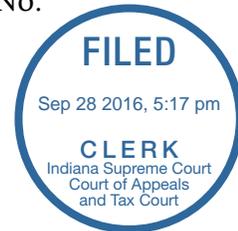


In the
Indiana Supreme Court

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

Supreme Court Case No.
46S00-1609-MS-508



Order Approving Amended Local Rule

The Judges of the LaPorte Circuit and Superior Courts request 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 LaPorte Circuit and Superior Courts, this Court finds that the proposed rule amendment, LR46-AR15-3 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 LR46-AR15-3 for LaPorte Circuit and Superior Courts, set forth as an attachment to this Order, is approved effective October 1, 2016.

Done at Indianapolis, Indiana, on 9/28/2016.

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

Loretta H. Rush
Chief Justice of Indiana

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 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, 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 and shall include, but not be 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 are 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.
- (11) *County indigent transcript* means a transcript that is paid for from county funds and is to be used 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 to be used 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 transcripts* are those which are requested to be completed within five (5) days.

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.
- (2) The maximum per page fee a court reporter may charge for the preparation of a county or state indigent transcript shall be a regular page rate of \$4.50 per page; \$4.75 per page, appellate page rate; and an expedited rate of \$7.00 per page for expedited transcripts.
- (3) The maximum per page fee a court reporter may charge for the preparation of a private transcript shall be a regular page rate of \$5.00 per page; \$5.25 per page, appellate page rate; and an expedited rate of \$8.00 per page for expedited transcripts.
- (4) A minimum fee of \$50.00 shall be required for any transcript ordered. (This includes county and state indigent transcripts).
- (5) An additional labor charge approximating the hourly rate based upon the court reporter's annual court compensation may be charged for time spent binding the transcript and exhibit binders.
- (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.

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 fair 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 October 1, 2016.)