

In the  
**Indiana Supreme Court**

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

Supreme Court Case No.  
19S-MS-212



**Order Approving Amended Local Rule**

The Judges of the Vigo Circuit and Superior Courts request 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 Vigo Circuit and Superior Courts, this Court finds that the proposed rule amendment, LR84-AR15-6 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 LR84-AR15-6 for Vigo Circuit and Superior Courts, set forth as an attachment to this Order, is approved effective the date of this Order.

Done at Indianapolis, Indiana, on 4/15/2019.

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

Loretta H. Rush

Chief Justice of Indiana

## **LR84-AR15-6 Court Reporter Services**

(A) Definitions. The following definitions shall apply under the local rule.

(1) 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.

(2) Equipment means all physical items owned by the court or other government entity and used by a court reporter in performing court reporting services. Equipment shall include, but not limited to, telephones, computer hardware, software programs, disks, tapes, and any other device used for recording and storing and transcribing electronic data.

(3) Work space means that portion of the courts' facilities dedicated to each court reporter, including but not limited to actual space in the courtroom and any designated office space.

(4) 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.

(5) Recording means the electronic, mechanical, stenographic or other recording made as required by Indiana rule of Appellate Procedure 74.

(6) Regular hours worked means those hours which the court is regularly scheduled to work during any given week. Depending on the particular court, these hours may vary from court to court within the county but remain the same for each work week.

(7) 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.

(8) Overtime hours worked means those hours worked that are in excess of forty (40) hours per work week.

(9) 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 Thursday, Friday through Thursday.

(10) Court means the particular court for which the court reporter performs services. Court may also mean all of the courts in Vigo County.

(11) County indigent transcript means a transcript that is paid for from county funds and is on behalf of a litigant who has been declared indigent by a court.

(12) 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.

(13) Private transcript means a transcript, including but not limited to a deposition transcript that is paid for by a private party.

(14) Expedited transcript means a transcript which is requested to be prepared within three (3) working days or less.

(B) Salaries and Per Page Fees.

(1) 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 working hours, gap hours, or overtime hours. The supervising court shall compensate court reporters for gap and overtime hours by allowing compensatory time off regular work hours.

(2) The maximum per page fee a court reporter may charge for the preparation of a county or state indigent transcript shall be \$5.00 per page; the court reporter shall submit a claim directly to the county for the preparation of any county indigent transcripts.

(3) The maximum per page a court reporter may charge for the preparation of a private transcript shall be \$5.00 per page for a private regular transcript. If a court reporter is requested to prepare an expedited transcript, the maximum page fee shall be \$7.50 when the transcript must be prepared within twenty-four (24) hours or less; \$6.00 when the transcript must be prepared within three (3) working days. That a minimum transcript fee shall be \$35.00.

(4) In light of the various additional requirements under the new appeal process, the court shall provide binders for said transcripts so prepared.

(5) In the event a court reporter prepares a transcript using county owned equipment, the court reporter shall provide the paper at the court reporter's own expense and provide copies of the transcript using an outside copying service at the court reporter's own expense. Court reporters may only charge for transcripts prepared while off the clock. They may not charge a per page rate while typing at their job. A court reporter may charge their hourly rate, based upon the court reporter's annual court compensation, for compiling, indexing exhibits, and compiling a table of contents while not working at the job during normal office hours.

(6) 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 Division of State Court Administration. The reporting shall be made on forms prescribed by the Division of State Court Administration.

#### (C) Private Practice

(1) 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's 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.

(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 preparing of a deposition transcript, all such private practice work shall be conducted outside of regular working hours.