A BILL FOR

1 An Act relating to salaries and apportionment of judicial
2   officers and including effective date provisions.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 602.1401, subsection 1, Code 2017, is
2 amended to read as follows:
3 1. *a.* The supreme court shall establish, and may amend,
4 a personnel system and a pay and benefits plan for judicial
5 officers, senior judges, and court employees. The personnel
6 system shall include a designation by position title,
7 classification, and function of each position or class of
8 positions within the judicial branch. Reasonable efforts
9 shall be made to accommodate the individual staffing and
10 management practices of the respective clerks of the district
11 court. The personnel system, in the employment of court
12 employees, shall not discriminate on the basis of race, creed,
13 color, sex, national origin, religion, physical disability, or
14 political party preference. The supreme court, in establishing
15 the personnel system, shall implement the comparable worth
16 directives issued by the state court administrator under
17 section 602.1204, subsection 2. The personnel system
18 shall include the prohibitions against sexual harassment of
19 full-time, part-time, and temporary employees set out in
20 section 19B.12, and shall include a grievance procedure for
21 discriminatory harassment. The personnel system shall develop
22 and distribute at the time of hiring or orientation, a guide
23 that describes ~~for employees~~ the applicable sexual harassment
24 prohibitions and grievance, violation, and disposition
25 procedures. This subsection does not supersede the remedies
26 provided under chapter 216.
27 *b.* This subsection shall be construed to require the
28 public disclosure of the salaries of court employees, judicial
29 officers, and senior judges, and of any adjustments to judicial
30 officer and senior judge salaries made pursuant to section
31 602.1501.
32 *c.* This subsection shall not be construed to allow the
33 supreme court to set salaries for judicial officers and senior
34 judges.
35 Sec. 2. Section 602.1501, Code 2017, is amended by striking

1 the section and inserting in lieu thereof the following:

2 **602.1501 Judicial salaries.**

3 The salaries of all judicial officers and senior judges

4 as defined in section 602.1101 shall be set in accordance

5 with this section and with the judicial branch personnel

6 system pursuant to section 602.1401 and paid from the general

7 operating moneys appropriated to the judicial branch. To

8 the extent moneys are available, all judicial officer and

9 senior judge salaries shall be increased in each fiscal year

10 by an amount equal to the across-the-board percentage increase

11 received by executive branch noncontract state employees. A

12 salary increase shall be made a public record through an order

13 from the supreme court not less than thirty days prior to the

14 effective date of the increase. A salary increase shall not

15 take effect in a fiscal year until the general operating moneys

16 for the judicial branch have been appropriated for the fiscal

17 year.

18 Sec. 3. Section 602.6201, subsections 5, 6, 7, and 10, Code

19 2017, are amended by striking the subsections.

20 Sec. 4. Section 602.6301, Code 2017, is amended by striking

21 the section and inserting in lieu thereof the following:

22 **602.6301 Number and apportionment of district associate**

23 **judges.**

24 The supreme court shall prescribe, subject to the

25 restrictions of this section, a formula to determine the

26 number of district associate judges serving in each judicial

27 election district. The formula shall be based on a model that

28 measures and applies an estimated case-related workload formula

29 of judicial officers, and shall account for administrative

30 duties, travel time, and other judicial duties not related to a

31 specific case.

32 Sec. 5. Section 602.6401, subsection 1, Code 2017, is

33 amended to read as follows:

34 1. *a.* ~~Two hundred six magistrates~~ Magistrates shall be

35 apportioned among the counties as provided in this section.

1 Magistrates appointed pursuant to section 602.6303 or 602.6402
2 shall not be counted for purposes of this section.
3   *b.* This subsection does not authorize the judicial branch to
4 reduce the number of apportioned magistrates for the purpose
5 of making moneys available for salary increases for judicial
6 officers and senior judges as provided in section 602.1501.
7   Sec. 6. Section 602.9104, subsection 1, paragraph a, Code
8 2017, is amended to read as follows:
9   *a.* A judge to whom this article applies shall be paid an
10 amount equal to the basic salary of the judge as set ~~by the~~
11 ~~general assembly~~ under section 602.1501 reduced by an amount
12 designated as the judge's required contribution to the judicial
13 retirement fund. The amount designated as the judge's required
14 contribution shall be paid by the state in the manner provided
15 in subsection 2.
16   Sec. 7. Section 602.9204, subsection 1, paragraph a, Code
17 2017, is amended by striking the paragraph.
18   Sec. 8. 2008 Iowa Acts, chapter 1191, section 14, subsection
19 7, as amended by 2010 Iowa Acts, chapter 1193, section 26, is
20 amended to read as follows:
21   7. The following are range 7 positions: administrator
22 of the public broadcasting division of the department of
23 education, director of the department of corrections, director
24 of the department of education, director of human services,
25 director of the department of economic development, executive
26 director of the Iowa telecommunications and technology
27 commission, executive director of the state board of regents,
28 director of transportation, director of the department of
29 workforce development, director of revenue, director of
30 public health, ~~state court administrator,~~ director of the
31 department of management, chief information officer, state debt
32 coordinator, and director of the department of administrative
33 services.
34   Sec. 9. REPEAL. 2013 Iowa Acts, chapter 140, section 40,
35 is repealed.

1 Sec. 10. EFFECTIVE DATE. The following provision or
2 provisions of this Act take effect July 1, 2018:
3 1. The section of this Act amending section 602.1401.
4 2. The section of this Act amending section 602.1501.
5 3. The section of this Act amending section 602.9104.
6 4. The section of this Act amending section 602.9204,
7 subsection 1, paragraph "a".
8 5. The section of this Act repealing 2013 Iowa Acts, chapter
9 140, section 40.
10   EXPLANATION
11   The inclusion of this explanation does not constitute agreement with
12   the explanation's substance by the members of the general assembly.

13 This bill relates to salaries and apportionment of judicial
14 officers.
15 The amendment to Code section 602.1401 places judicial
16 officers and senior judges in the personnel system maintained
17 by the judicial branch for court employees. The bill specifies
18 that the salaries of court employees, judicial officers, and
19 senior judges shall be publicly disclosed, and specifies that
20 the salaries of judicial officers and senior judges shall not
21 be set by the supreme court. This provision takes effect July
22 1, 2018.
23 Currently, the general assembly sets the salaries for
24 judicial officers and senior judges in session law. The
25 amendment to Code section 602.1501 provides that the salaries
26 of judicial officers and senior judges shall be increased each
27 fiscal year, to the extent moneys are available, by an amount
28 equal to the across-the-board percentage increase received by
29 executive branch noncontract state employees. The bill further
30 provides that any salary increase shall not take effect in a
31 fiscal year until the general operating moneys for the judicial
32 branch have been appropriated for the fiscal year. This
33 provision takes effect July 1, 2018.
34 Currently, the supreme court prescribes a formula to
35 determine the number of district judges who will serve in a

1 district, subject to certain restrictions. The bill eliminates
2 four such restrictions relating to the filling of vacancies
3 including a restriction that the number of district judges
4 shall not exceed 116.
5   Currently, the number and apportionment of district
6 associate judges is based on county population. The bill
7 requires the supreme court to prescribe a formula determining
8 the number of district associate judges serving in each
9 judicial election district based on a model that measures and
10 applies an estimated case-related workload formula of judicial
11 officers and that accounts for administrative duties, travel
12 time, and other judicial duties.
13   Currently, 206 magistrates are required to be apportioned
14 among the counties. The bill eliminates the specific number
15 of magistrates that must be apportioned. The bill does not
16 allow the judicial branch to reduce the number of apportioned
17 magistrates for the purpose of making moneys available for
18 salary increases for judicial officers and senior judges.
19   The bill amends 2008 Iowa Acts, chapter 1191, section 14,
20 which provides salary ranges for state officers by removing the
21 position of state court administrator from the salary ranges.
22   The bill repeals 2013 Iowa Acts, chapter 140, section
23 40, which relates to salaries for judicial officers. This
24 provision takes effect July 1, 2018.