

Senate File 2187 - Introduced

SENATE FILE 2187
BY COMMITTEE ON TECHNOLOGY

(SUCCESSOR TO SF 400)
(SUCCESSOR TO SSB 1014)

A BILL FOR

1 An Act relating to the use of video conferences in judicial
2 proceedings, and including effective date provisions.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. NEW SECTION. 602.1601A Video conferences in
2 judicial proceedings.

3 1. Upon motion of any of the parties, an initial appearance
4 or arraignment shall be conducted by video conference with the
5 parties and other participants if appropriate technology is
6 available.

7 2. Upon motion of any of the parties, a pretrial conference,
8 scheduling conference, or any other noncontested judicial
9 proceeding shall be conducted by video conference with the
10 parties and other participants, if appropriate technology is
11 available, unless the court orders the proceeding to be held in
12 person for good cause. A court's determination of good cause
13 shall be made separately for each motion.

14 3. Upon motion of any of the parties, a hearing in a
15 criminal, juvenile, or postconviction relief proceeding may
16 be conducted by video conference with the parties and other
17 participants if the hearing is conducted in an efficient
18 manner, the hearing does not prejudice a substantial right of
19 any party, and appropriate technology is available.

20 4. Any party may file a resistance to a motion to hold
21 a judicial proceeding by video conference pursuant to this
22 section.

23 Sec. 2. Section 624.1, subsection 1, Code 2024, is amended
24 to read as follows:

25 1. All issues of fact in ordinary actions shall be tried
26 upon oral evidence taken in open court, except that depositions
27 may be used as provided by law. "Open court" includes the
28 remote testimony of a witness by video conference or other
29 remote means of communication if approved by the court.

30 Sec. 3. EFFECTIVE DATE. This Act, being deemed of immediate
31 importance, takes effect upon enactment.

32 EXPLANATION

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

35 This bill relates to the use of video conferences in judicial

1 proceedings and certified shorthand reporter audio and video
2 recordings.

3 The bill provides that upon motion of any party, an
4 initial appearance or arraignment shall be conducted by
5 video conference with the parties and other participants if
6 appropriate technology is available. Upon motion of any
7 party, a pretrial conference, scheduling conference, or any
8 other noncontested judicial proceeding shall be conducted by
9 video conference with the parties and other participants if
10 appropriate technology is available, unless the court orders
11 the proceeding to be held in person for good cause.

12 The bill provides that upon motion of any party, a hearing
13 in a criminal, juvenile, or postconviction relief proceeding
14 may be conducted by video conference with the parties and
15 other participants if the hearing is conducted in an efficient
16 manner, the hearing does not prejudice a substantial right of
17 any party, and appropriate technology is available.

18 The bill provides that any party may file a resistance to a
19 motion to hold a judicial proceeding by video conference.

20 The bill amends the definition of "open court" in Code
21 section 624.1 (evidence in ordinary actions) to include the
22 remote testimony of a witness by video conference or other
23 remote means of communication if approved by the court.

24 The bill takes effect upon enactment.