

CIRCUIT COURT RULE 20.29.12 - TRANSCRIPTS AND COURT REPORTING

SUPERIOR COURT RULE 17 - TRANSCRIPTS AND COURT REPORTING

In accordance with the requirements of Administrative Rule 15 of the Indiana Supreme Court, the following rule is hereby established effective April 25, 2004.

SECTION I. DEFINITIONS

1. A "Court Reporter" is a person who is specifically designated by the 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, tapes 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 Court Room and any 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 trial Procedure 74.
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" mean those hours worked that are in excess of the regular hours worked, but not hours in excess of forty (40) hours per week.
8. "Overtime hours worked" mean those hours worked in excess of forty (40) 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 Dearborn 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.

SECTION II. SALARIES AND 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 Reporter 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 of regular work hours).
2. INDIGENT TRANSCRIPTS (County and State)
 - A. Court Reporters shall not be entitled to bill another governmental entity, body or administrative office for the preparation of any indigent transcript except for claims for gap time or overtime compensation.
 - B. All indigent transcripts shall be prepared during the regular working hours of the Court. Preparation of said indigent transcripts are a regular task of the Court Reporter of the Circuit and Superior Courts. Should completion of said indigent transcripts require the Court Reporter to work beyond her normal working hours, then she shall be entitled to compensation for gap time and overtime in a manner agreed between the Court and the Court Reporter.
 - C. A fee of One (\$1.00) Dollar per page shall be charged for copies of indigent transcripts regardless of whether they are produced as a hard copy or on a disk.
3. PRIVATE TRANSCRIPTS

The maximum per page fee a Court Reporter may charge for the preparation of a private transcript shall be:

 - A. Four (\$4.00) Dollars per page; Two Dollars and twenty-five (\$2.25) Cents per page for a copy.
 - (1) these charges shall be the same regardless of whether the transcript is produced as a hard copy or on disk.
 - B. In some instances a retainer may be requested.
 - C. A bill shall be submitted directly to the lawyer requesting the transcript, said transcript will not be released until payment in full is received.
4. OTHER TRANSCRIPTS
 - A. In cases where a transcript is requested by a member of the public (not for trial Court or appeal purposes), the charge will be Four (\$4.00) Dollars per page; Two Dollars and twenty-five (\$2.25) Cents per page for a copy.
 - (1) These charges shall be the same regardless of whether the transcript is produced as a hard copy or on disk.
 - B. The request must be submitted in writing.
 - C. A retainer will always be requested in these instances for at least fifty (50%) percent of the estimated charge.
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 indigent transcripts to the Indiana Supreme Court Division of State Court Administration. Reporting shall be made on forms prescribed by the Division of the State Court Administration.

SECTION III. PRIVATE PRACTICE

1. If a Court Reporter elects to engage in private practice through the recording of a deposition and/or preparing of a private 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's 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.
 - B. The method by which records are to be kept for the use of equipment, work space and supplies.
 - 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 a private transcript, all such private practice work shall be conducted outside of regular working hours. The Court Reporter shall not draw a paycheck from the county for working regular Court hours and bill for private work during those same working hours.

Said fees are subject to change upon due notice and amendment of this Court Rule.

ADOPTED at Dearborn County, Indiana, this 12th day of May, 2004.

James D. Humphrey
Judge, Seventh Judicial Circuit

G. Michale Witte
Judge, Dearborn Superior Court