

In the Iowa Supreme Court

**In the Matter of Private Retention
of Court Reporters in Civil Cases**

Order

On January 6, 2010, the Iowa Supreme Court issued an order that adopted recommendations of the district chief judges regarding the use of private court reporters in civil cases when an official court reporter was unavailable for a proceeding. The order was necessary because of the reduced number of court reporters and the need to concentrate court resources on high-priority cases, which the chief judges anticipated may result in a court reporter not being available to record a hearing or trial in a nonpriority civil case. To avoid delays or postponements that might result from a court reporter being unavailable, the court authorized a process designed to enable parties in civil cases to retain a private certified court reporter at their own expense when the unavailability of an official court reporter threatened to delay a proceeding.

The court amended the January 6, 2010 order in a subsequent November 24, 2010 order that modified the original process adopted by the court. A May 1, 2023 order further amended the process by changing the compensation of court reporters retained under the process created in the January 6, 2010 order.

The reasons for issuing the original January 6, 2010 order continue to be relevant to the operation of the Iowa District Courts; however, in order to consolidate the procedures, the court rescinds all three orders and adopts the following provisions that will apply when a civil case has been scheduled for a trial or hearing and a court reporter is unavailable:

1. With the consent of all parties and the judge assigned to any civil case, one or more parties may retain a private certified court reporter at their own initial expense to report any proceeding.
2. If the parties cannot agree to the use of a private certified court reporter, the hearing or trial may proceed if one party is willing to retain a court reporter


at its own expense; the court will, however, assess the fee authorized by Iowa Code section 625.8(2) against the other party or proportionately among the other parties who did not contribute to the expense of the court reporter.

3. The party or parties retaining the private certified court reporter must make arrangements with the reporter before the proceeding to be reported for payment of the reporter's fees and travel expenses and must place the arrangement in the record. The fees for retaining a private certified court reporter under this procedure must not exceed \$334 per day or \$167 per half day. The judicial branch will reimburse mileage expenses at the rate set by the court for official judicial branch duties pursuant to Iowa Court Rule 22.18(2).

4. At the end of each reported proceeding, the reporter must file the official notes with the clerk of court and must comply with the requirements of Iowa Rule of Civil Procedure 1.903. If requested to transcribe the official notes, the reporter may charge those amounts set forth in Iowa Court Rule 22.28.

Dated this 21st day of July 2023.

The Iowa Supreme Court

By: 

Susan Larson Christensen, Chief Justice