

PART 2  
OTHER PROCEEDINGS

**602.2201 Impeachment.**

Judicial officers may be removed from office by impeachment pursuant to [chapter 68. 83 Acts, ch 186, §3201, 10201](#)

PART 3  
APPOINTMENTS — DELAY

**602.2301 Judicial officer appointment — delay.**

1. Notwithstanding [section 46.12](#), the chief justice may order the state commissioner of elections to delay, for budgetary reasons, the sending of a notification to the proper judicial nominating commission that a vacancy in the supreme court, court of appeals, or district court has occurred or will occur.

2. Notwithstanding [sections 602.6304, 602.7103B, and 633.20B](#), the chief justice may order the state commissioner of elections to delay, for budgetary reasons, the sending of a notification to the governor that a vacancy in the office of district associate judge, associate juvenile judge, or associate probate judge has occurred or will occur.

3. Notwithstanding [section 602.6403, subsection 3](#), if a magistrate position is vacant due to a death, resignation, retirement, an increase in the number of positions authorized, or to the removal of a magistrate, the chief justice may order any county magistrate appointing commission to delay, for budgetary reasons, the appointment of a magistrate to serve the remainder of an unexpired term.

4. Any delay authorized by the chief justice pursuant to [this section](#) shall not exceed one year in duration, and not more than eight delays authorized by the chief justice shall be in effect at any one time.

[2011 Acts, ch 78, §2; 2022 Acts, ch 1033, §3](#)

Subsection 2 amended

ARTICLE 3  
CERTIFICATION AND REGULATION  
OF SHORTHAND REPORTERS

Referred to in [§272C.1, 602.1209, 602.1511, 602.6603, 602.11101](#)

PART 1  
CERTIFICATION

**602.3101 Board of examiners.**

1. A five-member board of examiners of shorthand reporters is established, consisting of three certified shorthand reporters and two persons who are not certified shorthand reporters and who shall represent the general public. Members shall be appointed by the supreme court. A certified member shall be actively engaged in the practice of certified shorthand reporting and shall have been so engaged for five years preceding appointment, the last two of which shall have been in Iowa. Professional associations or societies composed of certified shorthand reporters may recommend the names of potential board members to the supreme court, but the supreme court is not bound by the recommendations. A board member shall not be required to be a member of a professional association or society composed of certified shorthand reporters.

2. The supreme court shall appoint the administrator of the board.

3. The supreme court shall supervise the board and may review, approve, modify, or reject

any board action, procedure, or decision. The supreme court may adopt rules to implement this subsection.

83 Acts, ch 186, §4101, 10201; 2006 Acts, ch 1129, §4; 2010 Acts, ch 1159, §8; 2017 Acts, ch 133, §6

**602.3102 Terms of office.**

Appointments shall be for three-year terms and each term shall commence on July 1 of the year in which the appointment is made. Vacancies shall be filled for the unexpired term by appointment by the supreme court. Members shall serve a maximum of three terms or nine years, whichever is less.

83 Acts, ch 186, §4102, 10201

**602.3103 Public members.**

The public members of the board may participate in administrative, clerical, or ministerial functions incident to giving the examination, but shall not determine the content of the examination or determine the correctness of the answers.

83 Acts, ch 186, §4103, 10201

**602.3104 Meetings.**

The board of examiners shall fix stated times for the examination of the candidates and shall hold at least one meeting each year at the seat of government. A majority of the members of the board constitutes a quorum.

83 Acts, ch 186, §4104, 10201

**602.3105 Applications.**

Applications for certification shall be on forms prescribed and furnished by the board and the board shall not require that the application contain a photograph of the applicant. An applicant shall not be denied certification because of age, citizenship, sex, race, religion, marital status, or national origin although the application may require citizenship information. Character references may be required, but shall not be obtained from certified shorthand reporters.

83 Acts, ch 186, §4105, 10201; 89 Acts, ch 296, §80; 2015 Acts, ch 84, §1

**602.3106 Fees — appropriation.**

1. The supreme court shall set the fee for certification examinations. The fee shall be based on the annual cost of administering the examinations and upon the administrative costs of sustaining the board, which shall include but shall not be limited to the cost for per diem, expenses, and travel for board members, and office facilities, supplies, and equipment.

2. The fees collected are appropriated to the judicial branch and shall be used to offset the expenses of the board, including the costs of administering the examination.

83 Acts, ch 186, §4106, 10201; 93 Acts, ch 85, §3; 2013 Acts, ch 45, §1

**602.3107 Examinations.**

The board may administer as many examinations per year as necessary, but shall administer at least one examination per year. The scope of the examinations and the methods of procedure shall be prescribed by the board. A written examination may be conducted by representatives of the board. Examinations in theory shall be in writing and the identity of the person taking the examination shall be concealed until after the examination papers have been graded. For examinations in practice, the identity of the person taking the examination also shall be concealed as far as possible. Applicants who fail the examination once may take the examination at the next scheduled time. Thereafter, the applicant may be allowed to take the examination at the discretion of the board. An applicant who has failed the examination may request in writing information from the board concerning the examination grade and subject areas or questions which the applicant failed to answer correctly, and the board shall provide the information. However, if the board administers a uniform, standardized

examination, the board is only required to provide the examination grade and other information concerning the applicant's examination results that is available to the board.

[83 Acts, ch 186, §4107, 10201](#)

#### **602.3108 Certification.**

The board may issue a certificate to a person of good moral character and fitness who makes application on a form prescribed and furnished by the board and who satisfies the education, experience, and examination requirements of [this article](#) and rules prescribed by the supreme court pursuant to [this article](#). The board may consider the applicant's past record of any felony conviction and the applicant's past record of disciplinary action with respect to certification as a shorthand reporter in any jurisdiction. The board may deny certification if the board finds the applicant has committed any of the acts listed in [section 602.3203](#) or has made a false statement of material fact on the application for certification.

[2015 Acts, ch 84, §2](#)

## PART 2 REGULATION

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

A person shall not engage in the profession of shorthand reporting unless the person is certified pursuant to [this chapter](#), or otherwise exempted pursuant to [section 602.6603, subsection 4](#). Only a person who is certified by the board may assume the title of certified shorthand reporter, or use the abbreviation C.S.R., or any words, letters, or figures to indicate that the person is a certified shorthand reporter.

[83 Acts, ch 186, §4201, 10201; 89 Acts, ch 296, §81](#)

#### **602.3202 Transcript fee.**

Certified shorthand reporters are entitled to receive compensation for transcribing their official notes as set by rule of the supreme court, to be paid for in all cases by the party ordering the transcription.

[83 Acts, ch 186, §4202, 10201](#)

Referred to in [§602.1502](#)

Fees; see [R.App.P. 6.803\(4\), \(5\)](#)

#### **602.3203 Revocation or suspension.**

A certification may be revoked or suspended if the person is guilty of any of the following acts or offenses:

1. Fraud in procuring a license.
2. Professional incompetency.
3. Knowingly making misleading, deceptive, untrue, or fraudulent representations in the practice of shorthand reporting, or engaging in unethical conduct or in a practice that is harmful or detrimental to the public. Proof of actual injury need not be established.
4. Habitual intoxication or addiction to the use of drugs.
5. Conviction of a felony. A copy of the record of conviction or plea of guilty is conclusive evidence.
6. Fraud in representations relating to skill or ability.
7. Use of untruthful or improbable statements in advertisements.
8. Noncompliance with [section 602.3204](#).

[83 Acts, ch 186, §4203, 10201; 89 Acts, ch 296, §82; 2015 Acts, ch 84, §3](#)

Referred to in [§272C.3, 272C.4, 602.3108, 602.3205](#)

#### **602.3204 Transcript integrity.**

A certified shorthand reporter taking a deposition, or any other person with whom the certified shorthand reporter has a principal-agent or employer-employee relationship, shall not enter into an agreement for reporting services that requires the certified shorthand

reporter to relinquish control of an original deposition transcript and copies of the transcript before it is certified and delivered to the custodial attorney.

[2015 Acts, ch 84, §4](#)

Referred to in [§602.3203](#)

**602.3205 Audio recordings.**

1. Except as provided in [subsection 2 or 3](#), a certified shorthand reporter's audio recordings used solely for the purpose of providing a verbatim written transcript of a court proceeding or a proceeding conducted in anticipation of use in a court proceeding shall be considered the personal property and private work product of the certified shorthand reporter.

2. An audio recording of a certified shorthand reporter appointed under [section 602.6603](#) shall be provided to the presiding judge or chief judge for an in camera review upon court order for good cause shown.

3. *a.* An audio recording of a certified shorthand reporter shall be provided to the board upon request by the board if a disciplinary proceeding is pending regarding the certified shorthand reporter who is a respondent under the provisions of [section 602.3203](#) or the rules of the board of examiners of shorthand reporters, [Iowa court rules, ch. 46](#).

*b.* The audio recordings provided to the board pursuant to [this subsection](#) shall be kept confidential by the board in a manner as provided in [section 272C.6, subsection 4](#).

[2015 Acts, ch 84, §5; 2015 Acts, ch 138, §47, 161, 162](#)

**602.3206 Exempt status.**

If a person's certification as a shorthand reporter is placed in exempt status, the person may transcribe or certify a proceeding the person reported while certified as an active shorthand reporter. A person transcribing or certifying a proceeding pursuant to [this section](#) shall remain subject to the jurisdiction of the board of examiners of shorthand reporters.

[2017 Acts, ch 133, §7](#)

PART 3

PENAL PROVISIONS

**602.3301 Misuse of confidential information — penalty.**

1. A member of the board shall not disclose information relating to the following:

*a.* Criminal history or prior misconduct of the applicant.

*b.* The contents of the examination.

*c.* Examination results other than final scores except for information about the results of an examination which is given to the person who took the examination.

2. A member of the board who willfully communicates or seeks to communicate information referred to in [subsection 1](#), or a person who willfully requests, obtains, or seeks to obtain information referred to in [subsection 1](#), is guilty of a simple misdemeanor.

[83 Acts, ch 186, §4301, 10201](#)

**602.3302 Violations punished.**

A person who violates any provision of [this article](#) is guilty of a simple misdemeanor.

[83 Acts, ch 186, §4302, 10201](#)