

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

In Re:

**LOCAL RULES OF THE UNITED STATES  
BANKRUPTCY COURT FOR THE MIDDLE  
DISTRICT OF PENNSYLVANIA**

**General Order No. 20-9**

**ORDER AMENDING LOCAL RULE 9070-1  
CONCERNING THE USE OF ELECTRONIC EXHIBITS**

By Order dated July 20, 2020, the Court adopted, *inter alia*, procedures concerning social distancing protocols to help reduce the spread of COVID-19. In furtherance of those protocols and to reduce movement within the courtroom and the number of documents shared in the courtroom, the Court is amending Local Rule 9070-1 to facilitate and encourage the use of electronic exhibits for all evidentiary proceedings.

Upon consideration of the foregoing, it is hereby ORDERED that Local Rule 9070-1 is amended as follows effective immediately:

- (a) Paper Exhibits. A complete copy of the exhibits must be provided to all parties at least 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. Any attorney or pro se party who wishes to electronically submit and display exhibits may do so by:
  - (1) placing on the docket a notice of intention to present evidence electronically at the hearing. CM/ECF users may make a virtual entry of Notice Counsel Will Present Evidence Electronically at the Hearing;
  - (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](http://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](http://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;

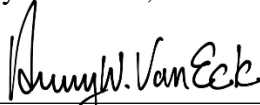
(4) sharing a copy of all electronic exhibits with opposing counsel/parties at least three days prior to the hearing/trial; and

(5) complying with the technical requirements specified in the Electronic Evidence Presentation System Procedures.

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.

Dated: September 29, 2020

By the Court,



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Henry W. Van Eck, Chief Bankruptcy Judge <sup>(SE)</sup>