

In the
Indiana Supreme Court

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

Supreme Court Case No.
24S-MS-309



Order Approving Amended Local Rules

The Judges of the Whitley Circuit and Superior Courts request revalidation of their current caseload allocation plan in accordance with Indiana 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 rule amendments by the Whitley Circuit and Superior Courts, this Court finds that the caseload allocation plan complies with the requirements of Administrative Rule 1(E), and the proposed rule amendments to LR92-AR15-6 comply with Administrative Rule 15, and, accordingly, should be approved.

IT IS, THEREFORE, ORDERED by this Court that the caseload allocation plan is revalidated and amended Local Rule, LR92-AR15-6, is approved, effective January 1, 2025.

Done at Indianapolis, Indiana, on 9/9/2024.

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

Loretta H. Rush
Chief Justice of Indiana

LR92-AR15-6 COURT REPORTER SERVICES

Section One. Definitions.

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 and storing 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 Rules of Appellate Procedure 7.2.
5. “Recording” means the electronic, mechanical, stenographic or other recording made as required by Indiana Rules 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 are 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 Whitley County.
11. “County indigent transcript” means a transcript that is paid for from county funds and is for 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 use on behalf of a litigant who has been declared indigent by the court.
13. “Private transcript” means a transcript, including but not limited to, a deposition transcript that is paid for by a private party.

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. The Whitley County Employee Handbook shall govern these issues unless later modified by the supervising court.
2. The per-page fee a court reporter may charge for the preparation of a county indigent transcript shall be \$6.00. If a court reporter is requested to prepare an expedited transcript, the maximum per page fee shall be no less than \$9.00 where the transcript must be prepared within ten (10) working days. However, this would be by approval of the presiding Judge. The court reporter shall submit a claim directly to the county for the preparation of any county indigent transcript. Charge to copy transcript for an indigent shall be \$1.00 per page.
3. The per page fee a court reporter may charge for the preparation of a state indigent transcript shall be \$6.00. If a court reporter is requested to prepare an expedited transcript, the maximum per page fee shall be no less than \$9.00 where the transcript must be prepared within ten (10) working days. However, this would be by approval of the presiding Judge. Charge to copy transcript for a state indigent transcript would be \$1.00 per page.
4. The per page fee a court reporter may charge for the preparation of a private transcript shall be \$6.00. If a court reporter is requested to prepare an expedited transcript, the maximum per page fee shall be no less than \$9.00 where the transcript must be prepared within ten (10) working days. However, this would be by approval of the presiding Judge. The charge to copy transcript for a private transcript would be \$1.25.
5. 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 Office of Court Services. The reporting shall be made on forms prescribed by the Indiana Office of Court Services.

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, work space and supplies shall be 25 cents per page.
 - b. The method by which records are to be kept for the use of equipment, work space

and supplies shall be a written document between the court and the individual court reporter.

- c. The method by which the court reporter is to reimburse the court for the use of the equipment, work space and supplies shall be on an annual basis.
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.