

The Circuit Court for Howard County – Pre-Filing Exhibits

Exhibits should be pre-filed at least two business days in advance of a remote hearing.

For **in-person hearings**, if practicable, parties are encouraged to electronically pre-file documents (at least 2 business days prior to the hearing) to be offered into evidence, instead of offering them in paper form.

Pre-filing of exhibits does not constitute admission of the documents.

Pre-filing policies/procedures:

1. Registered MDEC users must pre-file proposed exhibits using File & Serve, as described in the MDEC Policies and Procedures Manual

<https://mdcourts.gov/sites/default/files/import/mdec/pdfs/manualh5.pdf>

Please note:

- a. Pre-filed exhibits do **not** need a certificate of service.
 - b. The Notice of Restricted information is **not** needed for pre-filed exhibits.
 - c. **LEGIBILITY AND ORIENTATION:** The submission must be completely legible and must be scanned with the proper orientation. If it is upside down, sideways, blurry, or contains blank pages, **the filing will be deficient and returned.**
 - d. Clearly title the exhibit document before uploading. Recommended naming convention to include a pre-filed exhibit number, the submitting party and a description of the exhibit: Pre-Filed#1_Plaintiff Smith_Aug2020BankStatement. This description should make it easier to locate the appropriate exhibit during a hearing.
2. Non-MDEC users shall file the proposed exhibits with the court clerk.
 3. Exhibits that are NOT pre-filed for remote hearings:
 - a. The court may allow exhibits not submitted prior to the hearing to be used at the hearing, such as documents used for impeachment.
 - b. At the court's discretion, the court may consider allowing a party to transmit an exhibit to the court during the hearing via email, File & Serve, or other method approved by the court. However, the court may pause the hearing for the exhibits to be processed by the clerk and that time may reduce the overall time allotted for the hearing and/or one party's allotted hearing time.
 - c. If a registered user offers an exhibit that has not been pre-filed and cannot be filed during the hearing (for ex. a tangible object), the court may accept the submission conditionally, subject to it being properly filed by the registered user. In criminal proceedings, the submission shall be filed by the end of the day that the submission was offered in court. In all proceedings other than criminal, the submission shall be filed no later than the end of the next business day after the submission was offered in court. If the registered user fails to file by the applicable deadline, the court may schedule additional proceedings and/or impose sanctions, including striking the conditional submission.