



Fiscal Note

Fiscal Services Division



[HF 2706](#) – Magistrates and Judicial Officer Compensation (LSB5542HV.2)
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Fiscal Note Version – Final Action

Description

[House File 2706](#) relates to judicial officers, including magistrate appointments, senior magistrates, and judicial officer compensation. The Bill has three divisions.

Division I — Magistrate Appointment in Judicial Election Districts

Description

Division I transitions magistrate appointments from a county-based system to a judicial election district-based system and makes conforming changes to the Iowa Code. This Division does the following:

- Replaces the statutory requirement of 206 magistrates in Iowa Code section [602.6401](#) with a case-related workload formula established by the Iowa Supreme Court.
- Eliminates the requirement that each county has at least one resident magistrate.
- Modifies the composition and duties of magistrate appointing commissions in Iowa Code sections [602.6501](#), [602.6502](#), [602.6503](#), and [602.6504](#). Judicial election district magistrate appointing commissions would replace county commissions, reducing the 99 county appointing commissions to 14 judicial election district appointing commissions.
- Requires the judicial election district magistrate appointing commission to prioritize applicants who served or are serving as magistrates for the term immediately preceding August 1, 2027. If the number of vacancies equals or exceeds the number of prioritized applicants, all prioritized applicants shall be appointed. If the vacancies are fewer than prioritized applicants, only prioritized applicants shall be appointed. This requirement is repealed July 31, 2031.
- Allows temporary reassignment of magistrates across counties. This authority is repealed August 1, 2027.
- Repeals Iowa Code section [602.6402](#) permitting the appointment of additional magistrates in certain counties.

Under this Bill, judicial election district magistrate appointing commissions would be comprised of a district court judge who is designated by the chief judge of the judicial district; one appointee from each county in the judicial election district appointed by the board of supervisors; and attorney members, equal to one less than the number of county appointees, selected by attorneys residing in, or counties contiguous to, the election district.

Authorization to temporarily reassign magistrates across counties is effective upon enactment, while all other provisions in Division I are effective November 1, 2026.

Background

Under Iowa Code section 602.6401, each county must have at least one resident magistrate for a total of up to 206 magistrates across the State. Magistrates are appointed by county-based appointing commissions comprised of the following members: a district court judge who is designated by the chief judge of the judicial district, up to three nonlawyer

members appointed by the board of supervisors, and up to two lawyers elected by the attorneys in the county.

Assumptions

- Statutory requirements were in place prior to the availability of court resources like electronic search warrants and electronic court proceedings.
- Judicial election districts will replace county-level operations without requiring an increase in commission activity statewide.
- Commission members continue to be reimbursed by their resident county for actual and necessary expenses.
- Magistrates are currently paid approximately \$66,000 in annual salary and benefits.
- The estimated annual information technology (IT) operational cost per magistrate is approximately \$4,600, which includes the cost of a laptop, software, hardware, security, and IT support.
- There is an estimated 1.5% rate of vacancy for magistrate positions.
- There are currently 138 magistrates. The Judicial Branch estimates that, after full implementation of the workload-based magistrate allocation formula, the range will be between 81 and 90 active magistrates serving the districts.

Fiscal Impact

Division I is estimated to decrease annual costs between \$2.0 million and \$2.8 million beginning in FY 2028 by reducing magistrate positions. There may be a minimal fiscal impact on counties as each commission will cover a larger geographic area, and travel reimbursement costs may increase for commission members.

Division II — Senior Magistrates

Description

Division II establishes a senior magistrate program, allowing certain retired magistrates to serve on a limited basis. Under the Division, a magistrate who retires on or after the effective date of the legislation and meets age and service requirements may apply to become a senior magistrate. Appointments are made at the discretion of the Iowa Supreme Court. The Division amends 2025 Iowa Acts, chapter [158](#) (FY 2026 Judicial Branch Appropriations Act), to add the annual salary rate of each senior magistrate of \$4,234.

Once appointed to a two-year term, with the possibility of reappointment, a senior magistrate serves part-time, up to five weeks per year, performing judicial duties as assigned. A senior magistrate may serve until reaching the mandatory retirement age. A senior magistrate may continue to practice law. Senior magistrates will be paid at the rate set by the General Assembly, are eligible for expense reimbursement, and may participate in the State-provided health insurance system at the rate of actively serving magistrates.

Background

Currently, the Iowa Code allows for senior judges but does not provide for senior magistrates.

Assumptions

- Only a portion of retired magistrates eligible for appointments will become senior magistrates.
- The number of senior magistrates that will be hired is unknown.

