

IN THE KOSCIUSKO CIRCUIT AND SUPERIOR COURTS
KOSCIUSKO COUNTY

IN THE MATTER OF)
LOCAL COURT RULES)

**NOTICE OF LOCAL RULE AMENDMENT AND PROPOSED NEW RULES AND
REQUESTING SUPREME COURT APPROVAL**

The Judges of the Kosciusko Circuit Court and Superior Courts, pursuant to Trial Rule 81(B), give notice of amendment to the Local Court Rules LR43-AR15-3 Court Reporter Services. All new text is shown by **bold** and deleted text is shown by ~~strikethrough~~.

Notice is given to the public by posting with the Kosciusko County Clerk and on the Indiana Judicial Website and by furnishing a copy to the officers of the Kosciusko County Bar Association. This rule amendment and new rules will be effective upon approval of the Indiana Supreme Court.

Comments may be made until June 22, 2022, and should be directed to the Honorable Christopher D. Kehler, Judge of the Kosciusko Superior Court No. 4, 121 North Lake Street, Warsaw, Indiana 46580, or by e-mail at ckehler@kcgov.com.

ORDERED this 23th day of May, 2022, on behalf of the Judges of Kosciusko County.

/s/ Christopher D. Kehler
Christopher D. Kehler, Judge
Kosciusko Superior Court No. 4

(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 and 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 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 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 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 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 Kosciusko 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 by not limited to a deposition transcript that is paid for by a private party.
- (14) **Expedited transcript** means a transcript that is requested to be prepared from within 48 hours to five (5) days, depending upon the size of the transcript.

(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 **\$5.00** ~~\$4.50~~ per page until further order of the Courts. 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 **\$5.00** ~~\$4.50~~ per page until further order of the Courts.
- (4) The maximum per page fee a court reporter may charge for the preparation of a private transcript shall be **\$5.00** ~~\$4.50~~ per page.
- (5) The maximum per page fee a court reporter may charge for the preparation of an expedited transcript is **\$5.50** ~~\$5.00~~ per page.
- (6) A minimum fee up to \$40.00 is permissible.
- (7) 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 the exhibit binders pending on the size of the transcript.
- (8) 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** ~~Division of State Court Administration~~. The reporting shall be made on forms prescribed by the **Office of Judicial Administration** ~~Division of State Court Administration~~.