

IN THE FIFTH JUDICIAL DISTRICT OF IOWA

IN RE: REQUESTS FOR DAILY
COPY DURING TRIALS

ADMINISTRATIVE ORDER 2023-35

Trial counsel will often request that the official court reporter assigned for the trial provide a transcript of each day's proceedings. The resulting transcript is commonly known as "daily copy." While the use of daily copy is often beneficial in assisting in preparation for examination of witnesses during trial and other forms of trial preparation, it is a labor-intensive project that would require the reporter to work after regular work hours. Such requests have become problematic recently, with the current shortage of court reporters in the Fifth Judicial District and the resulting lack of "desk time" for court reporters to work on other tasks, such as exhibit maintenance orders and transcripts. In order to provide a consistent protocol throughout the district by which requests for daily copy is made, the following is ordered:

1. A request for daily copy during a trial should be directed to the assigned trial judge, not the official court reporter. The judge shall confer with the court reporter, who will be given the opportunity to agree to provide daily copy, refuse the request or provide an alternative to daily copy via technology such as real-time reporting. Any request for daily copy should be made no later than the time of the final pretrial conference, or ten (10) days prior to trial if a final pretrial conference has not been scheduled.

2. If the court reporter is not willing or unable to provide daily copy, that decision should be communicated by the trial judge to counsel. In the event counsel still wishes to utilize daily copy, an official court reporter would be considered unavailable

for the trial, and the provisions of the supervisory order entered by the Iowa Supreme Court on July 21, 2023, regarding the use of private court reporters would be applicable. If a private court reporter is not able to be retained, trial would be reported by an official court reporter and would proceed without daily copy, subject to trial being bumped depending on the other cases going to trial and the overall availability of official court reporters.

3. Any requests for daily copy, unedited or real-time transcripts during trial shall be otherwise governed by Iowa Court Rule 22.28.

Dated this 30th day of October, 2023.



MICHAEL D. HUPPERT, CHIEF JUDGE
FIFTH JUDICIAL DISTRICT OF IOWA

Copies to:
Chief Justice Susan Christensen, Iowa Supreme Court
Liaison Justice Edward Mansfield, Iowa Supreme Court
State Court Administrator, Bob Gast
Fifth Judicial District Judges, Staff and Stakeholders
Polk County Bar Association
Iowa State Bar Association

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