

In the
Indiana Supreme Court

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

Supreme Court Case No.
24S-MS-81



Order Approving Amended Local Rule

The Judges of the Vanderburgh Circuit and Superior Courts request the approval of an amended local rule for court reporter services, LR82-AR15-1.28, in accordance with Administrative Rule 15. Attached to this Order is the proposed amended local rule.

Upon examination of the proposed rule amendments requested by the Vanderburgh Circuit and Superior Courts, this Court finds that the proposed rule amendments to LR82-AR15-1.28 comply with Administrative Rule 15, and, accordingly, should be approved.

IT IS, THEREFORE, ORDERED by this Court that amended Local Rule, LR82-AR15-1.28, for the Vanderburgh Circuit and Superior Courts, set forth as an attachment to this Order, is approved effective April 1, 2024.

Done at Indianapolis, Indiana, on 3/8/2024.

A handwritten signature in black ink that reads "Loretta H. Rush". The signature is written in a cursive style and is positioned above a horizontal line.

Loretta H. Rush
Chief Justice of Indiana

LR82-AR15-1.28 Court Reporters

(A) Definitions. The following definitions shall apply under this 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 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, storing and transcribing electronic data.

(3) 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.

(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 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 week.

(7) Gap hours worked means those hours worked that are in excess of the regular hours worked but not in excess of forty (40) hours per work week.

(8) Overtime hours worked means those hours worked 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 day throughout the year; i.e. Sunday through Saturday, Wednesday through Tuesday, 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 Vanderburgh 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 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 work 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 Five Dollars and Twenty-five Cents (\$5.25) for appellate transcripts and Four Dollars and Seventy-five Cents (\$4.75) for all other transcripts. The Court Reporter shall, after approval by the Court, submit a claim directly to the county for the preparation of any county indigent transcripts. All transcripts will be subject to a minimum fee of Thirty-five Dollars (\$35.00).

(3) The maximum per page fee a court reporter may charge for the preparation of a state indigent transcript shall be Four Five Dollars and Twenty-five Cents (\$5.25) for appellate transcripts and Four Dollars and Seventy-five Cents (\$4.75) for all other transcripts. All transcripts will be subject to a minimum fee of Thirty-five Dollars (\$35.00).

(4) The maximum per page fee a court reporter may charge for the preparation of a private transcript shall be Five Dollars and Twenty-five Cents (\$5.25) for appellate transcripts and Four Dollars and Seventy-five Cents (\$4.75) for all other transcripts. All transcripts will be subject to a minimum fee of Thirty-five Dollars (\$35.00).

(5) The maximum per page fee a court reporter may charge for the preparation of copies of a transcript shall be One Dollar and Fifty Cents (\$1.50).

(6) 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 exhibit binders.

(7) An additional \$2.00 per page fee may be charged for the preparation of an expedited transcript (one which is to be completed within 10 calendar days).

(8) Each court reporter shall report, at least on annual basis all transcripts to the Indiana Supreme Court Division of State of Court Administration. The reporting shall be made on forms prescribed by the Division of State of 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, the court reporter desires to utilize the court's equipment, workspace and supplies, and the court agrees to the use of the 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:

(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, and

(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.