

LR 45-AR 15-05 Court Reporter Services

The following rule for the provision of court reporter services in the Civil, County, Criminal and Juvenile Divisions of the Circuit and Superior Courts of Lake County is hereby adopted.

I. Definitions

A. A *court reporter* is a person who is designated by a court, division or room to perform court reporting services, including the preparation of transcripts.

B. *Equipment* means all physical property owned by the court or other government entity and used by a court reporter in providing court reporting services. Equipment shall include, but not be limited to, telephones, photocopiers, computer hardware and software, disks, tapes, and any other device for recording, storing, and transcribing electronic data.

C. *Work space* means those portions of court facilities used by a court reporter while providing court reporting services.

D. *Page* means the page unit of a transcript prepared in accordance with the Indiana Rules of Appellate Procedure.

E. *Recording* includes any electronic, mechanical, stenographic or other recording of a proceeding.

F. *Regular hours worked* means the hours that a court, division or room is officially open each work week.

G. *Gap hours worked* means those hours worked in excess of the regular hours worked, but not hours in excess of forty hours per work week.

H. *Overtime hours worked* means those hours worked in excess of forty hours per work week.

I. A *work week* means Sunday through Saturday.

J. *Court* means the Circuit and/or Superior Courts of Lake County, including all civil, county, criminal and juvenile divisions.

K. *Division* means the civil, county, criminal or juvenile division of the court.

L. *Room* means an individual courtroom of a division of the court.

M. *Transcript* means the original of the transcription of a proceeding. Under the rules of trial, criminal and appellate procedure, the original is usually filed with the clerk of the court.

Deposition transcript means the original and one copy of the transcription of a proceeding. The original and one copy is provided to the requesting party.

N. An *expedited transcript* is a transcript which is required to be delivered to a requesting party within fifteen (15) calendar days.

O. A *daily transcript* is a transcript which is required to be delivered to a requesting party within twenty-four (24) hours.

P. An *hourly transcript* is a transcript which is required to be delivered to a requesting party within the same day.

Q. *County indigent transcript* means a transcript that is paid for from county funds.

R. *State indigent transcript* means a transcript paid for from state funds.

S. *Private transcript* means a transcript, including but not limited to a deposition transcript that is paid for from funds other than county or state funds.

T. *Independent transcript* means a transcript that is prepared by a *contract transcriber*.

U. In a court, division or room currently without a court reporter on its payroll or assigned for the court's use, whose duties include the preparation of transcripts, a *contract transcriber* is a person

not on a court's payroll, but who is designated by a court, division or room, pursuant to a memorandum of understanding consistent with the requirements of Administrative Rule 15, to prepare transcripts and who is prohibited from using court or county equipment, work space or supplies.

II. Compensation

A. A court reporter shall be paid an annual salary for time spent working under the control, direction and direct supervision of the court, a division or a room during any regular work hours, gap hours or overtime hours. A written agreement consistent with the personnel policies of the court reporter's division which outlines the manner in which the court reporter is to be compensated for gap hours and overtime hours worked shall be entered into between a court reporter and the court, division or courtroom for which the court reporter provides services.

B. The fee that a court reporter or contract transcriber may charge for the preparation of a county indigent transcript is ~~\$4.00~~ \$6.00 per page.

C. A claim for the preparation of a county indigent transcript shall be submitted directly to the county.

D. The fee that a court reporter or contract transcriber may charge for the preparation of a state indigent transcript is ~~\$4.00~~ \$6.50 per page.

E. The fee that a court reporter or contract transcriber may charge for the preparation of an indigent deposition transcript is ~~\$4.00~~ \$5.00 per page.

The fee that a court reporter or contract transcriber may charge for the preparation of a private deposition transcript is ~~\$4.25~~ \$5.25 per page.

F. The fee that a court reporter or contract transcriber may charge for the preparation of all other private transcripts is ~~\$4.50~~ \$7.00 per page, with a minimum fee of ~~\$40.00~~ \$50.00.

G. The fee that a court reporter or contract transcriber may charge for an additional copy of a transcript is ~~\$2.00~~ \$3.00 per page.

H. A court reporter or contract transcriber may charge up to an additional ~~\$1.00~~ \$2.00 per page for an expedited county transcript.

I. A court reporter or contract transcriber may charge up to an additional ~~\$1.50~~ \$2.50 per page for an expedited private transcript.

J. A court reporter or contract transcriber may charge up to an additional ~~\$2.50~~ \$3.50 per page for a daily transcript.

K. A court reporter or contract transcriber may charge up to an additional ~~\$3.50~~ \$4.50 per page for an hourly transcript.

L. A court reporter or contract transcriber may charge up to an additional ~~\$1.25~~ \$2.25 per page for a private transcript consisting primarily of technical testimony.

M. A court reporter or contract transcriber may charge up to an additional ~~\$1.00~~ \$1.50 per keyword index page for a private or indigent transcript with a keyword index.

N. A court reporter or contract transcriber may charge up to an additional ~~\$0.25~~ \$0.50 cents per page for a private or indigent transcript which is printed in a condensed format.

O. A court reporter or contract transcriber may charge ~~\$0.30~~ \$0.50 cents per page for photocopying of exhibits for private transcripts.

P. A court reporter or contract transcriber may charge an additional labor charge approximating an hourly rate based upon the court reporter's annual court compensation or contract transcriber's hourly rate of pay for the time spent binding the transcript and the exhibits and/or assembling the digital transcript and exhibits pursuant to Indiana Rules of Appellate Procedure 28 and 29.

Q. A court reporter or contract transcriber shall be reimbursed for the cost of office supplies required and utilized for the binding and electronic transmission of the transcript, pursuant to Indiana Rules of Appellate Procedure 28 and 29, as itemized in the "Schedule of Supplies".

R. The county shall provide supplies for the preparation of notices of filing private transcripts and motions for extension.

S. At least once each year a court reporter shall report all transcript fees received to the Indiana Supreme Court, Division of State Court Administration.

III. Private Practice

A. If a court reporter elects to engage in private practice through the recording of a deposition or preparing of a deposition transcript and the court reporter desires to use the court's equipment, work space or supplies, the court reporter shall enter into a written agreement which must, at a minimum, designate the following:

1. The reasonable market rate for the use of the equipment, work space and supplies;
2. The method by which records are to be kept for the use of equipment, work space and supplies; and,
3. The method by which the court reporter is to reimburse the court for the use of equipment, work space and supplies.

B. If the court reporter elects to engage in private practice through the recording of a deposition or preparing of a deposition transcript, all such private practice shall be conducted outside of regular working hours.