

EVIDENCE/EXHIBIT POLICY- SARA F. DAVIS, MAGISTRATE

Evidence/Exhibits must be pre-marked. Contact the Clerk of Court, Domestic Relations/Family Division for the evidence template(s). For pro se hearings, copies of all evidence/exhibits, including electronic media must be submitted to the Clerk of Court, Domestic Relations/Family Division, at least FIVE (5) business days prior to the evidentiary hearing/trial. For attorney hearings, attorneys must pre-mark their exhibits for identification. Additionally, **ALL EXHIBITS AND A COPY OF YOUR EXHIBIT LIST** must be sent to the opposing party, the Magistrate's assistant at ircmagistrate@circuit19.org at least 5 days in advance.

Clerk of Court Domestic Relations/Family Division:

Phone: (772) 226-3100

Address: 2000 16th Avenue, Room 136, Vero Beach, FL 32960

The Court **WILL NOT** review or consider any evidence/exhibit before it is admitted during the hearing/trial. You must send all of your evidence/exhibits and a copy of the Exhibit List to the other party within the deadlines as established by your pre-trial order or Florida rule. IF NONE, then, at least five (5) business days prior to the start of your trial or hearing. Only the Exhibit List should be e-filed in advance.

1. A completed Exhibit List and all proposed exhibits must be titled in the **PROPER MANNER AND FORMAT**—see below.
Each exhibit shall identify (1) the party; (2) the party exhibit number; and (3) a short description of the exhibit.

PARTY IDENTIFIERS:

M = Mother

W = Wife

FW = Former Wife

F = Father

H = Husband

FH = Former Husband

FOR EXAMPLE:

<u>PARTY ID</u>	<u>PARTY EXHIBIT NO.</u>	<u>DESCRIPTION OF EXHIBIT</u>
W	1	Financial Affidavit
H	2	Tax Returns
M	1	Text Messages from 12/20/17
F	4	Photographs of car
FW	1	Facebook Message
FH	6	Bank Statement

2. **UNANTICIPATED REBUTTAL EVIDENCE** may be submitted as soon as the party becomes aware of its existence.
3. This procedure **does not modify or change the Pretrial Order** that requires a pretrial meeting to exchange documents and a pretrial statement listing all exhibits. *The parties will be strictly limited to those exhibits and witnesses listed in the pretrial statement.*
4. Failure to serve your evidence/exhibits on the other side (s) **at least five (5) business days** prior to the start of your trial or hearing shall result in exclusion of the exhibit and/or other appropriate sanctions.
5. The party who is successful in admitting an exhibit for a Zoom hearing is responsible for filing admitted exhibits with the Clerk through the e-portal within 24 hours of the hearing.