

Senate File 537 - Introduced

SENATE FILE 537

BY COMMITTEE ON APPROPRIATIONS

(SUCCESSOR TO SSB 1213)

A BILL FOR

1 An Act relating to and making appropriations to the judicial
2 branch and including effective date and retroactive
3 applicability provisions.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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DIVISION I
FY 2011-2012

Section 1. JUDICIAL BRANCH.

1. There is appropriated from the general fund of the state to the judicial branch for the fiscal year beginning July 1, 2011, and ending June 30, 2012, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

a. 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, 2011; and maintenance, equipment, and miscellaneous purposes:

..... \$154,111,822

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

..... \$ 2,300,000

2. 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.

3. The judicial branch shall submit monthly financial statements to the legislative services agency and the

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

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

12 5. It is the intent of the general assembly that the offices
13 of the clerks of the district court operate in all 99 counties
14 and be accessible to the public as much as is reasonably
15 possible in order to address the relative needs of the citizens
16 of each county.

17 6. In addition to the requirements for transfers under
18 section 8.39, the judicial branch shall not change the
19 appropriations from the amounts appropriated to the judicial
20 branch in this division of this Act, unless notice of the
21 revisions is given prior to their effective date to the
22 legislative services agency. The notice shall include
23 information on the branch's rationale for making the changes
24 and details concerning the workload and performance measures
25 upon which the changes are based.

26 7. The judicial branch shall submit a semiannual update
27 to the legislative services agency specifying the amounts of
28 fines, surcharges, and court costs collected using the Iowa
29 court information system since the last report. The judicial
30 branch shall continue to facilitate the sharing of vital
31 sentencing and other information with other state departments
32 and governmental agencies involved in the criminal justice
33 system through the Iowa court information system.

34 8. The judicial branch shall provide a report to the general
35 assembly by January 1, 2012, concerning the amounts received

1 and expended from the enhanced court collections fund created
2 in section 602.1304 and the court technology and modernization
3 fund created in section 602.8108, subsection 7, during the
4 fiscal year beginning July 1, 2010, and ending June 30, 2011,
5 and the plans for expenditures from each fund during the fiscal
6 year beginning July 1, 2011, and ending June 30, 2012. A copy
7 of the report shall be provided to the legislative services
8 agency.

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

15 Sec. 2. CIVIL TRIALS — LOCATION. Notwithstanding any
16 provision to the contrary, for the fiscal year beginning July
17 1, 2011, and ending June 30, 2012, if all parties in a case
18 agree, a civil trial including a jury trial may take place in a
19 county contiguous to the county with proper jurisdiction, even
20 if the contiguous county is located in an adjacent judicial
21 district or judicial election district. If the trial is moved
22 pursuant to this section, court personnel shall treat the case
23 as if a change of venue occurred. However, if a trial is moved
24 to an adjacent judicial district or judicial election district,
25 the judicial officers serving in the judicial district or
26 judicial election district receiving the case shall preside
27 over the case.

28 Sec. 3. TRAVEL REIMBURSEMENT. Notwithstanding section
29 602.1509, for the fiscal year beginning July 1, 2011, a
30 judicial officer may waive travel reimbursement for any travel
31 outside the judicial officer's county of residence to conduct
32 official judicial business.

33 Sec. 4. POSTING OF REPORTS IN ELECTRONIC FORMAT —
34 LEGISLATIVE SERVICES AGENCY. All reports or copies of reports
35 required to be provided by the judicial branch for fiscal year

1 2011-2012 to the legislative services agency shall be provided
2 in an electronic format. The legislative services agency shall
3 post the reports on its internet website and shall notify by
4 electronic means all the members of the joint appropriations
5 subcommittee on the justice system when a report is posted.
6 Upon request, copies of the reports may be mailed to members of
7 the joint appropriations subcommittee on the justice system.

8 Sec. 5. JUDICIAL OFFICER — UNPAID LEAVE. Notwithstanding
9 the annual salary rates for judicial officers established by
10 2008 Iowa Acts, chapter 1191, section 11, for the fiscal year
11 beginning July 1, 2011, and ending June 30, 2012, the supreme
12 court may by order place all judicial officers on unpaid leave
13 status on any day employees of the judicial branch are placed
14 on temporary layoff status. The biweekly pay of the judicial
15 officers shall be reduced accordingly for the pay period in
16 which the unpaid leave date occurred in the same manner as
17 for noncontract employees of the judicial branch. Through
18 the course of the fiscal year, the judicial branch may use an
19 amount equal to the aggregate amount of salary reductions due
20 to the judicial officer unpaid leave days for any purpose other
21 than for judicial salaries.

22 Sec. 6. IOWA COMMUNICATIONS NETWORK. It is the intent
23 of the general assembly that the judicial branch utilize
24 the Iowa communications network or other secure electronic
25 communications in lieu of traveling for the fiscal year
26 beginning July 1, 2011.

27 Sec. 7. EFFECTIVE DATE AND RETROACTIVE APPLICABILITY. This
28 division of this Act, if approved by the governor on or
29 after July 1, 2011, takes effect upon enactment and applies
30 retroactively to July 1, 2011.

31 DIVISION II

32 FY 2012-2013

33 Sec. 8. JUDICIAL BRANCH.

34 1. There is appropriated from the general fund of the state
35 to the judicial branch for the fiscal year beginning July 1,

1 2012, and ending June 30, 2013, the following amount, or so
2 much thereof as is necessary, to be used for the purposes
3 designated:

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

16 \$ 77,055,911

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

22 \$ 1,150,000

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

29 3. The judicial branch shall submit monthly financial
30 statements to the legislative services agency and the
31 department of management containing all appropriated accounts
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33 reports and personal services usage reports of the department
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12 6. In addition to the requirements for transfers under
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15 branch in this division of this Act, unless notice of the
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19 and details concerning the workload and performance measures
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22 to the legislative services agency specifying the amounts of
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27 and governmental agencies involved in the criminal justice
28 system through the Iowa court information system.

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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
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6 purchases are required and the products are available from Iowa
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8 Iowa state industries for purchases of office furniture during
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10 Sec. 9. CIVIL TRIALS — LOCATION.

11 Notwithstanding any provision to the contrary, for the fiscal
12 year beginning July 1, 2012, and ending June 30, 2013, if
13 all parties in a case agree, a civil trial including a jury
14 trial may take place in a county contiguous to the county
15 with proper jurisdiction, even if the contiguous county is
16 located in an adjacent judicial district or judicial election
17 district. If the trial is moved pursuant to this section,
18 court personnel shall treat the case as if a change of venue
19 occurred. However, if a trial is moved to an adjacent judicial
20 district or judicial election district, the judicial officers
21 serving in the judicial district or judicial election district
22 receiving the case shall preside over the case.

23 Sec. 10. TRAVEL REIMBURSEMENT. Notwithstanding section
24 602.1509, for the fiscal year beginning July 1, 2012, a
25 judicial officer may waive travel reimbursement for any travel
26 outside the judicial officer's county of residence to conduct
27 official judicial business.

28 Sec. 11. POSTING OF REPORTS IN ELECTRONIC FORMAT —
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31 2012-2013 to the legislative services agency shall be provided
32 in an electronic format. The legislative services agency shall
33 post the reports on its internet website and shall notify by
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35 subcommittee on the justice system when a report is posted.

S.F. 537

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4 is reasonably possible.