

Senate Study Bill 3190 - Introduced

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

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 \$197,009,531

21 Of the moneys appropriated in this lettered paragraph,
22 no more than \$250,000 is allocated for reimbursement to the
23 indigent defense fund created in section 815.11 for travel time
24 claims as required under section 815.7A, subsection 2.

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

30 \$ 3,600,000

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

35 \$ 3,290,000

1 (1) Of the moneys appropriated in this lettered paragraph,
2 no more than \$1,556,000 is allocated to provide school-based
3 supervision of children under chapter 232, of which no more
4 than \$15,000 may be used for purposes of training. A portion
5 of the cost of each school-based liaison officer shall be paid
6 by the school district or other funding source as approved by
7 the chief juvenile court officer.

8 (2) Notwithstanding section 232.141 or any other provision
9 of law to the contrary, the moneys appropriated in this
10 lettered paragraph shall be distributed to the judicial
11 districts as determined by the state court administrator. The
12 state court administrator shall make the determination of the
13 distribution amounts on or before June 15, 2024.

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

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

33 (5) Of the moneys appropriated in this lettered paragraph,
34 no more than \$83,000 may be used by the judicial branch
35 for administration of the requirements under this lettered

1 paragraph.

2 (6) Of the moneys appropriated in this lettered paragraph,
3 \$23,000 is allocated to the judicial branch to support the
4 interstate commission for juveniles in accordance with the
5 interstate compact for juveniles as provided in section
6 232.173.

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

9 \$ 12,253,000

10 Any state moneys saved as a result of efforts by juvenile
11 court services to earn a federal fund match pursuant to Tit.
12 IV-E of the federal Family First Prevention Services Act
13 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. The judicial branch, except for purposes of internal
17 processing, shall use the current state budget system, the
18 state payroll system, and the Iowa finance and accounting
19 system in administration of programs and payments for services,
20 and shall not duplicate the state payroll, accounting, and
21 budgeting systems.

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

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

35 5. It is the intent of the general assembly that the offices

1 of the clerks of the district court operate in all 99 counties
2 and be accessible to the public as much as is reasonably
3 possible in order to address the relative needs of the citizens
4 of each county. An office of the clerk of the district court
5 shall be open regular courthouse hours.

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

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

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

32 Sec. 2. CIVIL TRIALS — LOCATION. Notwithstanding any
33 provision to the contrary, for the fiscal year beginning July
34 1, 2024, and ending June 30, 2025, if all parties in a case
35 agree, a civil trial including a jury trial may take place in a

1 county contiguous to the county with proper jurisdiction, even
2 if the contiguous county is located in an adjacent judicial
3 district or judicial election district. If the trial is moved
4 pursuant to this section, court personnel shall treat the case
5 as if a change of venue occurred.

6 Sec. 3. TRAVEL REIMBURSEMENT. Notwithstanding section
7 602.1509, for the fiscal year beginning July 1, 2024, and
8 ending June 30, 2025, a judicial officer may waive travel
9 reimbursement for any travel outside the judicial officer's
10 county of residence to conduct official judicial business.

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

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

29 Sec. 6. SALARIES — STATE COURT JUSTICES, JUDGES, AND
30 MAGISTRATES.

31 1. The salary rates specified in subsection 2 are for the
32 fiscal year beginning July 1, 2024, effective for the pay
33 period beginning June 21, 2024, and for subsequent fiscal
34 years until otherwise provided by the general assembly. The
35 salaries provided for in this section shall be paid from moneys

1 appropriated to the judicial branch pursuant to this Act or any
2 other Act of the general assembly.

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

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|--|------------|
| 7 a. Chief justice of the supreme court: | |
| 8 | \$ 200,034 |
| 9 b. Each justice of the supreme court: | |
| 10 | \$ 191,069 |
| 11 c. Chief judge of the court of appeals: | |
| 12 | \$ 179,130 |
| 13 d. Each associate judge of the court of appeals: | |
| 14 | \$ 173,160 |
| 15 e. Each chief judge of a judicial district: | |
| 16 | \$ 167,190 |
| 17 f. Each district judge except the chief judge of a judicial | |
| 18 district: | |
| 19 | \$ 161,221 |
| 20 g. Each district associate judge: | |
| 21 | \$ 143,312 |
| 22 h. Each associate juvenile judge: | |
| 23 | \$ 143,312 |
| 24 i. Each associate probate judge: | |
| 25 | \$ 143,312 |
| 26 j. Each judicial magistrate: | |
| 27 | \$ 44,179 |
| 28 k. Each senior judge: | |
| 29 | \$ 9,547 |

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

33 Sec. 7. EFFECTIVE DATE. The section of this Act enacting
34 salaries for state court justices, judges, and magistrates
35 takes effect June 21, 2024.

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EXPLANATION

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

This bill relates to and makes appropriations to the judicial branch.

The bill appropriates moneys from the general fund of the state for FY 2024-2025 to the judicial branch for salaries, receipt and disbursement of child support payments, reimbursement of the auditor of state, maintenance, equipment, miscellaneous purposes, deposit in the revolving fund created pursuant to Code section 602.1302(3) for certain purposes, payment of court-ordered juvenile services, and juvenile delinquent graduated sanctions services.

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

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

The bill allows a judicial officer to be placed on unpaid leave on any day a court employee is required to furlough. The bill provides that if a judicial officer is placed on unpaid leave, the salary of the judicial officer shall be reduced accordingly for the pay period in which the unpaid leave occurred. The bill provides that the judicial branch may use an amount equal to the aggregate amount of the salary reductions due to judicial officer unpaid leave for any purpose other than judicial salaries.

The bill states legislative intent that the judicial

S.F. _____ H.F. _____

1 branch utilize the Iowa communications network or other secure
2 electronic communications in lieu of traveling.

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