

Rule 23 – Jury or Nonjury Trial

LCrR23. Jury Trial.

23-1 Trial Rules.

Parties shall review the website of this Court for any specific Courtroom rules published by a judge of this Court.

23-2 Use of Exhibits at Trial.

- (a) **Exhibit List.** At the ~~commencement~~ beginning of trial, counsel shall provide copies of a typewritten list of the exhibits they plan to introduce, designated by trial exhibit numbers, to the judge, opposing counsel, the courtroom deputy, and the court reporter, so long as providing the list is consistent with the applicable Federal Rules of Criminal Procedure and does not violate or jeopardize the constitutional rights of the defendant.
- (b) **Exhibits.** Each exhibit anticipated to be offered into evidence should be marked with an exhibit number and case number before trial.
- (c) **Withdrawal.** Unless otherwise ordered by the Court, all exhibits introduced in evidence in the trial of the case shall be withdrawn at the close of trial and remain in the custody of the party introducing the evidence. The Court may order the party introducing exhibits which are bulky, heavy, firearms or controlled substances to retain custody of such exhibits during the trial. Any such order shall provide for preservation of the exhibit as justice may require
- (d) **Photographs for Appeal.** Exhibits, diagrams, charts and drawings may, under the supervision of the Court, be photographed for use on appeal or otherwise.

23-3 Witness List.

At the ~~commencement~~ beginning of the trial, counsel shall provide copies of a typewritten list of the witnesses they expect to call, including known rebuttal witnesses, in the order they are expected to be called, to the judge, opposing counsel, the courtroom deputy, and the court reporter, so long as providing the list is consistent with the applicable Federal Rules of Criminal Procedure and does not violate or jeopardize the constitutional rights of the defendant.

23.4 Transcription of Video and Audio Recordings.

In any trial in which counsel presents as evidence a video or audio recording, counsel may waive reporting and transcription of the audio portion of the recording. Regardless of whether counsel waives reporting, counsel shall be required to clearly identify on the record with specificity which portion(s) of the recording have been played (e.g., by counter number or time sequence), and to provide any special equipment needed for playing the recording, if necessary.