

PROCEDURES FOR USE OF DOCUMENTARY EVIDENCE THROUGH REMOTE MEANS

1. The following procedures apply to the use of documentary evidence in hearings before General Magistrate Steven Lieberman. Documentary evidence includes any papers, photographs, or other items reasonably able to be shared electronically.
2. At least seven days prior to any evidentiary hearing, all parties or their counsel shall communicate electronically and try to agree to the authenticity and/or admissibility of the proposed evidence.
3. At least seven days prior to any evidentiary hearing, all parties or their counsel shall file with the e-filing portal and serve on the opposing party or counsel, a Proposed Exhibit List.
 - A) The Proposed Exhibit List must contain a description of each of the exhibits a party wishes to use at an evidentiary hearing. Each exhibit listed on the Proposed Exhibit List must be marked for identification on the Proposed Exhibit List as "Petitioner's 1, 2, 3, etc." or "Respondent's A, B, C, etc.". A blank Proposed Exhibit List is attached for your convenience.
 - B) Parties or their counsel must indicate on the Proposed Exhibit List whether the parties agree the document may be admitted into evidence. Put the word "agreed" on the proposed exhibit list. The General Magistrate will decide at the hearing whether to admit any document into evidence if there is no agreement.
4. At least seven days prior to any evidentiary hearing, all parties or their counsel shall file with the e-filing portal and serve on the opposing party or counsel, each Exhibit which the party wishes to use at the evidentiary hearing. Each Exhibit shall be marked for identification on the bottom of the first page of the document "Petitioner's 1, 2, 3, etc." or Respondent's A,B,C, etc."
 - A) Each marked Exhibit must correspond with the identification markings on the Proposed Exhibit List. (Petitioner's 1,2,3, etc. or Respondent's A, B,C, etc.).
 - B) Each marked Exhibit shall be filed with an attached Notice of Filing. Each Exhibit shall be filed separately. Parties/counsel shall not file any "composites".

C) Exhibits that have not been filed with the e-filing portal at least seven days prior to the hearing and do not appear on the docket may not be admitted into evidence, at the discretion of the General Magistrate.

5. Nothing in this procedure limits the General Magistrate's ability to designate supplemental procedures in individual cases.
6. After the hearing, parties or their counsel must work promptly with the Clerk to prepare an Updated Exhibit List with a corrected Index of documents admitted in evidence, to ensure accuracy.
7. If other documents were used at the hearing and considered by the Court, the party who used the exhibit is ORDERED to file it within 24 hours after the hearing with a Notice of Filing.
8. If the Court must review a document, but it is not being admitted as evidence, the party need not file the document in advance but may show the document to all parties during the Zoom hearing.
9. If the parties comply in good faith with this procedure but technological issues prevent a meaningful review of the evidence through remote means, the Court may reset the matter.

