

Rule 5101. Custody of Exhibits in Court Proceedings.

- (a) Matters regarding exhibits not addressed in these Local Rules shall be governed by Pa.R.J.A. 5101–5105.

Rule 5102. Custody of Exhibits. General Provisions.

- (a) **During Court Proceedings.** The Court Reporter/Recorder/Monitor shall be the Custodian of all exhibits admitted or rejected during a Court Proceeding, including breaks and recesses, except:

- (1) The Proponent shall secure all non-documentary exhibits that are bulky, oversized, or physically impractical for the Court Reporter/Recorder/Monitor to maintain, or evidence that is weapons, cash, items of value, drugs, or dangerous materials, while the Court Proceeding is in session, and during all breaks and recesses.
- (2) In advance of a Court Proceeding, the Proponent shall prepare a photographic copy of all potential non-documentary exhibits pursuant to Pa.R.J.A. 5103(b) for submission to the Court Reporter/Recorder/Monitor at the conclusion of the Court Proceeding in accordance with all applicable Local Rules.
- (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/Recorder/Monitor at the time the evidence is introduced.

(b) **After Court Proceedings.**

- (1) **Custodian.** After the close of Court Proceedings:
 - (i) **Documentary Exhibits**—The Court Reporter/Recorder/Monitor shall be the Custodian of all documentary exhibits, photographs, and photographs of non-documentary exhibits accepted or rejected. The Court Reporter/Recorder/Monitor shall take custody of, secure, and maintain all documentary exhibits, photographs, and photographs of non-documentary exhibits accepted or rejected during the Court proceeding in a format approved by the Court;
 - (ii) **Non-Documentary Exhibits**—The Proponent of all non-documentary

exhibits, including but not limited to bulky or oversized exhibits, weapons, cash, items of value, drugs, or dangerous materials shall secure said exhibits after Court Proceedings and maintain same as required by all applicable retention schedules, statutes, rules, regulations, and policies, or until further order of the Court. The Proponent shall not modify, tamper with or otherwise permit the degradation of any non-documentary exhibit.

- (2) **Index of Exhibits.** Within five days of the conclusion of a Court Proceeding, the Court Reporter/Recorder/Monitor shall file with the appropriate filing office an index of exhibits, which shall include for each exhibit the proponent, whether the exhibit was admitted into evidence, and a textual description or identification of the exhibit. The Court Reporter/Recorder/Monitor shall use the Index of Exhibits Template included below.

["INDEX OF EXHIBITS TEMPLATE"]

**COURT OF COMMON PLEAS OF MONROE COUNTY
43RD JUDICIAL DISTRICT
COMMONWEALTH OF PENNSYLVANIA**

[Case Caption]

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[Case Number]

INDEX OF EXHIBITS
PURSUANT TO P.A.R.J.A. 5102(b)(2)

COURT REPORTER/RECORDER/MONITOR:

DATE OF PROCEEDING:

TYPE OF PROCEEDING:

PRESIDING JUDGE:

NOTE: The images of the exhibits listed below are maintained separately and in accordance with all applicable retention schedules, statutes, rules, regulations, and policies, and Monroe County Local Rules of Judicial Administration.

[illegible]

[Attach Additional Pages as Needed]

Rule 5103. Custody of Exhibits. Special Provisions.

(a) — (d) **Reserved.**

(e) **Use of Digital Media.** The Proponent of any exhibit shall ensure such exhibit, or photographic substitution thereof, is submitted to the Court Reporter/Recorder/Monitor on a Universal Serial Bus (USB) flash drive (or other storage device if expressly approved by the Court), which shall comply with all of the following:

- a. The maximum file size of any individual file on a USB flash drive shall be 50 MB.
- b. Each separately numbered exhibit must be saved as a separate file on the Proponent's USB flash drive. All files shall be named in accordance with the following naming convention: "[Case Name] [Docket Number] [Proponent Title] Exhibit [#]".
- c. If one exhibit will exceed the maximum file size, it must be split into as many parts as are necessary to comply with the maximum file size and named in the following, or a substantially similar, format: [Case Name] [Docket Number] [Proponent Title] Exhibit [#] Part 1 of [total # parts]," and so on.
- d. Each USB flash drive shall contain an additional file labeled "[Case Name] [Docket Number] [Proponent Title] Index of Exhibits" which shall list all exhibits offered into evidence by the Proponent, and associated information, in the format provided for by the Index of Exhibit Template in Monroe Co. R.J.A. 5102(b)(2).
- e. For documents and photographs, all files shall be in PDF-A format;
- f. For audio, all files shall be in .mp3 format;
- g. For video, all files shall be in .mp4 format or, in the event that a Proponent receives from a third party a video file that is not convertible (e.g. Motor Vehicle Recordings ("MVRs")), the Proponent shall include on the USB with the video file, the appropriate software required to view the video.
- h. If any exhibit requires a Confidential Information or Confidential Document Form pursuant to the Case Records Public Access Policy of the Unified Judicial System of Pennsylvania, the Proponent shall ensure the first page of any exhibit file is the appropriate form. For any video or audio exhibit that requires a Confidential Information Form, the Proponent shall include

on the Storage Device with the video or audio file a PDF-A file containing the appropriate form.

- i. All files associated with one of these forms must include in the file name the word "CONFIDENTIAL."

(e.1) Upon request of the Proponent, and for good cause shown, the presiding Judge may waive any requirement under subsection (e) of this Rule only.

Comment: As of July 1, 2025, compliance with this Rule will be mandatory for all exhibit submissions, except as altered by the presiding judge pursuant to subsection (e.1).

Rule 5104. Local Rule. Prohibition.

(a) **Reserved.**

(b) **Optional Provision.** Support, Divorce, Juvenile, and Dependency Hearing Officer hearings, being proceedings of record upon which exceptions or objections can be filed, are specifically excepted from the provisions of this chapter.