

Judicial Branch Appropriations Bill Senate Study Bill 1254

Last Action:
Senate Subcommittee
April 4, 2019

An Act relating to appropriations to the judicial branch.

**Fiscal Services Division
Legislative Services Agency**

NOTES ON BILLS AND AMENDMENTS (NOBA)

Available online at www.legis.iowa.gov/publications/information/appropriationBillAnalysis

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FUNDING SUMMARY

General Fund FY 2020: Appropriates a total of \$184.2 million from the General Fund to the Judicial Branch for FY 2020. This appropriation includes:

- \$181.1 million to the Judicial Branch for operations. This is an increase of \$3.6 million compared to estimated net FY 2019.
- \$3.1 million to the Jury and Witness Fee Revolving Fund. This is no change compared to estimated net FY 2019.

MAJOR INCREASES/DECREASES/TRANSFERS OF EXISTING PROGRAMS

Requires the Judicial Branch to increase the annual salary rates of judges and magistrates to the amounts specified in the Bill starting in FY 2020. Requires that the salaries be paid from funds allocated to the Judicial Branch from the Salary Adjustment Fund, or if the allocation is not sufficient, from funds appropriated to the Judicial Branch pursuant to this Bill or any other Bill of the General Assembly.

Page 4, Line 15

STUDIES AND INTENT

Requires the Judicial Branch to focus efforts on collecting delinquent fines and fees.

Page 2, Line 8

Requires the Offices of the Clerks of the District Court to operate in all 99 counties and be accessible to the public as much as is reasonably possible in order to address the relative needs of the citizens of each county. At minimum, an Office of the Clerk of the District Court must be open to the public at least during the same hours as other county offices in the respective county. If county offices are open for a varying number of hours, the Office of the Clerk of District Court shall be open consistent with the county office that is open the greatest number of hours.

Page 2, Line 11

Requires the Judicial Branch to provide a semiannual report to the Legislative Services Agency (LSA) specifying the amount of fines, surcharges, and court costs collected using the Iowa Court Information System (ICIS). Requires the Judicial Branch to continue to share vital sentencing and other information with other State departments and government agencies involved with the criminal justice system through the ICIS.

Page 2, Line 30

Requires the Judicial Branch to report to the General Assembly by January 1, 2020, regarding the revenues and expenditures of the Enhanced Court Collections Fund and the Court Technology and Modernization Fund for FY 2019 and planned expenditures for FY 2020. The Judicial Branch is required to provide a copy of this report to the LSA.

Page 3, Line 3

EXECUTIVE SUMMARY
JUDICIAL BRANCH APPROPRIATIONS BILL

SENATE STUDY BILL 1254

Permits parties to a civil case, including a jury trial, to move the case to a contiguous county during FY 2020, even if the contiguous county is located in an adjacent judicial district. If the trial is moved to an adjacent judicial district, the judicial officers within the adjacent district must preside over the case.

Page 3, Line 13

Permits a judicial officer to waive travel reimbursement for any official judicial business travel outside the county of residence of the judicial officer during FY 2020.

Page 3, Line 26

Permits the Supreme Court to order judicial officers to take unpaid leave in the same manner as noncontract employees of the Judicial Branch during FY 2020.

Page 3, Line 31

Specifies that it is the intent of the General Assembly that the Judicial Branch use the Iowa Communications Network or other secure electronic communications instead of traveling during FY 2020.

Page 4, Line 10

1 1 Section 1. JUDICIAL BRANCH.

1 2 1. There is appropriated from the general fund of the state
1 3 to the judicial branch for the fiscal year beginning July 1,
1 4 2019, and ending June 30, 2020, the following amounts, or so
1 5 much thereof as is necessary, to be used for the purposes
1 6 designated:

1 7 a. For salaries of supreme court justices, appellate court
1 8 judges, district court judges, district associate judges,
1 9 associate juvenile judges, associate probate judges, judicial
1 10 magistrates and staff, state court administrator, clerk of the
1 11 supreme court, district court administrators, clerks of the
1 12 district court, juvenile court officers, board of law examiners
1 13 and board of examiners of shorthand reporters and judicial
1 14 qualifications commission; receipt and disbursement of child
1 15 support payments; reimbursement of the auditor of state for
1 16 expenses incurred in completing audits of the offices of the
1 17 clerks of the district court during the fiscal year beginning
1 18 July 1, 2019; and maintenance, equipment, and miscellaneous
1 19 purposes:
1 20 \$ 181,126,293

1 21 b. For deposit in the revolving fund created pursuant to
1 22 section 602.1302, subsection 3, for jury and witness fees,
1 23 mileage, costs related to summoning jurors, costs and fees for
1 24 interpreters and translators, and reimbursement of attorney
1 25 fees paid by the state public defender:
1 26 \$ 3,100,000

1 27 2. The judicial branch, except for purposes of internal
1 28 processing, shall use the current state budget system, the
1 29 state payroll system, and the Iowa finance and accounting
1 30 system in administration of programs and payments for services,
1 31 and shall not duplicate the state payroll, accounting, and
1 32 budgeting systems.

1 33 3. The judicial branch shall submit monthly financial
1 34 statements to the legislative services agency and the
1 35 department of management containing all appropriated accounts
2 1 in the same manner as provided in the monthly financial status
2 2 reports and personal services usage reports of the department
2 3 of administrative services. The monthly financial statements
2 4 shall include a comparison of the dollars and percentage
2 5 spent of budgeted versus actual revenues and expenditures on
2 6 a cumulative basis for full-time equivalent positions and
2 7 dollars.

General Fund appropriation to the Judicial Branch for operations.

DETAIL: This is an increase of \$3,551,496 compared to estimated net FY 2019. The additional funding is intended to cover the 2.00% judicial officer salary increases and other increased operational expenses of the Judicial Branch.

General Fund appropriation to the Jury and Witness Fee Revolving Fund for the reimbursement of juror and witness fees, mileage, and costs.

DETAIL: Maintains the current level of funding compared to estimated net FY 2019.

Prohibits the Judicial Branch from duplicating current State payroll, budgeting, and accounting systems, except for the implementation of an internal accounting and recordkeeping system.

Requires the Judicial Branch to submit monthly financial statements for all appropriated accounts to the Fiscal Services Division of the Legislative Services Agency (LSA) and to the Department of Management (DOM). Specifies the content to be included in the financial statements.

2 8 4. The judicial branch shall focus efforts upon the
 2 9 collection of delinquent fines, penalties, court costs, fees,
 2 10 surcharges, or similar amounts.

Requires the Judicial Branch to focus efforts on collecting delinquent fines and fees.

2 11 5. The offices of the clerks of the district court shall
 2 12 operate in all 99 counties and be accessible to the public as
 2 13 much as is reasonably possible in order to address the relative
 2 14 needs of the citizens of each county. At minimum, an office
 2 15 of the clerk of the district court shall be open to the public
 2 16 for at least the same hours as other county offices in their
 2 17 respective county. If county offices within a county are open
 2 18 for a varying number of hours, the office of the clerk of the
 2 19 district court shall be open consistent with the county office
 2 20 that is open the greatest number of hours.

Requires the Offices of the Clerks of the District Court to operate in all 99 counties and be accessible to the public as much as is reasonably possible in order to address the relative needs of the citizens of each county. At minimum, an Office of the Clerk of the District Court must be open to the public at least during the same hours as other county offices in the respective county. If county offices within a county are open for a varying number of hours, the Office of the Clerk of District Court shall be open consistent with the county office that is open the greatest number of hours.

2 21 6. In addition to the requirements for transfers under
 2 22 section 8.39, the judicial branch shall not change the
 2 23 appropriations from the amounts appropriated to the judicial
 2 24 branch in this division of this Act, unless notice of the
 2 25 revisions is given prior to their effective date to the
 2 26 legislative services agency. The notice shall include
 2 27 information on the branch's rationale for making the changes
 2 28 and details concerning the workload and performance measures
 2 29 upon which the changes are based.

Requires the Judicial Branch to notify the LSA prior to any intradepartmental transfer of funds and specifies the contents to be included in the notice.

2 30 7. The judicial branch shall submit a semiannual update
 2 31 to the legislative services agency specifying the amounts of
 2 32 fines, surcharges, and court costs collected using the Iowa
 2 33 court information system since the last report. The judicial
 2 34 branch shall continue to facilitate the sharing of vital
 2 35 sentencing and other information with other state departments
 3 1 and governmental agencies involved in the criminal justice
 3 2 system through the Iowa court information system.

Requires the Judicial Branch to provide a semiannual report to the LSA specifying the amount of fines, surcharges, and court costs collected using the Iowa Court Information System (ICIS). Requires the Judicial Branch to continue to share vital sentencing and other information with other State departments and government agencies involved with the criminal justice system through the ICIS.

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

Requires the Judicial Branch to report to the General Assembly by January 1, 2020, regarding the revenues and expenditures of the Enhanced Court Collections Fund and the Court Technology and Modernization Fund for FY 2019, and planned expenditures for FY 2020. The Judicial Branch is required to provide a copy of this report to the LSA.

3 13 Sec. 2. CIVIL TRIALS — LOCATION. Notwithstanding any
 3 14 provision to the contrary, for the fiscal year beginning July
 3 15 1, 2019, and ending June 30, 2020, if all parties in a case

Permits parties to a civil case, including a jury trial, to move the case to a contiguous county during FY 2020, even if the contiguous county is located in an adjacent judicial district. If the trial is moved to an

<p>3 16 agree, a civil trial including a jury trial may take place in a 3 17 county contiguous to the county with proper jurisdiction, even 3 18 if the contiguous county is located in an adjacent judicial 3 19 district or judicial election district. If the trial is moved 3 20 pursuant to this section, court personnel shall treat the case 3 21 as if a change of venue occurred. However, if a trial is moved 3 22 to an adjacent judicial district or judicial election district, 3 23 the judicial officers serving in the judicial district or 3 24 judicial election district receiving the case shall preside 3 25 over the case.</p>	<p>adjacent judicial district, the judicial officers within the adjacent district must preside over the case.</p>
<p>3 26 Sec. 3. TRAVEL REIMBURSEMENT. Notwithstanding section 3 27 602.1509, for the fiscal year beginning July 1, 2019, and 3 28 ending June 30, 2020, a judicial officer may waive travel 3 29 reimbursement for any travel outside the judicial officer's 3 30 county of residence to conduct official judicial business.</p>	<p>Permits a judicial officer to waive travel reimbursement for any official judicial business travel outside the county of residence of the judicial officer during FY 2020.</p>
<p>3 31 Sec. 4. JUDICIAL OFFICER — UNPAID LEAVE. Notwithstanding 3 32 the annual salary rates for judicial officers established by 3 33 2013 Iowa Acts, chapter 140, section 40, for the fiscal year 3 34 beginning July 1, 2019, and ending June 30, 2020, the supreme 3 35 court may by order place all judicial officers on unpaid leave 4 1 status on any day employees of the judicial branch are placed 4 2 on temporary layoff status. The biweekly pay of the judicial 4 3 officers shall be reduced accordingly for the pay period in 4 4 which the unpaid leave date occurred in the same manner as 4 5 for noncontract employees of the judicial branch. Through 4 6 the course of the fiscal year, the judicial branch may use an 4 7 amount equal to the aggregate amount of salary reductions due 4 8 to the judicial officer unpaid leave days for any purpose other 4 9 than for judicial salaries.</p>	<p>Permits the Supreme Court to order judicial officers to take unpaid leave in the same manner as noncontract employees of the Judicial Branch during FY 2020.</p>
<p>4 10 Sec. 5. IOWA COMMUNICATIONS NETWORK. It is the intent 4 11 of the general assembly that the judicial branch utilize 4 12 the Iowa communications network or other secure electronic 4 13 communications in lieu of traveling for the fiscal year 4 14 beginning July 1, 2019, and ending June 30, 2020.</p>	<p>Specifies that it is the intent of the General Assembly that the Judicial Branch use the Iowa Communications Network or other secure electronic communications instead of traveling during FY 2020.</p>
<p>4 15 Sec. 6. STATE COURT — JUSTICES, JUDGES, AND MAGISTRATES. 4 16 1. The salary rates specified in subsection 2 are for the 4 17 fiscal year beginning in July 1, 2019, and for subsequent 4 18 fiscal years until otherwise provided by the general assembly. 4 19 The salaries provided for in this section shall be paid 4 20 from funds allocated to the judicial branch from the salary 4 21 adjustment fund, or if the allocation is not sufficient, from 4 22 funds appropriated to the judicial branch pursuant to this Act 4 23 or any other Act of the general assembly. 4 24 2. The following annual salary rates shall be paid to the</p>	<p>Requires the Judicial Branch to increase the annual salary rates of judges and magistrates to the amounts specified in this Section starting in FY 2020. Requires that the salaries provided for in this Section be paid from funds allocated to the Judicial Branch from the Salary Adjustment Fund, or if the allocation is not sufficient, from funds appropriated to the Judicial Branch pursuant to this Bill or any other Bill of the General Assembly.</p> <p>DETAIL: The salary rate increase for each judgeship position is approximately 2.00%. Based on the current number of judgeships</p>

4 25 persons holding the judicial positions indicated during the
 4 26 fiscal year beginning July 1, 2019, and for subsequent pay
 4 27 periods.

4 28	a. Chief justice of the supreme court:		
4 29	.....	\$	186,661
4 30	b. Each justice of the supreme court:		
4 31	.....	\$	178,304
4 32	c. Chief judge of the court of appeals:		
4 33	.....	\$	167,160
4 34	d. Each associate judge of the court of appeals:		
4 35	.....	\$	161,588
5 1	e. Each chief judge of a judicial district:		
5 2	.....	\$	156,016
5 3	f. Each district judge except the chief judge of a judicial		
5 4	district:		
5 5	.....	\$	150,016
5 6	g. Each district associate judge:		
5 7	.....	\$	133,728
5 8	h. Each associate juvenile judge:		
5 9	.....	\$	133,728
5 10	i. Each associate probate judge:		
5 11	.....	\$	133,728
5 12	j. Each judicial magistrate:		
5 13	.....	\$	41,232
5 14	k. Each senior judge:		
5 15	.....	\$	8,915

5 16 3. Persons receiving the salary rates established
 5 17 under this section shall not receive any additional salary
 5 18 adjustments provided by this Act.

filled, the total funding required to provide all judicial officers with a 2.00% salary increase in FY 2020 is approximately \$700,000. The most recent salary increase for all judicial officers was 2.50% in FY 2018.

NOTE: All judicial salaries are determined by the General Assembly, as required by Iowa Code sections [602.1501](#) and [602.9204\(1\)\(a\)](#). The current judicial salary levels, as set in FY 2018, are as follows:

Supreme Court

- Chief Justice: \$183,001
- Justices: \$174,808

Court of Appeals

- Chief Judge: \$163,882
- Judges: \$158,420

District Court

- Chief Judge: \$152,957
- District Judges: \$147,494
- District, Juvenile, and Probate Associates: \$131,106
- Magistrates: \$40,424
- Senior Judges: \$8,740

Summary Data

General Fund

	Actual FY 2018 (1)	Estimated FY 2019 (2)	Gov Rec FY 2020 (3)	Senate Subcom FY 2020 (4)	Senate Sub vs. Est 2019 (5)
Justice System	\$ 177,174,797	\$ 180,674,797	\$ 186,088,057	\$ 184,226,293	\$ 3,551,496
Grand Total	\$ 177,174,797	\$ 180,674,797	\$ 186,088,057	\$ 184,226,293	\$ 3,551,496

Justice System

General Fund

	Actual FY 2018 (1)	Estimated FY 2019 (2)	Gov Rec FY 2020 (3)	Senate Subcom FY 2020 (4)	Senate Sub vs. Est 2019 (5)	Page and Line # (6)
Judicial Branch						
Judicial Branch						
Judicial Branch	\$ 174,074,797	\$ 177,574,797	\$ 182,988,057	\$ 181,126,293	\$ 3,551,496	PG 1 LN 1
Jury & Witness Fee Revolving Fund	3,100,000	3,100,000	3,100,000	3,100,000	0	PG 1 LN 21
Total Judicial Branch	\$ 177,174,797	\$ 180,674,797	\$ 186,088,057	\$ 184,226,293	\$ 3,551,496	
Total Justice System	\$ 177,174,797	\$ 180,674,797	\$ 186,088,057	\$ 184,226,293	\$ 3,551,496	

Summary Data

FTE Positions

	<u>Actual FY 2018 (1)</u>	<u>Estimated FY 2019 (2)</u>	<u>Gov Rec FY 2020 (3)</u>	<u>Senate Subcom FY 2020 (4)</u>	<u>Senate Sub vs. Est 2019 (5)</u>
Justice System	1,700.42	1,770.63	1,828.63	1,770.63	0.00
Grand Total	<u>1,700.42</u>	<u>1,770.63</u>	<u>1,828.63</u>	<u>1,770.63</u>	<u>0.00</u>

Justice System

FTE Positions

	Actual FY 2018 (1)	Estimated FY 2019 (2)	Gov Rec FY 2020 (3)	Senate Subcom FY 2020 (4)	Senate Sub vs. Est 2019 (5)	Page and Line # (6)
Judicial Branch						
Judicial Branch						
Judicial Branch	1,700.42	1,770.63	1,828.63	1,770.63	0.00	PG 1 LN 1
Total Judicial Branch	1,700.42	1,770.63	1,828.63	1,770.63	0.00	
Total Justice System	1,700.42	1,770.63	1,828.63	1,770.63	0.00	