

**[Proposed New]**  
**Rule 9070-2**

**USE OF EXHIBITS AT TRIAL**

(a) ***Copies of Exhibits at Trial.*** Exhibits filed using the CM/ECF Electronically Stored Exhibit Upload are the official exhibits for purposes of trial. Parties are not required to bring paper copies of exhibits to the trial except when required by the presiding judge or when using exhibits for the examination of witnesses in the manner provided below.

(b) ***Witness Binders.*** If exhibits will be used to examine a witness, the examining party must provide paper copies of the exhibits being used to the Court, the witness, and other parties at the commencement of the examination in the following format:

(1) If more than one exhibit is being used to examine a witness, the exhibits should be placed in a 3-ring binder.

(2) Witness binders must be labeled with the name of the party offering the exhibits and the witness's name.

(3) Witness binders should only include those exhibits a party expects to use in the examination of the named witness. A witness binder must not include all of the party's exhibits unless the party expects to ask the witness about each exhibit.

(4) If an exhibit is voluminous and the entire exhibit is not relevant to the witness's testimony, the witness binder may include only the relevant portion of that exhibit.

(5) Witness binders must have numbered tabs separating the exhibits corresponding to the official exhibit number assigned on the party's Exhibit List and include, as the first page of the binder, the party's Exhibit List prepared in accordance with Local Rule 9070-1.

(6) Each witness must have a separate binder of exhibits for their examination; provided, however, if a party's entire Exhibit List includes no more than five exhibits, and those exhibits are not voluminous, the party may use one exhibit binder for all witnesses.

(7) A party's failure to include a previously exchanged exhibit in a witness binder will not bar the party from offering the exhibit into evidence.

(c) ***Disposal of Trial Exhibits.*** Witness binders or other paper copies of exhibits that are not removed from the courtroom following trial will be disposed of by the courtroom deputy immediately after trial.

(d) ***Unrepresented Parties.*** Unrepresented parties in an adversary proceeding or a contested matter are required to comply with this rule to the best of their ability.