

Judicial Branch Appropriations Bill House File 2495

Last Action:
House Appropriations
Committee
April 17, 2018

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 2019: Appropriates a total of \$181.5 million from the General Fund to the Judicial Branch for FY 2019. This is an increase of \$4.3 million compared to estimated net FY 2018. Of this total, \$3.1 million is appropriated to the Jury and Witness Fee Revolving Fund.

Page 1, Line 1

MAJOR INCREASES/DECREASES/TRANSFERS OF EXISTING PROGRAMS

Permits the Supreme Court to increase the annual salary rates of judges and magistrates by a maximum of 2.0% during FY 2019.

Page 3, Line 12

1 1 Section 1. 2017 Iowa Acts, chapter 166, section 9, is
 1 2 amended to read as follows:
 1 3 SEC. 9. JUDICIAL BRANCH.
 1 4 1. There is appropriated from the general fund of the state
 1 5 to the judicial branch for the fiscal year beginning July 1,
 1 6 2018, and ending June 30, 2019, the following amounts, or so
 1 7 much thereof as is necessary, to be used for the purposes
 1 8 designated:

1 9 a. For salaries of supreme court justices, appellate court
 1 10 judges, district court judges, district associate judges,
 1 11 associate juvenile judges, associate probate judges, judicial
 1 12 magistrates and staff, state court administrator, clerk of the
 1 13 supreme court, district court administrators, clerks of the
 1 14 district court, juvenile court officers, board of law examiners
 1 15 and board of examiners of shorthand reporters and judicial
 1 16 qualifications commission; receipt and disbursement of child
 1 17 support payments; reimbursement of the auditor of state for
 1 18 expenses incurred in completing audits of the offices of the
 1 19 clerks of the district court during the fiscal year beginning
 1 20 July 1, 2018; and maintenance, equipment, and miscellaneous
 1 21 purposes:
 1 22 \$ 87,843,306
 1 23 178,423,415

1 24 b. For deposit in the revolving fund created pursuant to
 1 25 section 602.1302, subsection 3, for jury and witness fees,
 1 26 mileage, costs related to summoning jurors, costs and fees for
 1 27 interpreters and translators, and reimbursement of attorney
 1 28 fees paid by the state public defender:
 1 29 \$ 1,550,000
 1 30 3,100,000

1 31 2. The judicial branch, except for purposes of internal
 1 32 processing, shall use the current state budget system, the
 1 33 state payroll system, and the Iowa finance and accounting
 1 34 system in administration of programs and payments for services,
 1 35 and shall not duplicate the state payroll, accounting, and
 2 1 budgeting systems.

2 2 3. The judicial branch shall submit monthly financial
 2 3 statements to the legislative services agency and the
 2 4 department of management containing all appropriated accounts
 2 5 in the same manner as provided in the monthly financial status
 2 6 reports and personal services usage reports of the department
 2 7 of administrative services. The monthly financial statements
 2 8 shall include a comparison of the dollars and percentage

General Fund appropriation to the Judicial Branch for operations.

DETAIL: This is an increase of \$4,348,618 compared to estimated net FY 2018.

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 2018.

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

2 9 spent of budgeted versus actual revenues and expenditures on
 2 10 a cumulative basis for full-time equivalent positions and
 2 11 dollars.

2 12 4. The judicial branch shall focus efforts upon the
 2 13 collection of delinquent fines, penalties, court costs, fees,
 2 14 surcharges, or similar amounts.

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

2 15 5. It is the intent of the general assembly that the offices
 2 16 of the clerks of the district court operate in all 99 counties
 2 17 and be accessible to the public as much as is reasonably
 2 18 possible in order to address the relative needs of the citizens
 2 19 of each county.

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

2 20 6. In addition to the requirements for transfers under
 2 21 section 8.39, the judicial branch shall not change the
 2 22 appropriations from the amounts appropriated to the judicial
 2 23 branch in this division of this Act, unless notice of the
 2 24 revisions is given prior to their effective date to the
 2 25 legislative services agency. The notice shall include
 2 26 information on the branch's rationale for making the changes
 2 27 and details concerning the workload and performance measures
 2 28 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 29 7. The judicial branch shall submit a semiannual update
 2 30 to the legislative services agency specifying the amounts of
 2 31 fines, surcharges, and court costs collected using the Iowa
 2 32 court information system since the last report. The judicial
 2 33 branch shall continue to facilitate the sharing of vital
 2 34 sentencing and other information with other state departments
 2 35 and governmental agencies involved in the criminal justice
 3 1 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 departments and government agencies involved with the criminal justice system through the ICIS.

3 2 8. The judicial branch shall provide a report to the general
 3 3 assembly by January 1, 2019, concerning the amounts received
 3 4 and expended from the enhanced court collections fund created
 3 5 in section 602.1304 and the court technology and modernization
 3 6 fund created in section 602.8108, subsection 9, during the
 3 7 fiscal year beginning July 1, 2017, and ending June 30, 2018,
 3 8 and the plans for expenditures from each fund during the fiscal
 3 9 year beginning July 1, 2018, and ending June 30, 2019. A copy
 3 10 of the report shall be provided to the legislative services
 3 11 agency.

Requires the Judicial Branch to report to the General Assembly by January 1, 2019, regarding the revenues and expenditures of the Enhanced Court Collections Fund and the Court Technology and Modernization Fund for FY 2018 and planned expenditures for FY 2019. The Judicial Branch is required to provide a copy of this report to the LSA.

3 12 Sec. 2. 2013 Iowa Acts, chapter 140, section 40, subsection
 3 13 3, as amended by 2017 Iowa Acts, chapter 166, section 2, is
 3 14 amended to read as follows:

3 15 3.a. Notwithstanding subsections 1 and 2, in the fiscal

CODE: Permits the Supreme Court to increase the annual salary rates of judges and magistrates, set in the 2013 Iowa Acts and increased by 2.50% during FY 2018, by an additional 2.00% in FY 2019.

3 16 year beginning July 1, 2017, and ending June 30, 2018, the
3 17 supreme court may increase the annual salary rates specified
3 18 in subsection 2, by an amount not to exceed two and one-half
3 19 percent of the salary rate established for each judicial
3 20 position in subsection 2. Persons receiving the salary
3 21 rates established under this section shall not receive any
3 22 additional salary adjustments other than those provided by this
3 23 subsection.
3 24 b. Notwithstanding subsections 1 and 2, in the fiscal
3 25 year beginning July 1, 2018, and ending June 30, 2019, the
3 26 supreme court may increase the annual salary rates specified
3 27 in subsection 2, by an amount not to exceed two percent of
3 28 the salary rate established for each judicial position in
3 29 subsection 2, or by an amount not to exceed two percent of
3 30 the annual salary rate established under paragraph "a", as
3 31 applicable.

DETAIL: Based on the current number of judgeships filled, the total funding required to provide all judicial officers with a 2.00% salary increase in FY 2019 is approximately \$800,000. 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 2017 (1)	Estimated Net FY 2018 (2)	Gov Rec FY 2019 (3)	House Approp FY 2019 (4)	House Appr vs. Est Net 2018 (5)
Justice System	\$ 178,786,612	\$ 177,174,797	\$ 183,930,088	\$ 181,523,415	\$ 4,348,618
Grand Total	\$ 178,786,612	\$ 177,174,797	\$ 183,930,088	\$ 181,523,415	\$ 4,348,618

Justice System

General Fund

	Actual FY 2017 (1)	Estimated Net FY 2018 (2)	Gov Rec FY 2019 (3)	House Approp FY 2019 (4)	House Appr vs. Est Net 2018 (5)	Page and Line # (6)
Judicial Branch						
Judicial Branch						
Judicial Branch	\$ 175,686,612	\$ 174,074,797	\$ 180,830,088	\$ 178,423,415	\$ 4,348,618	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 24
Total Judicial Branch	\$ 178,786,612	\$ 177,174,797	\$ 183,930,088	\$ 181,523,415	\$ 4,348,618	
Total Justice System	\$ 178,786,612	\$ 177,174,797	\$ 183,930,088	\$ 181,523,415	\$ 4,348,618	

Summary Data

FTE Positions

	<u>Actual FY 2017 (1)</u>	<u>Estimated Net FY 2018 (2)</u>	<u>Gov Rec FY 2019 (3)</u>	<u>House Approp FY 2019 (4)</u>	<u>House Appr vs. Est Net 2018 (5)</u>
Justice System	1,774.68	1,831.93	1,829.93	1,829.93	-2.00
Grand Total	<u>1,774.68</u>	<u>1,831.93</u>	<u>1,829.93</u>	<u>1,829.93</u>	<u>-2.00</u>

Justice System

FTE Positions

	Actual FY 2017 (1)	Estimated Net FY 2018 (2)	Gov Rec FY 2019 (3)	House Approp FY 2019 (4)	House Appr vs. Est Net 2018 (5)	Page and Line # (6)
Judicial Branch						
Judicial Branch						
Judicial Branch	1,774.68	1,831.93	1,829.93	1,829.93	-2.00	PG 1 LN 1
Total Judicial Branch	1,774.68	1,831.93	1,829.93	1,829.93	-2.00	
Total Justice System	1,774.68	1,831.93	1,829.93	1,829.93	-2.00	