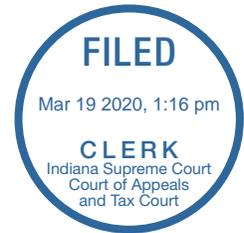


In the
Indiana Supreme Court



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

Supreme Court Case No.
20S-MS-197

Order Approving Amended Local Rules

The judges of the DeKalb County Courts request the approval of an amended local rule for special judge appointment in accordance with Indiana Trial Rule 79 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 DeKalb County Courts, this Court finds that the proposed rule amendments, LR17-TR79-2 and LR17-AR15-4, comply with the requirements of Indiana Trial Rule 79 and Administrative Rule 15, and accordingly, should be approved.

IT IS, THEREFORE, ORDERED by this Court that DeKalb Circuit and Superior Court Local Rules, LR17-TR79-2 and LR17-AR15-4, set forth as an attachment to this Order, are effective upon approval.

DONE at Indianapolis, Indiana, on 3/19/2020.

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

Loretta H. Rush
Chief Justice of Indiana

LR17-TR79-2. Appointment by Clerk

Upon the parties not reaching an agreement or the agreed upon judge not accepting the case under Indiana Trial Rule 79 (D), the appointment of an eligible special judge shall be made by means of the DeKalb County Clerk selecting a name of the next judge eligible from a list of judges from Whitley, Noble, LaGrange and Steuben Counties maintained by the Clerk.

If the judge selected to serve is disqualified or is excused from service, then clerk of the court shall appoint the next judge on the list. If no judge on the list is eligible to serve as special judge or the particular circumstances in the case so warrant, the then presiding judge in the case shall certify the matter to the Indiana Supreme Court for the appointment of a special judge pursuant to TR79(H)(3).

LR17-AR 15-4 – Court Reporter Services

Court Reporter services shall be governed by the following rules:

(A) Definitions The following definitions shall apply under this rule:

(1) 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 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.

(3) 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.

(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 7.2.7

(5) RECORDING means the electronic, mechanical, stenographic or other recording made as required by Indiana Rule of Trial Procedure 74.

(6) REGULAR HOURS WORKED means those hours which the Court is regularly scheduled to work during any given work 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 in excess of the regular hours worked but hours not in excess of forty (40) hours per week.

(8) OVERTIME HOURS WORKED means those hours worked in excess of forty (40) hours per work week.

(9) WORKWEEK 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.

(10) COURT means the particular Court for which the Court Reporter performs services. Court may also mean all of the Courts in DeKalb County.

(11) 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.

(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.

(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 enter into a written agreement with the court reporters which outlines the manner in which the court reporter is to be compensated for gap and overtime hours, i.e. monetary compensation or compensatory time off regular work hours.

(2) The maximum per page fee a court reporter may charge for the preparation of a county indigent transcript shall be \$5.50; the court reporter shall submit a claim directly to the county for the preparation of any county indigent transcripts.

(3) The maximum per page fee a court reporter may charge for the preparation of a state indigent transcript shall be \$5.50.

(4) The maximum per page fee a court reporter may charge for the preparation of a private transcript shall be \$5.50.

(5) If a Court Reporter is requested to prepare an expedited transcript, the maximum fee per page shall be \$6.50 where the transcript must be prepared within five (5) working days.

(6) Each court reporter shall report, at least on an annual basis, all transcript fees received for the preparation of county indigent, state indigent or private transcripts to the Indiana Supreme Court, Office of Judicial Administration. The reporting shall be made on forms prescribed by the Office of Judicial Administration.

(C) Private Practice

A Court Reporter shall not be allowed to use court equipment, workspace, or supplies nor regular employment hours, gap hours, or overtime hours to engage in the private practice of recording a deposition and/or preparing a deposition transcript.