

Rule 1.3

CUSTODY AND DISPOSITION OF EXHIBITS AND SEALED DOCUMENTS

(a) **Retained by Party or Attorney.** All exhibits offered by any party in civil or criminal proceedings, whether or not received as evidence, shall be retained after trial by the party or attorney offering the exhibits, unless otherwise ordered by the Court.

(b) **Transmitted on Appeal.** In the event an appeal is prosecuted by any party, each party to the appeal shall promptly file with the Clerk any exhibits to be transmitted to the appellate court as part of the record on appeal. Those exhibits not transmitted as part of the record on appeal shall be retained by the parties who shall make them available for use by the appellate court upon request.

(c) **Notice to Remove Exhibits.** If any party, having received notice from the Clerk concerning the removal of exhibits, fails to do so within thirty (30) days from the date of such notice, the Clerk may destroy or otherwise dispose of those exhibits.

(d) **Sealed Documents - Generally.** Unless otherwise ordered by the Court, any sealed document, paper, case file or thing in any action where final judgment or final disposition occurred in 1990 or thereafter, will be subject to the custody and disposition processes according to (e) or (f), below, as applicable.

(e) **Sealed Documents - Actions in Which No Trial Commenced.** Unless otherwise ordered by the Court, any document, paper, case file or thing filed under seal in any action for which no trial commenced shall be eligible for destruction no less than 23 years from the date of entry of final judgment or final disposition. The seal will be vacated without further action by the Court at the time of destruction.

(f) **Sealed documents - Actions in Which the Case Was Terminated During or After Trial.** Unless otherwise ordered by the Court, any document, paper, case file or thing filed under seal in any action for which a trial commenced shall be unsealed without further action by the Court 23 years from the date of entry of final judgment or final disposition, and will remain stored as a permanent record. This rule further applies to all cases

consolidated pursuant to Rule 65(a), Federal Rules of Civil Procedure.

The following types of cases will be exempt from this practice:

- Sexual abuse cases filed pursuant to 18 U.S.C. § 3509.
- Juvenile cases, unless the record has been expunged.