

# Judicial Branch Appropriations Act House File 2457

Last Action:

**ENACTED**  
**No Vetoes**

May 27, 2016

**An Act relating to appropriations to the judicial branch and including effective date and retroactive applicability provisions.**

**Fiscal Services Division**  
**Legislative Services Agency**

## **NOTES ON BILLS AND AMENDMENTS (NOBA)**

Available online at: <https://www.legis.iowa.gov/publications/information/appropriationBillAnalysis>

LSA Contact: Laura Book (515-725-0509)

**FUNDING SUMMARY**

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**General Fund FY 2017:** Appropriates a total of \$181.8 million from the General Fund to the Judicial Branch for FY 2017. This is no change in funding compared to estimated FY 2016. Of this total, \$3.1 million is appropriated to the Jury and Witness Revolving Fund. Page 1, Line 11

**STUDIES AND INTENT**

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Requires the Judicial Branch to focus efforts on collecting delinquent fines and fees. Page 2, Line 36

Specifies legislative intent that the Clerk of Court offices operate in all 99 counties and be accessible to the public as much as reasonably possible. Page 2, Line 39

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 departments and government agencies involved with the criminal justice system through the ICIS. Page 3, Line 14

Requires the Judicial Branch to report to the General Assembly by January 1, 2017, regarding the revenues and expenditures of the Enhanced Court Collections Fund and the Court Technology and Modernization Fund for FY 2016 and planned expenditures for FY 2017. Page 3, Line 22

Requires the Judicial Branch to emphasize the expansion of family treatment courts on a statewide basis. Page 3, Line 32

Permits the Judicial Branch to use funds in the Enhanced Court Collections Fund and the Court Technology and Modernization Fund in FY 2017 for operational costs and other miscellaneous purposes and duties in addition to the purposes already specified in statute. Page 3, Line 34

**ENACTMENT DATE**

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This Act was approved by the General Assembly on April 20, 2016, and signed by the Governor on May 27, 2016.

**STAFF CONTACT:**

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House File 2457 provides for the following changes to the Code of Iowa.

<b>Page #</b>	<b>Line #</b>	<b>Bill Section</b>	<b>Action</b>	<b>Code Section</b>
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1 3 Section 1. 2015 Iowa Acts, chapter 134, section 6, is  
1 4 amended to read as follows:

1 5 SEC. 6. JUDICIAL BRANCH.

General Fund appropriation to the Judicial Branch for operations.

1 6 1. There is appropriated from the general fund of the state  
1 7 to the judicial branch for the fiscal year beginning July 1,  
1 8 2016, and ending June 30, 2017, the following amounts, or so  
1 9 much thereof as is necessary, to be used for the purposes  
1 10 designated:

DETAIL: This is no change in funding compared to estimated FY 2016.

1 11 a. For salaries of supreme court justices, appellate court  
1 12 judges, district court judges, district associate judges,  
1 13 associate juvenile judges, associate probate judges, judicial  
2 1 magistrates and staff, state court administrator, clerk of the  
2 2 supreme court, district court administrators, clerks of the  
2 3 district court, juvenile court officers, board of law examiners  
2 4 and board of examiners of shorthand reporters and judicial  
2 5 qualifications commission; receipt and disbursement of child  
2 6 support payments; reimbursement of the auditor of state for  
2 7 expenses incurred in completing audits of the offices of the  
2 8 clerks of the district court during the fiscal year beginning  
2 9 July 1, 2016; and maintenance, equipment, and miscellaneous  
2 10 purposes:

2 11	.....	\$	85,743,306
2 12			<u>178,686,612</u>

2 13 b. For deposit in the revolving fund created pursuant to  
2 14 section 602.1302, subsection 3, for jury and witness fees,  
2 15 mileage, costs related to summoning jurors, costs and fees for  
2 16 interpreters and translators, and reimbursement of attorney  
2 17 fees paid by the state public defender:

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

2 18	.....	\$	1,550,000
2 19			<u>3,100,000</u>

DETAIL: This is no change compared to estimated FY 2016.

2 20 2. The judicial branch, except for purposes of internal  
2 21 processing, shall use the current state budget system, the  
2 22 state payroll system, and the Iowa finance and accounting  
2 23 system in administration of programs and payments for services,  
2 24 and shall not duplicate the state payroll, accounting, and  
2 25 budgeting systems.

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

2 26 3. The judicial branch shall submit monthly financial  
2 27 statements to the legislative services agency and the  
2 28 department of management containing all appropriated accounts  
2 29 in the same manner as provided in the monthly financial status  
2 30 reports and personal services usage reports of the department  
2 31 of administrative services. The monthly financial statements

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 the Department of Management (DOM). Specifies what is to be included in the financial statements.

2 32 shall include a comparison of the dollars and percentage  
2 33 spent of budgeted versus actual revenues and expenditures on  
2 34 a cumulative basis for full-time equivalent positions and  
2 35 dollars.

2 36 4. The judicial branch shall focus efforts upon the  
2 37 collection of delinquent fines, penalties, court costs, fees,  
2 38 surcharges, or similar amounts.

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

NOTE: Senate File 2315 (Court Debt Collection Act) makes several changes to the assignment of court debt for collection purposes. A case involving court debt may be assigned to a county attorney if the county attorney has filed a notice with the clerk of district court, and 30 days have passed since the assessment of the court debt or an installment payment is not received within 30 days after the date it is due. A private collector is still able to collect debt once it becomes delinquent (30 days past assessment), unless the case has been assigned to a county attorney committed to collecting court debt. Previously, the county attorney could only begin collecting 90 days after the debt was assessed and 60 days after the debt became delinquent, as long as the debt was not already a part of an installment agreement with a private collector. The Act also makes changes to the debt collection threshold requirements, and how collected court debt is divided between the counties and the General Fund.

2 39 5. It is the intent of the general assembly that the offices  
3 1 of the clerks of the district court operate in all 99 counties  
3 2 and be accessible to the public as much as is reasonably  
3 3 possible in order to address the relative needs of the citizens  
3 4 of each county.

Specifies it is the intent of the General Assembly that the Judicial Branch operate Clerk of Court offices in all 99 counties and be open to the public as much as reasonably possible.

3 5 6. In addition to the requirements for transfers under  
3 6 section 8.39, the judicial branch shall not change the  
3 7 appropriations from the amounts appropriated to the judicial  
3 8 branch in this division of this Act, unless notice of the  
3 9 revisions is given prior to their effective date to the  
3 10 legislative services agency. The notice shall include  
3 11 information on the branch's rationale for making the changes  
3 12 and details concerning the workload and performance measures  
3 13 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 of the notice.

3 14 7. The judicial branch shall submit a semiannual update  
3 15 to the legislative services agency specifying the amounts of  
3 16 fines, surcharges, and court costs collected using the Iowa  
3 17 court information system since the last report. The judicial  
3 18 branch shall continue to facilitate the sharing of vital  
3 19 sentencing and other information with other state departments

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 departments and government agencies involved with the criminal justice system through the ICIS.

3 20 and governmental agencies involved in the criminal justice  
3 21 system through the Iowa court information system.

3 22 8. The judicial branch shall provide a report to the general  
3 23 assembly by January 1, 2017, concerning the amounts received  
3 24 and expended from the enhanced court collections fund created  
3 25 in section 602.1304 and the court technology and modernization  
3 26 fund created in section 602.8108, subsection 7, during the  
3 27 fiscal year beginning July 1, 2015, and ending June 30, 2016,  
3 28 and the plans for expenditures from each fund during the fiscal  
3 29 year beginning July 1, 2016, and ending June 30, 2017. A copy  
3 30 of the report shall be provided to the legislative services  
3 31 agency.

Requires the Judicial Branch to report to the General Assembly by January 1, 2017, regarding the revenues and expenditures of the Enhanced Court Collections Fund and the Court Technology and Modernization Fund for FY 2016 and planned expenditures for FY 2017. The Judicial Branch is required to provide a copy of this report to the LSA.

3 32 9. The judicial branch shall emphasize the expansion of  
3 33 family treatment courts on a statewide basis.

Requires the Judicial Branch to emphasize the expansion of family treatment courts on a statewide basis.

3 34 Sec. 2. ENHANCED COURT COLLECTIONS FUND AND COURT  
3 35 TECHNOLOGY AND MODERNIZATION FUND. Notwithstanding section  
3 36 602.1304, subsection 2, paragraph "c", and section 602.8108,  
3 37 subsection 9, for the fiscal year beginning July 1, 2016, and  
3 38 ending June 30, 2017, in addition to the purposes specified  
3 39 in section 602.1304, subsection 2, paragraph "c", and in  
3 40 section 602.8108, subsection 9, the moneys in the funds may be  
3 41 used by the judicial branch for operational costs and other  
3 42 miscellaneous purposes and duties.

Permits the Judicial Branch to use funds in the Enhanced Court Collections Fund and the Court Technology and Modernization Fund in FY 2017 for operational costs and other miscellaneous purposes and duties in addition to the purposes already specified in the Iowa Code.

# Summary Data

## General Fund

	<u>Actual FY 2015 (1)</u>	<u>Estimated FY 2016 (2)</u>	<u>Final Action FY 2017 (3)</u>	<u>Item Veto FY 2017 (4)</u>	<u>Net Final FY 2017 (5)</u>	<u>Page and Line # (6)</u>
Justice System	\$ 174,586,612	\$ 181,786,612	\$ 181,786,612	\$ 0	\$ 181,786,612	
<b>Grand Total</b>	<u>\$ 174,586,612</u>	<u>\$ 181,786,612</u>	<u>\$ 181,786,612</u>	<u>\$ 0</u>	<u>\$ 181,786,612</u>	



# Justice System General Fund

	Actual FY 2015 <u>(1)</u>	Estimated FY 2016 <u>(2)</u>	Final Action FY 2017 <u>(3)</u>	Item Veto FY 2017 <u>(4)</u>	Net Final FY 2017 <u>(5)</u>	Page and Line # <u>(6)</u>
<b>Judicial Branch</b>						
<b>Judicial Branch</b>						
Judicial Branch	\$ 171,486,612	\$ 178,686,612	\$ 178,686,612	\$ 0	\$ 178,686,612	PG 1 LN 5
Jury & Witness Revolving Fund	<u>3,100,000</u>	<u>3,100,000</u>	<u>3,100,000</u>	<u>0</u>	<u>3,100,000</u>	PG 2 LN 13
<b>Total Judicial Branch</b>	<u>\$ 174,586,612</u>	<u>\$ 181,786,612</u>	<u>\$ 181,786,612</u>	<u>\$ 0</u>	<u>\$ 181,786,612</u>	
<b>Total Justice System</b>	<u><u>\$ 174,586,612</u></u>	<u><u>\$ 181,786,612</u></u>	<u><u>\$ 181,786,612</u></u>	<u><u>\$ 0</u></u>	<u><u>\$ 181,786,612</u></u>	

# Summary Data

## FTE Positions

	<u>Actual FY 2015 (1)</u>	<u>Estimated FY 2016 (2)</u>	<u>Final Action FY 2017 (3)</u>	<u>Item Veto FY 2017 (4)</u>	<u>Net Final FY 2017 (5)</u>	<u>Page and Line # (6)</u>
Justice System	<u>1,849.44</u>	<u>1,903.59</u>	<u>1,902.59</u>	<u>0.00</u>	<u>1,902.59</u>	
<b>Grand Total</b>	<u><u>1,849.44</u></u>	<u><u>1,903.59</u></u>	<u><u>1,902.59</u></u>	<u><u>0.00</u></u>	<u><u>1,902.59</u></u>	

# Justice System

## FTE Positions

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