FILED
MAR 28 2010

In the
Indiana Supreme Court

IN THE MATTER OF THE	)	
	)	
APPROVAL OF LOCAL RULES	)	Case No. 30S00-1003-MS- 159
	)	
FOR HANCOCK COUNTY	)	

ORDER APPROVING AMENDED LOCAL RULE

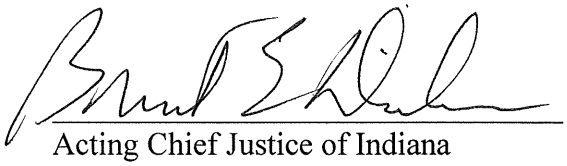
The Judges of the Hancock Circuit and Superior Courts request the approval of an amended local rule for court reporter services in accordance with Ind. Administrative Rule 15. Attached to this Order is the proposed amended local rule.

Upon examination of the proposed rule amendment requested by the Hancock Circuit and Superior Courts, this Court finds that the proposed rule amendment, LR30-AR15-1 complies with the requirements of Ind. Administrative Rule 15, and, accordingly, should be approved and posted in the county clerk's office(s) and on the county clerk's website, if any, and on the Indiana Judicial Website prior to taking effect on April 1, 2010.

IT IS, THEREFORE, ORDERED by this Court that amended Local Rule LR30-AR15-1 for Hancock County Courts, set forth as an attachment to this Order, is approved effective April 1, 2010. The Clerk of this Court is further directed to forward a copy of this Order to the Hon. Richard D. Culver, Hancock Circuit Court, 9 East Main Street, #302, Greenfield, IN 46140-2320; the Hon. Terry K. Snow, Hancock Superior Court 1, 9 East Main Street, #303, Greenfield, IN 46140-2320; the Hon. Dan E. Marshall, Hancock Superior Court 2, 9 East Main Street, #106, Greenfield, IN 46140-2320; to the Clerk of the Hancock Circuit Court; and to the Division of State Court Administration. The Clerk is also directed to post this Order on the Court's website.

The Clerk of the Hancock Circuit Court is directed to enter this Order and attachment in the Record of Judgments and Orders for the Courts, to post this Order and attachment for examination by the Bar and the general public, and if available, to publish this Order and attachment on the county clerk's website prior to April 1, 2010.

DONE at Indianapolis, Indiana, this 28th day of March, 2010.



Acting Chief Justice of Indiana

LR 30-AR15-1 Court Reporter Services

Section 1 - Definitions

The definitions contained in Administrative Rule 15(B) are adopted for use in this rule and control any question of interpretation. For the purposes of this rule, the regular hours worked by the court reporting staff shall be Monday through Friday from 8:00 a.m. until 4:00 p.m. with one hour for the noon meal. The workweek shall be a seven-day period commencing with Sunday and ending with the Saturday of each week and contain thirty-five hours for which salaried compensation is paid.

Section 2 - Compensation

A court reporter shall work directly under the control, direction and direct supervision of the court by which they are employed during all hours of employment. Each court reporter shall be paid an annual salary, as set by the court and approved by the county council, for regular hours worked during a workweek. Gap hours shall be separately compensated at a rate equivalent to the hourly rate of the yearly salary and overtime hours shall be separately compensated at a rate equivalent to one and one-half times the hourly rate of the yearly salary.

Section 3 - Duties and Responsibilities

The duties of a court reporter shall include:

a. reporting the evidence presented in proceedings before the court,

b. preservation and storage of any physical evidence presented in court proceedings,

c. preparation of chronological case summary entries at the direction of the court and providing notice thereof as required by the rules of trial procedure,

d. preparation of written documents to effectuate the rulings, orders and judgments of the court or comply with the rules of the Indiana supreme court,

e. preparation of transcripts of evidence presented in court proceedings requested pursuant to the rules of trial procedure and

f. such other functions and responsibilities as required by law or the court for its effective administration.

Section 4 - Transcript Preparation

A reporter shall prepare transcripts of evidence only during regular hours unless requested or ordered to do so by the court, the Indiana Court of Appeals or the Indiana Supreme Court. If a transcript cannot be completed during regular hours due to applicable appellate deadlines, the reporter shall receive additional salary as follows: gap hours shall be paid in the amount equal to the hourly rate of the annual salary, overtime hours shall be paid in the amount of one and one-half times the hourly rate of the annual salary; or compensatory time off shall be given weighted in the same manner. The manner of the provision of such additional salary or time off shall be determined by a written agreement to be freely negotiated and executed between the court and the reporter.

Section 5 - Private Practice

A reporter may elect to engage in the private practice of court reporting, i.e., the recording of and preparation of deposition transcripts; but such activity, regardless of whether the deposition concerns a cause pending before the court, shall be conducted outside of regular hours. If a reporter, in exercise of such private practice, utilizes, with the consent of the court, its facilities, equipment and/or supplies, the reporter shall reimburse the court for such usage pursuant to a written agreement between the court and reporter. Such agreement shall establish the:

a. reasonable market rate for the use of the equipment, facilities and supplies,
b. method by which records are kept for the use of the same and
c. method by which the reporter shall reimburse the court for such usage.

Section 6 - Maximum per Page Fees

The reporter shall not charge more than the following rates per page:

a. Private practice work:

Depositions taken by private counsel:
$**4.00** for originals and $2.25 for copies
Depositions taken by pauper counsel:
$**3.50** for originals and $2.00 for copies

b. Private transcripts of evidence

Cases with private counsel:
$**5.25** for originals and $2.85 for copies
Cases with pauper counsel:
$**4.25** for originals and $2.00 for copies

Section 7 - Annual Report

A court reporter shall annually report all transcript and deposition fees received to the Office of State Court Administration on such forms as may be prescribed.