

39.3 Trial Exhibits.

- (a) **Delivery to Clerk Before Trial.** On the day before the trial begins, attorneys must deliver to the clerk an exhibit list as described in Nebraska Civil Rule 16.2(a)(1).
- (b) **Custody.** Exhibits offered or received into evidence during a hearing or trial must be left in the clerk's custody.
- (c) **Special Cases.** In cases involving a large number of exhibits or in cases requiring special provisions for access, safekeeping, or inspection of exhibits, attorneys must confer with the courtroom deputy to establish procedures for handling exhibits during and after the trial. Attorneys should (1) prepare trial evidence that includes a large number of paper documents in an electronic format and (2) may consult with the court's information technology staff for assistance.
- (d) **Numbering Exhibits.** Each party is responsible for numbering that party's intended trial exhibits. In a case with one plaintiff and one defendant, the defendant numbers exhibits with the next 100 series after the plaintiff's last exhibit number (e.g., Ex. 201 where the plaintiff's last exhibit was Ex. 154). In a case with multiple plaintiffs with separate attorneys and one defendant, each plaintiff numbers exhibits with a separate 100 series (e.g., Exs. 1-100 for the first plaintiff, Exs. 101-200 for the second plaintiff, and so on); the defendant numbers exhibits with the next 100 series after the final plaintiff's last exhibit number (e.g., Ex. 501 where the fourth plaintiff's last exhibit was Ex. 475). In cases with multiple defendants with separate attorneys and one plaintiff, the first defendant numbers exhibits with the next 100 series after the plaintiff's last exhibit number (e.g., Ex. 201 where the plaintiff's last exhibit was Ex. 154); each defendant numbers exhibits with a subsequent, separate 100 series (e.g., Ex. 501 for the fourth defendant where the third defendant's final exhibit was Ex. 417).