

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

**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 Section 1. 2011 Iowa Acts, chapter 135, section 7, is  
2 amended to read as follows:

3 SEC. 7. JUDICIAL BRANCH.

4 1. There is appropriated from the general fund of the state  
5 to the judicial branch for the fiscal year beginning July 1,  
6 2012, and ending June 30, 2013, the following amount, or so  
7 much thereof as is necessary, to be used for the purposes  
8 designated:

9 a. For salaries of supreme court justices, appellate court  
10 judges, district court judges, district associate judges,  
11 judicial magistrates and staff, state court administrator,  
12 clerk of the supreme court, district court administrators,  
13 clerks of the district court, juvenile court officers, board of  
14 law examiners and board of examiners of shorthand reporters and  
15 judicial qualifications commission; receipt and disbursement  
16 of child support payments; reimbursement of the auditor  
17 of state for expenses incurred in completing audits of the  
18 offices of the clerks of the district court during the fiscal  
19 year beginning July 1, 2012; and maintenance, equipment, and  
20 miscellaneous purposes:

21 ..... \$ 77,055,911

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

27 ..... \$ 1,150,000

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

34 3. The judicial branch shall submit monthly financial  
35 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, 2013, 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, 2011, and ending June 30, 2012,  
5 and the plans for expenditures from each fund during the fiscal  
6 year beginning July 1, 2012, and ending June 30, 2013. A copy  
7 of the report shall be provided to the legislative services  
8 agency.

9 9. The judicial branch is encouraged to purchase products  
10 from Iowa state industries, as defined in section 904.802, when  
11 purchases are required and the products are available from Iowa  
12 state industries. The judicial branch shall obtain bids from  
13 Iowa state industries for purchases of office furniture during  
14 the fiscal year beginning July 1, 2012, exceeding \$5,000.

15 Sec. 2. 2011 Iowa Acts, chapter 135, section 8, is amended  
16 to read as follows:

17 SEC. 8. CIVIL TRIALS — LOCATION. Notwithstanding any  
18 provision to the contrary, for the fiscal year beginning July  
19 1, 2012, and ending June 30, 2013, if all parties in a case  
20 agree, a civil trial including a jury trial may take place in a  
21 county contiguous to the county with proper jurisdiction, even  
22 if the contiguous county is located in an adjacent judicial  
23 district or judicial election district. If the trial is moved  
24 pursuant to this section, court personnel shall treat the case  
25 as if a change of venue occurred. However, if a trial is moved  
26 to an adjacent judicial district or judicial election district,  
27 the judicial officers serving in the judicial district or  
28 judicial election district receiving the case shall preside  
29 over the case.

30 Sec. 3. 2011 Iowa Acts, chapter 135, section 9, is amended  
31 to read as follows:

32 SEC. 9. TRAVEL REIMBURSEMENT. Notwithstanding section  
33 602.1509, for the fiscal year beginning July 1, 2012, a  
34 judicial officer may waive travel reimbursement for any travel  
35 outside the judicial officer's county of residence to conduct

1 official judicial business.

2 Sec. 4. 2011 Iowa Acts, chapter 135, section 10, is amended  
3 to read as follows:

4 SEC. 10. POSTING OF REPORTS IN ELECTRONIC FORMAT —  
5 LEGISLATIVE SERVICES AGENCY. All reports or copies of reports  
6 required to be provided by the judicial branch for fiscal year  
7 2012-2013 to the legislative services agency shall be provided  
8 in an electronic format. The legislative services agency shall  
9 post the reports on its internet website and shall notify by  
10 electronic means all the members of the joint appropriations  
11 subcommittee on the justice system when a report is posted.  
12 Upon request, copies of the reports may be mailed to members of  
13 the joint appropriations subcommittee on the justice system.

14 Sec. 5. 2011 Iowa Acts, chapter 135, section 11, is amended  
15 to read as follows:

16 SEC. 11. JUDICIAL OFFICER — UNPAID LEAVE. Notwithstanding  
17 the annual salary rates for judicial officers established by  
18 2008 Iowa Acts, chapter 1191, section 11, for the fiscal year  
19 beginning July 1, 2012, and ending June 30, 2013, the supreme  
20 court may by order place all judicial officers on unpaid leave  
21 status on any day employees of the judicial branch are placed  
22 on temporary layoff status. The biweekly pay of the judicial  
23 officers shall be reduced accordingly for the pay period in  
24 which the unpaid leave date occurred in the same manner as  
25 for noncontract employees of the judicial branch. Through  
26 the course of the fiscal year, the judicial branch may use an  
27 amount equal to the aggregate amount of salary reductions due  
28 to the judicial officer unpaid leave days for any purpose other  
29 than for judicial salaries.

30 Sec. 6. 2011 Iowa Acts, chapter 135, section 12, is amended  
31 to read as follows:

32 SEC. 12. IOWA COMMUNICATIONS NETWORK. It is the intent  
33 of the general assembly that the judicial branch utilize  
34 the Iowa communications network or other secure electronic  
35 communications in lieu of traveling for the fiscal year

1 beginning July 1, 2012.

2

EXPLANATION

3 This bill relates to appropriations from the general fund of  
4 the state for FY 2012-2013 to the judicial branch for salaries,  
5 maintenance, equipment, and miscellaneous purposes.

6 The bill relates to appropriations from the general fund  
7 of the state to the revolving fund created in Code section  
8 602.1302 for jury and witness fees, mileage, costs related to  
9 summoning jurors, fees for interpreters, and certain attorney  
10 fee reimbursement.

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

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

23 The bill allows a judicial officer to be placed on unpaid  
24 leave for the fiscal year beginning July 1, 2012, and ending  
25 June 30, 2013, on any day a court employee is required to  
26 furlough. The bill provides that if a judicial officer is  
27 placed on unpaid leave, the salary of the judicial officer  
28 shall be reduced accordingly for the pay period in which the  
29 unpaid leave occurred. Through the course of the fiscal year,  
30 the bill provides that the judicial branch may use an amount  
31 equal to the aggregate amount of the salary reductions due  
32 to judicial officer unpaid leave for any purpose other than  
33 judicial salaries.

34 The bill provides legislative intent that the judicial  
35 branch utilize the Iowa communications network or other secure

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1 electronic communications in lieu of traveling.