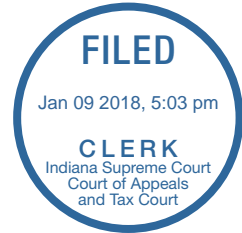


In the
Indiana Supreme Court



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

Supreme Court Case No.
18S-MS-17

Order Approving Amended Local Rule

The Judge of the Parke Circuit Court 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 Parke Circuit Court, this Court finds that the proposed rule amendment, Local Rule 11 at LR61-AD0001-AD-11.1, 11.2, and 11.3 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 11 at LR61-AD0001-AD-11.1, 11.2, and 11.3 for Parke Circuit Court, set forth as an attachment to this Order, is approved effective the date of this Order.

Done at Indianapolis, Indiana, on 1/9/2018.

A handwritten signature in black ink that reads "Loretta H. Rush".

Loretta H. Rush
Chief Justice of Indiana

LOCAL RULE 11
COURT REPORTERS
(LR61-AD001-AD-11.1, 11.2, 11.3)

11.1 DEFINITIONS. The following definitions shall apply under this local rule:

- (1) **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 and 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 which 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 which the court is regularly scheduled to work during any given work week. Depending on the particular court, these hours may vary from court to court within the county but remain the same for each work week.
- (7) **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.
- (8) **OVERTIME HOURS WORKED** means those hours worked in excess of forty (40) hours per work week.
- (9) **WORK WEEK** means a seven (7) 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 Parke 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.

11.2 **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 indigent transcript shall be \$4.50, plus \$25.00 per hour for compiling, indexing exhibits and compiling table of contents; the court reporter shall submit a claim directly to the county for the preparation of any county indigent transcripts.
- (3) The maximum per page fee a court reporter may charge for the preparation of a state indigent transcript shall be \$4.50, plus \$25.00 per hour for compiling, indexing exhibits and compiling table of contents.
- (4) The maximum per page fee a court reporter may charge for the preparation of a private transcript shall be \$4.50, plus \$25.00 per hour for compiling, indexing exhibits and compiling table of contents.
- (5) A maximum per page fee for an expedited transcript shall be set at \$8.50 per page. If the court reporter is requested to prepare an expedited transcript, the maximum per page fee shall be \$8.50 where the transcript must be prepared within 24 hours or less; \$7.00 where the transcript must be prepared within seven working days.

- (6) Each court reporter shall report, at least on an annual basis, all transcript fees received for the preparation of either 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.
- (7) The Court Reporter will not charge a fee for a copy of a state or county indigent transcript.
- (8) The charge for a copy of a private transcript will be \$2.00 per page payable to the Treasurer of Parke County to be deposited in the County General Fund.

11.3 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 transcripts, and the court reporter desires to utilize the court's equipment, work space and supplies, the court agrees to the use of the court equipment for such purposes, the court and 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, work space 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, work space 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 January 10, 2018)