

February 17, 1969

SENATE FILE 253

Passed on File

By DeKOSTER and DENMAN

*Amended 1-18, Pass per Glenn  
amendment 4-17  
1-13-70, Pass per Glenn amendment of 7-29-1-22  
1-26*

Passed Senate, Date 2-27-70 Passed House, Date .....

Vote: Ayes 57 Nays 1 Vote: Ayes ..... Nays .....

Approved .....

## A BILL FOR

1 An Act relating to shorthand court reporters and their com-  
2 pensation.

3 *Be It Enacted by the General Assembly of the State of Iowa:*

4 Section 1. Section six hundred five point eight (605.8),  
5 Code 1966, is repealed and the following enacted in lieu  
6 thereof:

7 "Each shorthand reporter of the district court shall be  
8 paid an annual salary in equal installments as hereinafter  
9 provided. Each district judge upon the appointment of a  
10 shorthand reporter as hereinbefore provided, shall certify  
11 the name and address of such reporter and the date upon  
12 which his term of service begins, to each county auditor in  
13 the judicial district.

14 1. The base salary of a shorthand reporter of the district  
15 court shall be twelve thousand dollars annually.

16 2. The base salary of a shorthand reporter in a judicial  
17 district which contains a city having a population of more  
18 than fifty thousand shall be thirteen thousand dollars an-  
19 nually.

20 3. The base salary of a shorthand reporter in a judicial  
21 district which contains a city having a population of more  
22 than one hundred twenty-five thousand shall be fourteen  
23 thousand dollars annually.

24 In the event a judge shall have died or resigned his office,  
25 the court reporter appointed by him shall continue to serve in

1 such capacity as may be directed by the remaining judges of  
2 said judicial district, and shall be paid his regular compen-  
3 sation, until his successor has been appointed and certified  
4 to the county auditor."

5 Sec. 2. Section six hundred five point nine (605.9), Code  
6 1966, is repealed and the following enacted in lieu thereof:

7 "Immediately after the results of each decennial federal  
8 census are published, the chief judge of each judicial dis-  
9 trict shall determine therefrom the population of each county  
10 of said district, and shall certify to the county auditor of  
11 each such county the percentage proportion of the population  
12 of each such county to the aggregate population of all of the  
13 counties in said judicial district. Each county auditor shall  
14 issue warrants to said reporter in the percentage amount of  
15 the total compensation of said reporter as certified by the  
16 district judges, and the county treasurer shall pay same out  
17 of any funds in the county treasury not otherwise appropriated.

18 In the event it is determined by any judge of the district  
19 court that it is necessary to employ an additional shorthand  
20 reporter because of an extraordinary volume of work, or be-  
21 cause of the temporary illness or incapacity of a regular  
22 shorthand reporter, such judge may appoint a temporary short-  
23 hand reporter who shall serve as required by said judge, and  
24 shall be paid compensation on a per diem basis at the prevail-  
25 ing rates of compensation for such reporters as may be deter-  
26 mined by the judge. In such event, the district judge shall  
27 certify to each county auditor in his judicial district the  
28 name of the shorthand reporter so appointed, and the amount  
29 of compensation which shall be paid, and said reporter shall  
30 be paid in the same manner and in the same proportions as  
31 is herein provided."

32 Sec. 3. Section six hundred two point forty-six (602.46),  
33 Code 1966, lines six (6) to thirteen (13), inclusive, is  
34 amended by striking the words "fixed by order of the court  
35 not exceeding twenty-seven dollars and fifty cents per day,

- 1 in cities and towns having a population of less than seventy  
2 thousand, and thirty dollars per day in cities and towns  
3 having a population of seventy thousand or more for the time  
4 actually engaged in their court duties," and inserting in  
5 lieu thereof the words "eleven thousand dollars annually".
- 6 Sec. 4. Section six hundred twenty-two point one hundred  
7 three (622.103), Code 1966, is repealed.
- 8 Sec. 5. Section eighty-six point twenty (86.20), Code 1966,  
9 is repealed.
- 10 Sec. 6. Section seventy-eight point one (78.1), Code 1966,  
11 is amended by adding the following subsection:  
12 "Certified shorthand reporters."

#### EXPLANATION OF SENATE FILE 253

This bill will provide each district court shorthand reporter and each municipal court shorthand reporter with an annual salary rather than a per diem payment as at present. The bill provides a base salary of \$12,000.00 per year for district court shorthand reporters and \$11,000.00 per year for municipal court shorthand reporters. It also authorizes an additional amount for district court shorthand reporters in the larger population centers. The bill also covers the problem which is created when a district court judge dies or resigns from office and also authorizes temporary appointment of shorthand reporters when necessary. The bill also repeals two obsolete sections of the Code and gives certified shorthand reporters the authority to administer oaths and to take affirmations.

February 27, 1970,  
*An Judiciary 3/4*

SENATE FILE 253

By DeKOSTER and DENMAN  
(AS PASSED BY THE SENATE)

Passed Senate, Date.....*2-17-70*..... Passed House, Date.....*3-6-70*.....  
Vote: Ayes.....*51*..... Nays.....*1*..... Vote: Ayes.....*71*..... Nays.....*19*.....  
Approved.....*3-12-70*.....

# A BILL FOR *Sub for H. 71105 7/6*

1 An Act relating to shorthand court reporters.  
2 *Be It Enacted by the General Assembly of the State of Iowa:*  
3 Section 1. Section six hundred five point eight (605.8),  
4 Code 1966, is repealed and the following enacted in lieu  
5 thereof:  
6 "Each *full-time* shorthand reporter of the district court shall be  
7 paid an annual salary in equal installments as hereinafter  
8 provided. Each district judge upon the appointment of a  
9 *full-time* shorthand reporter as hereinbefore provided, shall certify  
10 the name and address of such reporter and the date upon  
11 which his term of service begins, to each county auditor in  
12 the judicial district.  
13 *Salaries of certified shorthand reporters of the district*  
14 *court shall be as follows:*  
15 1. *The annual salary of a full-time shorthand reporter*  
16 *in a judicial district which does not contain a city having*  
17 *a population of more than fifty thousand shall be ten thousand*  
18 *seven hundred fifty dollars.*  
19 2. *The annual salary of a full-time shorthand reporter*  
20 *in a judicial district which contains a city having a population*  
21 *of fifty thousand or more but less than one hundred twenty-five*  
22 *thousand, shall be eleven thousand seven hundred fifty dollars.*  
23 3. *The annual salary of a full-time shorthand reporter*  
24 *in a judicial district which contains a city having a population*  
25 *of one hundred twenty-five thousand, or more, shall be twelve*

1 thousand seven hundred fifty dollars.

2 4. Population shall be determined according to the latest  
3 federal decennial census.

4 5. All of the judges in a judicial district may, by joint  
5 order, increase the annual salary of a full-time shorthand  
6 reporter in that district for length of service in excess  
7 of five years by an additional amount not to exceed ten percent  
8 of a reporter's annual salary in such a district.

9 In the event a judge shall have died or resigned his office,  
10 the court reporter appointed by him shall continue to serve in  
11 such capacity as may be directed by the remaining judges of  
12 said judicial district, and shall be paid his regular compen-  
13 sation, until his successor has been appointed and certified  
14 to the county auditor.

15 Shorthand reporters of the district court employed on an  
16 emergency basis shall be paid thirty-seven dollars and fifty  
17 cents per day for each day's attendance upon said court, or  
18 employment under the direction of the judge, out of the county  
19 treasury where such court is held, upon the certificate of  
20 the judge holding the court, or directing the employment,  
21 provided however, that the maximum compensation for one-day  
22 attendance at court shall not exceed the per diem herein  
23 designated. Payments shall be made at least once each month  
24 Provided further that if any judicial district contains a city  
25 having a population of fifty thousand or more, the district  
26 court judges of said district may by joint order fix the  
27 compensation of any shorthand reporter of said district at  
28 an amount in excess of the per diem designated herein, but  
29 not more than five percent thereof. If any judicial district  
30 contains a city having a population of one hundred fifty  
31 thousand or more, the district court judges of said district  
32 may by joint order fix the compensation of any shorthand  
33 reporter of said district at an amount in excess of the per  
34 diem designated herein, but not more than ten percent thereof."

35 Sec. 2. Section six hundred five point nine (605.9), Code

1 1966, is repealed and the following enacted in lieu thereof:

2 "Immediately after the results of each decennial federal  
3 census are published, the chief judge of each judicial dis-  
4 trict shall determine therefrom the population of each county  
5 of said district, and shall certify to the county auditor of  
6 each such county the percentage proportion of the population  
7 of each such county to the aggregate population of all of the  
8 counties in said judicial district. Each county auditor shall  
9 issue warrants to said reporter in the percentage amount of  
10 the total compensation of said reporter as certified by the  
11 district judges, and the county treasurer shall pay same out  
12 of any funds in the county treasury not otherwise appropriated.

13 In the event it is determined by any judge of the district  
14 court that it is necessary to employ an additional shorthand  
15 reporter because of the extraordinary volume of work, or be-  
16 cause of the temporary illness or incapacity of a regular  
17 shorthand reporter, such judge may appoint a temporary short-  
18 hand reporter who shall serve as required by said judge, and  
19 shall be paid compensation on a per diem basis at the prevail-  
20 ing rates of compensation for such reporters as may be deter-  
21 mined by the judge. In such event, the district judge shall  
22 certify to each county auditor in his judicial district the  
23 name of the shorthand reporter so appointed, and the amount  
24 of compensation which shall be paid, and said reporter shall  
25 be paid in the same manner and in the same proportions as  
26 is herein provided."

27 Sec. 3. Section six hundred two point forty-six (602.46),  
28 Code 1966, is hereby amended by striking all after the word,  
29 "court" in line seven (7) and all of lines eight (8) through  
30 thirteen (13), inclusive, and by inserting in lieu thereof  
31 the following:

32 "for full-time shorthand reporters in cities having a population  
33 of less than seventy thousand, an annual salary of eight thousand  
34 five hundred dollars and in cities having a population of seventy  
35 thousand or more, an annual salary of nine thousand five hundred

1 dollars. All of the judges of a municipal court may, by joint  
2 order, increase the salary of a full-time shorthand reporter  
3 in that court for length of service in excess of five years by  
4 an additional amount, not to exceed ten percent of a reporter's  
5 annual salary in such municipal court. Shorthand reporters  
6 employed on a part-time basis shall be paid thirty-two dollars  
7 and fifty cents for each day actually worked. No shorthand  
8 reporter employed on a part-time basis shall be paid more on a  
9 per diem than a full-time reporter would receive on a salary  
10 basis in the same city. Population shall be determined accord-  
11 ing to the latest federal decennial census. All such salaries  
12 shall be paid".

13 Sec. 4. Section six hundred twenty-two point one hundred  
14 three (622.103), Code 1966, is repealed.

15 Sec. 5. Section eighty-six point twenty (86.20), Code 1966,  
16 is repealed.

17 Sec. 6. Section seventy-eight point one (78.1), Code 1966,  
18 is amended by adding the following subsection:

19 "Certified shorthand reporters."

20 Sec. 7. There shall be no discrimination in hiring short-  
21 hand court reporters on the basis of sex. Complaints of persons  
22 aggrieved may be made under the provisions of chapter one  
23 hundred five A (105A) of the Code.

#### EXPLANATION

This bill will provide each district court shorthand reporter and each municipal court shorthand reporter with an annual salary rather than a per diem payment as at present. The bill provides a base salary of \$12,000.00 per year for district court shorthand reporters and \$11,000.00 per year for municipal court shorthand reporters. It also authorizes an additional amount for district court shorthand reporters in the larger population centers. The bill also covers the problem which is created when a district court judge dies or resigns from office and also authorizes temporary appointment of shorthand reporters when necessary. The bill also repeals two obsolete sections of the Code and gives certified shorthand reporters the authority to administer oaths and to take affirmations.

FISCAL NOTE

Date prepared February 24, 1970

Requested by Senator DeKoster.

Prepared in regard to judiciary committee amendment to Senate File 253, filed February 20, 1970, a bill for an act relating to shorthand court reporters and their compensation.

Following is the fiscal effect in dollars of the legislative proposal as required by Rule 31.

The present estimated cost of shorthand reporters for district courts is \$776,405. Estimated cost under the amendment arrived at as follows:

Population*	No. of Cities	No. of Judges	Salary	Total Salary	
Under 50,000	11	36	\$10,750	\$387,000	
50,000-125,000	6	30	11,750	352,500	
125,000 or more	1	10	12,750	127,500	867,000
					<hr/>
Additional annual cost					\$ 90,595

The present estimated cost of shorthand reporters for municipal courts is \$111,400. Estimated cost under amendment arrived at as follows:

Population*	No. of Cities	No. of Judges	Salary	Total Salary	
Under 70,000	2	2	\$ 8,500	\$ 17,000	
Over 70,000	5	11	9,500	104,500	121,500
					<hr/>
Additional annual cost					\$ 10,100

The salaries of municipal court reporters are paid one-half by the City and one-half by the county.

Part time municipal court reporters at \$32.50 per day not to exceed the salary of a full time reporter would allow reporters in cities under 70,000 population to work approximately 261 days a year. In cities having a population of over 70,000 population, a part time reporter could work approximately 292 days a year.

\*Figured on 1960 census.

GERRY D. RANKIN  
Legislative Fiscal Director

- 1 Amend Senate File 253, page 3, by adding after line
- 2 12 a new section as follows:
- 3 "There shall be no discrimination in hiring short-
- 4 hand court reporters on the basis of sex. Complaints
- 5 of persons aggrieved may be made under the provisions
- 6 of chapter one hundred five A (105A) of the Code."

Filed and adopted  
February 26, 1970

By DODERER and ANDERSON

SENATE FILE 253

- 1 Amend Page 1, lines 1 and 2, by striking the following:
- 2 "and their compensation".

Filed and adopted  
February 26, 1970

By DeKOSTER

SENATE FILE 253

Date prepared March 17, 1969

Requested by Senator Shirley.

Prepared in regard to a bill for an act relating to shorthand court reporters and their compensation.

Following is the fiscal effect in dollars of the legislative proposal as required by Rule 47:

Municipal Court Reporters\*

	Estimated Add'l Annual Cost
1st year	\$31,600
2nd year	31,600
3rd year	31,600
4th year	31,600
5th year	31,600

District Court Reporters\*

	Estimated Add'l Annual Cost
1st year	\$185,595
2nd year	185,595
3rd year	185,595
4th year	185,595
5th year	185,595

\*Source: Bill Stanton—9th Judicial District.

Filed  
April 17, 1969

GERRY D. RANKIN  
Legislative Fiscal Director

- 1 Amend the judiciary committee amendment to Senate File
- 2 253, filed February 20, 1970, found on pages 585 and 586
- 3 of the Senate Journal, as follows:
- 4 1. By inserting after line 20 the following new subsection:
- 5 "5. All of the judges in a judicial district may,
- 6 by joint order, increase the annual salary of a full time
- 7 shorthand reporter in that district for merit or length of
- 8 service by an additional amount not to exceed ten percent
- 9 of such reporters annual salary."
- 10 2. By inserting in line 32 after the word "dollars." the
- 11 following sentence:
- 12 "All of the judges of a municipal court may, by joint
- 13 order, increase the salary of a full time shorthand reporter
- 14 in that court for merit or length of service by an addi-
- 15 tional amount, not to exceed ten per cent of such reporters
- 16 annual salary."

Filed - *Withdrawn 2-27*  
February 26, 1970

By GAUDINEER

1 Amend Senate File 253 as follows:

2 1. Page 1, by striking lines 14 through 23, inclusive,  
3 and by inserting in lieu thereof the following:

4 "Salaries of certified shorthand reporters of the  
5 district court shall be as follows:

6 1. The annual salary of a full time shorthand reporter  
7 in a judicial district which does not contain a city having  
8 a population of more than fifty thousand shall be ten  
9 thousand seven hundred fifty dollars.

10 2. The annual salary of a full time shorthand reporter  
11 in a judicial district which contains a city having a  
12 population of fifty thousand or more but less than one  
13 hundred twenty-five thousand, shall be eleven thousand  
14 seven hundred fifty dollars.

15 3. The annual salary of a full time shorthand reporter  
16 in a judicial district which contains a city having a  
17 population of one hundred twenty-five thousand, or more  
18 shall be twelve thousand seven hundred fifty dollars.

19 4. Population shall be determined according to the  
20 latest federal decennial census."

21 2. Page 2, by striking lines 33 through 35, inclusive, and  
22 on page 3, lines 1 through 5, inclusive, and by inserting  
23 in lieu thereof the following:

24 "Code 1966, is hereby amended by striking all after the  
25 word, 'court' in line seven (7) and all of lines eight (8)  
26 through thirteen (13), inclusive, and by inserting in lieu  
27 thereof the following:

28 'for full time shorthand reporters in cities having  
29 a population of less than seventy thousand, an annual  
30 salary of eight thousand five hundred dollars and in  
31 cities having a population of seventy thousand or more,  
32 an annual salary of nine thousand five hundred dollars.  
33 Shorthand reporters employed on a part time basis shall  
34 be paid thirty-two dollars and fifty cents for each day  
35 actually worked. No shorthand reporter employed on a  
36 part time basis shall be paid more on a per diem than  
37 a full time reporter would receive on a salary basis  
38 in the same city. Population shall be determined  
39 according to the latest federal decennial census. All  
40 such salaries shall be paid'".

Filed - *Adopted as amended 2-27*

February 20, 1970

By COMMITTEE ON JUDICIARY

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1 Amend the Glenn amendment to Senate File 253,

2 filed April 2, 1969, as follows:

3 1. By striking all of lines 4 and 5.

4 2. Line 8, by striking the word "Part-time",  
5 and inserting following the word "court", the words  
6 "employed on an emergency basis".

Filed and adopted

February 27, 1970

By GLENN

1 Amend the judiciary committee amendment to Senate File  
2 253, filed February 20, 1970, found on pages 585 and 586  
3 of the Senate Journal, as follows:  
4 1. By inserting after line 20 the following new subsection:  
5 "5. All the judges in a judicial district may, by joint  
6 order, increase the annual salary of a full-time shorthand  
7 reporter in that district for length of service in excess  
8 of five years by an additional amount not to exceed ten percent  
9 of a reporter's annual salary in such a district."  
10 2. By inserting in line 32 after the word "dollars," the  
11 following sentence:  
12 "All of the judges of a municipal court may, by joint  
13 order, increase the salary of a full-time shorthand reporter  
14 in that court for length of service in excess of five years by  
15 an additional amount, not to exceed ten percent of a reporter's  
16 annual salary in such municipal court."

Filed and adopted  
February 26, 1970

By GAUDINEER and LAVERTY

1 Amend the committee on judiciary amendment to Senate  
2 File 253, dated February 20, 1970, and found on page 585 and  
3 586 of the Senate Journal, as follows:  
4 1. By striking all of lines 5 through 20, inclusive, and  
5 by inserting in lieu thereof the following:  
6 "district court shall be eleven thousand five hundred  
7 dollars."

Filed and lost  
February 27, 1970

By POTGETER

1 Amend the Glenn amendment to Senate File 253,  
2 filed April 2, 1969, as follows:  
3 By striking from line 2 the figures "14, 16, and  
4 20", and by striking the comma "," after the figure  
5 "7" and inserting in lieu thereof the word "and", and  
6 by striking the comma "," following the figure "10".

Filed and adopted  
February 27, 1970

By GLENN

1 Amend the judiciary committee amendment to Senate File  
2 253, filed February 20, 1970, found on pages 585 and 586  
3 of the Senate Journal, as follows:  
4 1. By inserting after line 20 the following new subsection:  
5 "5. All of the judges in a judicial district which has at  
6 least four resident judges may, by joint order, increase the  
7 annual salary of a full-time shorthand reporter in that  
8 district for length of service in excess of five years by an  
9 additional amount not to exceed ten percent of a reporter's  
10 annual salary in such a district."  
11 2. By inserting in line 32 after the word "dollars," the  
12 following sentence:  
13 "All of the judges of a municipal court which has at least  
14 four resident judges may, by joint order, increase the salary  
15 of a full-time shorthand reporter in that court for length  
16 of service in excess of five years by an additional amount,  
17 not to exceed ten percent of a reporter's annual salary in  
18 such municipal court."

Filed and lost  
February 27, 1970

By GAUDINEER and DeKOSTER

1 Amend Senate File 253, section 1, as follows:

2 1. By inserting in lines 7, 10, 14, 16, and 20 prior to the  
3 words "shorthand reporter" the words "full-time."

4 2. By striking the word "shall" in line 7 and inserting in lieu  
5 thereof the word "may."

6 3. By adding the following new paragraph on page 2, following  
7 line 4:

8 "Part-time shorthand reporters of the district court shall be  
9 paid thirty-seven dollars and fifty cents per day for each day's  
10 attendance upon said court, or employment under the direction of  
11 the judge, out of the county treasury where such court is held,  
12 upon the certificate of the judge holding the court, or directing  
13 the employment, provided however, that the maximum compensation  
14 one-day attendance at court shall not exceed the per diem herein  
15 designated. Payments shall be made at least once each month.  
16 Provided further that if any judicial district contains a city  
17 having a population of fifty thousand or more, the district court  
18 judges of said district may by joint order fix the compensation  
19 of any shorthand reporter of said district at an amount in excess  
20 of the per diem designated herein, but not more than five percent  
21 thereof. If any judicial district contains a city having a pop-  
22 ulation of one hundred fifty thousand or more, the district court  
23 judges of said district may by joint order fix the compensation of  
24 any shorthand reporter of said district at an amount in excess of  
25 the per diem designated herein, but not more than ten percent  
26 thereof."

Filed - *As adopted as amended 2-27*  
April 2, 1969

By GLENN

1 Amend Senate File 253, section 3, as follows:

2 By striking all of said section following the words  
3 "Code 1966," and inserting in lieu thereof the following:

4 1. Amend line 6 by striking the word "shall" and  
5 inserting in lieu thereof the word "may".

6 2. Amend line 7 by striking the word "twenty-seven"  
7 and inserting in lieu thereof the word "thirty-two".

8 3. Amend line 10 by striking the word "thirty" and  
9 inserting in lieu thereof the word "thirty-five".

10 4. By adding the following new paragraph after the  
11 word "city" in line 15:

12 "Full-time shorthand reporters may be paid an annual  
13 salary, which shall be eight thousand five hundred dollars.

14 In a county which contains a city having a population  
15 of more than fifty thousand, such salary shall be nine thou-  
16 sand dollars. In a county which contains a city having a  
17 population of more than one hundred fifty thousand, such  
18 salary shall be nine thousand five hundred dollars."

Filed - *as withdrawn 2-27*  
April 2, 1969

By GLENN

1 Amend the Glenn amendment, filed April 2, 1969, to section  
2 3 of Senate File 253 by inserting after the word "reporters" in  
3 line 12 the words "appointed by the court".

Filed - *withdrawing*  
*As adopted 2-27*  
April 11, 1969

By GLENN

- 1 Amend Senate File 258, section 1, as follows:  
2 1. By striking the word "twelve" in line 15 and inserting  
3 the word "ten".  
4 2. By striking the words "thirteen thousand" in line 18  
5 and inserting the words "ten thousand seven hundred fifty".  
6 3. By striking the words "fourteen thousand" in line 22  
7 and inserting the words "eleven thousand five hundred".

Filed - *Withdrawn 1-27*

April 7, 1969

By GLENN

- 1 Amend Senate File 258, section 1, as follows:  
2 1. By striking from line 15 the words "twelve thousand"  
3 and inserting in lieu thereof the words "ten thousand five hundred".  
4 2. By striking from line 18 the words "thirteen thousand"  
5 and inserting in lieu thereof the words "eleven thousand five  
6 hundred".  
7 3. By striking from lines 22 and 23 the words "fourteen  
8 thousand" and inserting in lieu thereof the words "twelve thousand  
9 five hundred".

Filed - *Withdrawn 1-27*

April 11, 1969

By GLENN