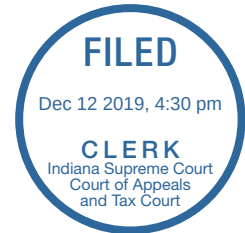


In the
Indiana Supreme Court

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

Supreme Court Case No.
19S-MS-659



Order Approving Amended Local Rules

The Judges of the Ripley 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 amended rules requested by the Ripley Circuit and Superior Courts, this Court finds that the proposed rule amendments at LR69-AR-01 and LR69-AR-04 comply with the requirements of Indiana Administrative Rules 1(E) and 15, and, accordingly, should be approved.

IT IS, THEREFORE, ORDERED by this Court that amended Local Rules, LR69-AR-01 and LR69-AR-04, for Ripley Circuit and Superior Courts, set forth as an attachment to this Order, are approved effective January 1, 2020.

Done at Indianapolis, Indiana, on 12/12/2019.

A handwritten signature in black ink that reads "Loretta H. Rush".

Loretta H. Rush
Chief Justice of Indiana

Unless otherwise required by statute, the Clerk of Ripley Circuit Court and Superior Courts and the Prosecuting Attorney of Ripley County, to the extent applicable, are directed to file the following types of cases in the following manner:

- A. All A, B, & C Felonies, all Level 1, 2, 3, 4, and 5 felonies, Murder and related Post Conviction Relief Petitions and Expungements, Juvenile CHINS, Juvenile Delinquent, Juvenile Status, Juvenile Paternity, Juvenile Miscellaneous, Juvenile Termination of Parental Rights, Mental Health, Adoptions, Miscellaneous Estates, Unsupervised Estates, Supervised Estates, Trusts, Guardianships, Reciprocal Support, Domestic Relations, Domestic Relations with Children, Domestic Relations without Children, Miscellaneous Civil, Civil Plenary, Civil Tort, and alternating Miscellaneous Criminal in the Ripley Circuit Court.
- B. All Level 6 and "D" Felonies, Criminal Misdemeanors and related Post Conviction Relief Petitions and Expungements, Small Claims, Mortgage Foreclosure, Civil Collections, Miscellaneous, Protective Orders and alternating Miscellaneous Criminal in the Ripley Superior Court. The Prosecuting Attorney may file infractions and ordinance violations in the Ripley Superior Court.
- C. In criminal cases, the most serious count filed shall determine the proper court.
- D. In the event the Prosecuting Attorney dismisses a criminal case and re-files against the same Defendant or files another case in another court involving the same subject matter and Defendant, the case shall be re-filed in the same Court in which the case was originally filed or immediately transferred to the Court in which the same subject matter is pending.
- E. In the event that a Defendant is charged with a Habitual Offender Enhancement wherein Circuit Court Judge Ryan J. King prosecuted said Defendant for an alleged predicate offense(s) and has recused ("recused Defendant") and the State has also filed a Motion to Join one or more other Defendant's case(s) together with the recused Defendant, then Superior Court Judge Jeffrey L. Sharp (or Special Judge from list) may preside over the Motion to Join Hearing(s) and objections thereto, and, if joined, any severance requests and related issues.

If Judge Sharp grants a Motion to Join two (2) or more cases and said cases remain joined and proceed to a joint trial, then Judge Sharp will continue to preside over the joined cases up to and through the joint trial and sentencing, if convicted, of all jointly tried co-defendants.

If a Motion for Joinder is denied or denied as to any Defendant's case; or the cases are later severed; or the cases do not otherwise proceed to a joint trial, then the Defendant(s) cases not proceeding to a joint trial with the recused Defendant's case shall, as a general matter, be transferred to Judge King for further proceedings and/or final disposition. However, if good cause exists, such as a Criminal Rule 4 issue and/or a jury having already been summonsed, Judge Sharp may dispose of said cases as necessary.

This subsection is to be construed so as to fulfill the purpose of allowing Defendant cases to be tried together so long as a Judge finds that doing so is appropriate, but also to ensure criminal cases are assigned as they otherwise would be, absent a joint trial, and pursuant to the case allocation plan.
(Amended effective January 1, 2020)

LR69-AR-04 TRANSCRIPTS

- A. A court reporter shall be paid an annual salary for time spent working under the control, direction and direct supervision of the Court during any regular work hours, gap hours or overtime hours.
- B. A \$5.50 per page fee may be charged for county indigent transcript preparation.
- C. The court reporter shall submit directly to the county a claim for the preparation of the county indigent transcript.
- D. A \$5.50 per page fee may be charged for non-appellate transcript preparation.
- E. A \$2.25 per page fee may be charged for copies of transcripts.
- F. A \$2.25 per page fee may be charged for copies of exhibits to be included in the transcript.
- G. A minimum fee of \$50.00 per transcript preparation may be charged.
- H. Index and Table of Contents pages may be charged at the per page rate of \$5.50.
- I. An additional labor charge of \$25.00 per hour may be charged for time spent binding the transcript and exhibit volumes.
- J. An expedited fee of \$7.00 per page may be charged for an expedited transcript where the transcript must be prepared within five (5) working days.
- K. A reasonable charge for the office supplies required and utilized for the binding and electronic transmission of the transcript, pursuant to Indiana Rules of Appellate Procedure 28 and 29, may be charged; the costs of these supplies will be established and published annually by the judges of the County.
- L. When a non-appellate transcript is requested, a party must make satisfactory arrangements with the court reporter for payment of the cost of the transcript. Payment for appellate transcripts shall be in accord with Appellate Rule 9 H.
- M. The court reporter shall report on an annual basis to the Indiana Office of Court Services, on forms prescribed by the Indiana Office of Court Services, all transcript fees (either county indigent, state indigent or private) received by the court reporter.

- N. If a court reporter elects to engage in private practice through recording of a deposition and/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 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 methods by which the court reporter is to reimburse the court for the use of equipment, work space and supplies.
- O. If a court reporter elects to engage in private practice through recording a deposition and/or the preparing of a deposition transcript, that such private practice shall be conducted outside of regular working hours; and
- P. The Court shall enter into a written agreement with the court reporter which outlines the manner in which the court reporter is to be compensated for gap and overtime hours; i.e., either monetary compensation or compensatory time off regular work hours.
(Amended effective January 1, 2020)