HOUSE FILE 864
BY COMMITTEE ON APPROPRIATIONS

(SUCCESSOR TO LSB 1006YA)

(As Amended and Passed by the House May 17, 2021)

[= New Language by the House

* = Language Stricken by the House

A BILL FOR

An Act relating to appropriations to the judicial branch.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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, 2021, and ending June 30, 2022, the following amounts, 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, associate juvenile judges, associate probate 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, board of examiners of shorthand reporters, and commission on judicial qualifications; 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, 2021; and maintenance, equipment, and miscellaneous purposes:

* ..... [$189,640,252]

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

..... $ 3,600,000

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 department of management containing all appropriated accounts

in the same manner as provided in the monthly financial status reports and personal services usage reports of the department of administrative services. The monthly financial statements shall include a comparison of the dollars and percentage spent of budgeted versus actual revenues and expenditures on a cumulative basis for full-time equivalent positions and dollars.

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

5. It is the intent of the general assembly that the offices of the clerks of the district court operate in all 99 counties and be accessible to the public as much as is reasonably possible in order to address the relative needs of the citizens of each county. An office of the clerk of the district court shall be open regular courthouse hours.

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

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

8. The judicial branch shall provide a report to the general assembly by January 1, 2022, concerning the amounts received

[and expended from the court technology and modernization] fund created in section 602.8108, subsection 7, during the fiscal year beginning July 1, 2020, and ending June 30, 2021, and the plans for expenditures from each fund during the fiscal year beginning July 1, 2021, and ending June 30, 2022.

Sec. 2. CIVIL TRIALS — LOCATION. Notwithstanding any provision to the contrary, for the fiscal year beginning July 1, 2021, and ending June 30, 2022, if all parties in a case agree, a civil trial including a jury trial may take place in a county contiguous to the county with proper jurisdiction, even if the contiguous county is located in an adjacent judicial district or judicial election district. If the trial is moved pursuant to this section, court personnel shall treat the case [as if a change of venue occurred.]

Sec. 3. TRAVEL REIMBURSEMENT. Notwithstanding section 602.1509, for the fiscal year beginning July 1, 2021, and ending June 30, 2022, a judicial officer may waive travel reimbursement for any travel outside the judicial officer's county of residence to conduct official judicial business.

Sec. 4. JUDICIAL OFFICER — UNPAID LEAVE. Notwithstanding the annual salary rates for judicial officers established by 2019 Iowa Acts, chapter 155, section 6, for the fiscal year beginning July 1, 2021, and ending June 30, 2022, the supreme court may by order place all judicial officers on unpaid leave status on any day employees of the judicial branch are placed on temporary layoff status. The biweekly pay of the judicial officers shall be reduced accordingly for the pay period in which the unpaid leave date occurred in the same manner as for noncontract employees of the judicial branch. Through the course of the fiscal year, the judicial branch may use an amount equal to the aggregate amount of salary reductions due to the judicial officer unpaid leave days for any purpose other than for judicial salaries.

Sec. 5. IOWA COMMUNICATIONS NETWORK. It is the intent of the general assembly that the judicial branch utilize

the Iowa communications network or other secure electronic communications in lieu of traveling for the fiscal year beginning July 1, 2021, and ending June 30, 2022.

Sec. 6. STATE COURT — JUSTICES, JUDGES, AND MAGISTRATES.

1. The salary rates specified in subsection 2 are for the fiscal year beginning July 1, 2021, effective for the pay period beginning June 25, 2021, and for subsequent fiscal years until otherwise provided by the general assembly. The salaries provided for in this section shall be paid from moneys allocated to the judicial branch from the salary adjustment fund, or if the allocation is not sufficient, from moneys appropriated to the judicial branch pursuant to this Act or any other Act of the general assembly.

* 2. The following annual salary rates shall be paid to the persons holding the judicial positions indicated during the fiscal year beginning July 1, 2021, effective with the pay period beginning June 25, 2021, and for subsequent pay periods.

a. Chief justice of the supreme court:
..... $ 192,261

b. Each justice of the supreme court:
..... $ 183,653

c. Chief judge of the court of appeals:
..... $ 172,175

d. Each associate judge of the court of appeals:
..... $ 166,436

e. Each chief judge of a judicial district:
..... $ 160,696

f. Each district judge except the chief judge of a judicial district:
..... $ 154,957

g. Each district associate judge:
..... $ 137,740

h. Each associate juvenile judge:
..... $ 137,740

i. Each associate probate judge:

..... $ 137,740

j. Each judicial magistrate:

..... $ 42,469

k. Each senior judge:

..... $ 9,182

3. Persons receiving the salary rates established under this section shall not receive any additional salary adjustments provided by this Act or any other Act of the general assembly.]

Sec. 7. Section 602.6404, subsection 3, Code 2021, is amended to read as follows:

3. A magistrate shall be an attorney licensed to practice law in this state. However, a magistrate not admitted to the practice of law in this state and who is holding office on April 1, 2009, shall be eligible to be reappointed as a magistrate in the same county for a term commencing August 1, 2009, and for subsequent successive terms.