

In the
Indiana Supreme Court



IN THE MATTER OF THE)
)
APPROVAL OF LOCAL RULES)
)
FOR BROWN COUNTY)

Case No. 07S00-0809-MS-523

ORDER APPROVING AMENDED LOCAL RULE

The Honorable Judith A. Stewart, Judge of the Brown County Circuit Court, requests 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.

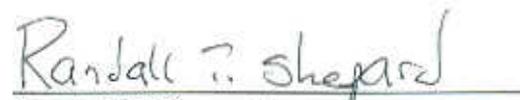
Upon examination of the proposed rule amendment requested by the Brown County Circuit Court, this Court finds that the proposed rule amendment, LR07-AR15-ADMN-15 complies with the requirements of Ind. Administrative Rule 15, and, accordingly, should be approved and posted in the county clerk's office(s) and on the county clerk's website, if any, and on the Indiana Judicial Website at least thirty (30) days prior to taking effect on January 1, 2009.

IT IS, THEREFORE, ORDERED by this Court that amended Local Rule LR07-AR15-ADMN-15 for Brown County Circuit Court, set forth as an attachment to this Order, is approved effective January 1, 2009. The Clerk of this Court is directed to post a copy of the amended rule on the Indiana Judicial Website at least thirty (30) days prior to January 1, 2009. The Clerk of this Court is further directed to forward a copy of this Order to the Hon. Judith A. Stewart, Brown Circuit Court, Courthouse, P.O. Box 85, Nashville, IN 47448-0085 and to the Clerk of the Brown County Circuit Court.

The Clerk of the Brown County 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 at least thirty (30) days prior to January 1, 2009.

DONE at Indianapolis, Indiana, this 19th day of September, 2008.



Randall T. Shepard
Chief Justice of Indiana

Local Rule 15 Relating to the Indiana Administrative Rules

07-AR15-ADMN-15 Court Reporter Services

Section One. Definitions. For purposes of this local rule, the following definitions shall apply:

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 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 and county to 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* 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 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 is 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 Two. Court Reporter; 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 court shall enter into a written agreement with the court reporters that 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 Three Dollars and Fifty Cents (\$3.50); 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 Three Dollars and Fifty Cents (\$3.50).
4. The maximum per page fee a court reporter may charge for the preparation of a private transcript shall be Four Dollars (\$4.00.)
5. The per page fee for expedited transcripts shall be \$6.00 with 24 hours notice and \$5.00 with three (3) days notice.
6. Each court reporter shall report, at least on an annual basis, all transcript fees received for the preparation of 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 the 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 a purpose, the court and the court reporter shall enter into a written agreement which must, at a minimum, designate the following:
 - I.a The reasonable market rate for the use of the equipment, work space and supplies;
 - I.b The method by which records are to be kept for the use of equipment, work space and supplies; and
 - I.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.