

**Senate Study Bill 1254 - Introduced**

SENATE FILE \_\_\_\_\_  
BY (PROPOSED COMMITTEE ON  
APPROPRIATIONS BILL BY  
CHAIRPERSON BREITBACH)

**A BILL FOR**

1 An Act relating to appropriations to the judicial branch.  
2 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 fiscal year beginning July 1,  
4 2019, and ending June 30, 2020, the following amounts, or so  
5 much thereof as is necessary, to be used for the purposes  
6 designated:

7 a. For salaries of supreme court justices, appellate court  
8 judges, district court judges, district associate judges,  
9 associate juvenile judges, associate probate judges, judicial  
10 magistrates and staff, state court administrator, clerk of the  
11 supreme court, district court administrators, clerks of the  
12 district court, juvenile court officers, board of law examiners  
13 and board of examiners of shorthand reporters and judicial  
14 qualifications commission; receipt and disbursement of child  
15 support payments; reimbursement of the auditor of state for  
16 expenses incurred in completing audits of the offices of the  
17 clerks of the district court during the fiscal year beginning  
18 July 1, 2019; and maintenance, equipment, and miscellaneous  
19 purposes:

20 ..... \$181,126,293

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

26 ..... \$ 3,100,000

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 offices of the clerks of the district court shall  
12 operate in all 99 counties and be accessible to the public as  
13 much as is reasonably possible in order to address the relative  
14 needs of the citizens of each county. At minimum, an office  
15 of the clerk of the district court shall be open to the public  
16 for at least the same hours as other county offices in their  
17 respective county. If county offices within a county are open  
18 for a varying number of hours, the office of the clerk of the  
19 district court shall be open consistent with the county office  
20 that is open the greatest number of hours.

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

30 7. The judicial branch shall submit a semiannual update  
31 to the legislative services agency specifying the amounts of  
32 fines, surcharges, and court costs collected using the Iowa  
33 court information system since the last report. The judicial  
34 branch shall continue to facilitate the sharing of vital  
35 sentencing and other information with other state departments

1 and governmental agencies involved in the criminal justice  
2 system through the Iowa court information system.

3 8. The judicial branch shall provide a report to the general  
4 assembly by January 1, 2020, concerning the amounts received  
5 and expended from the enhanced court collections fund created  
6 in [section 602.1304](#) and the court technology and modernization  
7 fund created in [section 602.8108, subsection 9](#), during the  
8 fiscal year beginning July 1, 2018, and ending June 30, 2019,  
9 and the plans for expenditures from each fund during the fiscal  
10 year beginning July 1, 2019, and ending June 30, 2020. A copy  
11 of the report shall be provided to the legislative services  
12 agency.

13 Sec. 2. CIVIL TRIALS — LOCATION. Notwithstanding any  
14 provision to the contrary, for the fiscal year beginning July  
15 1, 2019, and ending June 30, 2020, if all parties in a case  
16 agree, a civil trial including a jury trial may take place in a  
17 county contiguous to the county with proper jurisdiction, even  
18 if the contiguous county is located in an adjacent judicial  
19 district or judicial election district. If the trial is moved  
20 pursuant to this section, court personnel shall treat the case  
21 as if a change of venue occurred. However, if a trial is moved  
22 to an adjacent judicial district or judicial election district,  
23 the judicial officers serving in the judicial district or  
24 judicial election district receiving the case shall preside  
25 over the case.

26 Sec. 3. TRAVEL REIMBURSEMENT. Notwithstanding section  
27 602.1509, for the fiscal year beginning July 1, 2019, and  
28 ending June 30, 2020, a judicial officer may waive travel  
29 reimbursement for any travel outside the judicial officer's  
30 county of residence to conduct official judicial business.

31 Sec. 4. JUDICIAL OFFICER — UNPAID LEAVE. Notwithstanding  
32 the annual salary rates for judicial officers established by  
33 2013 Iowa Acts, chapter 140, section 40, for the fiscal year  
34 beginning July 1, 2019, and ending June 30, 2020, the supreme  
35 court may by order place all judicial officers on unpaid leave

1 status on any day employees of the judicial branch are placed  
2 on temporary layoff status. The biweekly pay of the judicial  
3 officers shall be reduced accordingly for the pay period in  
4 which the unpaid leave date occurred in the same manner as  
5 for noncontract employees of the judicial branch. Through  
6 the course of the fiscal year, the judicial branch may use an  
7 amount equal to the aggregate amount of salary reductions due  
8 to the judicial officer unpaid leave days for any purpose other  
9 than for judicial salaries.

10 Sec. 5. IOWA COMMUNICATIONS NETWORK. It is the intent  
11 of the general assembly that the judicial branch utilize  
12 the Iowa communications network or other secure electronic  
13 communications in lieu of traveling for the fiscal year  
14 beginning July 1, 2019, and ending June 30, 2020.

15 Sec. 6. STATE COURT — JUSTICES, JUDGES, AND MAGISTRATES.

16 1. The salary rates specified in subsection 2 are for the  
17 fiscal year beginning in July 1, 2019, and for subsequent  
18 fiscal years until otherwise provided by the general assembly.  
19 The salaries provided for in this section shall be paid  
20 from funds allocated to the judicial branch from the salary  
21 adjustment fund, or if the allocation is not sufficient, from  
22 funds appropriated to the judicial branch pursuant to this Act  
23 or any other Act of the general assembly.

24 2. The following annual salary rates shall be paid to the  
25 persons holding the judicial positions indicated during the  
26 fiscal year beginning July 1, 2019, and for subsequent pay  
27 periods.

28	a. Chief justice of the supreme court:	
29	.....	\$ 186,661
30	b. Each justice of the supreme court:	
31	.....	\$ 178,304
32	c. Chief judge of the court of appeals:	
33	.....	\$ 167,160
34	d. Each associate judge of the court of appeals:	
35	.....	\$ 161,588

1	e. Each chief judge of a judicial district:	
2	.....	\$ 156,016
3	f. Each district judge except the chief judge of a judicial	
4	district:	
5	.....	\$ 150,016
6	g. Each district associate judge:	
7	.....	\$ 133,728
8	h. Each associate juvenile judge:	
9	.....	\$ 133,728
10	i. Each associate probate judge:	
11	.....	\$ 133,728
12	j. Each judicial magistrate:	
13	.....	\$ 41,232
14	k. Each senior judge:	
15	.....	\$ 8,915

16 3. Persons receiving the salary rates established  
17 under this section shall not receive any additional salary  
18 adjustments provided by this Act.

19 EXPLANATION

20 The inclusion of this explanation does not constitute agreement with  
21 the explanation's substance by the members of the general assembly.

22 This bill makes appropriations to the judicial branch.  
23 The bill appropriates from the general fund of the state for  
24 FY 2019-2020 to the judicial branch for salaries, maintenance,  
25 equipment, and miscellaneous purposes.  
26 The bill provides that the offices of the clerks of the  
27 district court shall operate in all 99 counties and be  
28 accessible to the public as much as is reasonably possible  
29 in order to address the relative needs of the citizens of  
30 each county. The bill provides that at minimum, an office of  
31 the clerk of the district court shall be open to the public  
32 for at least the same hours as other county offices in their  
33 respective counties. The bill provides that if county offices  
34 within a county are open a varying number of hours, the office  
35 of the clerk of the district court shall be open consistent

1 with the county office that is open the greatest number of  
2 hours.

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

12 The bill permits a judicial officer to waive travel  
13 reimbursement for any travel outside the judicial officer's  
14 county of residence to conduct official business.

15 The bill allows a judicial officer to be placed on unpaid  
16 leave for the fiscal year beginning July 1, 2019, on any day a  
17 court employee is required to furlough. The bill provides that  
18 if a judicial officer is placed on unpaid leave, the salary of  
19 the judicial officer shall be reduced accordingly for the pay  
20 period in which the unpaid leave occurred. Through the course  
21 of the fiscal year, the bill provides that the judicial branch  
22 may use an amount equal to the aggregate amount of the salary  
23 reductions due to judicial officer unpaid leave for any purpose  
24 other than judicial salaries.

25 The bill states legislative intent that the judicial  
26 branch utilize the Iowa communications network or other secure  
27 electronic communications in lieu of traveling.

28 The bill sets forth the salary rates for certain positions in  
29 the judicial branch for the fiscal year beginning July 1, 2019.