

HOUSE REPUBLICAN STAFF ANALYSIS

Bill: House File 2706 (Formerly HSB 722)	House Committee: PASSED on February 19 (18-2)
Committee: Judiciary	House Floor:
Floor Manager: Rep. Holt	Senate Floor:
Date: April 1, 2025	Governor:
Staff: Amanda Wille (1-5230)	

Magistrate Reform

- Magistrates are now appointed and allocated based on judicial election districts, not counties.
- Appointment commissions are restructured to reflect the new system.
- Creates the position of "senior magistrate" with defined qualifications, duties, and compensation.
- Increases judicial officer salaries and links magistrate salary to a percentage of district associate judge salary

Section by Section Analysis

DIVISION I: MAGISTRATE APPOINTMENTS IN JUDICIAL ELECTION DISTRICTS

Section 1–4

Changes references from "county magistrate appointing commissions" to "judicial election district magistrate appointing commissions"

Updates duties such as the certification of magistrate commission members and provision of bailiff services to reflect this change.

Sections 5–7

Requires district court administrators to maintain and certify records of magistrate appointing commission members.

Specifies that expenses related to magistrate appointing commission members are paid by their county of residence.

Updates salary-setting procedures for magistrates.

Section 8

Allows the chief justice to delay filling a magistrate vacancy when necessary to manage the judiciary's budget.

Sections 9–11 — Orders of Substitution

Amends the rules under which a district associate judge can be appointed in lieu of magistrates.

Eases prior restrictions, removes the requirement for a three-magistrate-to-one-judge ratio, and details how substitutions and reversions are managed.

Section 12

Conforming changes

Sections 13–15 — Magistrates Apportionment and Vacancies

Replaces the fixed number and county-based apportionment system.

Directs the Supreme Court to create a flexible, workload-based formula for magistrate allocation among judicial election districts rather than counties. The formula must account for travel time as well.

Removes the previous guarantee that each county will have at least one resident magistrate.

Describes notification requirements for magistrate allocation.

Sections 16–20 — Qualifications and Appointment Commissions

Updates qualification language for magistrates to reflect new district-level commissions.

Changes the structure of appointment commissions: requires commission membership to include one person from each county in the judicial election district, and a number of attorneys equal to one less than the number of counties, elected by attorneys in the district and its contiguous counties.

Specifies appointment rules, nomination petitions, and voting procedures for attorney members.

Section 21–22

Conforming changes

Requires provision of centralized dockets for magistrates serving in the judicial election district.

Section 23

Technical update for procedure following arrest by an officer from another state, reflecting the new district-based magistrate structure.

Section 24

Repeals the Code section allowing counties with only one magistrate to appoint a second.

Sections 25

Most provisions take effect November 1, 2026, except for immediate changes described elsewhere.

DIVISION II: SENIOR MAGISTRATES

Section 26–27

Defines "senior magistrate" and provides that magistrates reaching the age of 78 with less than 50% of a term left may complete their term but are ineligible for reappointment.

Section 28–29 — Establishing Senior Magistrate Status

Defines terms such as "retired magistrate," "senior magistrate," "senior magistrate retirement age."

Allows retiring magistrates (with a minimum service of 8 years and at least 62 years of age, or 20 years of service on effective date) to apply for senior status for two-year terms (can be renewed), provided they commit to serving up to five weeks per year.

Details application and appointment process, including factors the Supreme Court may consider.

Section 30–31 — Compensation and Practice

Sets the pay, reimbursement, and insurance provisions for senior magistrates.

Senior magistrates may practice law as permitted by the Iowa code of judicial conduct.

Section 32–33 — Retirement and Removal

Sets out the retirement age for senior magistrates (generally 84, possibly 86 with extensions).

Describes how a senior magistrate may voluntarily relinquish senior status or be removed for cause.

Section 34

Directs the Supreme Court to establish implementing rules for senior magistrate status.

Section 35

Adjusts the compensation schedule to add a stipend for each senior magistrate (\$4,234).

DIVISION III: JUDICIAL OFFICER SALARIES

Sections 36–37

Increases the salaries of all state court justices, judges, and magistrates by 5% effective June 18, 2027.

Sets magistrate salaries at 40% of a district associate judge's salary.

Specifies that these salary adjustments are to be paid from funds appropriated to the judicial branch.

These provisions take effect June 18, 2027.

H-8278-Holt

This amendment gives priority to magistrates seeking reappointment for the term beginning August 1, 2027. If the number of open seats equals or exceeds the number of magistrates applying for reappointment, all magistrates must be reappointed. The amendment establishes these appointment rules for the commission. The priority appointment provision sunsets July 31, 2031.

