

# JURY EVIDENCE RECORDING SYSTEM (JERS)

JERS is a system that allows deliberating jurors to view evidence electronically on a large flat screen in the jury deliberation room. JERS is not used to display evidence in the courtroom during trial and should not be confused with presenting the evidence in the courtroom during trial. The technology otherwise available in the courtroom will be used to present evidence to the jury as we have done in the past.

The following outlines pertinent information regarding formatting, submission of exhibits, deadline for submission to chambers, and other matters.

## A. Statement of JERS Use at Trial

Unless directed otherwise by the Court, JERS will be used for each jury trial. If there are any questions about this you should contact chambers.

## B. Submission of Electronic Exhibits to the Court

Electronic exhibits shall be provided to the court on a data storage device, such as a Flashdrive, USB, DVD, or CD. The device should be labeled with the case name, case number, and name of submitting party. Documents should be submitted in **.pdf, .jpg, .bmp, .tif, or .gif** format. Video/Audio files should be submitted in **.avi, .wmv, .mpg, .mp3, .mp4, .wav, or .wma** format. Individual files should not exceed 500MB. If possible, exhibits approaching or exceeding this size limit should be separated into multiple files

## C. Correct Naming Convention for Electronic Exhibits

### (a) General Format:

<exhibit number>-<exhibit part>\_<exhibit description>.<file extension>

**NOTE: All exhibits should be described as you have described them on the filed exhibit list and how they are described when presenting them as evidence.**

### (b) Maximum Number of Characters:

The maximum number of characters that may be used in the “exhibit number” and the “exhibit part” fields is 4 each. The maximum number of characters that may be used in the “exhibit description” field is 200.

(c) Specific Format:

The exhibit number for plaintiff and defendant will be those previously agreed to. Plaintiff/Government typically will begin with Exhibit 1, and defendant will begin with Exhibit 801.

Here are some examples of how the formatting should look:

Example for Plaintiff/Government:

1\_2010 Financial Statement.pdf  
2-a\_Dec 2016 Store Surveillance Footage.wmv  
2-b\_Nov 2016 Phone Call CI to Defendant.mp3  
2-aa\_Oct 2016 Store Surveillance Footage.mpg

Example for Defendant:

801\_2010 Financial Statement.pdf  
801-a\_Dec 2016 Store Surveillance Footage.wmv  
801-b\_Nov 2016 Phone Call CI to Defendant.mp3  
801-aa\_Oct 2016 Store Surveillance Footage.mpg

NOTE: You cannot use the following characters when naming the exhibit-JERS will not accept them: \ / : \* ? “ < >

Also, you cannot use numbers in the “exhibit part” field – JERS only accepts letters

Proper label: 2-a

Improper label: 2-1

If the Court receives the electronic device with exhibits labeled in any other way than instructed above, the device will be returned to counsel to reformat all exhibits correctly.

D. Conventional Submission of Exhibits

A party may need to submit an exhibit conventionally, e.g. the physical gun, the physical package of drugs, a large poster board time line, etc. If this is the case, located in numeric order on the device, you will need to type a “place card” so the jurors will know they need to find that physical evidence.

Example:

14\_Photo of defendant holding gun.pdf  
14-a\_Physical Evidence re gun held by defendant.pdf

E. Verification of Exhibits

The parties are required to verify the readability and clarity of the exhibits before submitting them electronically to the Court. Chambers will do a cursory review of the exhibits to ensure they can be viewed by the jurors.

F. Exhibit Submission Deadline

- (a) Exhibits should be submitted on a Flash Drive, USB, DVD, or CD or any removable media in the format as stated above, and submitted no later than 1 week before trial.
- (b) The court is aware there are times when exhibits are added at the last minute. For those instances, if the exhibit is a PDF document and if there isn't time to submit the exhibit on a Flash Drive, USB, DVD, CD, with the consent of chambers you can email the PDF document to chambers email account, and Chambers will then add it to JERS.
- (c) Any modifications or corrections to already submitted exhibits will require clear communication from the party to the court. If an already submitted exhibit is to be replaced in its entirety using the same exhibit number, that is how it should be presented to the court. If an already submitted exhibit is modified but a new exhibit number has been used, this would be considered a brand new exhibit for the court to load into JERS.
- (d) The court will not go into the JERS system and delete exhibits that have already been submitted. If an exhibit is not used during the trial, and not admitted as evidence, the "admitted" box will not be checked and the exhibit will not be released for the jury to see. Only "admitted" exhibits are released and seen by the jury.

G. Miscellaneous

- (a) During trial, the CRD/Law Clerk will monitor which exhibits are admitted, and ensure the appropriate box is checked to allow that exhibit to be released to the jurors for viewing.
- (b) At the request of counsel, the court can provide a Report showing which exhibits have been submitted to the court to load into JERS and which were admitted each day as evidence.
- (c) Prior to deliberations counsel and the CRD/Law Clerk should confirm all admitted exhibits. Only after confirmation by all parties should the exhibits be released to the JERS system.
- (d) The CRD/Law Clerk will release the exhibits to the JERS system and only then will the jurors be able to see the actual admitted exhibits.

- (e) Pursuant to Local Rule 79.3, exhibits received into evidence shall remain in the custody of the offering party until appeal time has expired or resolved. Parties retaining custody shall make such exhibits available to opposing counsel for appeal preparation and are responsible for transmission of exhibits to the appellate court, if required.
- (f) Exhibits submitted to the court as sealed should include SEALED in the exhibit description.
- (g) Personal identifiers: Exhibits with personal identifiers should be **redacted** and noted as such in the exhibit description.