

HOUSE REPUBLICAN STAFF ANALYSIS

Bill:	House File 728 (HSB 250)	House Committee:	PASSED on May 3, 2023 (16-8)
Committee:	Appropriations	House Floor:	
Floor Manager:	Rep. Lohse	Senate Floor:	
Date:	May 3, 2023s	Governor:	
Staff:	Amanda Wille (1-5230)		

FY 2024 Judicial Branch

- The bill appropriates money to the Judicial Branch for FY24

Section-by-Section Analysis

DIVISION I

FY 2024 Appropriations

Section 1 –Judicial Branch

The section provides for the salaries of Supreme Court Justices, appellate court judges, district court judges, judicial magistrates and staff. It also funds clerks' offices, juvenile court officers, board of law examiners, board of examiners of shorthand reporters and judicial qualifications commission.

- General fund appropriations to the Judicial Branch for FY 2024 is as follows:

a. Judicial Branch

FY 2023	FY 2024	FY 2024 v. FY 2023
\$190,100,550	\$193,350,550	\$3,250,000

From the money appropriated, \$250,000 is allocated for reimbursements to the indigent defense fund for travel claims.

b. Jury and Witness Revolving Fund

FY 2022	FY 2023	FY 2023 v. FY 2022
\$3,600,000	\$3,600,000	\$0

This section appropriates the funding for the Jury and Witness Revolving Fund. The Revolving fund helps pay for jury and witness fees, mileage, costs related to jurors, fees for interpreters and reimbursement of attorney fees paid by the State Public Defender.

c. Court-Ordered Services

FY 2023	FY 2024	FY 2023 v. FY 2022
\$0	\$3,290,000	\$3,290,000

This money was previously appropriated to the Department of Health and Human Services. The money is now appropriated to the courts.

- (1) From the money appropriated no more than \$1,556,000 is allocated to provide school-based supervision of children under 232, of which no more than \$15,000 may be used for training. A portion of the cost for each school-based liaison officer shall be paid by the school district or other funding sources approved by the Chief Juvenile Court officer.
- (2) From the money appropriated no more than \$748,000 is allocated for payment of expenses for court appointed services provided to children who are under the supervision of DHHS.
- (3) Money shall be distributed to the judicial districts as determined by the state court administrator.
- (4) A district or juvenile court shall not order any services charged to the state if there is insufficient money available in the district.
- (5) A district or juvenile court shall not order a county to pay for services provided to a juvenile that are paid for by the state
- (6) From the money appropriated, no more than \$83,000 may be used by the courts for administration of the requirements in this paragraph.
- (7) From the money appropriated, no more than \$23,000 is allocated to the courts to support the interstate commission for juveniles.

d. Graduated Sanctions

FY 2023	FY 2024	FY 2023 v. FY 2022
\$0	\$12,253,000	\$12,253,000

This money was previously appropriated to the Department of Health and Human Services. The money is now appropriated to the courts.

Any money saved as a result of efforts by juvenile court services to earn a federal fund match for juvenile court services administration is appropriated to the judicial branch for the purposes of this paragraph.

2. The Judicial Branch shall use the current state budget system, payroll system and the Iowa Finance and account system and payments for services, and not duplicate the state payroll, accounting and budgeting systems.
3. The Judicial Branch shall submit monthly financial statements to the legislative services agency.
4. The Judicial Branch shall focus efforts upon collecting delinquent fines, penalties, court costs, fees, and surcharges.
5. It is the intent of the general assembly that the offices of the Clerk of Court operate in all 99 counties and be accessible to the public as much as is reasonably possible to address the needs of the citizens of each county. The clerk of the district court shall be open regular courthouse hours.
6. The Judicial Branch shall not change the appropriations from the amounts appropriated, unless notice of a revision is given to the legislative services agency.
7. The Judicial Branch shall submit a semiannual update to LSA regarding the amount of fines, surcharges and court costs collected using Iowa Court Information System.

8. The Judicial Branch shall provide a report to the General Assembly by Jan 1, 2024 concerning the amount received and expenditures from the enhanced court collection fund.

Section 2- Civil Trials -Location

If all parties in a case agree, a civil trial may take place in a continuous county.

Section 3- Travel Reimbursement

A judicial officer may waive travel reimbursement for any travel outside the officer's county of residence to conduct official judicial business.

Section 4- Judicial Officer Unpaid Leave

The Supreme Court may place all judicial officers on unpaid leave on any day employees of the judicial branch are placed on temporary layoff status.

Section 5- Iowa Communications Network

Requests the Judicial Branch use the Iowa Communications Network, instead of traveling.

Division II

Apportionment of District Associate Judges

From HF 468- Courts omnibus bill

Section 6-Judicial Branch- Number and Apportionment of District Associate Judges (602.6301)

Under current law, District Associate Judges are apportioned based on the county population.

This section creates a new formula that will be created by the Supreme Court that appropriates judges based on the workload of the judicial district and not the population.

Division III

Video Recordings

From HF 468- Courts omnibus bill

Section 7- Judicial Branch- Audio and Video Recordings (602.3205)

Under current law court reporter's audio recordings are considered work product of the court reporter. This section adds video recordings to the work product of a court reporter.

Division IV

Noncontract Attorney Appointment

Section 8- Noncontract Attorney Appointment

For fiscal year 2024, a court shall not appoint a noncontract attorney without the noncontract attorney's consent.

Division V

Contracting Attorney

From HF 468- Courts omnibus bill

Section 9- Judicial Branch- State Court Administrator May Contractually Limit Vendor Liability (602.1209A) new section

This allows the state court administrator to enter in to contracts with vendors that includes language to limit the liability for the vendor after considering certain criteria. Liability cannot be limited for any intentional tort, criminal act, or fraudulent conduct by the vendor.

Amendment Analysis