

Senate File 220 - Introduced

SENATE FILE 220
BY COMMITTEE ON JUDICIARY

(SUCCESSOR TO SSB 1079)

A BILL FOR

1 An Act relating to expert witness fees.

2 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 622.72, Code 2015, is amended to read as
2 follows:

3 **622.72 Expert witnesses — fee fees.**

4 Witnesses called to testify only to an opinion founded on
5 special study or experience in any branch of science, or to
6 make scientific or professional examinations and state the
7 result thereof, shall receive additional ~~compensation~~ fees,
8 to be fixed by the court, with reference to the value of the
9 time employed and the degree of learning or skill required;
10 but such additional ~~compensation~~ fees shall not exceed ~~one~~
11 ~~hundred fifty~~ two thousand five hundred dollars ~~per day~~ while
12 so employed. A party seeking approval of expert witness fees
13 under this section shall make an application to the court for
14 a fair, reasonable fee, to be awarded as court costs upon the
15 direction of the court, not to exceed the amount specified in
16 this section.

17

EXPLANATION

18 The inclusion of this explanation does not constitute agreement with
19 the explanation's substance by the members of the general assembly.

20 Under current law, the maximum fee an expert witness may
21 receive is \$150 per day. This bill sets the maximum additional
22 fees an expert witness may receive at \$2,500 total. The court
23 determines the amount of the expert witness fee. The bill
24 requires a party seeking the approval of expert fees to apply
25 to the court for a fair, reasonable fee, not to exceed the
26 \$2,500 maximum.