

House File 2695 - Introduced

HOUSE FILE 2695

BY COMMITTEE ON APPROPRIATIONS

(SUCCESSOR TO LSB 5006HB)

A BILL FOR

1 An Act relating to and making appropriations to the judicial
2 branch, and including effective date provisions.

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 fiscal year beginning July 1,
4 2024, and ending June 30, 2025, 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
11 the supreme court, district court administrators, clerks of
12 the district court, juvenile court officers, board of law
13 examiners, board of examiners of shorthand reporters, and
14 commission on judicial qualifications; receipt and disbursement
15 of child support payments; reimbursement of the auditor
16 of state for expenses incurred in completing audits of the
17 offices of the clerks of the district court during the fiscal
18 year beginning July 1, 2024; and maintenance, equipment, and
19 miscellaneous purposes:

20 \$201,597,574

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 \$ 6,105,240

27 c. For payment of expenses for court-ordered services
28 provided to juveniles who are under the supervision of juvenile
29 court services, which expenses are a charge upon the state
30 pursuant to section 232.141, subsection 4:

31 \$ 3,290,000

32 (1) Of the moneys appropriated in this lettered paragraph,
33 no more than \$1,556,000 is allocated to provide school-based
34 supervision of children under chapter 232, of which no more
35 than \$25,000 may be used for purposes of training.

1 (2) Notwithstanding section 232.141 or any other provision
2 of law to the contrary, the moneys appropriated in this
3 lettered paragraph shall be distributed to the judicial
4 districts as determined by the state court administrator. The
5 state court administrator shall make the determination of the
6 distribution amounts within thirty days of the date on which
7 the annual census data is released.

8 (3) Notwithstanding chapter 232 or any other provision of
9 law to the contrary, a district or juvenile court shall not
10 order any service which is a charge upon the state pursuant
11 to section 232.141 if there are insufficient court-ordered
12 services moneys available in the district court distribution
13 amounts to pay for the service. The chief juvenile court
14 officer shall encourage use of the moneys appropriated in this
15 lettered paragraph such that there are sufficient moneys to pay
16 for all court-ordered services during the entire fiscal year.
17 The chief juvenile court officer shall attempt to anticipate
18 potential surpluses and shortfalls in the distribution amounts
19 and shall cooperatively request the state court administrator
20 to transfer moneys between the judicial districts' distribution
21 amounts as prudent.

22 (4) Notwithstanding any provision of law to the contrary,
23 a district or juvenile court shall not order a county to pay
24 for any service provided to a juvenile pursuant to an order
25 entered under chapter 232 which is a charge upon the state
26 under section 232.141, subsection 4.

27 (5) Of the moneys appropriated in this lettered paragraph,
28 no more than \$83,000 may be used by the judicial branch
29 for administration of the requirements under this lettered
30 paragraph.

31 (6) Of the moneys appropriated in this lettered paragraph,
32 an amount not to exceed the actual cost of the annual
33 membership fee is allocated to the judicial branch to support
34 the interstate commission for juveniles in accordance with
35 the interstate compact for juveniles as provided in section

1 232.173.

2 (7) Notwithstanding section 8.33, moneys appropriated in
3 this lettered paragraph that remain unencumbered or unobligated
4 at the close of the fiscal year shall not revert but shall
5 remain available for expenditure for the purposes designated
6 until the close of the fiscal year that begins July 1, 2027.

7 d. For juvenile delinquent graduated sanctions services
8 pursuant to section 232.192:

9 \$ 12,253,000

10 (1) Any state moneys saved as a result of efforts by
11 juvenile court services to earn a federal fund match pursuant
12 to Tit. IV-E of the federal Family First Prevention Services
13 Act of 2018, Pub. L. No. 115-123, for juvenile court services
14 administration is appropriated to the judicial branch for
15 purposes of this lettered paragraph.

16 (2) Notwithstanding section 8.33, moneys appropriated in
17 this lettered paragraph that remain unencumbered or unobligated
18 at the close of the fiscal year shall not revert but shall
19 remain available for expenditure for the purposes designated
20 until the close of the fiscal year that begins July 1, 2027.

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

27 3. The judicial branch shall submit monthly financial
28 statements to the legislative services agency and the
29 department of management containing all appropriated accounts
30 in the same manner as provided in the monthly financial status
31 reports and personal services usage reports of the department
32 of administrative services. The monthly financial statements
33 shall include a comparison of the dollars and percentage
34 spent of budgeted versus actual revenues and expenditures on
35 a cumulative basis for full-time equivalent positions and

1 dollars.

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

5 5. It is the intent of the general assembly that the offices
6 of the clerks of the district court operate in all 99 counties
7 and be accessible to the public as much as is reasonably
8 possible in order to address the relative needs of the citizens
9 of each county. An office of the clerk of the district court
10 shall be open regular courthouse hours.

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

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

28 8. The judicial branch shall provide a report to the general
29 assembly by January 1, 2025, concerning the amounts received
30 and expended from the court technology and modernization fund
31 created in section 602.8108, subsection 7, during the fiscal
32 year beginning July 1, 2023, and ending June 30, 2024, and the
33 plans for expenditures from each fund during the fiscal year
34 beginning July 1, 2024, and ending June 30, 2025.

35 Sec. 2. CIVIL TRIALS — LOCATION. Notwithstanding any

1 provision to the contrary, for the fiscal year beginning July
2 1, 2024, and ending June 30, 2025, if all parties in a case
3 agree, a civil trial including a jury trial may take place in a
4 county contiguous to the county with proper jurisdiction, even
5 if the contiguous county is located in an adjacent judicial
6 district or judicial election district. If the trial is moved
7 pursuant to this section, court personnel shall treat the case
8 as if a change of venue occurred.

9 Sec. 3. TRAVEL REIMBURSEMENT. Notwithstanding section
10 602.1509, for the fiscal year beginning July 1, 2024, and
11 ending June 30, 2025, a judicial officer may waive travel
12 reimbursement for any travel outside the judicial officer's
13 county of residence to conduct official judicial business.

14 Sec. 4. JUDICIAL OFFICER — UNPAID LEAVE. Notwithstanding
15 the annual salary rates for judicial officers established
16 by this Act for the fiscal year beginning July 1, 2024, and
17 ending June 30, 2025, the supreme court may by order place all
18 judicial officers on unpaid leave status on any day employees
19 of the judicial branch are placed on temporary layoff status.
20 The biweekly pay of the judicial officers shall be reduced
21 accordingly for the pay period in which the unpaid leave date
22 occurred in the same manner as for noncontract employees of the
23 judicial branch. Through the course of the fiscal year, the
24 judicial branch may use an amount equal to the aggregate amount
25 of salary reductions due to the judicial officer unpaid leave
26 days for any purpose other than for judicial salaries.

27 Sec. 5. IOWA COMMUNICATIONS NETWORK. It is the intent
28 of the general assembly that the judicial branch utilize
29 the Iowa communications network or other secure electronic
30 communications in lieu of traveling for the fiscal year
31 beginning July 1, 2024, and ending June 30, 2025.

32 Sec. 6. SALARIES — STATE COURT JUSTICES, JUDGES, AND
33 MAGISTRATES.

34 1. The salary rates specified in subsection 2 are for the
35 fiscal year beginning July 1, 2024, effective for the pay

1 period beginning June 21, 2024, and for subsequent fiscal
2 years until otherwise provided by the general assembly. The
3 salaries provided for in this section shall be paid from moneys
4 appropriated to the judicial branch pursuant to this Act or any
5 other Act of the general assembly.

6 2. The following annual salary rates shall be paid to the
7 persons holding the judicial positions indicated during the
8 fiscal year beginning July 1, 2024, effective with the pay
9 period beginning June 21, 2024, and for subsequent pay periods:

10	a. Chief justice of the supreme court:	
11	.....	\$ 208,265
12	b. Each justice of the supreme court:	
13	.....	\$ 198,940
14	c. Chief judge of the court of appeals:	
15	.....	\$ 186,507
16	d. Each associate judge of the court of appeals:	
17	.....	\$ 180,290
18	e. Each chief judge of a judicial district:	
19	.....	\$ 174,072
20	f. Each district judge except the chief judge of a judicial	
21	district:	
22	.....	\$ 167,855
23	g. Each district associate judge:	
24	.....	\$ 149,206
25	h. Each associate juvenile judge:	
26	.....	\$ 149,206
27	i. Each associate probate judge:	
28	.....	\$ 149,206
29	j. Each judicial magistrate:	
30	.....	\$ 46,004
31	k. Each senior judge:	
32	.....	\$ 9,947

33 3. Persons receiving salary rates established under this
34 section shall not receive any additional salary adjustments
35 provided by this Act or any other Act of the general assembly.

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1 reductions due to judicial officer unpaid leave for any purpose
2 other than judicial salaries.

3 The bill states legislative intent that the judicial
4 branch utilize the Iowa communications network or other secure
5 electronic communications in lieu of traveling.

6 The bill sets forth salaries for justices, judges, and
7 magistrates. This provision takes effect June 21, 2024.