

NOTICE to the BAR
November 18, 2020

Special Civil Part Exhibit Submission Protocol

The Bergen County Special Civil Part has created a protocol for the Filing, Use and/or Submission of Exhibits for Remote DC and SC Court Sessions. The protocol is intended to make the submission of exhibits for remote proceedings consistent, easy and to meet all IT judicial security requirements.

The Protocol should be followed for all remote trials in which a party intends to submit evidentiary exhibits. Please note that this is a general protocol. Individual judges reserve the right to request submissions in a manner they deem appropriate on a case by case basis.

NOTICE
November 18, 2020

FILING, USE AND/OR SUBMISSION OF EXHIBITS FOR REMOTE COURTROOM SESSION

In order to ensure that the court, court staff, counsel, and other parties have access to electronically filed and/or submitted exhibits, the following requirements apply to the filing, submission and use in remote courtroom proceeding before the Superior Court of New Jersey, Special Civil Part, Bergen Vicinage.

1. Protocol for Trial /Hearing Electronic Submission of Evidentiary Exhibits
 - a. The submission of the Electronic evidence files should normally occur after the parties are reasonably sure that the lists are complete to avoid a piecemeal submission of files to the court.
 - b. Counsel or moving party must pre-mark all Evidentiary exhibits – documentary, audio-video-using the following naming conventions: Plaintiff exhibit; P-1, P-2, P-3, etc. or Defendant exhibit; D-1, D-2, D-3.
 - c. File Type Requirements-All Electronic exhibits are to be submitted only in these formats.

Exhibit Types	Allowable File
Documents	pdf
Images, Pictures	gif, png, pdf, jpg
Audio Recordings .mp4	.avi, mpg, mp3,
Video recordings .mp4	.avi, .mpg, .mp3,

- d. Exhibit files are not to be encoded/encrypted with any proprietary software, and they must be readable by computers running Microsoft Windows software without the need to install any additional proprietary tools.
- e. Individual file size is not to exceed 10 Mb. Exhibits exceeding this size must be separated into smaller files. Images may be reduced in size by reducing their dimensions, usual with minimal effect to viewing quality.
- f. Documents and images must be properly oriented for viewing
- g. No later than 1:30 pm the day prior to the scheduled hearing/event, all submissions must be filed with the court in conformity with all applicable court rules. (Physical evidence must be submitted three days in advance, see paragraph 3 below.)
- h. All submissions must be electronically sent via email with the necessary attachments to the adversary or adversary's counsel and the judiciary representative who generates the Zoom invitation
(_____._____@njcourts.gov)
- i. It is the responsibility of each counsel or party to make sure on the day of the trial all submitted exhibits are readily accessible and available electronically to counsel, client, adversary, and other interested party such as expert witnesses.
- j. The court will have all previously submitted exhibits readily available electronically for its use.
- k. Submissions of noncompliant exhibits will result in delay of proceeding. If the court determines that a submitted exhibit does not meet the above requirements, the court will notify the filer that the submission must be refiled in a format that complies with the above requirements.
- l. All exhibits must be properly redacted to comply with requirements of R.1:38-7.

2. Protocol for use and submission of evidentiary exhibits during the remote courtroom trial/hearing.

- a. All parties, including the non-moving party, prior to the start of the remote courtroom proceeding must have all exhibits uploaded to their respective electronic devices.
- b. The court expects no delays from the party's failure to strictly adhere to the electronic exhibits formats during remote courtroom proceeding.
- c. If it becomes necessary at the hearing, additional exhibits which (i) with due diligence could not have been made available to the moving party prior to the hearing; or (ii) the moving party didn't reasonable anticipate using it at the hearing; or (iii) for other good cause shown satisfactory to the court, may be submitted by the parties to the court. The court may adjourn the matter to permit the moving party to e-file exhibits in accordance with the protocols set forth above, or the court, within its discretion, may proceed otherwise. The file type, format and size requirements outlined above for trial/hearing electronic



submissions still apply and the electronic exhibit file(s) submitted to the court must also be electronically sent via email with the necessary attachments to the adversary or adversary's counsel, and judiciary representative who generates the Zoom invitation (_____._____@njcourts.gov)

3. Protocol for Trial/Hearing Physical Submission of Evidentiary Exhibits

a. Physical Evidence that cannot be submitted electronically, as outline above, can be dropped off at the Bergen County Justice Center located at 10 Main Street, Hackensack, N.J. A drop-box receptacle container is located at the Court Street entrance of the Bergen County Justice Center and is accessible from 8:30 a.m. to 4:30 p.m.

b. All physical evidence must be submitted three days prior to the trial date. Evidentiary Exhibits submitted through the drop box must be clearly addressed to the trial Judge hearing the case and must be labeled with the date of trial, case name and case docket number. All submissions of physical evidence must comply with the format (1b) and service requirements (1i) as set forth above.

**ANY CONTACT WITH THE COURT REGARDING SUBMISSION OF EXHIBITS
PURSUANT TO THIS PROTOCOL OR FOR ANY OTHER REASON MUST BE
MADE NO LESS THAN 48 HOURS PRIOR TO YOUR TRIAL DATE.**

