

**COURT OF COMMON PLEAS OF MONROE COUNTY
FORTY-THIRD JUDICIAL DISTRICT
COMMONWEALTH OF PENNSYLVANIA**

In re: Local Rule of Judicial Administration :
5101 to 5104 Adopted : **5 CV 2024**
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:
:

ORDER

AND NOW, this 13th day of March, 2024, it is **ORDERED** that Monroe County Rules of Judicial Administration 5101 to 5104 (Monroe Co.R.J.A. 5101–5104) are attached and adopted, effective thirty (30) days after publication in the *Pennsylvania Bulletin*.

IT IS FURTHER ORDERED that the District Court Administrator shall:

1. File one (1) electronic copy of these Rules with the Administrative Office of Pennsylvania Courts via email to adminrules@pacourts.us.
2. File two (2) paper copies of this Order and Rules with the Legislative Reference Bureau and one (1) electronic copy in Microsoft Word format only via email to bulletin@palrb.us for publication in the *Pennsylvania Bulletin*.
3. Arrange to have these Rules published on the Monroe County Bar Association website at www.monroebar.org.
4. Arrange to have these Rules, as well as all local rules, published on the 43rd Judicial District website at www.monroepacourts.us.
5. Keep these Rules, as well as all local rules of this Court, continuously available for public inspection and copying in the respective Monroe County filing office

- a. Upon request and payment of reasonable cost of reproduction and mailing, the respective filing office shall furnish to any person a copy of any local rule.

BY THE COURT:

A handwritten signature in black ink, appearing to read "Margherita Patti-Worthington". The signature is fluid and cursive, with a long vertical stroke extending downwards from the end.

Margherita Patti-Worthington, P.J.

cc: Cori Doughty, District Court Administrator

**LOCAL RULES OF JUDICIAL ADMINISTRATION
COURT OF COMMON PLEAS
43RD JUDICIAL DISTRICT
MONROE COUNTY**

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. 5101–5104.

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] :
 :
 :
 :
 :

[Case Number]

INDEX OF EXHIBITS
PURSUANT TO PA.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, statues, rules, regulations, and policies, and Monroe County Local Rules of Judicial Administration.

<i>Exhibit:</i>	<i>Party:</i>	<i>Description: Indicate in this field whether Proponent submitted Confidential Document/Information Form with the Exhibit</i>	<i>Admitted?</i>	<i>Non-Documentary Exhibit?</i>

[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 contain an index of all exhibits on said device, in one of the following acceptable formats:

(1) For documents and photographs, all files shall be in PDF-A format;

(2) For audio, all files shall be in .mp3 format;

(3) 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.

Comment: This provision shall be phased in over time but no later than January 1, 2025 to enable counsel to meet the requirements of this provision.

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.