

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 DIVISION I
2 FY 2015-2016

3 Section 1. 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 2015, and ending June 30, 2016, the following amounts, 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, 2015; and maintenance, equipment, and miscellaneous
21 purposes:

22 \$ 0

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

28 \$ 0

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, 2016, 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, 2014, and ending June 30, 2015,
6 and the plans for expenditures from each fund during the fiscal
7 year beginning July 1, 2015, and ending June 30, 2016. A copy
8 of the report shall be provided to the legislative services
9 agency.

10 9. It is the intent of the general assembly that the
11 judicial branch emphasize the expansion of family treatment
12 courts on a statewide basis.

13 Sec. 2. CIVIL TRIALS — LOCATION. Notwithstanding any
14 provision to the contrary, for the fiscal year beginning July
15 1, 2015, and ending June 30, 2016, if all parties in a case
16 agree, a civil trial including a jury trial may take place in a
17 county contiguous to the county with proper jurisdiction, even
18 if the contiguous county is located in an adjacent judicial
19 district or judicial election district. If the trial is moved
20 pursuant to this section, court personnel shall treat the case
21 as if a change of venue occurred. However, if a trial is moved
22 to an adjacent judicial district or judicial election district,
23 the judicial officers serving in the judicial district or
24 judicial election district receiving the case shall preside
25 over the case.

26 Sec. 3. TRAVEL REIMBURSEMENT. Notwithstanding section
27 602.1509, for the fiscal year beginning July 1, 2015, a
28 judicial officer may waive travel reimbursement for any travel
29 outside the judicial officer's county of residence to conduct
30 official judicial business.

31 Sec. 4. POSTING OF REPORTS IN ELECTRONIC FORMAT —
32 LEGISLATIVE SERVICES AGENCY. All reports or copies of reports
33 required to be provided to the legislative services agency by
34 the judicial branch for the fiscal year beginning July 1, 2015,
35 shall be provided in an electronic format. The legislative

1 services agency shall post the reports on its internet website
2 and shall notify by electronic means all the members of the
3 joint appropriations subcommittee on the justice system when a
4 report is posted. Upon request, copies of the reports may be
5 mailed to members of the joint appropriations subcommittee on
6 the justice system.

7 Sec. 5. JUDICIAL OFFICER — UNPAID LEAVE. Notwithstanding
8 the annual salary rates for judicial officers established by
9 2008 Iowa Acts, chapter 1191, section 11, for the fiscal year
10 beginning July 1, 2015, and ending June 30, 2016, the supreme
11 court may by order place all judicial officers on unpaid leave
12 status on any day employees of the judicial branch are placed
13 on temporary layoff status. The biweekly pay of the judicial
14 officers shall be reduced accordingly for the pay period in
15 which the unpaid leave date occurred in the same manner as
16 for noncontract employees of the judicial branch. Through
17 the course of the fiscal year, the judicial branch may use an
18 amount equal to the aggregate amount of salary reductions due
19 to the judicial officer unpaid leave days for any purpose other
20 than for judicial salaries.

21 Sec. 6. IOWA COMMUNICATIONS NETWORK. It is the intent
22 of the general assembly that the judicial branch utilize
23 the Iowa communications network or other secure electronic
24 communications in lieu of traveling for the fiscal year
25 beginning July 1, 2015.

26 DIVISION II

27 FY 2016-2017

28 Sec. 7. JUDICIAL BRANCH.

29 1. There is appropriated from the general fund of the state
30 to the judicial branch for the fiscal year beginning July 1,
31 2016, and ending June 30, 2017, the following amounts, or so
32 much thereof as is necessary, to be used for the purposes
33 designated:

34 a. For salaries of supreme court justices, appellate court
35 judges, district court judges, district associate judges,

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

12 \$ 0

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

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

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

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1 collection of delinquent fines, penalties, court costs, fees,
2 surcharges, or similar amounts.

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

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

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

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

35 9. It is the intent of the general assembly that the

1 judicial branch emphasize the expansion of family treatment
2 courts on a statewide basis.

3 Sec. 8. CIVIL TRIALS — LOCATION. Notwithstanding any
4 provision to the contrary, for the fiscal year beginning July
5 1, 2016, and ending June 30, 2017, if all parties in a case
6 agree, a civil trial including a jury trial may take place in a
7 county contiguous to the county with proper jurisdiction, even
8 if the contiguous county is located in an adjacent judicial
9 district or judicial election district. If the trial is moved
10 pursuant to this section, court personnel shall treat the case
11 as if a change of venue occurred. However, if a trial is moved
12 to an adjacent judicial district or judicial election district,
13 the judicial officers serving in the judicial district or
14 judicial election district receiving the case shall preside
15 over the case.

16 Sec. 9. TRAVEL REIMBURSEMENT. Notwithstanding section
17 602.1509, for the fiscal year beginning July 1, 2016, a
18 judicial officer may waive travel reimbursement for any travel
19 outside the judicial officer's county of residence to conduct
20 official judicial business.

21 Sec. 10. POSTING OF REPORTS IN ELECTRONIC FORMAT —
22 LEGISLATIVE SERVICES AGENCY. All reports or copies of reports
23 required to be provided to the legislative services agency by
24 the judicial branch for the fiscal year beginning July 1, 2016,
25 shall be provided in an electronic format. The legislative
26 services agency shall post the reports on its internet website
27 and shall notify by electronic means all the members of the
28 joint appropriations subcommittee on the justice system when a
29 report is posted. Upon request, copies of the reports may be
30 mailed to members of the joint appropriations subcommittee on
31 the justice system.

32 Sec. 11. JUDICIAL OFFICER — UNPAID LEAVE. Notwithstanding
33 the annual salary rates for judicial officers established by
34 2008 Iowa Acts, chapter 1191, section 11, for the fiscal year
35 beginning July 1, 2016, and ending June 30, 2017, the supreme

1 court may by order place all judicial officers on unpaid leave
2 status on any day employees of the judicial branch are placed
3 on temporary layoff status. The biweekly pay of the judicial
4 officers shall be reduced accordingly for the pay period in
5 which the unpaid leave date occurred in the same manner as
6 for noncontract employees of the judicial branch. Through
7 the course of the fiscal year, the judicial branch may use an
8 amount equal to the aggregate amount of salary reductions due
9 to the judicial officer unpaid leave days for any purpose other
10 than for judicial salaries.

11 Sec. 12. IOWA COMMUNICATIONS NETWORK. It is the intent
12 of the general assembly that the judicial branch utilize
13 the Iowa communications network or other secure electronic
14 communications in lieu of traveling for the fiscal year
15 beginning July 1, 2016.

16 EXPLANATION

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

19 This bill makes appropriations to the judicial branch.

20 The bill appropriates from the general fund of the state
21 for FY 2015-2016 and FY 2016-2017 to the judicial branch for
22 salaries, maintenance, equipment, and miscellaneous purposes.

23 The bill provides that a civil trial including a jury trial
24 may take place in a county contiguous to the county with proper
25 jurisdiction, even if the contiguous county is located in an
26 adjacent judicial district or judicial election district, if
27 all the parties in a case agree. If a trial is moved to another
28 county that is located in another judicial district or judicial
29 election district, the judicial officers serving the judicial
30 district or judicial election district receiving the case shall
31 preside over the case.

32 The bill permits a judicial officer to waive travel
33 reimbursement for any travel outside the judicial officer's
34 county of residence to conduct official business.

35 The bill requires the judicial branch to file reports with

1 the legislative services agency in an electronic format.

2 The bill allows a judicial officer to be placed on unpaid
3 leave for the fiscal years beginning July 1, 2015, and July 1,
4 2016, on any day a court employee is required to furlough. The
5 bill provides that if a judicial officer is placed on unpaid
6 leave, the salary of the judicial officer shall be reduced
7 accordingly for the pay period in which the unpaid leave
8 occurred. Through the course of the fiscal year, the bill
9 provides that the judicial branch may use an amount equal to
10 the aggregate amount of the salary reductions due to judicial
11 officer unpaid leave for any purpose other than judicial
12 salaries.

13 The bill states legislative intent that the judicial
14 branch utilize the Iowa communications network or other secure
15 electronic communications in lieu of traveling.