

House File 266 - Introduced

HOUSE FILE _____
BY KAUFMANN and SWAIM

Passed House, Date _____ Passed Senate, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act relating to recording proceedings before a magistrate.
2 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
3 TLSB 1377YH 83
4 jm/rj/24

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1 1 Section 1. Section 602.6405, Code 2009, is amended by
1 2 adding the following new subsection:
1 3 NEW SUBSECTION. 4. A magistrate shall cause all trials
1 4 before the magistrate which are not reported by a certified
1 5 court reporter to be electronically recorded.
1 6 Sec. 2. Section 631.11, subsection 3, Code 2009, is
1 7 amended to read as follows:
1 8 3. RECORD. Upon the trial, the judicial magistrate shall
1 9 make detailed minutes of the testimony of each witness and
1 10 append the exhibits or copies thereof to the record. The
1 11 proceedings upon trial shall not be reported by a certified
1 12 court reporter, unless the party provides the reporter at such
1 13 party's expense. ~~The If the proceedings are not reported by a~~
1 14 ~~certified court reporter, the magistrate, in the magistrate's~~
1 15 ~~discretion, may shall~~ cause the proceedings upon trial to be
1 16 ~~reported recorded~~ electronically. ~~If the proceedings are~~
1 17 ~~being electronically recorded and~~ both parties shall be
1 18 notified in advance of that recording. If the proceedings
1 19 have been ~~reported recorded~~ electronically the recording shall
1 20 be retained under the jurisdiction of the magistrate unless
1 21 appealed, and upon appeal shall be transcribed only by a
1 22 person designated by the court under the supervision of the
1 23 magistrate.

EXPLANATION

1 24
1 25 This bill provides that all trials before a magistrate,
1 26 which are not reported by a certified court reporter at a
1 27 party's expense, shall be electronically recorded.
1 28 LSB 1377YH 83
1 29 jm/rj/24.1