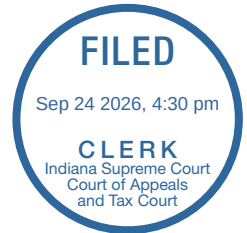


In the
Indiana Supreme Court

In the Matter of the Approval of Local Rules
for Elkhart County

Supreme Court Case No.
26S-MS-337



Order Approving Amended Local Rule

The Judges of the Elkhart Circuit and Superior Courts request revalidation of their current caseload allocation plan in accordance with Administrative Rule 1(E) and to amend their court reporter services rule in accordance with Administrative Rule 15. Attached to this Order is the proposed amended local rule.

Upon examination of the request to revalidate the current caseload allocation plan and the proposed amendments by the Elkhart Circuit and Superior Courts, this Court finds that the caseload allocation plan complies with the requirements of Administrative Rule 1(E) and the proposed amendments to LR20-AR15-110 comply with Administrative Rule 15, and, accordingly, should be approved.

IT IS, THEREFORE, ORDERED that the caseload allocation plan is revalidated and amended Local Rule, LR20-AR15-110, is approved, effective January 1, 2027.

Done at Indianapolis, Indiana, on 9/24/2026.

A handwritten signature in black ink, appearing to read "Loretta H. Rush", written over a horizontal line.

Loretta H. Rush
Chief Justice of Indiana

Rule LR20-AR15-110. Court Reporter

Court reporter services in the Elkhart County Courts shall be governed by the following local rule.

110.1. Definitions:

- A. "Court Reporter" is a person who is specifically designated by a court to perform the official court reporting services for the Court including preparing a transcript of the record.
- B. "Equipment" means all physical items owned by the Court or other governmental entity and used by a court reporter in performing court reporting services. Equipment shall include, but not be limited to, telephones, computer hardware, software programs, disks, tapes and any other device used for recording and storing and transcribing electronic data.
- C. "Workspace" means that portion of the Court's facilities dedicated to each court reporter, including but not limited to actual space in the courtroom and any designated office space.
- D. "Page" means the page unit of a transcript which results when a recording is transcribed in the form required by Indiana Rule of Appellate Procedure 28.
- E. "Recording" means the electronic, mechanical, stenographic or other recording made as required by Indiana Rule of Trial Procedure 74.
- F. "Regular hours" worked means those hours which the Court is regularly scheduled to work during any given work week. Elkhart County's required work hours are 36 per week.
- G. "Gap hours" worked means those hours worked that are in excess of the regular hours worked but hours not in excess of forty (40) hours per work week.
- H. "Overtime hours" worked mean those hours worked in excess of forty (40) hours per work week.
- I. "Work week" means a five (5) consecutive day week that consistently begins on the same days throughout the year; ie. Monday through Friday.
- J. "Court" means the particular court for which the court reporter performs services. Court may also mean a group of courts, i.e., county courts.
- K. "County indigent transcript" means a transcript that is paid for from county funds and is for the use on behalf of a litigant who has been declared indigent by a court.
- L. "State indigent transcript" means a transcript that is paid for from state funds and is for the use on behalf of a litigant who has been declared indigent by a court.
- M. "Private transcript" means a transcript, including but not limited to a deposition transcript that is paid for by a private party.

110.2. Salaries, Per Page Fees, Other Court Reporter Coverage, Private Court Reporting Services, and Annual Reporting Requirement.

- A. A court reporter shall be paid an annual salary for time spent working under the control, direction, and direct supervision of the court during all regular work hours, gap hours, or overtime hours.
- B. The amount of the annual salary of each court reporter shall be set by each court subject to the approval of the Elkhart County Council.
- C. The annual salary paid to the court reporter shall be for a fixed scheduled 36 regular working hours per week.
- D. In the event that a court reporter must work more than their normal 36-hour work week, a court reporter shall be entitled to additional compensation beyond their regular pay under one of the two options below:
 - a. Gap hours shall be paid in an amount equal to the hourly rate of the annual salary; and overtime hours shall be paid in the amount of 1.5 times the hourly rate of the annual salary; or
 - b. Compensatory time off from regular work hours shall be given in the amount equal to the number of gap hours worked; and compensatory time off from regular work hours shall be given in the amount of 1.5 times the number of overtime hours worked.
- E. The court reporter may charge \$5.00 per page for non-expedited county and state indigent transcripts with a minimum fee of \$35.00. The court reporter shall submit directly to the county a claim for the preparation of a county indigent transcript.
- F. The court reporter may charge \$5.50 per page for non-expedited private transcripts with a minimum fee of \$35.00.
- G. The court reporter may charge \$7.50 per page for any expedited (within seven business days) transcript, rough draft transcript, or daily copy transcript with a minimum fee of \$35.00.
- H. The court reporter may charge \$3.00 per page for any duplicate copy of a transcript with a minimum fee of \$35.00.
- I. An additional labor charge approximating the hourly rate based upon the court reporter's annual court compensation may be charged for the time spent binding the transcript and exhibits, or this may be done during regular work hours.
- J. A court reporter may, at the request of another official court reporter, agree to prepare court proceedings of another court, so long as the other court approves such a request. Such preparation shall not be done on county compensated work time.
- K. The court or the official court reporter may elect to utilize a private court reporting service to complete, or assist with the completion of, any county indigent, state indigent, or private transcript, so long as it is approved by the supervising judge, and it conforms with all applicable state and local statutes, rules and regulations.

L. The court reporter shall report on an annual basis to the Indiana Supreme Court-Indiana Office of Judicial Administration (IOJA) all transcript fees, whether county indigent, state indigent, or private, received by the court reporter.

M. The preparation of any transcript for payment shall not be performed during regular work hours, including but not limited to transcribing, copying, or other functions related to the compilation of the transcript, with exception of the time spent binding the transcript and exhibits as noted in sub-section I.

110.3. Private Practice

A. If a court reporter elects to engage in private practice through the recording of a deposition and/or preparing of a deposition transcript, and the court reporter desires to utilize the court's equipment, work space and supplies, and the court agrees to the use of the court equipment for such purpose, the court and the court reporter shall enter into a written agreement which must, at a minimum, designate the following:

- 1) The reasonable market rate for the use of equipment, workspace, and supplies
- 2) The method by which records are to be kept for the use of equipment, workspace, and supplies.
- 3) The method by which the court reporter is to reimburse the court for the use of the equipment, workspace, and supplies.

B. If a court reporter elects to engage in private practice through the recording of a deposition and/or preparing of a deposition transcript, all such private practice work shall be conducted outside of regular working hours.