

LOCAL RULE 18

MANNER OF USE OF EXHIBITS DURING TRIAL

The rules set forth below shall govern the procedures of counsel, the Court and court staff for the handling of exhibits during trial proceedings in this jurisdiction.

- 18.1** At the commencement of the trial, plaintiff and defense attorneys shall provide an exhibit list to the Court Reporter and to the Court.
- 18.2** The Court and the Court Reporter shall maintain a list of exhibits identified for both plaintiff and defendant during trial.
- 18.3** Exhibit lists will be verified as to what exhibits were identified with all parties at the end of each trial day, as well as the location of these exhibits.
- 18.4** At the conclusion of each trial day, the Court and Court Reporter shall compare their respective lists for accuracy. Any discrepancies will be resolved with the plaintiff and defense counsel prior to the start of the following trial day.
- 18.5** At the conclusion of each party's case the original exhibits shall be provided to the Court who will then proceed to rule on the admissibility thereof. All exhibits admitted into evidence shall be given into the custody of the Court Reporter. All exhibits, which are proffered evidence not admitted shall be placed in a separate envelope and labeled as "proffered" and given to the custody of the Court Reporter to be retained for appellate purposes only.
- 18.6** Any exhibits not admitted, but used during the trial, shall not be left upon the witness stand or the Court Reporter's desk. In no event shall un-admitted exhibits be comingled with admitted exhibits at any stage of the proceedings.
- 18.7** It shall be the responsibility of the attorneys to secure exhibits that are not admitted and to ensure they are not left at the witness stand, Court Reporter's area, or comingled with admitted exhibits.
- 18.8** After exhibits are admitted they shall remain in the possession of the Court Reporter while not in use in the Courtroom. At the close of each business day the plaintiff, defense, Court Reporter and Court shall ensure the Court Reporter recovers possession of the exhibits. Exhibits shall remain locked in the office of the Court Reporter until the beginning of the next trial day.
- 18.9** Plaintiff and defense attorneys will meet with the Judge and Court Reporter to review the exhibits after the jury is sent into deliberations. Exhibits will not be released to the jury until all parties and the Court agree the exhibits are accurate.