

SENATE/HOUSE FILE \_\_\_\_\_  
BY (PROPOSED JOINT  
APPROPRIATIONS SUBCOMMITTEE  
ON JUSTICE SYSTEM BILL)

**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:

DRAFT

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DIVISION I  
FY 2013-2014

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, 2013, and ending June 30, 2014, the following amount, 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, 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, 2013; and maintenance, equipment, and miscellaneous purposes:

..... \$ 0

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

..... \$ 0

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 statements to the legislative services agency and the

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

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

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

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

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

34 8. The judicial branch shall provide a report to the general  
35 assembly by January 1, 2014, concerning the amounts received

1 and expended from the enhanced court collections fund created  
2 in section 602.1304 and the court technology and modernization  
3 fund created in section 602.8108, subsection 7, during the  
4 fiscal year beginning July 1, 2012, and ending June 30, 2013,  
5 and the plans for expenditures from each fund during the fiscal  
6 year beginning July 1, 2013, and ending June 30, 2014. A copy  
7 of the report shall be provided to the legislative services  
8 agency.

9     Sec. 2. CIVIL TRIALS — LOCATION. Notwithstanding any  
10 provision to the contrary, for the fiscal year beginning July  
11 1, 2013, and ending June 30, 2014, if all parties in a case  
12 agree, a civil trial including a jury trial may take place in a  
13 county contiguous to the county with proper jurisdiction, even  
14 if the contiguous county is located in an adjacent judicial  
15 district or judicial election district. If the trial is moved  
16 pursuant to this section, court personnel shall treat the case  
17 as if a change of venue occurred. However, if a trial is moved  
18 to an adjacent judicial district or judicial election district,  
19 the judicial officers serving in the judicial district or  
20 judicial election district receiving the case shall preside  
21 over the case.

22     Sec. 3. TRAVEL REIMBURSEMENT. Notwithstanding section  
23 602.1509, for the fiscal year beginning July 1, 2013, a  
24 judicial officer may waive travel reimbursement for any travel  
25 outside the judicial officer's county of residence to conduct  
26 official judicial business.

27     Sec. 4. POSTING OF REPORTS IN ELECTRONIC FORMAT —  
28 LEGISLATIVE SERVICES AGENCY. All reports or copies of reports  
29 required to be provided by the judicial branch for fiscal year  
30 2013-2014 to the legislative services agency shall be provided  
31 in an electronic format. The legislative services agency shall  
32 post the reports on its internet website and shall notify by  
33 electronic means all the members of the joint appropriations  
34 subcommittee on the justice system when a report is posted.  
35 Upon request, copies of the reports may be mailed to members of

1 the joint appropriations subcommittee on the justice system.

2     Sec. 5. JUDICIAL OFFICER — UNPAID LEAVE. Notwithstanding  
3 the annual salary rates for judicial officers established by  
4 2008 Iowa Acts, chapter 1191, section 11, for the fiscal year  
5 beginning July 1, 2013, and ending June 30, 2014, the supreme  
6 court may by order place all judicial officers on unpaid leave  
7 status on any day employees of the judicial branch are placed  
8 on temporary layoff status. The biweekly pay of the judicial  
9 officers shall be reduced accordingly for the pay period in  
10 which the unpaid leave date occurred in the same manner as  
11 for noncontract employees of the judicial branch. Through  
12 the course of the fiscal year, the judicial branch may use an  
13 amount equal to the aggregate amount of salary reductions due  
14 to the judicial officer unpaid leave days for any purpose other  
15 than for judicial salaries.

16     Sec. 6. IOWA COMMUNICATIONS NETWORK. It is the intent  
17 of the general assembly that the judicial branch utilize  
18 the Iowa communications network or other secure electronic  
19 communications in lieu of traveling for the fiscal year  
20 beginning July 1, 2013.

21                                   DIVISION II

22                                   FY 2014-2015

23     Sec. 7. JUDICIAL BRANCH.

24     1. There is appropriated from the general fund of the state  
25 to the judicial branch for the fiscal year beginning July 1,  
26 2014, and ending June 30, 2015, the following amount, or so  
27 much thereof as is necessary, to be used for the purposes  
28 designated:

29     a. For salaries of supreme court justices, appellate court  
30 judges, district court judges, district associate judges,  
31 judicial magistrates and staff, state court administrator,  
32 clerk of the supreme court, district court administrators,  
33 clerks of the district court, juvenile court officers, board of  
34 law examiners and board of examiners of shorthand reporters and  
35 judicial qualifications commission; receipt and disbursement

1 of child support payments; reimbursement of the auditor  
2 of state for expenses incurred in completing audits of the  
3 offices of the clerks of the district court during the fiscal  
4 year beginning July 1, 2014; and maintenance, equipment, and  
5 miscellaneous purposes:

6 ..... \$ 0

7 b. For deposit in the revolving fund created pursuant  
8 to section 602.1302, subsection 3, for jury and witness  
9 fees, mileage, costs related to summoning jurors, fees for  
10 interpreters, and reimbursement of attorney fees paid by the  
11 state public defender:

12 ..... \$ 0

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

19 3. The judicial branch shall submit monthly financial  
20 statements to the legislative services agency and the  
21 department of management containing all appropriated accounts  
22 in the same manner as provided in the monthly financial status  
23 reports and personal services usage reports of the department  
24 of administrative services. The monthly financial statements  
25 shall include a comparison of the dollars and percentage  
26 spent of budgeted versus actual revenues and expenditures on  
27 a cumulative basis for full-time equivalent positions and  
28 dollars.

29 4. The judicial branch shall focus efforts upon the  
30 collection of delinquent fines, penalties, court costs, fees,  
31 surcharges, or similar amounts.

32 5. It is the intent of the general assembly that the offices  
33 of the clerks of the district court operate in all 99 counties  
34 and be accessible to the public as much as is reasonably  
35 possible in order to address the relative needs of the citizens

1 of each county.

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

11 7. The judicial branch shall submit a semiannual update  
12 to the legislative services agency specifying the amounts of  
13 fines, surcharges, and court costs collected using the Iowa  
14 court information system since the last report. The judicial  
15 branch shall continue to facilitate the sharing of vital  
16 sentencing and other information with other state departments  
17 and governmental agencies involved in the criminal justice  
18 system through the Iowa court information system.

19 8. The judicial branch shall provide a report to the general  
20 assembly by January 1, 2015, concerning the amounts received  
21 and expended from the enhanced court collections fund created  
22 in section 602.1304 and the court technology and modernization  
23 fund created in section 602.8108, subsection 7, during the  
24 fiscal year beginning July 1, 2013, and ending June 30, 2014,  
25 and the plans for expenditures from each fund during the fiscal  
26 year beginning July 1, 2014, and ending June 30, 2015. A copy  
27 of the report shall be provided to the legislative services  
28 agency.

29 Sec. 8. CIVIL TRIALS — LOCATION. Notwithstanding any  
30 provision to the contrary, for the fiscal year beginning July  
31 1, 2014, and ending June 30, 2015, if all parties in a case  
32 agree, a civil trial including a jury trial may take place in a  
33 county contiguous to the county with proper jurisdiction, even  
34 if the contiguous county is located in an adjacent judicial  
35 district or judicial election district. If the trial is moved

1 pursuant to this section, court personnel shall treat the case  
2 as if a change of venue occurred. However, if a trial is moved  
3 to an adjacent judicial district or judicial election district,  
4 the judicial officers serving in the judicial district or  
5 judicial election district receiving the case shall preside  
6 over the case.

7 Sec. 9. TRAVEL REIMBURSEMENT. Notwithstanding section  
8 602.1509, for the fiscal year beginning July 1, 2014, a  
9 judicial officer may waive travel reimbursement for any travel  
10 outside the judicial officer's county of residence to conduct  
11 official judicial business.

12 Sec. 10. POSTING OF REPORTS IN ELECTRONIC FORMAT —  
13 LEGISLATIVE SERVICES AGENCY. All reports or copies of reports  
14 required to be provided by the judicial branch for fiscal year  
15 2014-2015 to the legislative services agency shall be provided  
16 in an electronic format. The legislative services agency shall  
17 post the reports on its internet website and shall notify by  
18 electronic means all the members of the joint appropriations  
19 subcommittee on the justice system when a report is posted.  
20 Upon request, copies of the reports may be mailed to members of  
21 the joint appropriations subcommittee on the justice system.

22 Sec. 11. JUDICIAL OFFICER — UNPAID LEAVE. Notwithstanding  
23 the annual salary rates for judicial officers established by  
24 2008 Iowa Acts, chapter 1191, section 11, for the fiscal year  
25 beginning July 1, 2014, and ending June 30, 2015, the supreme  
26 court may by order place all judicial officers on unpaid leave  
27 status on any day employees of the judicial branch are placed  
28 on temporary layoff status. The biweekly pay of the judicial  
29 officers shall be reduced accordingly for the pay period in  
30 which the unpaid leave date occurred in the same manner as  
31 for noncontract employees of the judicial branch. Through  
32 the course of the fiscal year, the judicial branch may use an  
33 amount equal to the aggregate amount of salary reductions due  
34 to the judicial officer unpaid leave days for any purpose other  
35 than for judicial salaries.





1 The bill provides legislative intent that the judicial  
2 branch utilize the Iowa communications network or other secure  
3 electronic communications in lieu of traveling.

4 FY 2014-2015. The bill appropriates from the general fund of  
5 the state for FY 2014-2015 to the judicial branch for salaries,  
6 maintenance, equipment, and miscellaneous purposes.

7 The bill provides that a civil trial including a jury trial  
8 may take place in a county contiguous to the county with proper  
9 jurisdiction, even if the contiguous county is located in an  
10 adjacent judicial district or judicial election district, if  
11 all the parties in a case agree. If a trial is moved to another  
12 county that is located in another judicial district or judicial  
13 election district, the judicial officers serving the judicial  
14 district or judicial election district receiving the case shall  
15 preside over the case.

16 The bill requires the judicial branch to file reports with  
17 the legislative services agency in an electronic format.

18 The bill permits a judicial officer to waive travel  
19 reimbursement for any travel outside the judicial officer's  
20 county of residence to conduct official business.

21 The bill allows a judicial officer to be placed on unpaid  
22 leave for the fiscal year beginning July 1, 2014, and ending  
23 June 30, 2015, on any day a court employee is required to  
24 furlough. The bill provides that if a judicial officer is  
25 placed on unpaid leave, the salary of the judicial officer  
26 shall be reduced accordingly for the pay period in which the  
27 unpaid leave occurred. Through the course of the fiscal year,  
28 the bill provides that the judicial branch may use an amount  
29 equal to the aggregate amount of the salary reductions due  
30 to judicial officer unpaid leave for any purpose other than  
31 judicial salaries.

32 The bill provides legislative intent that the judicial  
33 branch utilize the Iowa communications network or other secure  
34 electronic communications in lieu of traveling.