SPENCER CIRCUIT COURT

INDEX OF LOCAL RULES

Local Rule 1 - LR74-CR00-1	Senior Judges Assigned in Criminal Cases
Local Rule 2 - LR74-TR00-1	Senior Judges Appointments under T.R. 79(H)
Local Rule 3 - LR74-AR00-1	Schedule for Court Reporter's Salaries and Private Fees for Transcripts

SPENCER CIRCUIT COURT
January 5, 2006
AMENDED LOCAL RULE # 1

LR74-CR00-1

In the event a change of judge is granted or it becomes necessary to assign another judge in a felony or misdemeanor proceeding in the Spencer Circuit Court, the case shall be assigned to one of the following individuals who have agreed to serve. The list shall be comprised of the following: the Honorable Judge of Warrick Superior Court # 2; the Honorable Judge of Dubois Circuit Court; the Honorable Judge of Dubois Superior Court; the Honorable Judge of Warrick Circuit Court; the Honorable Judge of Perry Circuit Court; and the Honorable Judge of Warrick Superior Court # 1. Appointments shall be on a consecutive order from the above list.

SPENCER CIRCUIT COURT
January 5, 2006
AMENDED LOCAL RULE # 2

LR74-TR00-1

In the event a Special Judge appointment becomes necessary under Trial Rule 79(H), the Special Judge to be appointed shall be one of the following individuals who have agreed to serve. The list shall be comprised of the following: the Honorable Judge of Warrick Superior Court # 2; the Honorable Judge of the Dubois Circuit Court; the Honorable Judge of Dubois Superior Court; the Honorable Judge of the Warrick Circuit Court; the Honorable Judge of the Perry Circuit Court; and the Honorable Judge of the Warrick Superior Court # 1. Appointments shall be on a consecutive order from the above list.

SPENCER CIRCUIT COURT
May 27, 1998
LOCAL RULE # 3

LR74-AR00-1

The undersigned court of Spencer County, Indiana hereby adopt the following local rule by which court reporter services shall be governed.

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 the record.

2. **Equipment** means all physical items owned by the court or other govern-Mental 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, 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 remains 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 hours per week.

8. **Overtime Hours Worked** means those hours worked that are in excess of forty hours per work week.

9. **Work Week** means a seven 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 Spencer 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 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.

2. The maximum per page fee a court reporter may charge for the preparation of a county indigent transcript shall be $3.00 ($3.50 if marginal notes are included by the reporter); 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 private transcript shall be $3.00 ($3.50 if marginal notes are included y the reporter).

4. The maximum per page fee a court reporter may charge for the preparation of a private transcript shall be $3.00 ($3.50 if marginal notes are included by the reporter).

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 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 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.

ADOPTED at Rockport, Spencer County, Indiana this 27th day of May, 1998.

_____

Wayne A. Roell, Judge
Spencer Circuit Court