

10.14.2009

I initially struggled with sharing this document and was caught in the midst of seeking advice on sending this out when it was brought to my attention that this had been posted to the Judicial Branch website. I struggled not so much with sharing it with all of you, but simply because some of the suggestions I received seem to “target” others in the Judicial Branch and I did not want the document to be misinterpreted by other Judicial Branch employees should it come to their attention. I was disappointed to see that they posted the attachment without posting the comments from my email. Our strongest position is to do what needs to be done to keep people employed – across all Judicial Branch positions. Before sending this to CJ Ternus I struggled with listing some of these things but felt it was my duty to share all ideas that were brought to my attention. Doing what can be done to reduce the likelihood that anyone within the Judicial Branch will lose their job was clearly outlined when you couple the attachment with my email. Both the document and email were prepared with input from several people and completed with the best of intentions. I am confident you will see our honorable intentions when you review both the attachment as well as the email.

Sheryl

Dear Chief Justice Ternus and Mr. Boyd:

Again, I thank you for the opportunity to comment on the current condition of the judicial budget and offer suggestions. I appreciate the very difficult situation that you have been dealt.

I understand the position you stated at our recent meeting regarding layoffs versus furloughs. I would respectfully take a different position and would like to state my suggestions and the reasons therefor.

First of all, ICRA would encourage the use of furloughs over layoffs; suggesting at least two furlough days a month. If furloughs were done on a rolling or alternating fashion among the employees, courthouses and clerk’s offices could remain open with little inconvenience to the public.

ICRA feels the retention of jobs is the way to economic recovery, even if that means reduced hours or reduced pay. Political leaders have indicated the key to economic recovery is job creation. In the meantime, it seems only logical that the private AND public sector look at expense reductions which cut across the board and ensure job preservation along the way. It is much easier for individuals to make adjustments to their overall spending than to survive through complete job loss. After all, maintaining their position, even at a reduced pay rate, keeps them contributing to the economic recovery of our state. Therefore, ICRA suggests the State of Iowa look at making cuts without cutting personnel --

pay cuts instead of job losses, furloughs instead of layoffs, cuts in business expense reimbursements or other incidentals, reduction of hours (not staff), etc.

Layoffs of state personnel will only result in a higher demand on governmental services at a time when there are less resources to meet those needs. Keeping people on the payroll – while still making necessary cuts – is the only smart strategy. In so doing, people will still have an income (although perhaps reduced) to meet their obligations and the needs of their families while not placing so much of an increased burden on state resources.

When considering all factors outlined above, it is clear that eliminating jobs will only prolong the economic slowdown. The budget shortfall can be a current short-term problem if leaders look long range for a solution by NOT eliminating jobs but instead cutting expenses.

As stated, we in no way encourage the displacement of employees; however, should that be an absolute necessity, ICRA would encourage the State to take a look at individuals who are in their positions but not contributing to State success. There are individuals among ALL job classifications that should be let go. This is not a strategy the State has shown success with in the past; however, it is essential now and would be elimination on a case-by-case basis, not an elimination of an entire job classification. In this way, the State can retain productive employees. It would also be beneficial to consider consolidating positions where possible.

With these comments being said, I submit the following suggestions that have been shared with me. I emphasize that ICRA does not endorse these suggestions; ICRA is only the conduit from which they come.

Respectfully submitted,

SHERYL L. CULVER

## **COST-SAVING SUGGESTIONS TO MAINTAIN COURT REPORTER POSITIONS**

### **TEMPORARY SUGGESTIONS FOR FY 2010**

- Percentage cut in pay
- Salary freeze
- Give up holiday pay

- Step increase freeze
- Reduce travel reimbursement
- Reduce reimbursement for transcripts to previous rate
- Furloughs for ALL judicial branch employees
- Furloughs: Every Friday p.m. or every other Friday
- Furloughs: 4 10-hour days, every Friday or Monday off or courthouse open every day, only half staffed.
- Furloughs: Float furlough days among reporters to cover judges
- Shortened workweek, 35 or 37 ½ hours
- Employees Contribute to insurance coverage
- Provide own steno paper
- Efile steno notes
- Early retirement options for those within five to ten years of retirement

## **LONG-TERM SUGGESTIONS**

- Redefine job description/down time to assist court attendants/judicial assistants, clerk's office & court administration
- Revamp scheduling to reduce court reporter/judge down time when trials do not go
- Use official court reporters to schedule court reporters
- Provide legal research for the judges
- All go paperless
- Compose orders/reports to be used in conjunction with EDMS
- Receive ICIS training to assist in coding cases

### **Other suggestions:**

- Have judges and reporters do their own scheduling
- Restrict travel
- Changing court reporter domiciles to that of their judges
- Have court reporters do judicial assistant/court attendant duties where possible
- Reduce state laptop fees – either supplying their own computers or rural reporters could receive their info from their rural judges and urban

reporters could get their information off of one desktop located in the courthouse somewhere

- Do not fill judicial vacancies
  - Allow judges to cross district lines
  - Instead of using court attendants, have one or two “runners” who are either court attendants or someone from the clerk's office go around to courtrooms to pick up file-order slips, return files, take the hard-copy orders to the clerk's office, watch juries, etc., and keep the court reporters in the courtroom to take care of the record and the judge's work in preparing and sending out orders, answering the phones, etc., as is done in most counties (especially in district associate courts). Reduce the court attendant/judicial assistant/case scheduler/assistant court administrator staff by attrition rather than layoffs.
  - Review jury call-in procedure - develop system where jurors call in later in the day or a way to communicate with jurors so they don't have to come in when cases settle or defendants plea prior to jury selection commencing.
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- If pleadings or orders are more than one page, make two-sided copies
  - Delay of filling all judicial position openings, even in districts with more than one position open.
  - Furloughs, even more than the 20 and an across-the-board pay cut (judges excluded). Certainly, the union would rather see their members' pay cut than see some of their members lose their jobs.
  - Cut down on travel expenses of meetings by having out-of-towners participate by conference call.
  - No one in the Judicial Branch should have a State car.
  - With the advent of our VPN and the affordability of Blackberries, the State should stop providing Blackberries. The approximately 80 people in the J.B. that are provided Blackberries by the State should turn them in and that contract cancelled. Those J.B. employees can obtain their own cell phone that the State can sync to for accessibility.