

EVIDENCE PROCEDURES:

It is the obligation of the person wishing to have evidence entered to pre-arrange how that will occur with the Court prior to the actual date of remote hearing.

- These rules apply to both delinquency and dependency proceedings;
- These rules are in effect unless excused by the assigned Judge for all proceedings that include a remote appearance of any counsel or party representing themselves.

All evidence must be individually pre-marked in compliance with the following:

- Case Number;
- Case Style;
- Identification of the Party who is offering the evidence;
- Date of the Hearing;
- Exhibit Number

Evidence must be exchanged at a time directed by the assigned Judge but no later than **72 hours before** the hearing starts.

An Index (List) of all evidence being offered for admittance must be filed in the court file and accompany the distribution of the evidence.

This distribution of evidence among counsel (parties) of record may be done by electronic means or hard copy, but must be provided in hard copy to Clerk and Court and must include the index noted above.

The copy to the Clerk must clearly indicate to which division Clerk it should be delivered. The copy to the Clerk must have a notice of compliance with these rules on top with the index immediately following and then each of the exhibits in hard copy marked as above in identical sequential order to the index

Any hard object evidence (weapons, clothes, etc.) should be listed on the index but shall be handled as directed by assigned Judge.

All documentary evidence (papers, photos, reports, etc.) shall be handled as above.

All video/audio discs (including law enforcement webcam evidence) shall be handled as above.

It is the responsibility of the party offering the evidence to make sure the evidence can be clearly seen and heard during the remote proceeding. The Clerk, JA and/or Judge is not responsible to do this.

Please remember that in creating a record the Clerk files the evidence in a separate location than just in the present Court file. Asking a Judge to Take Judicial Notice means that you are asking that document become evidence in the present proceeding and requires the Clerk to have a copy of that document marked as above like all the other evidence for the present proceeding. Referring to it in a different Court file or even in the present Court file is not sufficient. The Judge, JA or Clerk will not be able to make that copy for you so please have marked and ready separate copies of those documents for which you are asking the Court take Judicial Notice. They should be copied and marked and placed in sequential order just like every other document after the index.

The Clerk will be responsible for making sure the evidence that is moved in is noted in the Court record and on the actual hard evidence. All evidence that is offered and not successfully entered into evidence shall also be noted and retained by the Clerk for purposes of appeal. Any evidence that is not even offered for entrance shall be returned after the proceeding following normal procedures to the person who initially submitted it to the Clerk.