

NOTICE OF INTENT TO AMEND Pulaski County Local Rule **LR66-AR 15-1 Sec. 2**

Comes now Pulaski County Circuit Court Judge Mary C. Welker; and Pulaski County Superior Court Judge Crystal Kocher, and in accordance with Trial Rule 81 of the Indiana Court Rules, give notice to the Bar and the public of the following proposed amendments to the Pulaski County Local Rules, for the Courts of record of Pulaski County, effective September 18, 2023, specifically section 2 of Local Rule LR66-AR 15-1.

The proposed amendments are attached as Exhibit One. A summary of change proposed is a change from \$4.00 per page to \$5.50 per page for transcripts. This rule has not been amended since 2011.

Changes are made as follows:

For language proposed to be removed: ~~strike through~~.

For language proposed to be added: underlined.

The Courts, having reviewed the rates charged by surrounding Counties finds this change is consistent with the majority of local Counties. In addition, this will enable Pulaski County to continue to use outside transcription services.

No change will take effect until approved by the Indiana Supreme Court.

Public comment(s) will be taken for a period of 30 days. Notice to the Public and Bar will be posted and available:

1. In the Pulaski County Clerk's office (paper copy), available for viewing during regular business hours;
2. In Pulaski Circuit Court and in Pulaski County Superior Court;
3. On the Pulaski County Government website;
4. At the Indiana Judiciary webpage for Local Rules:
(<https://www.in.gov/courts/publications/local-rules/>)

Notice will also be sent to the Pulaski County Bar Association for distribution as well.

The time period for the Bar and Public to comment shall begin on July 17, 2023 and shall close on August 17, 2023. The proposed amendments to the Local Rules will be adopted, modified or rejected before September 17, 2023. The final version of the rule will be submitted to the Indiana Supreme Court for review and approval not later than September 18, 2023.

Comments by the Bar and the Public should be made in writing to:

Hon, Mary C. Welker
Judge of Pulaski Circuit Court
Attn: Public Comment on Local Rules
Pulaski County Justice Center
110 E Meridian Street #225
Winamac, In 46996

Dated this 14th day of July, 2023

Mary Welker
Judge Mary C. Welker
Pulaski Circuit Court

Judge Crystal Kocher
Pulaski Superior Court

EXHIBIT ONE

Pulaski County Local Rule **LR66-AR 15-1**

LR66-AR 15-1 **COURT REPORTER RULE**

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 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 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 Pulaski 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 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 ~~\$4.00~~ \$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 ~~\$4.00~~ \$5.50.
- (4) The maximum per page fee a court reporter may charge for the preparation of a private transcript shall be ~~\$4.00~~ \$5.50.
- (5) 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. 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, 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.

(Amended effective January 1, 2011)