In the
Indiana Supreme Court

FILED
Aug 21 2015, 2:52 pm
CLERK
of the supreme court, court of appeals and tax court

IN THE MATTER OF THE	)	
	)	
APPROVAL OF LOCAL RULES	)	Case No. 74S00-1508-MS-494
	)	
FOR SPENCER COUNTY	)	

ORDER APPROVING AMENDED LOCAL RULE

The Judge of the Spencer Circuit Court, Judge Jonathan A. Dartt, requests the approval of an amended local rule for court reporter services in accordance with Indiana Administrative Rule 15. Attached to this Order is the proposed amended local rule.

Upon examination of the proposed rule amendment requested by the Spencer Circuit Court, this Court finds that the proposed rule amendment, LR74-AR00-1 complies with the requirements of Indiana Administrative Rule 15, and, accordingly, should be approved.

IT IS, THEREFORE, ORDERED by this Court that amended Local Rule LR74-AR00-1 for Spencer Circuit Court, set forth as an attachment to this Order, is approved effective September 1, 2015.

DONE at Indianapolis, Indiana, on 8/21/2015.

Brent E. Dickson
Acting Chief Justice of Indiana

LR74-AR00-1 Court Reporter Services

SECTION ONE - DEFINITIONS: The following definitions shall apply under this local rule:

1. 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.

2. **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, storing and transcribing electronic data.

3. **Work Space** 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.

4. **Page** means the page unit of transcript that results when a recording is transcribed in the form required by Indiana rule of Appellate Procedure 7.2.

5. **Recording** means the electronic, mechanical, stenographic or other recording made as required by Indiana Rule of Trial Procedure 74.

6. **Regular Hours Worked** means those hours that the court is regularly scheduled to work during any given workweek. Depending on the particular court, these hours may vary from court to court within the county but remains the same for each workweek.

7. **Gap Hours Worked** means those hours worked that are in excess of the regular hours worked but hours not in excess of forty hours per week.

8. **Overtime Hours Worked** means those hours worked that are in excess of forty hours per workweek.

9. **Work Week** means a seven consecutive day week that consistently begins and ends on the same days throughout the year; i.e. Sunday through Saturday, Wednesday through Tuesday, Friday through Thursday.

10. **Court** means the particular court for which the court reporter performs services. Court may also mean all of the courts in Spencer County.

11. **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.

12. **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.

13. **Private Transcript** means a transcript, including but not limited to a deposition transcript that is paid for by a private party.

14. **Expedited transcript** means a transcript prepared in 10 days or less.

SECTION TWO – SALARIES AND PER PAGE FEES

1. Court Reporters shall be paid an annual salary for time spent working under the control, direction and direct supervision of their supervising court during any regular work hours, gap hours or overtime hours. The supervising court shall enter into a written agreement with the court reporters which outlines the manner in which the court reporter is to be compensated for gap and overtime hours, i.e. monetary compensation or compensatory time off regular work hours.

2. The maximum per page fee a court reporter may charge for the preparation of a county or state indigent transcript shall be $4.50 ($5.00 if headers are included by the reporter); the court reporter shall submit a claim directly to the county for the preparation of any county indigent transcripts. If a court reporter agrees to a request for an expedited transcript, a court reporter may charge an additional $2.00 per page.

3. The maximum per page fee a court reporter may charge for the preparation of a private transcript shall be $4.50 ($5.00 if headers are included by the reporter). If a court reporter agrees to a request for an expedited transcript, a court reporter may charge an additional $2.00 per page.

4. The maximum per page fee a court reporter may charge for the copy of a transcript, including exhibits, is $2.00. The charge of a transcript provided in an electronic format shall also be $2.00 per page.

5. Each court reporter shall report, at least on an annual basis, all transcript fees received for the preparation of county indigent, state indigent or private transcripts to the Indiana Supreme Court Division of State Court Administration. The reporting shall be made on forms prescribed by the Division of State Court Administration.

6. Court Reporters shall be allowed to charge a minimum fee of $35.00 per transcript.

7. Court Reporters may charge an additional charge for labor performed in time spent in binding the transcript and the exhibit binders. The additional charge shall be at the hourly rate based upon the court reporter's annual court compensation.

8. Court Reporters may charge a reasonable amount of the office supplies required and utilized for the binding and electronic transmission of the transcript. The costs of these supplies shall be the amount that was paid for these items as a reimbursement to the Court Reporter.

SECTION THREE – PRIVATE PRACTICE

1. 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:

    a. The reasonable market rate for the use of equipment, workspace and supplies.

    b. The method by which records are to be kept for the use of equipment, work space and supplies, and

    c. The method by which the court reporter is to reimburse the court for the use of the equipment, workspace and supplies.

2. 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.

(Amended effective September 1, 2015)