided by the judicial branch
15 for fiscal year 2012-2013 to the legislative services
16 agency shall be provided in an electronic format. The
17 legislative services agency shall post the reports on
18 its internet website and shall notify by electronic
19 means all the members of the joint appropriations
20 subcommittee on the justice system when a report
21 is posted. Upon request, copies of the reports may
22 be mailed to members of the joint appropriations
23 subcommittee on the justice system.

24 Sec. 11. JUDICIAL OFFICER — UNPAID
25 LEAVE. Notwithstanding the annual salary rates
26 for judicial officers established by 2008 Iowa Acts,
27 chapter 1191, section 11, for the fiscal year beginning
28 July 1, 2012, and ending June 30, 2013, the supreme
29 court may by order place all judicial officers on
30 unpaid leave status on any day employees of the
31 judicial branch are placed on temporary layoff status.
32 The biweekly pay of the judicial officers shall be
33 reduced accordingly for the pay period in which the
34 unpaid leave date occurred in the same manner as for
35 noncontract employees of the judicial branch. Through
36 the course of the fiscal year, the judicial branch may
37 use an amount equal to the aggregate amount of salary
38 reductions due to the judicial officer unpaid leave
39 days for any purpose other than for judicial salaries.

40 Sec. 12. IOWA COMMUNICATIONS NETWORK. It is the
41 intent of the general assembly that the judicial branch
42 utilize the Iowa communications network or other secure
43 electronic communications in lieu of traveling for the
44 fiscal year beginning July 1, 2012.>

45 2. By renumbering as necessary.