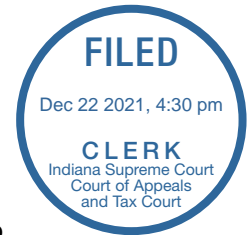


In the
Indiana Supreme Court

In the Matter of the Approval of Local
Rules for White County

Supreme Court Case No.
21S-MS-574



Order Approving Amended Local Rule

The Judges of the White Circuit and Superior Courts request the approval of amended local rules for caseload allocation in accordance with Indiana Administrative Rule 1(E) and for court reporter services in accordance with Administrative Rule 15. Attached to this Order are the proposed amended local rules.

Upon examination of the proposed rule amendments requested by the White Circuit and Superior Courts, this Court finds that the proposed rule amendments at LR91-AR01-02 comply with the requirements of Indiana Administrative Rules 1(E) and LR91-AR15-08 comply with Administrative Rule 15, and, accordingly, should be approved.

IT IS, THEREFORE, ORDERED by this Court that amended Local Rules LR91-AR01-02, and LR91-AR15-08, for White Circuit and Superior Courts, set forth as an attachment to this Order, are approved effective January 1, 2022.

Done at Indianapolis, Indiana, on 12/22/2021.

A handwritten signature in black ink, appearing to read "Loretta H. Rush".

Loretta H. Rush
Chief Justice of Indiana

LR91-AR01-02**Case Allocation Plan**

- (A) Criminal Cases:
 - (1) All murder, felony, misdemeanor, infraction, ordinance violation, miscellaneous criminal, expungement, and post-conviction relief cases shall be filed in the Superior Court.
- (B) Juvenile Cases:
 - (1) All juvenile cases shall be filed in the Circuit Court.
- (C) Civil Cases:
 - (1) All adoption, domestic relations (DR, DC, DN), estate (ES, EU, EM), guardianship, mental health, protective order, reciprocal support, and trust cases shall be filed in the Circuit Court.
 - (2) All small claim and eviction (EV) cases shall be filed in the Superior Court.
 - (3) Civil plenary, mortgage foreclosure, civil collection, civil tort, and civil miscellaneous cases may be filed in either the Circuit Court or the Superior Court.

LR91-AR15-08**Court Reporters**

Section One: Definitions. For purposes of this local rule, the definitions contained in Administrative Rule 15 shall apply.

Section Two: Court Reporter; Salaries and Per Page Fees.

(A) 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 fixed work hours, gap hours, or overtime hours. Court Reporters shall be compensated for gap and overtime hours as set forth in the White County Human Resources Policies and Procedures as adopted and/or amended by the Court.

(B) Court Reporters may charge a per-page fee for preparation of transcripts if the transcripts are prepared on the Court Reporter's own time outside of any regular work hours, gap hours, or overtime hours and are prepared using the Court Reporter's own paper and the Court Reporter's own supplies. This would include the ability to assign the transcript to a third party to transcribe or assist in typing the transcript. The total combined per-page fee to be paid to the Court Reporter and/or third-party transcriber shall not exceed the maximum per-page fee set forth in this rule.

(C) The maximum per-page fee a Court Reporter may charge for the preparation of a county indigent transcript shall be Five Dollars and Fifty Cents (\$5.50); the Court Reporter shall submit a claim directly to the County for the preparation of any county indigent transcripts.

(D) The maximum per-page fee a Court Reporter may charge for the preparation of a state indigent transcript shall be Five Dollars and Fifty Cents (\$5.50).

(E) The maximum per-page fee a Court Reporter may charge for the preparation of a private transcript shall be Five Dollars and Fifty Cents (\$5.50) plus the actual cost of paper used at a per-page cost.

(F) The per-page fee for expedited transcripts shall be Seven Dollars and Fifty Cents (\$7.50) with twenty-four (24) hours' notice and Six Dollars and Fifty Cents (\$6.50) with three (3) days' notice.

(G) Binding and Exhibit and Index Volume Fees.

An additional fee shall be added to the cost of the transcript for the time spent binding the transcript and preparing the exhibit and index volumes at an hourly rate based on one and one-half (1 ½) times the Court Reporter's hourly rate. This fee will only apply if the Court Reporter binds the transcript and prepares the exhibit and index volumes on the Court Reporter's own time outside of any regular work hours, gap hours, or overtime hours using the Court Reporter's own paper and the Court Reporter's own supplies.

(H) If a third party types the transcript for a per-page rate equal to the maximum approved in this Rule, the Court Reporter shall not be entitled to any additional per-page fee but, with the approval of the Judge, shall complete the review and proofing of the transcript either:

- (1) During normal work hours using court equipment, papers, and supplies without charging any additional fee whatsoever; or
- (2) On the Court Reporter's own time outside of any regular work hours, gap hours, or overtime hours using the Court Reporter's own paper and the Court Reporter's own supplies at an hourly rate based on one and one-half (1 ½) times the Court Reporter's hourly rate.

(I) 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 Office of Judicial Administration. The reporting shall be made on forms prescribed by the Office of Judicial Administration.

Section Three: Private Practice

(A) If a Court Reporter elects to engage in private practice through the recording of a deposition and/or preparing of a deposition transcript, 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:

- (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; and
- (3) the method by which the Court Reporter is to reimburse the Court for the use of the equipment, work space, and supplies.

(B) 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.