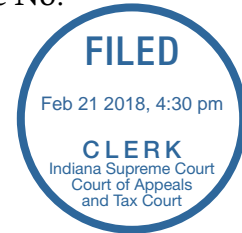


In the Indiana Supreme Court

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

Supreme Court Case No.
18S-MS-103



Order Approving Amended Local Rule

The Judge of the Warren Circuit Court requests the approval of an amended local rule for court reporter services in accordance with Indiana Administrative Rule 15. Attached to this Order is the proposed amended local rule.

Upon examination of the proposed rule amendment requested by the Warren Circuit Court, this Court finds that the proposed rule amendment, LR86-AR15-CR-01 complies with the requirements of Indiana Administrative Rule 15, and, accordingly, should be approved

IT IS, THEREFORE, ORDERED by this Court that amended Local Rule LR86-AR15-CR-01 for Warren Circuit Court, set forth as an attachment to this Order, is approved effective the date of this Order.

Done at Indianapolis, Indiana, on 2/21/2018.

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

Loretta H. Rush

Chief Justice of Indiana

Pursuant to Administrative Rule 15 of the Indiana Supreme Court, the Warren Circuit Court now adopts the following Local Administrative Rule 15-CR-01: Court Reporters, by which all court reporter services in Warren County shall be governed until further Order of Court.

- I. **Definitions.** The following definitions shall apply under this local rule:
- a. “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.
 - b. “Court” means the Warren Circuit Court.
 - c. “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.
 - d. “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.
 - e. “Expedited transcript” means a transcript which is requested to be prepared within five (5) working days or less.
 - f. “Gap hours” worked means those hours worked that are in excess of the regular hours worked but hours not in excess of forty (40) hours per work week, as more particularly set forth in the Court’s policy governing employee work hours.
 - g. “Overtime hours” worked means those hours worked in excess of forty (40) hours per work week, as more particularly set forth in the Court’s policy governing employee work hours.
 - h. “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.
 - i. “Private transcript” means a transcript, including but not limited to a deposition transcript that is paid for by a private party.
 - j. “Recording” means the electronic, mechanical, stenographic or other recording made as required by Indiana Rule of Trial Procedure 74.
 - k. “Regular hours” worked means those hours which the court is regularly scheduled to work during any given work week.
 - l. “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.

- m. “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.
- n. “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), as more particularly set forth in the Court’s policy governing employee work hours.

II. Salaries and Per Page Fees

- a. The Court Reporter appointed by the Warren Circuit Court from time to time shall be paid an annual salary as set each year in the budget of the Court and approved by the Warren County Council, and said salary shall be paid for time spent working under the control, direction and direct supervision of the Court during any regular working hours, gap hours or overtime hours.
- b. The maximum per page fee a court reporter may charge for the preparation of a county indigent transcript, state indigent transcript and private practice transcript shall be \$3.50. The court reporter shall submit a claim directly to the county for the preparation of any county indigent transcripts.
- c. The maximum fee that a court reporter may charge for paper copies shall be \$1.00 per page. Electronic copies of the transcript, will provided on a media format supplied by the party requesting the document (DVD, portable thumb drive, etc...), if requested in person from the Court Reporter for \$3.00 flat fee regardless of the size, or \$5.00 if a DVD is provided by the Court Reporter. Once filed with the Court of Appeals, the transcript may be requested directly from the Clerk of the Indiana Court of Appeals, in accordance with their procedures.
- d. The minimum fee that a court reporter may charge for transcripts is \$35.00.
- e. An additional labor charge approximating the hourly rate based upon the court reporter’s annual court compensation may be charged for the time spent binding the transcript and exhibits.
- f. Upon preparation of an indigent transcript, the Court Reporter shall submit directly to the County a claim for the same upon a form designated by the Auditor of Warren County.
- g. 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 Office of Judicial Administration (IOJA). The reporting shall be made on forms prescribed by the IOJA.

III. 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, 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 reporter shall enter into a written agreement which must, at a minimum, designate the following:
 - i. The reasonable market rate for the use of equipment, work space and supplies;
 - ii. The method by which records are to be kept for the use of equipment, work space and supplies; and
 - iii. The method by which the court reporter is to reimburse the Court for the use of the equipment, work space, and supplies.

(Adopted by the Warren Circuit Court, TBD)