

IC 33-41

ARTICLE 41. COURT REPORTERS

IC 33-41-1

Chapter 1. Powers and Duties

IC 33-41-1-1

Appointment and duties of official reporters

Sec. 1. (a) To facilitate and expedite the trial of causes, the judge of each circuit, superior, probate, and juvenile court of each county shall appoint an official reporter.

(b) The official reporter shall, when required by the recorder's appointing judge, do the following:

- (1) Be promptly present in the appointing judge's court.
- (2) Record the oral evidence given in all causes by any approved method, including both questions and answers.
- (3) Note all rulings of the judge concerning the admission and rejection of evidence and the objections and exceptions to the admission and rejection of evidence.
- (4) Write out the instructions of the court in jury trials.

(c) In counties in which the circuit or probate court sits as a juvenile court, the official reporter of the circuit court or probate court, as the case may be:

- (1) shall report the proceedings of the juvenile court as part of the reporter's duties as reporter of the circuit or probate court; and
- (2) except as provided in subsection (d), may not receive additional compensation for the reporter's services for reporting the proceedings of the juvenile court.

(d) In counties in which a circuit court has juvenile jurisdiction and where there is a juvenile referee and the circuit judge is the judge of the juvenile court, the salary of the juvenile court reporter is one hundred twenty-five dollars (\$125) per month in addition to any compensation the reporter receives as reporter of the circuit court.

(e) The official reporters of juvenile courts shall:

- (1) be paid the same amount for their services and in the same manner;
- (2) have the same duties; and
- (3) be subject to the same restrictions;

as is provided for by law for the official reporters of the other courts. However, in a county having a population of more than two hundred fifty thousand (250,000), the judge of the juvenile court may appoint court reporters as necessary for compliance with the law in regard to the reporting of cases and facilitating and expediting the trial of causes, each of whom is entitled to receive a salary of at least three hundred dollars (\$300) per month.

As added by P.L.98-2004, SEC.20. Amended by P.L.65-2004, SEC.21.

IC 33-41-1-2

Gender of appointee; child of judge

Sec. 2. (a) A person may not be considered ineligible to serve as official reporter because of the person's gender.

(b) A judge may not appoint the judge's son or daughter as an official reporter.

As added by P.L.98-2004, SEC.20.

IC 33-41-1-3

Oath of office

Sec. 3. At the time of appointment, an official reporter shall take an oath before an officer empowered to administer oaths to faithfully perform his or her duties as an official reporter.

As added by P.L.98-2004, SEC.20.

IC 33-41-1-4

Removal from office; filling vacancy of office

Sec. 4. An official reporter may, at any time, be removed by the judge of the court for which the reporter was appointed. In case of a vacancy in the office of official reporter, the judge of the court in which the vacancy occurs shall fill the vacancy as soon after its occurrence as practicable.

As added by P.L.98-2004, SEC.20.

IC 33-41-1-5

Transcript of proceedings

Sec. 5. (a) If requested to do so, an official reporter shall furnish to either party in a cause a transcript of all or any part of the proceedings required by the reporter to be taken or noted, including all documentary evidence.

(b) An official reporter shall furnish a typewritten or printed transcript described in subsection (a) as soon after being requested to do so as practicable.

(c) The reporter shall certify that the transcript contains all the evidence given in the cause.

(d) The reporter may require payment for a transcript, or that the payment be satisfactorily secured, before the reporter proceeds to do the required work.

As added by P.L.98-2004, SEC.20. Amended by P.L.65-2004, SEC.22.

IC 33-41-1-6

Powers of court reporter; taking examinations and depositions; bond; seal

Sec. 6. (a) Every official circuit, superior, criminal, probate, and juvenile court reporter appointed under section 1 of this chapter may do the following:

- (1) Take and certify all acknowledgments of deeds, mortgages, or other instruments of writing required or authorized by law to be acknowledged.

- (2) Administer oaths generally.
- (3) Take and certify affidavits, examinations, and depositions.
- (4) Perform any duty conferred upon a notary public by Indiana statutes.

(b) Any official reporter taking examinations and depositions may:

- (1) take them in shorthand;
- (2) transcribe them into typewriting or longhand; and
- (3) have them signed by the deposing witness.

(c) Before performing any official duty as authorized, an official reporter must:

- (1) provide a bond as is required for notaries public; and
- (2) procure a seal that will stamp a distinct impression indicating the reporter's official character, to which may be added any other device as the reporter chooses.

As added by P.L.98-2004, SEC.20. Amended by P.L.201-2011, SEC.106.

IC 33-41-1-7

Small claims courts; transcript fee

Sec. 7. (a) This section applies to the small claims court established under IC 33-34.

(b) The person who is designated by a judge of the court to prepare transcripts may collect a fee of not more than five dollars (\$5) for each transcript from a person who requests the preparation of a transcript.

As added by P.L.98-2004, SEC.20.