

**In the
Indiana Supreme Court**

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

Supreme Court Case No.
23S-MS-200



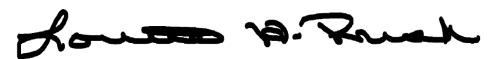
Order Approving Amended Local Rules

The Judges of the Lawrence County Circuit and Superior Courts request the approval of their caseload allocation revalidation plan in accordance with Indiana Administrative Rule 1(E) and criminal case assignments in accordance with Criminal Procedure Rule 2.2, and the approval of a local rule amendment for court reporter services in accordance with Administrative Rule 15. Attached to this Order is the proposed amended local rule.

Upon examination of the proposed caseload allocation revalidation plan and rule amendments requested by the Lawrence County Circuit and Superior Courts, this Court finds that the proposed caseload allocation revalidation plan complies with the requirements of Indiana Administrative Rule 1(E) and Criminal Procedure Rule 2.2, and the proposed rule amendments at LR47-AR15-006 comply with Administrative Rule 15, and, accordingly, should be approved.

IT IS, THEREFORE, ORDERED by this Court that the caseload allocation revalidation plan and the amendments at LR47-AR15-006, for the Lawrence County Circuit and Superior Courts, are approved effective August 1, 2023.

Done at Indianapolis, Indiana, on 7/24/2023.



Loretta H. Rush
Chief Justice of Indiana

LR47-AR15-006: PROVISION OF COURT REPORTER SERVICES

- A. Definitions.** The Definitions contained in Administrative Rule 15(B) are adopted herein and control any question of interpretation. For the purposes of this rule, the regular hours worked by the Court reporting staff shall be Monday through Friday from 8:00 a.m. until 12:00 noon, and 1:00 p.m. until 4:00 p.m. The work week shall be a seven (7) – day period, commencing with Sunday and ending with the Saturday of each week and contain thirty- five (35) hours for which salaried compensation is paid. Such work period may, from time to time, be modified by the judge in each Court of this county.
- B. Compensation.** A Court Reporter shall work directly under the control, direction, and direct supervision of the judge by whom they are employed during all hours of employment. Each Court Reporter shall be paid an annual salary, as set by the Court and approved by the county council, for regular hours worked. during the work week. Gap hours shall be separately compensated at a rate equivalent to the hourly rate of the yearly salary and overtime hours shall be separately compensated at a rate equivalent to one and one-half (1 ½) times the hourly rate of the yearly salary, or compensatory time off shall be given, weighted in the same manner.
- C. Duties and Responsibilities.** The duties of a Court Reporter shall include:
 - 1. reporting the evidence presented in proceedings before the Court;
 - 2. preservation and storage of any physical evidence presented in Court proceedings;
 - 3. preparation of chronological case summary entries at the direction of the Court and providing notice thereof as required by the Rules of Trial Procedure;
 - 4. preparation of written documents to effectuate the rulings, order, and judgments of the Court or comply with the rules of the Indiana Supreme Court;
 - 5. preparation of transcripts of evidence presented in Court proceedings requested, pursuant to the rules of trial procedure; and
 - 6. such other functions and responsibilities as required by law or the Court for its effective administration.

D. Transcripts.

Section One.

Per Page Fees

- 1. The maximum per page fee a Court Reporter may charge for the preparation of a routine (either appellate or non-appellate) county indigent transcript shall be \$5.00. The Court Reporter shall submit a claim to the Auditor directly for the preparation of any county indigent transcripts requested by a self-represented person found indigent by the Court. Otherwise, the Court Reporter shall submit an invoice to the requesting party (i.e. Lawrence County Public Defender Agency, Lawrence County Prosecutor's Office, GAL, CASA) for submission of a claim to be paid out of that entity's budgeted transcript fund.
- 2. The Court Reporter shall not charge a fee for copies of an indigent transcript to a court appointed agency when the preparation of the same has already been paid by the county on behalf of any local or state government entity.

The Lawrence County Courts have adopted Court Reporter Model 1 in compliance with the Administrative Rule 15. A Court Reporter shall be paid by Lawrence County for indigent transcript services as an independent contractor and separate from their regular salary.

- 3. The maximum per page fee a Court Reporter may charge for the preparation of a non-appellate state indigent transcript shall be \$5.00.
- 4. The maximum per page fee a Court Reporter may charge for the preparation of an appellate or non-appellate private transcript shall be \$5.50. The per page fee a Court Reporter may charge for a copy of a prepared transcript shall be \$2.00.
- 5. A minimum fee of \$50.00 per transcript will be charged for transcripts of eight (8) pages or less.

6. A \$7.00 fee will be assessed for each binder needed and an additional \$3.00 fee will be charged for each disc and/or \$8.00 for each USB thumb drive.
7. A fee of \$17.75 per hour will be charged for binding costs on appealable transcripts.
8. The Table of Contents and Index will be charged at the designated per page fee in addition to binder costs and the hourly rate of \$17.75 to bind the same.
9. The Volume of Exhibits will be charged at the designated per page fee and the hourly rate of \$17.75 to bind the same.
10. The Court Reporter may, at their discretion, contract with an outside Court Reporter or Transcription Service to complete any requested transcript.

Annual Report

A Court Reporter shall annually report all transcript and deposition fees received to the Office of Judicial Administration on such forms as may be prescribed.

Section Three.

Private Practice

1. If a Court Reporter elects to engage in private practice by recording a deposition and/or preparing a deposition transcript, outside of and in addition to his or her official duties for the Court, 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 preparation of a deposition transcript, all such private practice work shall be conducted outside of regular working hours.