

FILED APR 6 1971
State Govt. 4/7, Pass 4/16

SENATE FILE 461
By COMMITTEE ON JUDICIARY

Passed Senate, Date 5-3-71 Passed House, Date 5-13-71
Vote: Ayes 43 Nays 0 Vote: Ayes 75 Nays 0
Approved 5-27-71

A BILL FOR

1 An Act relating to supreme court officers and employees and
2 their duties, including court administration, as directed
3 by the supreme court.

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

5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

1 Section 1. Chapter fourteen (14), Code 1971, is amended
2 by adding the following new section:

3 "The supreme court shall appoint a code editor who shall
4 serve at the pleasure of the court."

5 Sec. 2. Section sixteen point twenty-four (16.24), sub-
6 section fifteen (15), Code 1971, is amended as follows:

7 15. To the office of attorney general, to the office of
8 the legislative ~~research~~ service bureau, to the office of
9 court administrator, and to the ~~reporter-of-the-supreme-court~~
10 and office of the Code editor such number of copies as will
11 enable them to perform the duties of their respective offices.

12 Sec. 3. Section sixteen point twenty-five (16.25), sub-
13 section ten (10), Code 1971, is amended as follows:

14 10. To the office of the ~~reporter~~
15 ~~of-the-supreme-court-and~~ Code editor . . 5 copies

16 Sec. 4. Section sixteen point twenty-eight (16.28), Code
17 1971, is amended as follows:

18 16.28 SUPREME COURT REPORTS. The supreme court shall
19 cause to be furnished without charge copies of any publica-
20 tion containing its official reports to the chambers of each
21 judge of the district court in each county and to such other
22 governmental agencies as the supreme court shall direct.
23 ~~The-reporter-of-the-supreme-court-shall-act-as-sales-agent~~
24 ~~for-any-private-publication-containing-the-official-reports~~
25 ~~of-the-supreme-court-that-are-thus-distributed.--Any-commission~~
26 ~~received-by-the-reporter-acting-as-such-sales-agent-shall~~
27 ~~be-placed-in-the-general-fund.~~

28 Sec. 5. Section nineteen point twenty-five (19.25), sub-
29 section nine (9), Code 1971, is amended as follows:

30 9. Reporter-of-supreme-court Code editor.

31 Sec. 6. Section six hundred six point fifteen (606.15),
32 subsection one (1), Code 1971, is amended as follows:

33 1. For filing any petition, appeal, or writ of error and
34 docketing the same, four dollars. Three dollars of such fee
35 shall remain in the county treasury for the use of the county,

1 and one dollar of such fee shall be paid into the state
 2 treasury in a fund to be known as the ~~judicial-statistics~~
 3 court administrator fund. ~~No part of the expense of the~~
 4 ~~statistician shall be paid out of any fund in the state~~
 5 ~~treasury except the judicial-statistics fund. --Withdrawals~~
 6 ~~therefrom shall be by warrant of the state comptroller upon~~
 7 ~~requisition by the statistician approved by the presiding~~
 8 ~~judge of the supreme court, and any balance remaining at the~~
 9 ~~end of a biennium shall revert to the general fund. Any~~
 10 balance remaining at the end of each biennium in excess of
 11 ten thousand dollars, shall revert to the general fund of
 12 the state. In counties having a population of one hundred
 13 thousand or over, an additional one dollar shall be charged
 14 and collected, to be known as the journal publication fee
 15 and to be used for the purposes provided for in section 618.13.

16 Sec. 7. Section six hundred eighty-four point thirteen
 17 (684.13), Code 1971, is amended by adding the following para-
 18 graph:

19 "The supreme court may publish reports of its official
 20 opinions, or it may direct that publication of the opinions
 21 by a private publisher shall be considered the official
 22 reports."

23 Sec. 8. Section six hundred eighty-five point six (685.6),
 24 Code 1971, is amended as follows:

25 685.6 ~~COURT STATISTICIAN~~ COURT ADMINISTRATOR APPOINTED. There
 26 is hereby established ~~in the office of the clerk of the supreme~~
 27 ~~court~~ the position of statistician court administrator of
 28 the judicial department. The statistician court administrator
 29 shall be appointed by the supreme court and shall hold office
 30 at the pleasure of such court.

31 The expense of operating the court administrator office
 32 shall be paid from the court administrator fund created by
 33 section 606.15 and the court shall fix the compensation of
 34 the administrator and the employees of the office. The supreme
 35 court is authorized to accept federal funds to supplement

1 the court administrator fund.

2 Sec. 9. Section six hundred eighty-five point seven
3 (685.7), Code 1971, is amended as follows:

4 685.7 ASSISTANTS. The statistician court administrator,
5 with the approval of the supreme court, shall appoint such
6 assistants as are necessary to enable him to perform the
7 powers and duties vested in him. While holding such position,
8 neither the statistician court administrator nor his assistants
9 shall practice law in any of the courts of this state.

10 Sec. 10. Section six hundred eighty-five point eight
11 (685.8), Code 1971, unnumbered paragraph one (1), is amended
12 as follows:

13 Under the direction of the supreme court the statistician
14 court administrator shall be the administrative officer of
15 the court and in addition his duties shall be to:

16 Sec. 11. Section six hundred eighty-five point nine
17 (685.9), Code 1971, is amended as follows:

18 685.9 CO-OPERATION OF COURT OFFICERS. The judges, jus-
19 tices of the peace, mayors, magistrates, reporters, clerks
20 of court, probation officers, sheriffs, and all other offi-
21 cers, state and local, shall comply with all requirements
22 made by the statistician court administrator or his assistants
23 for information and statistical data bearing on the state
24 of the dockets of the courts, the progress of court business,
25 and such other information as may reflect the business
26 transacted by them and the expenditure of moneys for the
27 maintenance and operation of the judicial system.

28 Sec. 12. Section six hundred eighty-five point ten
29 (685.10), Code 1971, is amended as follows:

30 685.10 COURTS AFFECTED. The provisions of sections 685.6
31 to 685.9, inclusive, apply to the following courts: Supreme
32 court, district court, superior court, municipal court, police
33 court, justice of the peace court, mayor's court, and all
34 other courts, state and local, which may be established from
35 time to time. Provided, however, that the fees established

1 for municipal and superior courts shall be one-half of those
2 fees established for district courts ~~prior to May 16, 1955~~.

3 Sec. 13. Sections fourteen point one (14.1) to fourteen
4 point five (14.5), inclusive, Code 1971, are repealed.

5 EXPLANATION

6 This bill creates a court administrator under the supreme
7 court who will replace the judicial statistician and perform
8 all administrative duties for the court in addition to those
9 duties presently performed by the judicial statistician.
10 The court administrator will also perform any duties which
11 would normally be performed by a reporter of the supreme court
12 and references to a reporter are either stricken or repealed
13 by this bill. The office of code editor will not be affected.
14 Certain changes in regard to the manner of issuing reports
15 of official opinions of the supreme court are provided which
16 reflect current procedures. Most states provide for a court
17 administrator.

18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35