

# JURY EVIDENCE RECORDING SYSTEM (JERS)

JERS is a system that allows deliberating jurors to view evidence electronically on a large flat screen in the deliberation room. In its current configuration, it is not used to display evidence in the courtroom during trial. JERS should not be confused with presenting the evidence in the courtroom during trial. The technology 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, and deadline for submission to chambers.

## A. Statement of JERS Use at Trial

Unless directed otherwise by Judge Melgren, 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 format. Video/Audio files should be submitted in .avi; .wmv; .mpg; .mp3; .mp4; .wav format.

## 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 typically will begin with Exhibit 1 and defendant will begin with Exhibit 400. Here is an example of how the formatting should look:

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

Defendant's exhibit will be labeled the same but instead of using "1" they will use "400" (or whatever beginning number that has been decided on)

Example: 400\_2010 Financial Statement.pdf  
400-a\_Dec 2016 Store Surveillance Footage.wmv  
400-b\_Nov 2016 Phone Call CI to Defendant.mp3  
400-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, i.e. 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 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, DVD, 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, DVD, CD, upon the consent of chambers you can email the PDF document to chambers email account and chambers will be able to 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 just 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, it should not be Released to the jury, the "admitted" box will not be checked and it 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 law clerk/CRD will monitor which exhibits were admitted, and ensure the appropriate box is checked that it was admitted to allow that exhibit to be released to the jurors for viewing.
- (b) At 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 law clerk/CRD should confirm all admitted exhibits. Only after confirmation by all parties should the exhibits be Released to the JERS system.
- (d) The law clerk/CRD will Release the exhibits to the JERS system and only then will the jurors be able to see the actual exhibits.