THE EXCHANGE: You Get To See Theirs and They Get To See Yours

According to the <u>Civil Rules of Procedure</u>, you get to see the other side's exhibits before the hearing/trial so that you can think about any objections or comments you might have, just as they get to see yours. This is called exchanging exhibits.

As part of your pre-trial order, the Judge will pick a specific date, sometime before your hearing/trial, by which you and the other side need to exchange copies of each other's exhibits.

GETTING READY: You need to Choose and Prepare Your Exhibits

Step 1: the deadline

Read your pre-trial order and find out the deadline for exchanging copies with the other side.

Step 2: sorting

Sort your papers, pictures, receipts, etc...

Step 3: planning your case

Decide what you might want to use

- Relevant?
- Necessary?
- Helps your case?
- Admissible, i.e. is it allowed under the <u>Rules of Evidence</u>?
- Whether any of these items, or "Exhibits," support your case

Step 4: stickers & copying

Now it is time to physically prepare the items and documents selected so that you will have an exhibit packet ready for copying and distribution. This packet will include the <u>Exhibit List, Form TF-200</u>, as the cover page, and then each individually labeled and stapled exhibit.

• Get everything together

The Exhibit List, Form TF-200

✓ You can download this, or get it from your local court

Exhibit Stickers

✓ These are special stickers for court exhibits. If you are the plaintiff, you use the <u>yellow stickers</u>; if you are the defendant, you use the <u>blue stickers</u>. You may get these for free from your local court, office supply store, or by calling the <u>Helpline</u> if you do not live near a court. Collect the documents or items you want to prepare

• Mark your exhibits with stickers

Place one sticker on the bottom right corner of the first page of each exhibit.

- \checkmark If you are the plaintiff, use a <u>yellow sticker</u>.
- \checkmark If you are the defendant, use a <u>blue sticker</u>.

Once you have put stickers on the first pages of all of your exhibits, place the exhibits in an order you like.

Once you have them in the order you like, you need to write a number or letter on each sticker.

- ✓ If you are using yellow stickers, use numbers, i.e. 1, 2, 3 etc
- ✓ If you are using blue stickers, use letters, i.e. a, b, c, etc
- Fill out your Exhibit List, Form TF-200
- Assemble your packet and **make 4 copies of everything**. One packet of copies is for the other side, and you should bring the original packet and other 3 copies to your hearing/trial.

Step 5: giving them to the other side

The last step is to give one copy of the packet to the other side <u>by the deadline on the</u> <u>pre-trial order</u>. You can mail the packet or hand deliver it.

Remember: DO NOT file the list or actual exhibits with the court before your trial/hearing. Nothing goes to the judge until you are in your hearing and you come to the part of your case when you try to admit a particular exhibit.

GO: Learn How to Get Your Exhibit Admitted in Court

Just because you have exhibits to give to the court, does not necessarily mean that they will be accepted. In fact, the Judge cannot consider an exhibit until it is admitted into evidence.

Learn more about how to admit your exhibits by reading: Introduction to Getting An Exhibit Admitted, SHC-1083

Find a complete listing of forms and information about hearing and trial preparation at: <u>www.state.ak.us/courts/shcforms.htm#trial</u>