

**STATE OF INDIANA – COUNTY OF MARSHALL  
IN THE MARSHALL CIRCUIT COURT AND SUPERIOR COURTS**

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**Notice of Proposed Amendment to Local Court Rule  
June 1, 2022**

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The judges of the courts of record of Marshall County have decided to amend their local rule at **LR50-AR15-MLR-016** concerning Court Reporters and transcript fees as indicated below, and request Supreme Court approval. All new text is shown by underlining and deleted text is shown by ~~strike through~~. Supreme Court approval is required for Local Rules concerning Court Reporters and may not take effect until approved by the Supreme Court.

The time period for the bar and the public to comment shall begin on **June 1, 2022**, and shall close on **July 1, 2022**. The proposed amendments to the rule will be adopted, modified or rejected after comments; and, the final version of the rules will be submitted to the Indiana Supreme Court for review and approval.

The effective date will be **January 1, 2023**.

Comments by the bar and the public should be made in writing and mailed, or emailed, to:

Hon. Curtis D. Palmer, Judge of the Marshall Circuit Court, Attn: Public Comment on Local Rules, 501 N. Center Street, Plymouth, Indiana 46563-1707; or [curt@co.marshall.in.us](mailto:curt@co.marshall.in.us).

A paper copy of the proposed amended local rule will be made available for viewing in the office of the Clerk of Marshall County, 211 W. Madison Street, Plymouth, Indiana 46563-1707 during normal business hours.

Persons with internet access may view the proposed amended local rules for Special Judge Selection at the following website:

<http://www.in.gov/courts/publications/local-rules>

For the Courts of Record of Marshall County



Curtis Palmer, Judge  
Marshall Circuit Court

**LR50-AR15-MLR-016**  
***Court Reporters***

**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 governmental entity and used by a court reporter in performing court reporting services. Equipment shall include, but is not 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, and 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 which are not in excess of forty (40) hours per work 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, 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 Marshall 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 supervision 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) All transcripts shall be prepared outside of regular work hours.

(3) The maximum per page fee a court reporter may charge for the preparation of a county indigent transcript is Four Dollars and Fifty Cents (~~\$4.00~~50) except as follows:

(a) If the transcript is requested to be prepared within twenty-four (24) hours, then the maximum per page fee is Six Dollars and Fifty Cents (~~\$6.00~~50).

(b) If the transcript is requested to be prepared within seventy-two (72) hours, then the maximum per page fee is Five Dollars and Fifty Cents (~~\$5.00~~50).

The court reporter shall submit a claim directly to the county for the preparation of any county indigent transcripts.

(4) The maximum per page fee a court reporter may charge for the preparation of a state indigent transcript is Four Dollars and Fifty Cents (~~\$4.00~~50) except as follows:

(a) If the transcript is requested to be prepared within twenty-four (24) hours, then the maximum per page fee is Six Dollars and Fifty Cents (~~\$6.00~~50).

(b) If the transcript is requested to be prepared within seventy-two (72) hours, then the maximum per page fee is Five Dollars and Fifty Cents (~~\$5.00~~50).

(5) The Maximum per page fee a court reporter may charge for the preparation of a private transcript is Four Dollars and Fifty Cents (~~\$4.00~~50) except as follows:

(a) If the transcript is requested to be prepared within twenty-four (24) hours, then the maximum per page fee is Six Dollars and Fifty Cents (~~\$6.00~~50).

(b) If the transcript is requested to be prepared within seventy-two (72) hours, then the maximum per page fee is Five Dollars and Fifty Cents (~~\$5.00~~50).

(6) 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.

(7) Minimum transcript fee shall be Forty Dollars (\$40.00).

### **SECTION THREE, PRIVATE PRACTICE.**

(1) If a court reporter elects to engage in private practice through recording of a deposition 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 purposes, 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 or preparing of a deposition transcript, all such private practice work shall be conducted outside of regular work hours.

### **SECTION FOUR, REIMBURSEMENT FOR USE OF EQUIPMENT.**

The court reporter shall reimburse the county for the use of county owned equipment, work space and supplies for the preparation of all transcripts, regardless of the reason for the transcript, at a rate set by the courts on an annual basis.

*(Effective ~~February 26, 2019~~ January 1, 2023)*