

Senate Study Bill 3185 - 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.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

unofficial

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 2026, and ending June 30, 2027, the following amounts, or so much
5 thereof as is necessary, to be used for the purposes designated:

6 a. For salaries of supreme court justices, appellate court
7 judges, district court judges, district associate judges,
8 associate juvenile judges, associate probate judges, judicial
9 magistrates and staff, state court administrator, clerk of the
10 supreme court, district court administrators, clerks of the
11 district court, juvenile court officers, board of law examiners,
12 board of examiners of shorthand reporters, and commission on
13 judicial qualifications; receipt and disbursement of child
14 support payments; reimbursement of the auditor of state for
15 expenses incurred in completing audits of the offices of the
16 clerks of the district court during the fiscal year beginning
17 July 1, 2026; and maintenance, equipment, and miscellaneous
18 purposes:

19 \$202,691,378

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

25 \$ 3,600,000

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

30 \$ 3,290,000

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

35 (2) Notwithstanding section 232.141 or any other provision of

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

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

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

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

28 (6) Of the moneys appropriated in this lettered paragraph, an
29 amount not to exceed the actual cost of the annual membership fee
30 is allocated to the judicial branch to support the interstate
31 commission for juveniles in accordance with the interstate
32 compact for juveniles as provided in section 232.173.

33 (7) Notwithstanding section 8.33, moneys appropriated in this
34 lettered paragraph that remain unencumbered or unobligated at the
35 close of the fiscal year shall not revert but shall remain

1 available for expenditure for the purposes designated until the
2 close of the fiscal year that begins July 1, 2029.

3 d. For juvenile delinquent graduated sanctions services
4 pursuant to section 232.192:

5 \$ 12,253,000

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

12 (2) Notwithstanding section 8.33, moneys appropriated in this
13 lettered paragraph that remain unencumbered or unobligated at the
14 close of the fiscal year shall not revert but shall remain
15 available for expenditure for the purposes designated until the
16 close of the fiscal year that begins July 1, 2029.

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

23 3. The judicial branch shall submit monthly financial
24 statements to the legislative services agency and the department
25 of management containing all appropriated accounts in the same
26 manner as provided in the monthly financial status reports and
27 personal services usage reports of the department of
28 administrative services. The monthly financial statements must
29 include a comparison of the dollars and percentage spent of
30 budgeted versus actual revenues and expenditures on a cumulative
31 basis for full-time equivalent positions and 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 possible
3 in order to address the relative needs of the citizens of each
4 county. An office of the clerk of the district court shall be
5 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 the
10 legislative services agency prior to the effective date. The
11 notice must 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 to
16 the legislative services agency and department of management
17 specifying the amounts of fines, surcharges, and court costs
18 collected using the Iowa court information system since the last
19 report. The judicial branch shall continue to facilitate the
20 sharing of vital sentencing and other information with other
21 state departments and governmental agencies involved in the
22 criminal justice system through the Iowa court information
23 system.

24 8. The judicial branch shall provide a report to the general
25 assembly and department of management by January 1, 2027,
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, 2025, and
29 ending June 30, 2026, and the plans for expenditures from the
30 fund during the fiscal year beginning July 1, 2026, and ending
31 June 30, 2027.

32 Sec. 2. CIVIL TRIALS — LOCATION. Notwithstanding any
33 provision to the contrary, for the fiscal year beginning July 1,
34 2026, and ending June 30, 2027, if all parties in a case agree,
35 a civil trial including a jury trial may take place in a county

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

6 Sec. 3. TRAVEL REIMBURSEMENT. Notwithstanding section
7 602.1509, for the fiscal year beginning July 1, 2026, and ending
8 June 30, 2027, a judicial officer may waive travel reimbursement
9 for any travel outside the judicial officer's county of residence
10 to conduct official judicial business.

11 Sec. 4. JUDICIAL OFFICER — UNPAID LEAVE. Notwithstanding
12 the annual salary rates for judicial officers established by
13 2025 Iowa Acts, chapter 158, section 6, for the fiscal year
14 beginning July 1, 2026, and ending June 30, 2027, the supreme
15 court may by order place all judicial officers on unpaid leave
16 status on any day employees of the judicial branch are placed
17 on temporary layoff status. The biweekly pay of the judicial
18 officers shall be reduced accordingly for the pay period in
19 which the unpaid leave date occurred in the same manner as for
20 noncontract employees of the judicial branch. Through the course
21 of the fiscal year, the judicial branch may use an amount equal
22 to the aggregate amount of salary reductions due to the judicial
23 officer unpaid leave days for any purpose other than for judicial
24 salaries.

25 Sec. 5. IOWA COMMUNICATIONS NETWORK. It is the intent of
26 the general assembly that the judicial branch utilize the Iowa
27 communications network or other secure electronic communications
28 in lieu of traveling for the fiscal year beginning July 1, 2026,
29 and ending June 30, 2027.

30 Sec. 6. Section 602.1202, Code 2026, is amended to read as
31 follows:

32 **602.1202 Judicial council.**

33 1. A judicial council is established, consisting of the chief
34 judges of the judicial districts, the chief judge of the court
35 of appeals, and the chief justice who shall be the chairperson.

1 The council shall convene not less than twice each year at times
2 and places as ordered by the chief justice. The council shall
3 advise the supreme court with respect to the supervision and
4 administration of the judicial branch.

5 2. A meeting of the judicial council in which the judicial
6 retirement system is discussed shall not be held as a closed
7 session under section 21.5.

8 Sec. 7. Section 602.9102, Code 2026, is amended to read as
9 follows:

10 **602.9102 Administered by court administrator.**

11 1. The court administrator shall be vested with authority is
12 authorized to administer the system and related reports and may
13 promulgate rules therefor not inconsistent with the provisions of
14 this article.

15 2. The state court administrator shall advise the judicial
16 council on all determinations made by the state court
17 administrator concerning the judicial retirement system.

18 EXPLANATION

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

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

23 The bill appropriates moneys from the general fund of the
24 state for FY 2026-2027 to the judicial branch for salaries,
25 receipt and disbursement of child support payments, reimbursement
26 of the auditor of state, maintenance, equipment, miscellaneous
27 purposes, deposit in the revolving fund created pursuant
28 to Code section 602.1302(3) for certain purposes, payment
29 of court-ordered juvenile services, and juvenile delinquent
30 graduated sanctions services.

31 The bill provides that a civil trial including a jury trial
32 may take place in a county contiguous to the county with proper
33 jurisdiction if all the parties in a case agree. If a trial
34 is moved to another county that is located in another judicial
35 district or judicial election district, the judicial officers

1 serving the judicial district or judicial election district
2 receiving the case shall preside over the case.

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

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

15 The bill states legislative intent that the judicial
16 branch utilize the Iowa communications network or other secure
17 electronic communications in lieu of traveling.

18 Under current law, governmental bodies, including a council
19 created by state statute, are subject to Code chapter 21
20 (official meetings open to public). Under certain circumstances,
21 a governmental body may hold a closed session (Code section
22 21.5). The bill provides that a judicial council meeting in
23 which the judicial retirement system is discussed shall not
24 be held as a closed session. The bill requires the state
25 court administrator to advise the judicial council on all
26 determinations made by the state court administrator concerning
27 the judicial retirement system.