

IN THE CIRCUIT, SUPERIOR NO. 1 AND SUPERIOR NO. 2 COURTS
OF WARRICK COUNTY, INDIANA

In the Matter of)
County Local Rules)

**NOTICE OF PROPOSED AMENDMENTS TO LOCAL COURT RULES
AND REQUEST FOR SUPREME COURT APPROVAL**

In accordance with Trial Rule 81 of the Indiana Rules of Court, the Warrick Circuit and Superior Courts hereby give notice to the bar and the public that the Courts propose to amend the local rule concerning court reporters at LR87-AR -8, effective January 1, 2020. All new text is shown by underlining and deleted text is shown by ~~strikethrough~~. Supreme Court approval is required for Local Rules concerning Administrative Rule 8 and may not take effect until approved by the Supreme Court.

The time period for the bar and the public to comment will begin on June 1, 2019, and will close on June 30, 2019. The proposed amendments to the rule will be adopted, modified or rejected before July 31, 2019, and, if required, the final version of the rule will be submitted to the Indiana Supreme Court for review and approval not later than August 1, 2019.

This proposed rule will be posted in the Warrick County Clerk's office and on the Warrick County Clerk's website, on the Indiana Judicial website, and notice will be given to the officers of the Warrick County Bar Association. Comments may be made to:

The Honorable Greg A. Granger, Judge, Warrick Circuit Court, One County Square, # 360 Boonville, IN 47601 or by email at circuitct@warrickcounty.gov.

The Honorable J. Zach Winsett, Judge, Warrick Superior Court No. 1, One County Square, #300, Boonville, IN 47601, or by email at: superior1@warrickcounty.gov;

The Honorable Amy Steinkamp Miskimen, Judge, Warrick Superior Court No. 2, One County Square, #340, Boonville, IN 47601 or by email at superior2@warrickcounty.gov.

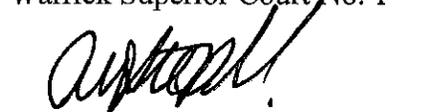
Ordered this 31st day of May, 2019.



Greg A. Granger, Judge
Warrick Circuit Court



J. Zach Winsett, Judge
Warrick Superior Court No. 1



Amy Steinkamp Miskimen, Judge
Warrick Superior Court No. 2

The Warrick County Courts, in Warrick County, Indiana, hereby adopt the following local rule by which court reporter services shall be governed.

Section One - 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 Rule of Trial Procedure 74.
6. **Regular Hours Worked** means those hours which the court is regularly scheduled to work during any given workweek. Depending on the particular court, these hours might vary from court to court within the county but remain the same for each workweek.
7. **Gap Hours Worked** means those hours worked that are in excess of the regular hours worked but hours not in excess of forty hours per week.
8. **Overtime Hours Worked** means those hours worked that are in excess of forty hours per workweek.
9. **Work Week** means a seven consecutive day week that consistently begins and ends on the same days 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 Warrick 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.

Section Two - 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 an 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 ~~\$3.50~~ 4.00 (~~\$4.00~~ 4.50 ~~if marginal notes are included by the reporter for appeal transcripts~~); 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 ~~\$3.50~~ 4.00 (~~\$4.00~~ 4.50 ~~if marginal notes are included by the reporter for appeal transcripts~~).
4. The maximum per page fee a court reporter may charge for the preparation of a private transcript shall be ~~\$3.50~~ 4.00 (~~\$4.00~~ 4.50 ~~if marginal notes are included by the reporter for appeal transcripts~~). Notwithstanding the above, if a court reporter agrees to a private party's request for an expedited transcript, a court reporter may charge an additional \$2.00 per page. "Expedited transcript" shall mean prepared in less than 10 days per 7 hours of hearing time. In extraordinary circumstances, if the court reporter and private party agree to a deviation from the standard expedited terms herein, said agreement must be approved by the presiding judge.
5. Court reporters shall be allowed to charge a minimum fee of \$35.00 per transcript.
6. The maximum per page fee a court reporter may charge for any copies made, including exhibits, shall be \$1.00. This includes ~~a copy of a transcript~~ copies provided only in electronic format. A copy in electronic format will be provided with each paid transcript upon request.
7. Upon a request for preparation of a private transcript, a court reporter may require a down payment of up to 100 percent of the total estimated cost of the transcript including exhibits prior to commencing preparation.

78. 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 ~~Division of State Court Administration~~ Indiana Office of Judicial Administration (IOJA), on forms prescribed by the IOJA. ~~The reporting shall be made on forms prescribed by the Division of State Court Administration.~~

Section Three - 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 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, workspace 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.