

House Study Bill 115 - Introduced

SENATE/HOUSE FILE _____
BY (PROPOSED GOVERNOR'S BUDGET
BILL)

A BILL FOR

1 An Act relating to and making appropriations to the judicial
2 branch.

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

1 Section 1. JUDICIAL BRANCH.

2 1. There is appropriated from the general fund of the state
3 to the judicial branch for the following fiscal years the
4 following amounts, or so much thereof as is necessary, to be
5 used for the purposes designated:

6 a. For salaries of supreme court justices, appellate court
7 judges, district court judges, district associate judges,
8 judicial magistrates and staff, state court administrator,
9 clerk of the supreme court, district court administrators,
10 clerks of the district court, juvenile court officers, board of
11 law examiners and board of examiners of shorthand reporters and
12 judicial qualifications commission; receipt and disbursement
13 of child support payments; reimbursement of the auditor of
14 state for expenses incurred in completing audits of the offices
15 of the clerks of the district court during the fiscal years
16 beginning July 1, 2011, and July 1, 2012; and maintenance,
17 equipment, and miscellaneous purposes:

18 FY 2011-2012..... \$157,700,609
19 FY 2012-2013..... \$157,700,609

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

25 FY 2011-2012..... \$ 3,700,000
26 FY 2012-2013..... \$ 3,700,000

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

33 3. The judicial branch shall submit monthly financial
34 statements to the legislative services agency and the
35 department of management containing all appropriated accounts

1 in the same manner as provided in the monthly financial status
2 reports and personal services usage reports of the department
3 of administrative services. The monthly financial statements
4 shall include a comparison of the dollars and percentage
5 spent of budgeted versus actual revenues and expenditures on
6 a cumulative basis for full-time equivalent positions and
7 dollars.

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

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

19 6. a. The judicial branch shall provide a report to the
20 general assembly by January 1, 2012, concerning the amounts
21 received and expended from the enhanced court collections
22 fund created in section 602.1304 and the court technology and
23 modernization fund created in section 602.8108, subsection
24 7, during the fiscal year beginning July 1, 2010, and ending
25 June 30, 2011, and the plans for expenditures from each fund
26 during the fiscal year beginning July 1, 2011, and ending
27 June 30, 2012. A copy of the report shall be provided to the
28 legislative services agency.

29 b. The judicial branch shall provide a report to the general
30 assembly by January 1, 2013, concerning the amounts received
31 and expended from the enhanced court collections fund created
32 in section 602.1304 and the court technology and modernization
33 fund created in section 602.8108, subsection 7, during the
34 fiscal year beginning July 1, 2011, and ending June 30, 2012,
35 and the plans for expenditures from each fund during the fiscal

1 year beginning July 1, 2012, and ending June 30, 2013. A copy
2 of the report shall be provided to the legislative services
3 agency.

4 7. The judicial branch is encouraged to purchase products
5 from Iowa state industries, as defined in section 904.802, when
6 purchases are required and the products are available from Iowa
7 state industries. The judicial branch shall obtain bids from
8 Iowa state industries for purchases of office furniture during
9 the fiscal years beginning July 1, 2011, and July 1, 2012,
10 exceeding \$5,000.

11 Sec. 2. CIVIL TRIALS — LOCATION. Notwithstanding any
12 provision to the contrary, for the fiscal years beginning July
13 1, 2011, and July 1, 2012, if all parties in a case agree, a
14 civil trial including a jury trial may take place in a county
15 contiguous to the county with proper jurisdiction, even if the
16 contiguous county is located in an adjacent judicial district
17 or judicial election district. If the trial is moved pursuant
18 to this section, court personnel shall treat the case as if a
19 change of venue occurred. However, if a trial is moved to an
20 adjacent judicial district or judicial election district, the
21 judicial officers serving in the judicial district or judicial
22 election district receiving the case shall preside over the
23 case.

24 Sec. 3. TRAVEL REIMBURSEMENT. Notwithstanding section
25 602.1509, for the fiscal years beginning July 1, 2011, and July
26 1, 2012, a judicial officer may waive travel reimbursement for
27 any travel outside the judicial officer's county of residence
28 to conduct official judicial business.

29 Sec. 4. POSTING OF REPORTS IN ELECTRONIC FORMAT —
30 LEGISLATIVE SERVICES AGENCY. All reports or copies of reports
31 required to be provided by the judicial branch for fiscal years
32 beginning July 1, 2011, and July 1, 2012, to the legislative
33 services agency shall be provided in an electronic format.
34 The legislative services agency shall post the reports on its
35 internet website and shall notify by electronic means all the

1 members of the joint appropriations subcommittee on the justice
2 system when a report is posted. Upon request, copies of the
3 reports may be mailed to members of the joint appropriations
4 subcommittee on the justice system.

5 Sec. 5. JUDICIAL OFFICER — UNPAID LEAVE. Notwithstanding
6 the annual salary rates for judicial officers established
7 by 2008 Iowa Acts, chapter 1191, section 11, for the fiscal
8 years beginning July 1, 2011, and July 1, 2012, the supreme
9 court may by order place all judicial officers on unpaid leave
10 status on any day employees of the judicial branch are placed
11 on temporary layoff status. The biweekly pay of the judicial
12 officers shall be reduced accordingly for the pay period in
13 which the unpaid leave date occurred in the same manner as for
14 noncontract employees of the judicial branch. Through the
15 course of the two fiscal years, the judicial branch may use an
16 amount equal to the aggregate amount of salary reductions due
17 to the judicial officer unpaid leave days for any purpose other
18 than for judicial salaries.

19 Sec. 6. IOWA COMMUNICATIONS NETWORK. It is the intent
20 of the general assembly that the judicial branch utilize
21 the Iowa communications network or other secure electronic
22 communications in lieu of traveling for the fiscal years
23 beginning July 1, 2011, and July 1, 2012.

24 EXPLANATION

25 This bill appropriates from the general fund of the state
26 for FY 2011-2012 and FY 2012-2013 to the judicial branch for
27 salaries, maintenance, equipment, and miscellaneous purposes.

28 The bill appropriates \$3.7 million from the general fund of
29 the state for FY 2011-2012 to the revolving fund created in
30 Code section 602.1302 for jury and witness fees, mileage, costs
31 related to summoning jurors, fees for interpreters, and certain
32 attorney fee reimbursement. The bill also appropriates \$3.7
33 million from the general fund of the state to the revolving
34 fund for FY 2012-2013.

35 The bill provides for the two fiscal years that a civil trial

1 including a jury trial may take place in a county contiguous
2 to the county with proper jurisdiction, even if the contiguous
3 county is located in an adjacent judicial district or judicial
4 election district, if all the parties in a case agree. If a
5 trial is moved to another county that is located in another
6 judicial district or judicial election district, the judicial
7 officers serving the judicial district or judicial election
8 district receiving the case shall preside over the case.

9 The bill permits a judicial officer to waive travel
10 reimbursement for any travel outside the judicial officer's
11 county of residence to conduct official business.

12 The bill allows a judicial officer to be placed on unpaid
13 leave, by order of the supreme court, for the fiscal years
14 beginning July 1, 2011, and July 1, 2012, on any day a court
15 employee is placed on temporary layoff status. The bill
16 provides that if a judicial officer is placed on unpaid leave,
17 the salary of the judicial officer shall be reduced accordingly
18 for the pay period in which the unpaid leave occurred. Through
19 the course of the two fiscal years, the bill provides that the
20 judicial branch may use an amount equal to the aggregate amount
21 of the salary reductions due to judicial officer unpaid leave
22 for any purpose other than judicial salaries.

23 The bill provides legislative intent that the judicial
24 branch utilize the Iowa communications network or other secure
25 electronic communications in lieu of traveling.