

In the  
Indiana Supreme Court



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

Case No. 69S00-0808-MS- 464

ORDER APPROVING AMENDED LOCAL RULE

The Judges of the Ripley 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 Ripley Circuit and Superior Courts, this Court finds that the proposed rule amendment, LR69-AR15-18 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 LR69-AR15-18 for Ripley County Courts, 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. Carl H. Taul, Ripley Circuit Court, P.O. Box 445, Versailles, IN 47042-0445; the Hon. James B. Morris, Ripley Superior Court, P.O. Box 801, Versailles, IN 47042-0801; and to the Clerk of the Ripley Circuit Court.

The Clerk of the Ripley 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 21<sup>st</sup> day of August, 2008.

Randall T. Shepard  
Randall T. Shepard  
Chief Justice of Indiana

## LR69-AR15- 18 - TRANSCRIPTS

A. 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 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, 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 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 not in excess of forty (40) hours per 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, and Friday through Thursday.
- (10) *Court* means the particular court for which the court reporter performs services. Court may also mean the court in Ripley 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.

- B. A court reporter shall be paid an annual salary for time spent working under the control, direction and direct supervision of the Court during any regular work hours, gap hours or overtime hours.
- C. A \$5.00 per page fee may be charged for county indigent transcript preparation.
- D. The court reporter shall submit directly to the county a claim for the preparation of the county indigent transcript.
- E. A \$5.00 per page fee may be charged for ~~Non-appellate~~ transcript preparation.
- F. A \$1.75 per page fee may be charged for copies of transcripts.
- G. A \$1.75 per page fee may be charged for copies of exhibits to be included in the transcript.
- H. A minimum fee of \$50.00 per transcript preparation may be charged.
- I. Index and Table of Contents pages may be charged at the per page rate of \$5.00.
- J. An additional labor charge of \$22.00 per hour may be charged for time spent binding the transcript and exhibit volumes.
- K. An expedited fee of \$6.50 per page may be charged for an expedited transcript where the transcript must be prepared within five (5) working days.
- L. A reasonable charge for the office supplies required and utilized for the binding and electronic transmission of the transcript, pursuant to Indiana Rules of Appellate Procedure 28 and 29, may be charged; the costs of these supplies will be established and published annually by the judges of the County.
- M. When a non-appellate transcript is requested, a party must make satisfactory arrangements with the court reporter for payment of the cost of the transcript. Payment for appellate transcripts shall be in accord with Appellate Rule 9 H.
- N. The court reporter shall report on an annual basis to the Indiana Supreme Court Division of State Court Administration, on forms prescribed by the Division, all transcript fees (either county indigent, state indigent or private) received by the court reporter.
- O. If a court reporter elects to engage in private practice through 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 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:
  - 1. The reasonable market rate for the use of equipment, work space and supplies;
  - 2. The method by which records are to be kept for the use of equipment, work space and supplies;
  - 3. The methods by which the court reporter is to reimburse the court for the use of equipment, work space and supplies;

P. If a court reporter elects to engage in private practice through recording a deposition and/or the preparing of a deposition transcript, that such private practice shall be conducted outside of regular working hours; and

Q. The 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., either monetary compensation or compensatory time off regular work hours.