

In the Indiana Supreme Court

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

Supreme Court Case No.
25S-MS-196



Order Approving Amended Local Rules

The Judges of the Hamilton Circuit and Superior Courts request the approval of amended local rules for caseload allocation in accordance with 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 Hamilton Circuit and Superior Courts, this Court finds that the proposed amendments to LR29-AR00-103 comply with the requirements of Administrative Rule 1(E) and the amendments to LR29-AR15-108 comply with Administrative Rule 15, and, accordingly, should be approved.

IT IS, THEREFORE, ORDERED by this Court that amended Local Rules, LR29-AR00-103 and LR29-AR15-108, for the Hamilton Circuit and Superior Courts, set forth as attachments to this Order, are approved effective September 1, 2025.

Done at Indianapolis, Indiana, on 8/1/2025.

A handwritten signature in black ink, appearing to read "Loretta H. Rush", written over a horizontal line.

Loretta H. Rush
Chief Justice of Indiana

LR29-AR00-103. PLAN FOR ALLOCATION OF JUDICIAL RESOURCES

103.10 The Circuit and Superior Courts of Hamilton County have previously adopted various rules concerning the filing of certain types of matters in the Hamilton Circuit and Superior Courts. Unless changed by addition, amendment and/or deletion, those rules remain in effect. In conjunction with the adoption of this Local Rule and plan, the following Hamilton County Local Rules also affect the allocation of judicial resources: LR29-AR00-110. Assignment of Infraction and Ordinance Violation Cases; LR29-TR76-210. Transfer of Small Claims, Infraction and Ordinance Violation Cases and Protective Orders in the Event of Disqualification; LR29-CR00-301. Criminal Random Filing; LR29-CR00-302. Clerk Procedures to Accomplish Criminal Random Filing; LR29-CR00-303. Filing Co-Defendants Under the Hamilton County Criminal Random Filing Rule; LR29-CR00-304. Filing Felony Cases Arising from Juvenile Waiver Hearings; LR29-CR13-312. Coordinated Local Rule of the Courts of Hamilton County, Enacted in Compliance with C.R. 2.2(D) and 13(C); LR29-DN01-602. Rules for Trial De Novo Following Civil Judgments; LR29-DN02-603. Rules for Trial De Novo Following Judgments for Infractions or Ordinance Violations; LR29-DN02-604. Rules for Trial De Novo Following Misdemeanor Trial in City or Town Court; LR29-PR00-702. Filing of Pleadings; and LR29-JV00-801. Assignment of Juvenile Case Numbers.

103.20 All requests for a prosecutor subpoena shall be filed in Superior Court No. 4, Superior Court No. 6, and Superior Court No. 7 on an even and random basis.

103.30 All requests for an order requiring the Indiana Bureau of Motor Vehicles to issue a title shall be filed in Superior Court No. 4. All petitions for change of name and/or gender marker shall be filed in Hamilton Circuit Court. All other MI cases shall be filed in any Hamilton Circuit or Superior Court. CE cases shall be filed in Superior Court No. 2. GV and RA cases shall be filed in any Hamilton Circuit or Superior Court.

103.40 Evictions (EV) and Small Claims (SC) cases shall be filed in Superior Court No. 4, Superior Court No. 6, and Superior Court No. 7.

103.50 The judges of the Courts of record of Hamilton County shall meet at least once annually for the purpose of reviewing the weighted caseload of each court, and at such other times as may be required either by the Courts themselves or to comply with new orders of the Indiana Supreme Court or to comply with the District Plan.

103.60 The judge of the Circuit Court may, with the consent of the judge of a receiving Superior Court, transfer any action either filed and/or docketed in the Circuit Court to the Superior Court to be re-docketed and disposed of as if originally filed with the receiving Superior Court. The judge of a Superior Court may, with the consent of the judge of the receiving Circuit Court or other receiving Superior Court, transfer any action either filed and/or docketed in the Superior Court to the Circuit Court or the other Superior Court to be re-docketed and disposed of as if originally filed with the receiving Court.

LR29-AR15-108. COURT REPORTERS AND PROCEDURES

108.10 The Official Court Reporter serving each court has not only the duties assigned by the Court she or he serves but also certain statutory duties. The purpose of this Rule is to establish personnel policies relating to the Court Reporters' special duties.

108.15 Definitions:

- 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.
- b. "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 not be limited to, telephones, computer hardware, software programs, disks, tapes and any other device used for recording and storing, and transcribing electronic data.
- c. "Workspace" 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.
- d. "Page" means the page unit of a transcript which results when a recording is transcribed in the form required by Indiana Rule of Appellate Procedure 7.2.
- e. "Recording" means the electronic, mechanical, stenographic or other recording made as required by Indiana Rule of Trial Procedure 74.
- f. "Regular hours" worked means those hours which the Court is regularly scheduled to work during any given work week. Hamilton County required work hours are 37.5 per week.
- g. "Gap hours" worked means those hours worked that are in excess of the regular hours but not in excess of forty (40) hours per work week.
- h. "Overtime hours" worked means those hours worked in excess of forty (40) hours per work week.
- i. "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, and Friday through Thursday.
- j. "Court" means the particular court for which the court reporter performs services. Court may also mean a group of courts, i.e., county courts.

- k. "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.
- l. "State indigent transcript" means a transcript that is paid for from state funds and is for use on behalf of a litigant who has been declared indigent by a court.
- m. "Private transcript" means a transcript, including but not limited to, a deposition transcript that is paid for by a private party.

108.20 A court reporter shall be permitted to type transcripts of official court proceedings during county-compensated hours. Equipment and supplies shall be used for the recording and/or preparation of such transcripts. If the recording or preparation of such transcripts requires overtime, such court reporter will be either paid overtime or given compensatory time.

108.25 A court reporter shall be paid an annual salary for time spent working under the control, direction, and direct supervision of the court during all regular work hours, gap hours, or overtime hours.

108.30 The amount of the annual salary of each court reporter shall be set by each court subject to the approval of the Hamilton County Council.

108.35 The annual salary paid to the court reporter shall be for a fixed scheduled 37.5 regular working hours per week.

108.40 The court reporter shall, if requested or ordered, prepare any transcript during regular working hours.

108.45 In the event that preparing a transcript could not be completed during regular working hours, a court reporter shall be entitled to additional compensation beyond regular salary under the two options set forth below:

- a. Gap hours shall be paid in the amount equal to the hourly rate of the annual salary; and overtime hours shall be paid in the amount of 1.5 times the hourly rate of the annual salary; or
- b. Compensatory time off from regular work hours shall be given in the amount equal to the number of gap hours worked; and compensatory time off from regular work hours shall be given in the amount of 1.5 times the number of overtime hours worked.

108.50 Each court and court reporter may freely negotiate between themselves as to which of the two options may be utilized and the Court and court reporter shall enter into a written agreement designating the terms of such agreement.

108.55 A court reporter may charge \$5.25 per page for non-appellate county and state indigent transcripts and \$6.25 per page for appellate county and state indigent transcripts. A court reporter shall submit directly to the county a claim for preparation of county indigent transcripts.

108.60 A court reporter may, at the request of another official court reporter, agree to prepare court proceedings of another court. Such preparation shall not be done on county-compensated hours, but county equipment and supplies may be used. In addition, a court reporter may do private recording or preparation of depositions, but a court reporter shall not do any recording or preparation of private depositions during county-compensated hours, and county equipment and supplies shall not be used for recording or preparation of such depositions.

108.65 A court reporter may charge a maximum of \$5.25 per page for non-appellate transcripts prepared for a private party (i.e., either a hearing transcript or a deposition transcript), and a maximum of \$6.25 per page for an appellate transcript prepared for a private party.

108.70 The court reporter shall report on an annual basis to the State Court Administrator all transcript fees, whether county indigent, state indigent, or private received by the court reporter.

108.75 Modification of this policy may be made to meet the security, scheduling or other unique needs of a particular case. Any modification shall be by written order of the Court. An individual requesting modification of this policy should provide the Court a factual and/or legal basis for such request and specifically set forth what items are being requested. (Form AR15-109).