

Handout

Exhibit Process Overview

Last Revised: 1/2/2025

Overview

Judicial officers have discretion to determine when and how exhibits are submitted to the court. This is typically addressed through pre-trial orders, but there are also cases where specific instructions for parties are not available in advance of a hearing. This document addresses these issues and provides guidance to submit remote hearing exhibits.

Party Notification

Parties, attorneys, and other hearing participants may receive information about submitting exhibits before their hearing in two ways:

- **Judicial Orders.** Judicial officers may issue a prehearing order directing how and when parties should provide proposed exhibits to the court and to other parties. Judicial orders may cover delivery methods, marking of exhibits, and viewing exhibits before and during the hearing.
- **Hearing Notices.** Statewide hearing notices direct parties to provide documents or other items they may want the court to consider during their hearing to the court before the date of the hearing. In these notices, parties are encouraged to visit the website (mncourts.gov/remote-hearings) or call the court for more information. If parties or hearing participants review the website only, the language is consistent with the statewide hearing notices and directs questions to the court where the hearing is scheduled to occur.


 Specific local instructions, including contact information can be included in the judicial order, hearing notices, and/or on the public website, depending on local court preferences.

Exhibit Provided in Advance


The following information provides instruction for submitting potential exhibits for hearings and trials in advance. If parties still have questions, contact the court administration office where the case is located.

Documents, photos, audio, and video exhibits that can be submitted electronically

Electronic exhibits must be submitted through the Minnesota Digital Exhibit System (MNDES), unless the submitting party requests an exception from the judge and it is granted.

Physical exhibits

If a physical exhibit cannot be imaged and submitted through MNDES, the court may instruct that exhibits be provided via U.S. Mail or dropped off at the courthouse. The court may also require a photo of the exhibit that can be submitted through MNDES. Judicial officers, chambers staff, and/or court administration staff may develop and communicate a plan for when physical exhibits are submitted prior to the hearing.

 Parties, attorneys, and participants are responsible for sharing their proposed exhibits with other parties in advance. Establishing alternate methods for submitting exhibits for remote hearings does not shift this responsibility to the court.

Exhibits Not Provided in Advance

A party, attorney, or participant may want to offer an exhibit that was not provided to the court prior to the hearing. If the judicial officer agrees to consider receiving the exhibit, options and considerations for delivery include:

- Direct the offering party to submit the exhibit using MNDES and share the exhibit with the other parties.
 - If the other parties do not have access to email, the judicial officer may decide to describe the exhibit to them. The other party should then be asked if they object to moving forward without seeing the offered exhibit.
- If all parties are using video technology to participate in the hearing, screen sharing features can be used to view the offered exhibit.
 - The judicial officer will likely require the party to submit the exhibit using MNDES and share it with other parties after the hearing. The judicial officer will instruct parties how to provide physical exhibits that cannot be submitted through MNDES to the court when needed.
- The judicial officer may leave the record open for post-hearing submissions and responses or continue the hearing.