

Rule 5102. Custody of Exhibits. General Provisions.

a. The custodian(s) shall be the proponent seeking the administration of an exhibit during the court proceeding. Exhibits for contiguous hearings/trials may remain in the assigned locked courtroom or the custodian may retain possession. Exhibits for non-contiguous hearings/trials remain with the custodian and must be returned at the continuation of the hearing/trial.

b. Absent agreement of the parties to the contrary and such agreement being filed with the court, the custodian(s) designated in section 5102 (a) shall remain the custodian after the court proceeding. In the event of the departure or death of the custodian/proponent from the firm or office, the firm or office shall retain exhibits. Upon agreement of the parties, one custodian can agree to retain custody of one or all of the exhibits. Documentation of this must be included on the index of exhibits.

ii. Records office requirements: Prothonotary Office requires all exhibits and custody of exhibits forms be electronically filed. Clerk of Courts Office requires all exhibits and custody of exhibits forms be brought to their office for filing. Each office will indicate in docket entries that an index of exhibits has been filed.

2. Index of exhibits. Index of exhibits form must be completed, signed, and submitted to the appropriate Records office with all exhibits sized at 8-1/2 x 11 inch documents

IN THE COURT OF COMMON PLEAS OF LANCASTER COUNTY, PENNSYLVANIA

CIVIL – CRIMINAL

vs. : Docket No:
: :
: :
: :

INDEX OF EXHIBITS

*** Pursuant to PA. R.J.A. 5102, this document and all exhibits must be filed by the custodian/proponent in the appropriate records office no later than five business days after the end of the court proceeding.

*** Failure to file could result in an order to appear for a Show Cause Hearing where you could be held in Contempt of Court.

4. Upon the failure of the custodian/proponent to comply with filing the exhibits, any interested party may file a petition for a show cause hearing to be held.

Rule 5103. Custody of Exhibits. Special Provisions

g. Absent agreement of the parties, a court order is required before destruction of any exhibits, which includes non-documentary exhibits. The parties' agreement to destroy exhibits shall be filed with the court. All interested parties should be given notice of the request for an order to destroy the exhibits.

Rule 5104. Local Rule. Prohibition.

b. The following hearings are excluded from this provision; Support, De Novo, Dependency, Orphan's Court, and Delinquency with the exception of Contested Adjudication Hearings.

Effective 4-9-24