

**Senate File 508 - Reprinted**

SENATE FILE 508  
BY COMMITTEE ON APPROPRIATIONS

(SUCCESSOR TO SSB 1194)

(As Amended and Passed by the Senate April 17, 2017)

**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  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35

DIVISION I  
FY 2017-2018

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, 2017, and ending June 30, 2018, the following amounts, 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, associate juvenile judges, associate probate 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, 2017; and maintenance, equipment, and miscellaneous purposes:

..... \$175,686,612

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, costs and fees for interpreters and translators, and reimbursement of attorney fees paid by the state public defender:

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

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

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

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

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

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

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

35 8. The judicial branch shall provide a report to the general

1 assembly by January 1, 2018, concerning the amounts received  
2 and expended from the enhanced court collections fund created  
3 in [section 602.1304](#) and the court technology and modernization  
4 fund created in [section 602.8108, subsection 9](#), during the  
5 fiscal year beginning July 1, 2016, and ending June 30, 2017,  
6 and the plans for expenditures from each fund during the fiscal  
7 year beginning July 1, 2017, and ending June 30, 2018. A copy  
8 of the report shall be provided to the legislative services  
9 agency.

10 Sec. 2. 2013 Iowa Acts, chapter 140, section 40, subsection  
11 3, is amended to read as follows:

12 3. Notwithstanding subsections 1 and 2, in the fiscal  
13 year beginning July 1, 2017, and ending June 30, 2018, the  
14 supreme court may increase the annual salary rates specified  
15 in subsection 2, by an amount not to exceed two and one-half  
16 percent of the salary rate established for each judicial  
17 position in subsection 2. Persons receiving the salary rates  
18 established under this section shall not receive any additional  
19 salary adjustments ~~provided by this Act~~ other than those  
20 provided by this subsection.

21 Sec. 3. CIVIL TRIALS — LOCATION. Notwithstanding any  
22 provision to the contrary, for the fiscal year beginning July  
23 1, 2017, and ending June 30, 2018, if all parties in a case  
24 agree, a civil trial including a jury trial may take place in a  
25 county contiguous to the county with proper jurisdiction, even  
26 if the contiguous county is located in an adjacent judicial  
27 district or judicial election district. If the trial is moved  
28 pursuant to this section, court personnel shall treat the case  
29 as if a change of venue occurred. However, if a trial is moved  
30 to an adjacent judicial district or judicial election district,  
31 the judicial officers serving in the judicial district or  
32 judicial election district receiving the case shall preside  
33 over the case.

34 Sec. 4. TRAVEL REIMBURSEMENT. Notwithstanding section  
35 602.1509, for the fiscal year beginning July 1, 2017, and

1 ending June 30, 2018, a judicial officer may waive travel  
2 reimbursement for any travel outside the judicial officer's  
3 county of residence to conduct official judicial business.

4 Sec. 5. JUDICIAL OFFICER — UNPAID LEAVE. Notwithstanding  
5 the annual salary rates for judicial officers established by  
6 2013 Iowa Acts, chapter 140, section 40, for the fiscal year  
7 beginning July 1, 2017, and ending June 30, 2018, the supreme  
8 court may by order place all judicial officers on unpaid leave  
9 status on any day employees of the judicial branch are placed  
10 on temporary layoff status. The biweekly pay of the judicial  
11 officers shall be reduced accordingly for the pay period in  
12 which the unpaid leave date occurred in the same manner as  
13 for noncontract employees of the judicial branch. Through  
14 the course of the fiscal year, the judicial branch may use an  
15 amount equal to the aggregate amount of salary reductions due  
16 to the judicial officer unpaid leave days for any purpose other  
17 than for judicial salaries.

18 Sec. 6. IOWA COMMUNICATIONS NETWORK. It is the intent  
19 of the general assembly that the judicial branch utilize  
20 the Iowa communications network or other secure electronic  
21 communications in lieu of traveling for the fiscal year  
22 beginning July 1, 2017, and ending June 30, 2018.

23 Sec. 7. ENHANCED COURT COLLECTIONS FUND AND COURT  
24 TECHNOLOGY AND MODERNIZATION FUND. Notwithstanding section  
25 602.1304, subsection 2, paragraph "c", and section 602.8108,  
26 subsection 9, for the fiscal year beginning July 1, 2017, and  
27 ending June 30, 2018, in addition to the purposes specified  
28 in section 602.1304, subsection 2, paragraph "c", and in  
29 section 602.8108, subsection 9, the moneys in the funds may be  
30 used by the judicial branch for operational costs and other  
31 miscellaneous purposes and duties.

32 Sec. 8. TOTAL EXPENDITURE REQUIREMENTS OF JUDICIAL BRANCH  
33 — DEPARTMENT OF MANAGEMENT. When the supreme court submits to  
34 the director of the department of management an estimate of the  
35 total expenditure requirements of the judicial branch pursuant

1 to section 602.1301, subsection 2, paragraph "b", before  
2 December 1, 2017, for the succeeding fiscal year, the director  
3 of the department of management shall submit the estimate  
4 received from the supreme court for inclusion without change  
5 in the governor's proposed budget for the succeeding fiscal  
6 year, except that portion of the total expenditure requirements  
7 that includes any increase of the salary rate for a judicial  
8 position established in 2013 Iowa Acts, chapter 140, section  
9 40, which shall not be included in the governor's proposed  
10 budget for the succeeding fiscal year.

11 DIVISION II

12 FY 2018-2019

13 Sec. 9. JUDICIAL BRANCH.

14 1. There is appropriated from the general fund of the state  
15 to the judicial branch for the fiscal year beginning July 1,  
16 2018, and ending June 30, 2019, the following amounts, or so  
17 much thereof as is necessary, to be used for the purposes  
18 designated:

19 a. For salaries of supreme court justices, appellate court  
20 judges, district court judges, district associate judges,  
21 associate juvenile judges, associate probate judges, judicial  
22 magistrates and staff, state court administrator, clerk of the  
23 supreme court, district court administrators, clerks of the  
24 district court, juvenile court officers, board of law examiners  
25 and board of examiners of shorthand reporters and judicial  
26 qualifications commission; receipt and disbursement of child  
27 support payments; reimbursement of the auditor of state for  
28 expenses incurred in completing audits of the offices of the  
29 clerks of the district court during the fiscal year beginning  
30 July 1, 2018; and maintenance, equipment, and miscellaneous  
31 purposes:

32 ..... \$ 87,843,306

33 b. For deposit in the revolving fund created pursuant to  
34 section 602.1302, subsection 3, for jury and witness fees,  
35 mileage, costs related to summoning jurors, costs and fees for

1 interpreters and translators, and reimbursement of attorney  
2 fees paid by the state public defender:  
3 ..... \$ 1,550,000

4 2. The judicial branch, except for purposes of internal  
5 processing, shall use the current state budget system, the  
6 state payroll system, and the Iowa finance and accounting  
7 system in administration of programs and payments for services,  
8 and shall not duplicate the state payroll, accounting, and  
9 budgeting systems.

10 3. The judicial branch shall submit monthly financial  
11 statements to the legislative services agency and the  
12 department of management containing all appropriated accounts  
13 in the same manner as provided in the monthly financial status  
14 reports and personal services usage reports of the department  
15 of administrative services. The monthly financial statements  
16 shall include a comparison of the dollars and percentage  
17 spent of budgeted versus actual revenues and expenditures on  
18 a cumulative basis for full-time equivalent positions and  
19 dollars.

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

23 5. It is the intent of the general assembly that the offices  
24 of the clerks of the district court operate in all 99 counties  
25 and be accessible to the public as much as is reasonably  
26 possible in order to address the relative needs of the citizens  
27 of each county.

28 6. In addition to the requirements for transfers under  
29 section 8.39, the judicial branch shall not change the  
30 appropriations from the amounts appropriated to the judicial  
31 branch in this division of this Act, unless notice of the  
32 revisions is given prior to their effective date to the  
33 legislative services agency. The notice shall include  
34 information on the branch's rationale for making the changes  
35 and details concerning the workload and performance measures

1 upon which the changes are based.

2 7. The judicial branch shall submit a semiannual update  
3 to the legislative services agency specifying the amounts of  
4 fines, surcharges, and court costs collected using the Iowa  
5 court information system since the last report. The judicial  
6 branch shall continue to facilitate the sharing of vital  
7 sentencing and other information with other state departments  
8 and governmental agencies involved in the criminal justice  
9 system through the Iowa court information system.

10 8. The judicial branch shall provide a report to the general  
11 assembly by January 1, 2019, concerning the amounts received  
12 and expended from the enhanced court collections fund created  
13 in [section 602.1304](#) and the court technology and modernization  
14 fund created in [section 602.8108, subsection 9](#), during the  
15 fiscal year beginning July 1, 2017, and ending June 30, 2018,  
16 and the plans for expenditures from each fund during the fiscal  
17 year beginning July 1, 2018, and ending June 30, 2019. A copy  
18 of the report shall be provided to the legislative services  
19 agency.

20 Sec. 10. CIVIL TRIALS — LOCATION. Notwithstanding any  
21 provision to the contrary, for the fiscal year beginning July  
22 1, 2018, and ending June 30, 2019, if all parties in a case  
23 agree, a civil trial including a jury trial may take place in a  
24 county contiguous to the county with proper jurisdiction, even  
25 if the contiguous county is located in an adjacent judicial  
26 district or judicial election district. If the trial is moved  
27 pursuant to this section, court personnel shall treat the case  
28 as if a change of venue occurred. However, if a trial is moved  
29 to an adjacent judicial district or judicial election district,  
30 the judicial officers serving in the judicial district or  
31 judicial election district receiving the case shall preside  
32 over the case.

33 Sec. 11. TRAVEL REIMBURSEMENT. Notwithstanding section  
34 602.1509, for the fiscal year beginning July 1, 2018, and  
35 ending June 30, 2019, a judicial officer may waive travel



1 reimbursement for any travel outside the judicial officer's  
2 county of residence to conduct official judicial business.

3     Sec. 12. JUDICIAL OFFICER — UNPAID LEAVE. Notwithstanding  
4 the annual salary rates for judicial officers established by  
5 2013 Iowa Acts, chapter 140, section 40, for the fiscal year  
6 beginning July 1, 2018, and ending June 30, 2019, the supreme  
7 court may by order place all judicial officers on unpaid leave  
8 status on any day employees of the judicial branch are placed  
9 on temporary layoff status. The biweekly pay of the judicial  
10 officers shall be reduced accordingly for the pay period in  
11 which the unpaid leave date occurred in the same manner as  
12 for noncontract employees of the judicial branch. Through  
13 the course of the fiscal year, the judicial branch may use an  
14 amount equal to the aggregate amount of salary reductions due  
15 to the judicial officer unpaid leave days for any purpose other  
16 than for judicial salaries.

17     Sec. 13. IOWA COMMUNICATIONS NETWORK. It is the intent  
18 of the general assembly that the judicial branch utilize  
19 the Iowa communications network or other secure electronic  
20 communications in lieu of traveling for the fiscal year  
21 beginning July 1, 2018, and ending June 30, 2019.

22                                   DIVISION III

23                                   COURT ADMINISTRATION

24     Sec. 14. COURT ADMINISTRATION. Notwithstanding other  
25 provisions of this Act and section 602.1215, subsection 1,  
26 sections 602.2301, 602.6113, 602.6201, subsections 5, 6, 7,  
27 and 10, sections 602.6301, 602.6401, subsection 1, and section  
28 602.6603, subsections 1, 2, 3, 4, and 7, for the fiscal years  
29 beginning July 1, 2017, and July 1, 2018, the supreme court may  
30 implement policies and procedures that may be contrary to the  
31 requirements of this Act and the Code provisions referenced  
32 in this section in order to efficiently and effectively  
33 administer justice throughout the state. The state court  
34 administrator shall submit a report to the chairpersons of the  
35 joint appropriations subcommittee on the justice system and

S.F. 508

1 the legislative services agency, fiscal services division,  
2 by October 2, 2017, and October 1, 2018, respectively,  
3 detailing the establishment of any new policies and procedures  
4 implemented pursuant to this section that efficiently and  
5 effectively administer justice throughout the state.