

IN RE: LOCAL RULES : IN THE COURT OF COMMON PLEAS
Rule 5102.1 & 5103.1 : BRADFORD COUNTY, PENNSYLVANIA
: NO.: 2024 IR 0013

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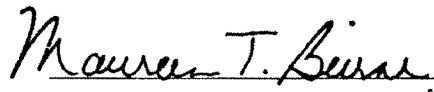
ORDER

AND NOW, this 21st day of February, 2024, Bradford County Court of Common Pleas adopts the following Local Rules of Judicial Administration governing the Custody of Exhibits for the 42nd Judicial District to be effective thirty (30) days after publication.

The Bradford County District Court Administrator is Ordered and Directed to do the following:

- 1) File one (1) copy of the local rule with the Administrative Office of Pennsylvania Courts via email to adminrules@pacourts.us.
- 2) Forward two (2) paper copies and one (1) electronic copy in a Microsoft Word format to the Legislative Reference Bureau for publication in the Pennsylvania Bulletin.
- 3) Publish the local rules on the court's website after publication in the Pennsylvania Bulletin.
- 4) Forward one (1) paper copy and/or (1) electronic copy in a Microsoft Word format for the publication Bradford County Law Journal.
- 5) File one copy of the local rules in the appropriate filing offices for public inspection and copying.
- 6) The effective date of the local rule shall be April 1, 2024 or 30 days after publication in the Pennsylvania Bulletin whichever occurs first.

BY THE COURT:

 P.J.
Maureen T. Beirne, President Judge



2024IR0013-0002 2/21/2024 12:26 PM # 1522667
ORDER

Main (Public)

Bradford County Prothonotary

42nd Jud. Dis. R. Jud. Admin. 5102.1 Custody of Exhibits. General Provisions.

(a) During Court Proceedings before Judge or Hearing Officer

- 1) The Court Reporter shall be the custodian of all documentary exhibits and photographs or electronic copies of non-documentary exhibits accepted or rejected during the court proceedings.
- 2) The Court Reporter shall maintain a written index of exhibits during the court proceedings.
- 3) The proponent shall include a Confidential Information Form or Confidential Document Form for any exhibit offered into evidence that contains confidential information or confidential documents as defined in the Case Records Public Access Policy of the Unified Judicial System of Pennsylvania. These forms shall be given by the proponent to the Court Reporter at the time the evidence is introduced.
- 4) The proponent of any non-documentary exhibit intended to be offered during a court proceeding shall maintain custody of it during the court proceeding.

(b) After Court Proceedings before Judge or Hearing Officer

- 1) The Court Reporter shall be the custodian of all documentary exhibits and photographs or electronic copies of non-documentary exhibits after court proceedings have concluded.
- 2) The Court Reporter shall:
 - i) Retain or take custody of all documentary exhibits and photograph or electronic copies of non-documentary exhibits accepted or rejected during the court proceedings
 - ii) Ensure the written index of the exhibits is consistent with the exhibits in the custodian's possession and take all steps necessary to cure any inconsistencies.
 - iii) File the written index of the exhibits and all documentary exhibits, photographs, and photographs or electronic copies of non-documentary exhibits with the appropriate records office within five (5) business days of the conclusion of the court proceedings
- 3) The proponent shall secure and maintain all non-documentary exhibits unless otherwise directed by the Court.

42nd Jud. Dist. R. Jud. Admin. 5103.1 Custody of Exhibits. Special Provisions.

(a) Photographs of Non-Documentary Exhibits.

- 1) In advance of a proceeding, the proponent shall prepare a physical, photographic copy of all potential, non-documentary exhibits pursuant to Pa. R.J.A. 5103(b).
- 2) The proponent shall also prepare a separate document to provide to the Court Reporter along with the photograph that describes the photograph(s), including:
 - i) the case name,
 - ii) docket number,
 - iii) proponent name, and
 - iv) date photograph was taken.

(b) Media Depositions. Media depositions presented at trial shall be retained by the proponent. The proponent shall submit either a copy of the media deposition on a portable media device or a transcript of the media deposition as an exhibit provided it complies with subdivision (c) of this Rule.

(c) Reproduction of Oversized or Voluminous Documentary Exhibits.

- 1) Where the intended, original documentary exhibit(s) exceeds 150 pages (single sided), the proponent shall cause the exhibit to be transformed into a portable document file (“pdf”) and placed onto a flash drive, thumb drive, usb drive, or other portable media-containing device.
- 2) The proponent shall place the portable media device in an envelope not exceeding 8 ½ by 11 inches containing either a label on the envelope or a separate document within the envelope describing the device’s contents, including:
 - i) the case name,
 - ii) docket number,
 - iii) proponent name, and
 - iv) creation date of original documents (if known), and date documents were reduced to pdf.

(d) Status Conference for Bulky, Oversized, or Otherwise Physically Impractical Exhibits.

- 1) In advance of any proceeding where a proponent anticipates their exhibit(s) will be categorized as bulky, oversized, or otherwise physically impractical pursuant to Pa. R.J.A. 5103(c)(3), the proponent shall, when the issue has not

previously been raised and addressed, file a motion for a status conference, which may be conducted via telephone or advanced communication technology at the discretion of the presiding judge.

- 2) The presiding judge, counsel, and parties if unrepresented, shall discuss maintenance and security of the exhibit(s) both during and after the proceeding consistent with Pa. R.J.A. 5104(a)(4), and the presiding judge shall confirm same by an Order of Court.

(e) **Weapons, Contraband, and Hazardous Materials Pursuant to Pa. R.J.A. 5103(d).**

- 1) Each presiding judge in any Court Proceeding may issue special instructions to address the method by which exhibits under this rule are maintained during a court proceeding, including the party that shall secure the exhibits while the Court Proceeding is in session, as well as during all breaks and recesses, which method shall be confirmed by an Order of Court.
 - i) In the absence of a Court Order, in any Court Proceeding where exhibits are offered into evidence, the proponent shall secure the exhibits while the Court Proceeding is in session, as well as during all breaks and recesses.
 - ii) During a Court Proceeding, the proponent shall exercise all appropriate safeguards necessary to protect the public based on the nature of the exhibit.
 - iii) Exhibits under this rule are prohibited from viewing in the jury room. The Court may direct alternative viewing arrangements for such exhibits upon the request of the jury.
- 2) At the conclusion of a Court Proceeding, all exhibits which have been offered into evidence, whether or not admitted of record, shall be kept in the custody of the proponent, the proponent's designee, or such other person as designated by the presiding judge.
- 3) Exhibits categorized under this Rule may only be disposed of or destroyed by an Order of Court.
- 4) If there are Exhibits which require temporary storage, the Sheriff's Office shall provide the proponent with an escort to the Records Office, as defined by Pa. R.J.A 5101(a)(7), or other secure area designated by the presiding judge.