

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

1 Section 1. 2013 Iowa Acts, chapter 133, 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 2014, and ending June 30, 2015, 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 associate juvenile judges, associate probate judges, judicial
12 magistrates and staff, state court administrator, clerk of the
13 supreme court, district court administrators, clerks of the
14 district court, juvenile court officers, board of law examiners
15 and board of examiners of shorthand reporters and judicial
16 qualifications commission; receipt and disbursement of child
17 support payments; reimbursement of the auditor of state for
18 expenses incurred in completing audits of the offices of the
19 clerks of the district court during the fiscal year beginning
20 July 1, 2014; and maintenance, equipment, and miscellaneous
21 purposes:

22 \$ 82,299,684

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

28 \$ 1,550,000

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

35 3. The judicial branch shall submit monthly financial

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

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

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

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

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

35 8. The judicial branch shall provide a report to the general

1 assembly by January 1, 2015, concerning the amounts received
2 and expended from the enhanced court collections fund created
3 in section 602.1304 and the court technology and modernization
4 fund created in section 602.8108, subsection 7, during the
5 fiscal year beginning July 1, 2013, and ending June 30, 2014,
6 and the plans for expenditures from each fund during the fiscal
7 year beginning July 1, 2014, and ending June 30, 2015. A copy
8 of the report shall be provided to the legislative services
9 agency.

10 Sec. 2. 2013 Iowa Acts, chapter 133, section 8, is amended
11 to read as follows:

12 SEC. 8. CIVIL TRIALS — LOCATION. Notwithstanding any
13 provision to the contrary, for the fiscal year beginning July
14 1, 2014, and ending June 30, 2015, if all parties in a case
15 agree, a civil trial including a jury trial may take place in a
16 county contiguous to the county with proper jurisdiction, even
17 if the contiguous county is located in an adjacent judicial
18 district or judicial election district. If the trial is moved
19 pursuant to this section, court personnel shall treat the case
20 as if a change of venue occurred. However, if a trial is moved
21 to an adjacent judicial district or judicial election district,
22 the judicial officers serving in the judicial district or
23 judicial election district receiving the case shall preside
24 over the case.

25 Sec. 3. 2013 Iowa Acts, chapter 133, section 9, is amended
26 to read as follows:

27 SEC. 9. TRAVEL REIMBURSEMENT. Notwithstanding section
28 602.1509, for the fiscal year beginning July 1, 2014, a
29 judicial officer may waive travel reimbursement for any travel
30 outside the judicial officer's county of residence to conduct
31 official judicial business.

32 Sec. 4. 2013 Iowa Acts, chapter 133, section 10, is amended
33 to read as follows:

34 SEC. 10. POSTING OF REPORTS IN ELECTRONIC FORMAT —
35 LEGISLATIVE SERVICES AGENCY. All reports or copies of reports

1 required to be provided by the judicial branch for fiscal year
2 2014-2015 to the legislative services agency shall be provided
3 in an electronic format. The legislative services agency shall
4 post the reports on its internet website and shall notify by
5 electronic means all the members of the joint appropriations
6 subcommittee on the justice system when a report is posted.
7 Upon request, copies of the reports may be mailed to members of
8 the joint appropriations subcommittee on the justice system.

9 Sec. 5. 2013 Iowa Acts, chapter 133, section 11, is amended
10 to read as follows:

11 SEC. 11. JUDICIAL OFFICER — UNPAID LEAVE. Notwithstanding
12 the annual salary rates for judicial officers established by
13 2008 Iowa Acts, chapter 1191, section 11, for the fiscal year
14 beginning July 1, 2014, and ending June 30, 2015, the supreme
15 court may by order place all judicial officers on unpaid leave
16 status on any day employees of the judicial branch are placed
17 on temporary layoff status. The biweekly pay of the judicial
18 officers shall be reduced accordingly for the pay period in
19 which the unpaid leave date occurred in the same manner as
20 for noncontract employees of the judicial branch. Through
21 the course of the fiscal year, the judicial branch may use an
22 amount equal to the aggregate amount of salary reductions due
23 to the judicial officer unpaid leave days for any purpose other
24 than for judicial salaries.

25 Sec. 6. 2013 Iowa Acts, chapter 133, section 12, is amended
26 to read as follows:

27 SEC. 12. IOWA COMMUNICATIONS NETWORK. It is the intent
28 of the general assembly that the judicial branch utilize
29 the Iowa communications network or other secure electronic
30 communications in lieu of traveling for the fiscal year
31 beginning July 1, 2014.

32 EXPLANATION

33 The inclusion of this explanation does not constitute agreement with
34 the explanation's substance by the members of the general assembly.

35 This bill makes appropriations to the judicial branch.

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

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

13 The bill permits a judicial officer to waive travel
14 reimbursement for any travel outside the judicial officer's
15 county of residence to conduct official business.

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

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