



## STATE COURT ADMINISTRATION

Iowa Judicial Branch Building  
1111 East Court Avenue  
Des Moines, IA 50319

ROBERT D. GAST  
State Court Administrator

November 29, 2021

Kraig Paulsen  
Department of Management  
State Capitol  
LOCAL

Tim McDermott  
Legislative Services  
State Capitol  
LOCAL

Dear Mr. Paulsen and Mr. McDermott:

Pursuant to Iowa Code section 602.1301(2)(a), I hereby submit, on behalf of the Iowa Supreme Court, the FY23 budget request for the Iowa Judicial Branch.

The many challenges of the last fiscal year have continued into this fiscal year. From the courtroom to the clerks' office, every aspect of normalcy has been disrupted. Through it all, the judicial branch has adapted and discovered better and more efficient ways to deliver services. Using Iowa CARES funding to install new technology into nearly every courthouse, judges can now hold virtual court hearings utilizing video-conferencing in appropriate situations. Our workforce is delivering services remotely and work is being shared between counties to provide timely, needed services for all Iowans. Many innovative practices are proving to be more efficient and effective and it is very likely that those innovations will continue in some form once this pandemic finally ends.

These new processes and innovations would not be possible without the incredible team of dedicated professionals within the judicial branch. They have demonstrated strength, courage, flexibility, adaptability and perseverance. As a former district court administrator, I have personally witnessed the great effort our people have made to provide Iowans with quality court services during these unprecedented times. It is indeed my pleasure to lead this team of dedicated public servants into the future and to improve our ability to serve Iowans.

We entered 2021 with hopes of returning to a pre-pandemic operational level. Unfortunately, the COVID-19 pandemic continued to present challenges. Today, we are better equipped to handle the daily challenges thanks to the lessons learned in the early stages of the

pandemic. The experiences of the last 20 months have allowed the branch to look at programs and procedures to find efficiencies. The appropriation for FY22 helped the branch strengthen areas of concern, especially in rural communities where we were able to help address the need for adequate staffing in clerk of court offices. We continue to hold fast the importance of investing in communities to bring about improvements in the delivery of justice for all Iowans. The following initiatives will help the judicial branch maintain and increase the level of service to communities across the state.

#### Update on Investment in Rural Communities

As noted previously, the judicial branch sought to strengthen its ties with rural communities and to offer a full complement of services on a full-time basis. Thanks to the FY22 appropriation, a minimum of 2.5 clerk positions was achieved in almost every clerk of court office.

You may recall from previous year's communications that we had implemented distributive work processing pilot projects in two judicial districts to optimize utilization of staff between counties in each district. The results of those pilots encouraged the branch to undertake distributive work processing in every judicial districts in the state. Today, all districts have either begun distributive work processing or are in the final stages of implementing a distributive work processing plan. Statewide implementation will rebalance the workload and reengineer business practices to make court services faster and more convenient. Distributive work processing helped the pilot districts continue to provide quality services during the pandemic by allowing work to be done even if an office had multiple absences due to COVID-19.

#### Maintaining Current Service Levels

In order to balance our budget for the current fiscal year, all vacant positions on June 30, 2020, were frozen for FY21 and FY22. To restore previous operation levels, the judicial branch will require an increase of \$2,074,025.

The negotiated contract increases and the equitable extension of the same salary increases to non-contract employees will have to be absorbed from our budget appropriation. Using budget appropriation funds for such increases means there are fewer dollars to cover existing positions. To grant increases and balance the budget without an additional appropriation, it would be necessary to take measures such as freezing vacant positions as was done in FY21 and FY22. Modest across the board increases, step increases, and increases in the cost of health insurance for FY23, total \$2,701,270.

#### Investing in Human Capital – Existing Personnel

Iowans in all 99 counties benefit from the services provided by the 1,700 judicial branch judicial officers and employees. These judicial officers and employees are members of every community and resolve disputes to provide justice to Iowans who need assistance in the more than 700,000 cases filed every year. The education, experience, and abilities of these individuals are the best assets of the judicial branch. Reviewing our total compensation package, and keeping it current, allows for greater organizational and individual success which leads to a more responsive justice system for Iowans.

To support continued success, we are requesting \$2,194,152 (5.9% increase) for judge and magistrate salaries. In recent years, we have seen the overall number of applicants for open positions decline and fewer applicants are in private practice. We believe non-competitive compensation to be a primary reason for the decline of applicants for judicial officer positions.

We are also seeking additional funding to allow the branch the ability to attract and maintain quality non-judicial officer personnel as well. Over the past years, due to budget constraints, non-contract workers were not given the same across the board (ATB) increases as contract workers. Because of this inequity, the judicial branch has lost quality personnel and the ability to attract quality personnel. Many times, people left and went to work in the executive branch. In FY22 the executive branch granted a 3% ATB increase to non-contract employees to help close the gap with contract employees. Mirroring previous increases in the executive branch would help the judicial branch attract and retain quality employees. In order to accomplish this we are asking for \$1,735,000.

All non-judicial officer positions within the branch are evaluated on a staggered four-year cycle to ensure compensation is in alignment with the market. The findings of our analysis indicate adjustments are needed. We are entering the second year of this four year process and to keep our non-judicial officer salaries competitive, we are requesting \$1,047,549.

#### Investing in Human Capital - New Personnel

According to calculations using the workload formulas developed by the National Center for State Courts, Iowans need 30 additional judges to process the current judicial branch workload. Ten of these positions are district judge positions and 20 are district associate judge positions. We appreciate that the FY22 appropriation enabled us to commence a five-year plan to address this deficit. We again request funding (\$1,371,720) for four district associate judges and ten related support positions (e.g. court reporters, judicial specialists, law clerks) as part of a five-year plan.

We continuously evaluate workload in all areas of the branch. Recently the position of staff attorney for our various court levels was evaluated. In order to help facilitate better and more thorough work product we are asking for five new attorney positions with a total cost of \$468,777. We also ask for two positions to support our administrative functions. The total of this request is \$156,584.

The individual judicial districts continue to evaluate their workforce needs. In order to strengthen our work product in individual judicial districts, we request additional funding for 2 positions, a total of \$106,348.

Another investment in the rural communities involves supporting Family Treatment Courts that help to provide stability to families involved in the justice system. In order for these courts to operate efficiently and provide proper services, a support person is needed to coordinate the needs of participants. We request additional funding of \$50,723 to further our support of this much needed resource in our communities.

## Technology Infrastructure Support

We are seeking funding (\$147,285) for IT positions to support technology security. These positions will help strengthen the branch's security posture and assist end users in case of security questions or problems.

In closing, I want to again touch on COVID-19 and how it will continue to affect the administration of justice in the state long after the virus is contained. Over the course of this pandemic, the judicial branch never ceased operating. We consistently found ways to ensure citizens had access to justice while striving to keep the public and our employees safe. While essential services have been delivered, preventive health measures and logistical limitations have reduced our capacity. Our dedicated employees have been working very hard to lessen the anticipated backlog of cases and the impact those cases have on the judicial system. Last year's appropriation greatly helped our efforts to move forward. The requested resources for this year will provide the branch a steadier platform on which to base continued business improvements and the administration of justice.

Thank you for your consideration of these requests. The Iowa Judicial Branch values its continued partnership with Governor Reynolds and the legislature in providing the services that all Iowans deserve from their justice system.

Sincerely,

A handwritten signature in blue ink, appearing to read "Robert D. Gast", with a stylized flourish extending to the right.

Robert D. Gast