



# MUSKEGON COUNTY CIRCUIT/FAMILY/PROBATE COURT

## Policy

### Subject: ELECTRONIC SUBMISSION OF EVIDENCE/EXHIBITS

Effective Date: 7/1/2021

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**Purpose:** Evidence is a key aspect of court hearings. Due to the increased use of virtual hearings and in preparation for E-filing, attorneys and parties will be increasingly submitting evidence electronically using this process.

#### Definitions:

- As nouns the difference between **evidence** and **exhibit** is that evidence is facts or observations presented in support of an assertion while exhibit is an instance of.
- As verbs the difference between **evidence** and **exhibit** is that evidence is to provide evidence for, or suggest the truth of while exhibit is to display or show something for others to see.

#### Policy:

1. At least one business day prior to any scheduled hearing, documents, photos, audio and/or video evidence must be submitted to the Court as an attachment to the Judicial Secretary's email address of the assigned Judge for receipt in evidence during the hearing.
  - a. **Judge Hicks-** Autumn Ward [wardau@muskegoncounty.net](mailto:wardau@muskegoncounty.net)
  - b. **Judge Marietti-** Beth Thomas [thomasbe@muskegoncounty.net](mailto:thomasbe@muskegoncounty.net)
  - c. **Judge Smedley-** Eileen Deems [deemsei@muskegoncounty.net](mailto:deemsei@muskegoncounty.net)
  - d. **Judge Hoogstra-** Rebekah Place [placere@muskegoncounty.net](mailto:placere@muskegoncounty.net)
  - e. **Judge Pittman-** Heather Starr [starrhe@muskegoncounty.net](mailto:starrhe@muskegoncounty.net)
  - f. **Judge Sprader-** Angela West [west41@muskegoncounty.net](mailto:west41@muskegoncounty.net)
  - g. **Referee Hearings-**
    - i. Domestic Exhibits [domesticexhibits@muskegoncounty.net](mailto:domesticexhibits@muskegoncounty.net)
    - ii. Juvenile (NA & DL) Exhibits [juvenileexhibits@muskegoncounty.net](mailto:juvenileexhibits@muskegoncounty.net)
2. Methods of submission by exhibit type:
  - a. **Electronic Document or Photo-** Email attachment
  - b. **Electronic Audio and/or Video-** Digital file email attachment or by file sharing
    - i. If need assistance, please call IT at (231) 724-6427 or email [summervillese@muskegoncounty.net](mailto:summervillese@muskegoncounty.net)
  - c. **Physical Evidence-** Will not be accepted by the Court without express preauthorization. A party seeking to submit physical objects to the Court must contact the Court prior to delivery. When appropriate, stipulations and photographs may be useful substitutes by agreement. Agreements regarding tangible evidence must be discussed in advance of virtual proceedings.

3. Acceptable file size & types:
  - a. File attachment submissions may not exceed- 25MB
  - b. Acceptable file types: JPG, PDF, PNG, TIF, AVI, MOV, MP3, MP4, WMV, WAC, DOC, DOCX

Any information received that does not follow the above guidelines will not be delivered to the assigned Judge.

4. Each item must be submitted as a separate email attachment. In the subject line of the email, include the party names and case number. In the body of the email, include:
  - a. Hearing Date
  - b. Judge of Record
  - c. Specify if Plaintiff or Defendant
  - d. Email Address and/or Cell Phone #
5. During the hearing, the court will rule on each exhibit. The bailiff or judicial secretary will mark each proposed exhibit and update the exhibit log. Once the Court has ruled on an exhibit, whether accepted as an exhibit or not, the judicial secretary is able to delete the email.
  - a. The bailiff or judicial secretary will upload the exhibit log into the case file in OnBase
6. Once an exhibit is accepted, it will be shown during the hearing through Share Screen on Zoom, if virtual, and should be viewable by everyone present in the virtual courtroom.

*Gregory C. Pittman*

Hon. Gregory Pittman  
Presiding Family Division Judge

7/12/21

Date

*Timothy G. Hicks*

Hon. Timothy G. Hicks  
Chief Judge 14th Circuit Court

7/12/2-21

Date