

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

ADMINISTRATIVE ORDER 2016-70

IN RE: ELECTRONIC SUBMISSION OF EXHIBITS

FILED by	ks	D.C.
ELECTRONIC		
November 22, 2016		
STEVEN M. LARIMORE CLERK U.S. DIST. CT. S. D. OF FLA. · MIAMI		

Effective December 1, 2016, the United States Court of Appeals for the Eleventh Circuit is adopting changes to its Local Rules and Internal Operating Procedures that impact the manner in which trial or hearing exhibits are transmitted to the Court of Appeals for purposes of the Record on Appeal in both criminal and civil cases. In order to comply with the Eleventh Circuit's new requirements, set forth in 11th Cir. R. 11-3, effective December 1, 2016, it is

ORDERED AND ADJUDGED that unless otherwise ordered by the presiding Judge, within three (3) days of the conclusion of a trial or other proceeding, parties must file in the CM/ECF system electronic versions of documentary exhibits admitted into evidence, including photographs of non-documentary physical exhibits; it is

FURTHER ORDERED that this requirement for electronic filing excludes sealed exhibits in criminal cases, sealed exhibits in criminal cases will be conventionally filed; it is

FURTHER ORDERED that this requirement for electronic filing excludes contraband and audio/video recordings, and the filing party will file with the Clerk a CD, DVD or other electronic medium containing a copy of any exhibit that is an audio or video recording; it is

FURTHER ORDERED that at the time of filing the electronic exhibits, an attorney for each party shall also complete and file the attached Certification of Compliance Re Admitted Evidence; after electronically filing exhibits, the parties shall make arrangements with the Clerk to retrieve all original exhibits; it is

FURTHER ORDERED that electronically filed exhibits are subject to CM/ECF Administrative Procedures, Section 6, Redaction of Personal Information, Privacy Policy, and Inappropriate Materials; it is

FURTHER ORDERED that the failure to file the electronic exhibits and a Certification of Compliance within three (3) days of the conclusion of trial or proceeding as provided in this order may result in the imposition of sanctions; it is

FURTHER ORDERED that any original exhibits that have been returned to or retained by the filing party after electronic filing shall be kept for safe keeping until the conclusion of any appeals; upon order of the Court, the filing party must return the original exhibits to the Clerk of Court; it is

FURTHER ORDERED that this Administrative Order is intended to implement interim procedures to enable the Court to comply with the Eleventh Circuit's new rules adopted effective December 1, 2016. As such, these interim procedures shall remain in effect until such time as this

Court's Local Rules Committee has had an opportunity to solicit input from the bar and propose permanent procedures for adoption by the full Court.

DONE AND ORDERED in Chambers at Miami, Miami-Dade County, Florida, this 22nd day of November 2016.



K. MICHAEL MOORE
CHIEF UNITED STATES DISTRICT JUDGE

c: All Southern District Judges and Magistrate Judges
United States Attorney
Federal Public Defender
Court Administrator · Clerk of Court
Chief Probation Officer
Jury Administrator
Daily Business Review
Library

**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF FLORIDA
CASE NO. XX-CV/CR-XXXXX-JUDGE**

_____,
Plaintiff

v.

_____,
Defendant.

CERTIFICATE OF COMPLIANCE RE ADMITTED EVIDENCE

I, _____, as counsel for the plaintiff/defendant,
_____, hereby certify the following:

Check the applicable sections:

ALL EXHIBITS E-FILED: All documentary exhibits and photographs of non-documentary physical exhibits admitted into evidence have been electronically filed in CM/ECF.

EXHIBITS NOT E-FILED: Some documentary exhibits and/or other physical exhibits admitted into evidence cannot be electronically filed in CM/ECF. This includes sealed criminal exhibits and contraband. The following identifies those exhibit numbers that have been retained by the Clerk, and separately identifies those exhibit numbers retained by this filing party. (Itemize or attach a list).
Retained by the Clerk: _____
Retained by filing party: _____

AUDIO/VIDEO EXHIBITS: The following audio and/or video exhibits were entered into evidence during these proceedings. The filing party has conventionally filed with the Clerk of Court a CD or DVD containing the audio or video recording. (Itemize or attach a list.) _____

Any original exhibits that have been returned to or retained by the filing party after electronic filing shall be kept for safe keeping until the conclusion of any appeals. Upon order of court, the filing party agrees to return the original exhibits to the Clerk of Court.

This Certificate shall be filed within three (3) days of the conclusion of trial or relevant proceedings. Failure to timely comply with the requirements of Administrative Order 2016-70 governing the Electronic Filing of Exhibits may result in the imposition of sanctions.

Signature: _____ Date: _____