

Chief Justice: Iowa Cannot Afford to Ration Justice

Iowa Chief Justice Marsha Ternus delivered the annual State of the Judiciary to a joint session of the Iowa House and Senate. The Chief Justice focused on the budget of the judicial branch and the impact of budget cuts on the administration of justice.

Budget

Chief Justice Ternus stressed that the recent cuts have had a significant impact on the judicial branch. The judicial branch submitted a status quo budget for FY 2011, but that budget still requires significant rationing of access to justice.

The judicial branch has taken a number of stop gap measures to deal with this reduced funding. Clerks of court will operate in each county, but the public hours and days of the week that the offices are open will be reduced. Priority will be given to certain cases, such as criminal cases, mental health commitments, and cases involving the welfare of children. Giving priority to these cases will mean longer delays in non-priority cases, such as personal injury lawsuits, property disputes, and divorces not involving children.

3 Rs: Retooling, Redesigning, Restructuring

Chief Justice Ternus said the courts must undergo three Rs: retooling, redesigning, and restructuring, to maintain court services long term.

Retooling will effect how the court system handles day to day affairs. The Chief Justice said utilizing a paperless court system will allow for more efficient court administration. Chief Justice Ternus stressed that the court system considers the use of digital technology to make an official record a reliable and accurate option that the judicial branch should consider in light of budget constraints.

The Chief Justice established a steering committee to develop a plan for a multi-option civil justice system that will explore redesigning civil litigation reform. A report summarizing the potential of increasing mediation in family law cases was recently completed.

Chief Justice Ternus did indicate there is no plan to restructure the court system by consolidating court services, but that additional budget cuts could leave the courts with no other option.