



THOMAS J. VILSACK  
GOVERNOR

OFFICE OF THE GOVERNOR

SALLY J. PEDERSON  
LT. GOVERNOR

May 23, 2003

The Honorable Chester Culver  
Secretary of State  
State Capitol Building  
LOCAL

Dear Mr. Secretary:

I hereby transmit:

**Senate File 425**, an Act relating to and making appropriations involving state government, including provisions affecting agriculture and natural resources.

**Senate File 435**, an Act relating to and making appropriations to the judicial branch.

**Senate File 439**, an Act relating to and making appropriations to the justice system and providing an effective date.

The above Senate Files are hereby approved this date.

Sincerely,

Thomas J. Vilsack  
Governor

TJV:jmc

cc: Secretary of the Senate  
Chief Clerk of the House





SENATE FILE 435

AN ACT

RELATING TO AND MAKING APPROPRIATIONS TO THE JUDICIAL BRANCH.

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

Section 1. JUDICIAL BRANCH. There is appropriated from the general fund of the state to the judicial branch for the fiscal year beginning July 1, 2003, and ending June 30, 2004, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

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, 2003, and maintenance, equipment, and miscellaneous purposes:

..... \$113,354,603

1. 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.

2. The judicial branch shall submit monthly financial statements to the legislative fiscal bureau 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 revenue and finance. 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.

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

4. It is the intent of the general assembly that the offices of the clerks of the district court operate in all ninety-nine counties and be accessible to the public as much as is reasonably possible in order to address the relative needs of the citizens of each county.

5. In addition to the requirements for transfers under section 8.39, the judicial branch shall not change the appropriations from the amounts appropriated to the judicial branch in this Act, unless notice of the revisions is given prior to their effective date to the legislative fiscal bureau. The notice shall include information on the branch's rationale for making the changes and details concerning the work load and performance measures upon which the changes are based.

6. The judicial branch shall submit a semiannual update to the legislative fiscal bureau specifying the amounts of fines, surcharges, and court costs collected using the Iowa court information system since the last report. The judicial branch shall continue to facilitate the sharing of vital sentencing and other information with other state departments and governmental agencies involved in the criminal justice system through the Iowa court information system.

7. The judicial branch shall provide a report to the general assembly by January 1, 2004, concerning the amounts received and expended from the enhanced court collections fund created in section 602.1304 and the court technology and modernization fund created in section 602.8108, subsection 5, during the fiscal year beginning July 1, 2002, and ending June 30, 2003, and the plans for expenditures from each fund during the fiscal year beginning July 1, 2003, and ending June 30,

2004. A copy of the report shall be provided to the legislative fiscal bureau.

8. The supreme court, in consultation with the Iowa state bar association and district judges, shall study methods to achieve efficiency and cost savings within the judicial branch. The state public defender, juvenile probation officers, clerks of the district court, the legal services corporation of Iowa, the supervisors affiliate of the Iowa state association of counties, the judicial district department of correctional services, the Iowa county attorneys association, and other interested departments, agencies, or organizations may each file a report with the supreme court detailing their recommendations on achieving efficiency and cost savings within the judicial branch by October 1, 2003. The study shall include recommendations on the best practices for court administration, utilizing court personnel including judges, magistrates, and clerks of the district court, customer service and delivery of court services, measuring of performance and performance-based budgeting, and judicial district redistricting. The supreme court, after consulting with the Iowa state bar association and the district judges, and after reviewing the reports filed by the interested departments, agencies, or organizations, shall submit a report with findings and recommendations to the general assembly by December 15, 2003.

Sec. 2. JUDICIAL RETIREMENT FUND. There is appropriated from the general fund of the state to the judicial retirement fund for the fiscal year beginning July 1, 2003, and ending June 30, 2004, the following amount, or so much thereof as is necessary, to be used for the purpose designated:

Notwithstanding section 602.9104, for the state's contribution to the judicial retirement fund in the amount of 8.4 percent of the basic salaries of the judges covered under chapter 602, article 9:

..... \$ 2,039,664

Sec. 3. APPOINTMENT OF CLERK OF COURT. The appointment of a clerk of the district court shall not occur unless the state court administrator approves the appointment.

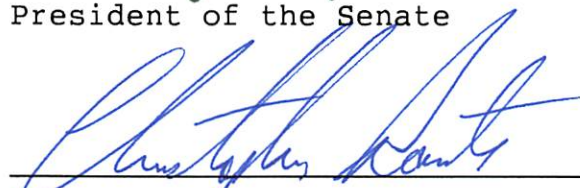
Sec. 4. POSTING OF REPORTS IN ELECTRONIC FORMAT -- LEGISLATIVE FISCAL BUREAU. All reports or copies of reports

required to be provided by the judicial branch for fiscal year 2003-2004 to the legislative fiscal bureau shall be provided in an electronic format. The legislative fiscal bureau shall post the reports on its internet site and shall notify by electronic means all the members of the joint appropriations subcommittee on the justice system when a report is posted. Upon request, copies of the reports may be mailed to members of the joint appropriations subcommittee on the justice system.



MARY E. KRAMER

President of the Senate



CHRISTOPHER C. RANTS

Speaker of the House

I hereby certify that this bill originated in the Senate and is known as Senate File 435, Eightieth General Assembly.



MICHAEL E. MARSHALL

Secretary of the Senate

Approved May 23, 2003



THOMAS J. VILSACK

Governor