

Senate Study Bill 1200 - Introduced

SENATE/HOUSE FILE _____
BY (PROPOSED JUDICIAL BRANCH
BILL)

A BILL FOR

1 An Act relating to judicial branch administration, including
2 judicial officer residency, remote proceedings, court
3 reporter supervision and duties, and civil pleadings
4 availability.

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

DIVISION I

JUDICIAL OFFICER RESIDENCY

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Section 1. Section 602.6201, subsection 2, Code 2025, is amended to read as follows:

2. A district judge must be a resident of the judicial election district or a resident of a county contiguous with the judicial election district in which appointed before assuming office and ~~must be a resident of the judicial election district~~ during the entire term of office. Subject to the provision for reassignment of judges under [section 602.6108](#), a district judge shall serve in the district of the judge's ~~residence~~ appointment while in office, regardless of the number of judgeships to which the district is entitled under the formula prescribed by the supreme court in [subsection 3](#).

Sec. 2. Section 602.6305, subsections 1 and 3, Code 2025, are amended to read as follows:

1. District associate judges shall serve initial terms and shall stand for retention in office within the judicial election districts of their ~~residences~~ appointment at the judicial election under [sections 46.16 through 46.24](#).

3. A district associate judge must be a resident of the judicial election district or a resident of a county contiguous with the judicial election district in which the office is held before assuming office and during the entire term of office. A district associate judge shall serve within the judicial district in which appointed, as directed by the chief judge, and is subject to reassignment under [section 602.6108](#).

Sec. 3. Section 602.6404, subsection 1, Code 2025, is amended to read as follows:

1. A magistrate shall be a resident of the ~~county of~~ appointment judicial election district or a resident of a county contiguous to the ~~county of appointment~~ judicial election district in which appointed during the magistrate's term of office. A magistrate shall serve within the judicial district in which appointed, as directed by the chief judge,

1 provided that the chief judge may assign a magistrate to hold
2 court outside of the county or counties of appointment for the
3 orderly administration of justice. A magistrate is subject to
4 reassignment under [section 602.6108](#).

5 Sec. 4. Section 602.7103C, subsections 1 and 3, Code 2025,
6 are amended to read as follows:

7 1. Full-time associate juvenile judges shall serve terms
8 and shall stand for retention in office within the judicial
9 election districts of their ~~residences~~ appointment as provided
10 under [sections 46.16 through 46.24](#).

11 3. A full-time associate juvenile judge must be a resident
12 of the judicial election district or a resident of a county
13 contiguous with the judicial election district in which the
14 office is held before assuming office and during the entire
15 term of office. A full-time associate juvenile judge shall
16 serve within the judicial district in which appointed, as
17 directed by the chief judge, and is subject to reassignment
18 under [section 602.6108](#).

19 Sec. 5. Section 633.20C, subsections 1 and 3, Code 2025, are
20 amended to read as follows:

21 1. Full-time associate probate judges shall serve terms
22 and shall stand for retention in office within the judicial
23 election districts of their ~~residences~~ appointment as provided
24 under [sections 46.16 through 46.24](#).

25 3. A full-time associate probate judge must be a resident
26 of the judicial election district or a resident of a county
27 contiguous with the judicial election district in which the
28 office is held before assuming office and during the entire
29 term of office. A full-time associate probate judge shall
30 serve within the judicial district in which appointed, as
31 directed by the chief judge, and is subject to reassignment
32 under [section 602.6108](#).

33 Sec. 6. REPEAL. Section 602.11110, Code 2025, is repealed.

34 DIVISION II

35 MISCELLANEOUS JUDICIAL ADMINISTRATION

1 Sec. 7. Section 602.1612, subsection 4, Code 2025, is
2 amended by striking the subsection.

3 Sec. 8. Section 602.3201, Code 2025, is amended to read as
4 follows:

5 **602.3201 Requirement of certification — use of title.**

6 A person shall not engage in the profession of shorthand
7 reporting unless the person is certified pursuant to this
8 chapter, or otherwise exempted pursuant to section 602.6603,
9 subsection 4 3. Only a person who is certified by the board
10 may assume the title of certified shorthand reporter, or use
11 the abbreviation C.S.R., or any words, letters, or figures to
12 indicate that the person is a certified shorthand reporter.

13 Sec. 9. Section 602.6105, subsection 1, Code 2025, is
14 amended to read as follows:

15 1. Courts shall be held at the places in each county
16 maintaining space for the district court as designated by the
17 chief judge of the judicial district, or held by remote means
18 of communication, except that the determination of actions,
19 special proceedings, and other matters not requiring a jury may
20 be done at some other place in the district with the consent of
21 the parties. For the purposes of this subsection, contiguous
22 counties which have entered into an agreement to share costs
23 pursuant to section 331.381, subsection 16, paragraph "b",
24 shall be considered as one unit for the purpose of conducting
25 all matters except as otherwise provided in this subsection.

26 Sec. 10. Section 602.6603, Code 2025, is amended to read as
27 follows:

28 **602.6603 Court reporters.**

29 1. a. Each district judge shall appoint a The chief judge
30 of a judicial district or the chief judge's designee shall have
31 the authority to supervise, schedule, and assign duties to all
32 court reporters in the judicial district.

33 b. Notwithstanding paragraph "a", a judge presiding over a
34 proceeding that must be reported shall have the authority to
35 supervise the work of a court reporter while the court reporter

1 is actively engaged in reporting that proceeding.

2 c. The chief judge of a judicial district may delegate the
3 authority set forth in paragraph "a" to the district court
4 administrator or the district court administrator's designee.

5 2. The judicial officers of a judicial district shall
6 appoint a court reporter, subject to approval of the chief
7 judge of the judicial district or the chief judge's designee.
8 A court reporter may be assigned to a district judge or the
9 district associate judge subject to subsection 1. A court
10 reporter who shall, upon the request of a party in a civil or
11 criminal case, report the evidence and proceedings in the case,
12 and perform all duties as provided by law.

13 ~~2. Each district associate judge may appoint a court~~
14 ~~reporter, subject to the approval of the chief judge of the~~
15 ~~judicial district.~~

16 ~~3. If a chief judge of a judicial district determines that~~
17 ~~it is necessary to employ an additional court reporter because~~
18 ~~of an extraordinary volume of work, or because of the temporary~~
19 ~~illness or incapacity of a regular court reporter, the chief~~
20 ~~judge may appoint a temporary court reporter who shall serve~~
21 ~~as required by the chief judge.~~

22 ~~4.~~ 3. If a regularly appointed court reporter becomes
23 disabled, or if a vacancy occurs in a regularly appointed
24 court reporter position, the chief judge or the chief
25 judge's designee may appoint a competent, uncertified
26 shorthand reporter for a period of time of up to one year,
27 upon verification by the chief judge that a diligent but
28 unsuccessful search has been conducted to appoint a certified
29 shorthand reporter to the position and, in a disability case,
30 that the regularly appointed court reporter is disabled.
31 An uncertified shorthand reporter shall not be reappointed
32 to the position unless the reporter becomes a certified
33 shorthand reporter within the period of appointment under this
34 subsection.

35 ~~5.~~ 4. Except as provided in subsection 4 3, a person

1 shall not be appointed to the position of court reporter of
2 the district court unless the person has been certified as a
3 shorthand reporter by the board of examiners under [article 3](#).

4 ~~6.~~ 5. Each court reporter shall take an oath faithfully
5 to perform the duties of office, which shall be filed in the
6 office of the clerk of district court.

7 ~~7.~~ 6. A court reporter may be removed for cause with
8 due process by the judicial ~~officer~~ officers making the
9 appointment, subject to the approval of the chief judge or the
10 chief judge's designee.

11 ~~8.~~ 7. If a judge dies, resigns, retires, is removed
12 from office, becomes disabled, or fails to be retained in
13 office and the judicial vacancy is eligible to be filled, the
14 court reporter appointed by the judge shall serve as a court
15 reporter, as directed by the chief judge or the chief judge's
16 designee, ~~until the successor judge appoints a successor court~~
17 ~~reporter. The court reporter shall receive the reporter's~~
18 ~~regular salary and benefits during the period of time until a~~
19 ~~successor court reporter is appointed or until the currently~~
20 ~~appointed court reporter is reappointed.~~

21 Sec. 11. Section 602.8102, subsection 9, Code 2025, is
22 amended to read as follows:

23 9. Enter in the appearance docket a memorandum of the date
24 of filing of all petitions, demurrers, answers, motions, or
25 papers of any other description in the cause. A pleading of
26 any description is considered filed when the clerk entered
27 the date the pleading was received on the pleading ~~and the~~
28 ~~pleading shall not be taken from the clerk's office until the~~
29 ~~memorandum is made.~~ The memorandum shall be made within two
30 business days of a new petition or order being filed, and as
31 soon as practicable for all other pleadings. Thereafter, when
32 a demurrer or motion is sustained or overruled, a pleading is
33 made or amended, or the trial of the cause, rendition of the
34 verdict, entry of judgment, issuance of execution, or any other
35 act is done in the progress of the cause, a similar memorandum

1 shall be made of the action, including the date of action and
2 the number of the book and page of the record where the entry is
3 made. The appearance docket is an index of each suit from its
4 commencement to its conclusion.

5 Sec. 12. Section 602.9206, subsection 1, Code 2025, is
6 amended to read as follows:

7 1. Section 602.1612 does not apply to a senior judge but
8 does apply to a retired senior judge. During the tenure of
9 a senior judge, if the judge is able to serve, the judge
10 may be assigned by the supreme court to temporary judicial
11 duties on courts of this state without salary for an aggregate
12 of thirteen weeks out of each twelve-month period, and for
13 additional weeks with the judge's consent. A senior judge
14 shall not be assigned to judicial duties on the supreme
15 court unless the judge has been appointed to serve on the
16 supreme court prior to retirement. While serving on temporary
17 assignment, a senior judge has and may exercise all of the
18 authority of the office to which the judge is assigned, shall
19 continue to be paid the judge's annuity as senior judge, shall
20 be reimbursed for the judge's actual expenses to the extent
21 expenses of a district judge are reimbursable under section
22 602.1509, ~~may, if permitted by the assignment order, appoint a~~
23 ~~temporary court reporter, who shall be paid the remuneration~~
24 ~~and reimbursement for actual expenses provided by law for a~~
25 ~~reporter in the court to which the senior judge is assigned,~~
26 and, if assigned to the court of appeals or the supreme court,
27 shall be given the assistance of a law clerk and a secretary
28 designated by the court administrator of the judicial branch
29 from the court administrator's staff. Each order of temporary
30 assignment shall be filed with the clerks of court at the
31 places where the senior judge is to serve.

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 judicial branch administration,

1 including judicial officer residency, remote proceedings,
2 court reporter supervision and duties, and civil pleadings
3 availability.

4 DIVISION I — JUDICIAL OFFICER RESIDENCY. Under current
5 law, a district judge must be a resident of the judicial
6 election district in which appointed during the entire term of
7 office. The bill expands this to include a county contiguous
8 with the judicial election district of appointment. The
9 bill also applies the new residency requirement to district
10 associate judges, magistrates, full-time associate juvenile
11 judges, and full-time associate probate judges.

12 The bill repeals a Code section relating to judge residency
13 requirements for a 1984-1985 transition for judicial election
14 districts 5A and 5C.

15 DIVISION II — MISCELLANEOUS JUDICIAL ADMINISTRATION. The
16 bill authorizes court proceedings to be held by remote means
17 of communication.

18 The bill amends how court reporters are appointed and
19 supervised. Under current law, a district judge may appoint
20 a court reporter, and a district associate judge may appoint
21 a court reporter subject to approval by the chief judge. A
22 retired justice or judge, or a senior judge, may also appoint a
23 temporary court reporter under current law. Under the bill,
24 the chief judge of the judicial district or the chief judge's
25 designee has the authority to supervise, schedule, and assign
26 duties of all court reporters in the judicial district. The
27 bill allows a judge presiding over a reported proceeding to
28 have authority to supervise the work of a court reporter while
29 the court reporter is reporting in that matter. The bill
30 provides that the chief judge may delegate the chief judge's
31 authority to appoint, supervise, and assign duties of court
32 reporters to the district court administrator or the district
33 court administrator's designee. The bill requires judicial
34 officers of a judicial district to appoint a court reporter,
35 subject to approval of the chief judge of the judicial district

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1 or the chief judge's designee.

2 The bill allows the clerk of court to provide access to a
3 civil pleading before a memorandum of the filing date of the
4 pleading for the appearance docket is made.