

IN RE:
Local Rules of Judicial Administration
5102, 5103, and 5104

:IN THE COURT OF COMMON PLEAS
:OF THE 41ST JUDICIAL DISTRICT
:OF PENNSYLVANIA
:PERRY COUNTY BRANCH
:NO. AD-12-2024

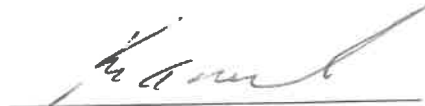
ORDER

And now, March 28, 2024, the Court hereby adopts the attached Local Rules of Judicial Administration 5102, 5103, and 5104, providing for the custody of exhibits, to be effective thirty (30) days after the publication of same in *The Pennsylvania Bulletin*.

It is further ordered that the District Court Administrator shall file

- (a) one (1) electronic copy of the Local Rules with the Administrative Office of Pennsylvania Courts,
- (b) two (2) certified copies and one (1) electronic copy to the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*,
- (c) The Local Rules shall be kept continuously available for public inspection and copying in the office of the Prothonotary and Clerk of Courts and upon request and payment of reasonable costs of reproduction and/or mailing the Prothonotary and Clerk of Courts shall furnish to any person a copy of the requested Local Rules.

BY THE COURT:


KENNETH A. MUMMAH, P.J.

Cc: President Judge Kenneth A. Mumma
Judge Andrew J. Bender
District Court Administrator
Perry County Prothonotary/Clerk of Courts
Perry County Clerk of Orphans' Court
Perry County District Attorney
Official Court Reporter
Perry County Bar Association
Perry County Probation
Perry County Domestic Relations

PROTHONOTARY
CLERK OF COURTS
PERRY COUNTY PA

2024 MAR 29 AM 10:00

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CERTIFIED A TRUE COPY



PROTHONOTARY & CLERK OF COURTS

Rule 5102. Custody of Exhibits. General Provisions.

(a) During Court Proceedings.

(1) The Court Reporter for all, or a portion, of a court proceeding, shall be designated as the "Custodian," as defined by Pa. R.J.A. 5101(a)(2), for all documentary exhibits, photographs, and photographs of non-documentary exhibits submitted during the court proceeding, regardless of whether said exhibits are accepted or rejected.

(2) The proponent shall be designated as the "Custodian," as defined by Pa. R.J.A. 5101(a)(2), of physical evidence (including, but not limited to, weapons, cash, other items of value, or other dangerous materials) and bulky, oversized, or otherwise physically impractical exhibits during a court proceeding.

(3) If only one (1) Custodian is involved with a proceeding, said Custodian shall file with the appropriate filing office all submitted exhibits and index of exhibits within five (5) business days of the conclusion of the proceeding.

(4) If multiple Custodians are involved with a proceeding, the first Custodian shall provide the subsequent Custodian (and so on, if more than two Custodians) with the submitted exhibits and index of exhibits. The Custodian at the conclusion of the proceeding shall file with the appropriate filing office all submitted exhibits and index of exhibits within five (5) business days of the conclusion of the proceeding.

(5) Notwithstanding this subdivision, the parties to a proceeding may agree to an alternate custodial process if approved by the presiding judge and confirmed by an Order of Court.

(b) After Court Proceedings.

(1) Custodian.

(i) Documentary Exhibits. The appropriate filing office shall be designated as "Custodian," as defined by Pa. R.J.A. 5101(a)(1), for all documentary exhibits, photographs, and photographs of non-documentary after the conclusion of a court proceeding, upon filing of said exhibits and index of exhibits.

(ii) Non-Documentary or Physical Exhibits.

(A) At the conclusion of a court proceeding, the proponent shall transfer custody of physical evidence (including, but not limited to, weapons, cash, other items of value, or other dangerous materials) and bulky, oversized, or otherwise physically impractical exhibits to the Court Reporter. The Court Reporter shall thereafter be designated as "Custodian," as defined by Pa. R.J.A. 5101(a)(1), for such exhibits upon receipt from the proponent at the conclusion of a court proceeding.

(B) Upon receipt of physical exhibits from the proponent, the Custodian shall handle said exhibits in accordance with procedures outlined in Perry County Local Rule of Judicial Administration 5103.

(iii) Notwithstanding this subdivision, the parties may agree to an alternate custodial process if approved by the presiding judge and confirmed by an Order of Court.

(c) Proceedings Before a Master.

(1) During Proceedings Before a Master.

(i) Documentary Exhibits. During a proceeding before a Master, the Court Reporter shall be designated as the "Custodian," as defined by Pa. R.J.A. 5101(a)(2), for all documentary exhibits, photographs, and photographs of non- documentary exhibits submitted during the proceeding before the Master, regardless of whether said exhibits are accepted or rejected.

(ii) Non-Documentary or Physical Exhibits. During a proceeding before a Master, the proponent shall be designated as the "Custodian," as defined by Pa. R.J.A. 5101(a)(2), of physical evidence (including, but not limited to, weapons, cash, other items of value, or other dangerous materials) and bulky, oversized, or otherwise physically impractical exhibits.

(2) After Proceedings Before a Master.

(i) Documentary Exhibits. The appropriate filing office shall be designated as "Custodian," as defined by Pa. R.J.A. 5101(a)(1), for all documentary exhibits, photographs, and photographs of non-documentary after the conclusion of a proceeding before a Master, upon filing of said exhibits and index of exhibits.

(ii) Non-Documentary or Physical Exhibits. At the conclusion of a proceeding before a Master, the proponent shall transfer custody of physical evidence (including, but not limited to, weapons, cash, other items of value, or other dangerous materials) and bulky, oversized, or otherwise physically impractical exhibits to the Court Reporter. The Court Reporter shall thereafter be designated as "Custodian," as defined by Pa. R.J.A. 5101(a)(1), for such exhibits upon receipt from the proponent at the conclusion of proceedings before a Master.

(d) Index of Exhibits. Litigants and the Court Reporter shall utilize the attached form when indexing said exhibits which shall be delivered, along with a copy of said form, with the exhibits to the filing office by the Court Reporter. The filing office personnel receiving the exhibits shall execute the original indexing form of exhibits, along with the copy, noting the date the exhibits were received by the filing office and return the copy to the Court Reporter and file the original of record with said document being scanned and docketed within five (5) business days of said filing.

(e) Confidential Information. In all Court Proceedings, including proceedings before a Master, the proponent shall include a properly completed 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 maintaining the Index of Exhibits at the time evidence is introduced.

Rule 5103. Custody of Exhibits. Special Provisions.

(a) Documentary Exhibits.

(1) Reproduction of Oversized or Voluminous Documentary Exhibits. Upon a good- cause request for reproduction of an oversized or voluminous documentary exhibit, the custodian of said exhibit shall furnish a digital copy of said exhibit to the requesting party for reproduction. Said digital copy may be in the form of a physical universal serial bus (USB) drive or a portable document file (PDF) or other electronic file format sent by email to the requesting party.

(b) Photographs. Any photograph offered by a proponent may not be larger than 8-1/2 x 11 inches.

(c) Non-documentary or Physical Exhibits: Generally.

(1) If a proponent offers into evidence physical evidence (including, but not limited to, weapons, cash, other items of value, or other dangerous materials) or bulky, oversized, or otherwise physically impractical exhibits, said exhibit(s) must be photographed by the proponent, converted to a letter-sized document, and appropriately marked and produced during the court proceeding for inclusion in the documentary record. Any converted letter-sized document shall be filed by the Custodian in the appropriate filing office, with other submitted documentary exhibits and index of exhibits, within five (5) business days of the conclusion of the proceeding.

(2) Unless otherwise provided by the presiding judge, at the conclusion of the court proceeding, custody of physical evidence (including, but not limited to, weapons, cash, other items of value, or other dangerous materials) and bulky, oversized, or otherwise physically impractical exhibits shall be transferred from the proponent to the Court Reporter for safekeeping as required by any applicable retention schedule, statute, rule, regulation, or policy, or until further Order of Court.

(3) Status Conference for Bulky, Oversized, or Otherwise Physically Impractical Exhibits.

(i) In advance of any proceeding where a proponent anticipates their exhibits will be categorized as bulky, oversized, or otherwise physically impractical pursuant to Pa. R.J.A. 5103(c)(3), the proponent shall motion for a status conference to be attended by all counsel and parties of record, if unrepresented.

(ii) A status conference held pursuant to this subdivision may be held via telephone or other electronic means at the discretion of the presiding judge.

(iii) The presiding judge, counsel, and parties if unrepresented, shall discuss maintenance and security of the exhibit(s) both during and after the proceeding consistent with Pa. R.J.A. 5104(a)(4), and the presiding judge shall confirm the same per an Order of Court.

Rule 5104. Custody of Exhibits. Special Provisions for Oversized or Voluminous Documentary Exhibits.

(a) All documentary exhibits shall be filed in the appropriate filing office.

(b) For any documentary exhibit that is found by the Court to be oversized or voluminous, the Court, on the Court's own Motion, or at the request of any party, may direct the party offering the oversized or voluminous documentary exhibit to provide the oversized or voluminous documentary exhibit in the form of a physical universal serial bus (USB) drive, a portable document file (PDF), or other electronic file format.

(c) The physical universal serial bus (USB) drive, portable document file (PDF), or other electronic file format shall be entered into evidence as an exhibit, shall be maintained by the Court Reporter, and not filed of record in the appropriate filing office.

(d) At the sole discretion of the Court, the Court may order the physical universal serial bus (USB) drive, portable document file (PDF), or other electronic file format to be uploaded into the applicable electronic system utilized by the filing office.

**THE COURT OF COMMON PLEAS OF THE 41ST JUDICIAL DISTRICT OF
PENNSYLVANIA**

Index of Exhibits

Case Name: _____

Docket Number: _____

Proceeding: _____

Date: _____

Presiding Judge: _____

Parties/Counsel Present: _____

Number	Description/Title	Proponent	Admitted	Rejected	Sealed by Court	Confidential Information Form Required?

Name of Person Completing this Index:
