



**STATE COURT ADMINISTRATION  
Iowa Judicial Branch Building  
1111 East Court Avenue  
Des Moines, IA 50319**

TODD NUCCIO  
State Court Administrator

**To:** Senator Mark Chelgren, Representative Gary Worthan and Legislative Fiscal Bureau  
**From:** Todd Nuccio, State Court Administrator  
**Subject:** SF 208 New Policies and Procedures Report  
**Date:** October 26, 2018

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Section 14 of 2017 S.F. 508 provides notwithstanding language to various code section and allows the supreme court to implement policies and procedures that may be contrary to this Act and the Code provisions referenced in this section in order to efficiently and effectively administer justice throughout the state.

- Iowa code section 602.6603 covers the appointment of court reporters. The state court administrator issued an administrative directive on September 7, 2017 authorizing the use of digital recording equipment to keep the record for district court proceedings in certain situations. A copy of that directive is attached.
- Iowa code section 602.6201(6) states that in those judicial election districts having fewer or the same number of district judges as the number of judgeships specified by the formula prescribed in subsection 3, vacancies in the number of district court judges shall be filled as soon as they occur. In FY 19 a district court judge position in district 4 was held for over a month before it was released to be filled due to budget concerns.

**Iowa Judicial Branch**  
**Administrative Directive of the State Court Administrator**  
**2017-5**  
**Authorizing Use of Digital Recording Equipment to Keep the Record for**  
**District Court Proceedings**

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**A. Rationale:** Currently there are 11 vacant court reporter positions in Iowa's district courts. The Fifth Judicial District alone has five vacant positions. Multiple judicial districts have had one or more vacant court reporter positions for two or more months. This situation is due to a regional shortage of court reporters that is very likely to continue for the foreseeable future. The shortage of certified court reporters increases the likelihood of scheduling delays and continuances of court proceedings, which increase the cost of litigation and diminish public trust and confidence in Iowa's courts.

**B. Guidelines:** To address concerns about the shortage of certified court reporters and the need to reduce delays that result from that shortage, the state court administrator (SCA) may authorize use of digital recording equipment to make the record of district court proceedings that are not within a magistrate's jurisdiction when:

1. At least one full-time certified court reporter position has been vacant in a judicial election district for at least 90 days,
2. The district court administrator (DCA) has been unsuccessful in obtaining a certified freelance court reporter(s) to meet the need for court reporting services, and
3. Due to the conditions identified in B.1 and B.2, one or more proceedings have been or will have to be continued to a later date.

When the SCA determines that criteria B.1 through B.3 have been met, the SCA may authorize the use of digital recording equipment for making the record for any juvenile court proceeding and other types of high volume proceedings that have a low incidence of appeal.

The SCA will periodically reevaluate the need for and terms of this administrative directive at least every three years.

*Comment:* Authorizing the use of digital recording equipment is not intended to replace certified court reporters. Rather, it helps to maximize the use of their skills when there is a shortage of certified court reporters by assigning them to proceedings where the chief judge of

a judicial district believes they are most needed. It is also recognized that court reporters are not only the source of verbatim records, but are very often the sole administrative support for a judge in a courtroom.

This administrative directive is effective immediately.

Dated this 7<sup>th</sup> day of September, 2017.



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David K. Boyd  
State Court Administrator

cc: Chief Judges of the Judicial Districts  
District Court Administrators  
Deputy State Court Administrator  
Legal Counsel, State Court Administration  
Court Reporters