

Rule 9070-1 Exhibits.

- (a) *Paper Exhibits.* ~~Whenever the number of exhibits in any case to be presented at hearing or trial by either party exceeds fifteen (15), the party intending to offer such exhibits must tab, number, and index them in a binder.~~ A complete copy of the exhibits must be provided to all parties at least ~~seven (7)~~ three (3) days prior to the trial or hearing, and to the court at the time of trial or hearing, unless otherwise ordered by the court. This requirement applies only to exhibits used in a party's case in chief and not to exhibits used for purposes of impeachment or rebuttal. Failure to timely exchange proposed exhibits in accordance with this rule may result in the court barring the admissions of any unexchanged exhibits. Whenever the number of exhibits in any case to be presented at hearing or trial by either party exceeds fifteen (15), the party intending to offer such exhibits must tab, number, and index them in a binder.
- ~~(b) *Electronic Exhibits.* A party who wishes to electronically display exhibits must contact the assigned judge's courtroom deputy at least seven (7) days before the trial or hearing to coordinate with the court's automation department to allow for such electronic display. Any party using electronically displayed exhibits must, at the time of trial or hearing, provide the court with three (3) copies of the exhibits on digital storage devices, such as USB flash drives.~~
- (b) *Electronic Exhibits.* Any attorney or pro se party who wishes to electronically submit and display exhibits may do so by:
- (1) completing the Courtroom Technology Request form available on the Court's website for each hearing/trial for which electronic evidence is to be used;
 - (2) pre-marking all electronic exhibits by using the file naming conventions specified in the Court's Electronic Evidence Presentation System Procedures (these are available on the Court's website, www.pamb.uscourts.gov);
 - (3) subject to the exceptions stated in this rule, the presiding judge's "Judicial Practices and Procedures" (which are available on the Court's website, www.pamb.uscourts.gov) or a showing of good cause, uploading all electronic exhibits into the Cloud Evidence System ("CES") at least three (3) days before the hearing/trial;
 - (4) sharing a copy of all electronic exhibits with opposing counsel/parties at least three days prior to the hearing/trial; and
 - (5) complying with the technical requirements specified in the Electronic Evidence Presentation System Procedures, including completing training on use of the Court's Electronic Evidence Presentation System.

The requirement to upload and share exhibits three (3) days prior to hearing/trial applies only to exhibits used in a party's case in chief and not to exhibits used for purposes of impeachment or rebuttal. Failure to timely upload and/or exchange proposed exhibits in accordance with this rule may result in the court barring the admission of any such exhibits.