

Jury Evidence Recording System (JERS) in PROMESA Cases

Overview

The U.S. District Court for the District of Puerto Rico has adopted a jury evidence system (“JERS”) that allows any evidence that is admitted or rejected during an evidentiary hearing or trial to be reviewed electronically by the attorneys, the Court and/or by the jury during deliberations.

JERS offers the following features:

- Storage of all exhibits submitted prior to an evidentiary hearing or trial, and subsequent designation of any exhibits that are admitted into evidence for the Court’s or jury’s use during deliberations;
- Capture, through the courtroom’s presentation equipment, of any exhibits that were not submitted prior to trial but were later admitted by the Court;
- Creation of a list of exhibits, by number and description, that can be released to the deliberating jury and filed in CM/ECF; and
- Restrictions on how the jury may review exhibits (e.g., Audio Only, Video Only, Zoom Off, etc.).

At the conclusion of any evidentiary hearing or trial (after the verdict is returned or the ruling is issued), the courtroom deputy clerk will prepare a DVD of all exhibits (including those that were admitted and rejected). Said DVD will be stored at the Clerk’s Office of the U.S. District Court for the District of Puerto Rico pursuant to [Civil Local Rule 39\(c\)\(1\)](#) and [Bankruptcy Local Rule 9070-1\(d\)](#).

Accepted Formats

JERS accepts electronic evidence only in the following formats:

- Documents and Photographs:
.bmp, .gif, .jpg, .pdf, .tif
- Video and Audio Recordings:
.avi, .mpg, .mp3, .wav, .wma, .wmv

Exhibits in the Spanish Language

Pursuant to [Bankruptcy Local Rule 9070-1\(c\)](#), all exhibits and documentary evidence in Spanish or other languages must be fully translated to the English language by a certified translator. See also [Civil Local Rule 5\(g\)](#).

Exhibits with Personal Identifiers

Pursuant to [Bankruptcy Local Rule 9037-1\(a\)](#), parties and counsel are solely responsible for redacting the personal identifiers enumerated in Fed. R. Bank. P. 9037(a).

Marking Exhibits

Counsel shall keep in mind that any exhibits must be identified in the following manner:

Party	Exhibit Identifier
Plaintiffs/Movants	Numbers (e.g., 1, 2, 3, etc.)
Interested Parties Supporting Plaintiffs/Movants	Descriptive Abbreviation and Numbers (e.g., UCC 1, UCC 2, UCC 3, etc.)
Defendants/Respondents	Letters (A, B, C, etc.)
Interested Parties Supporting Defendants/Respondents	Descriptive Abbreviation and Letters (e.g., UCC A, UCC B, UCC C, etc.)
Joint Exhibits of Plaintiffs/Movants and Defendants/Respondents	Roman numerals (e.g., I, II, III, etc.)

Naming Exhibits

Each exhibit file should be clearly named with a descriptive title in the following format:

- exhibit number_exhibit description.file extension
- If an exhibit has sub-parts; exhibit number-exhibit subpart_exhibit description.file extension.

For example:

Plaintiff / Movant	Interested Parties Supporting Plaintiffs/Movants	Defendant / Respondent	Interested Parties Supporting Defendants/Respondents	Joint
1_footage of SJ building.wmv	UCC 1_emails from Smith to Roe 2018.pdf	A_contract Smith and Roe.pdf	UCC A_financial statements 2012.pdf	I_expenses 2013.pdf
2_financial statement 2014.pdf	UCC 2_photo of courthouse.jpg	B_photo of parking area.jpg	UCC B_contract signed by Roe 2015.pdf	II_letter Doe May 2016.pdf
3-a_photo of store from east view.jpg	UCC 3-a_footage of filling area.wmv	C-1_emails from Smith to Roe 2017.pdf	UCC B-1_letter from Smith to Roe 2017.pdf	III_contract signed on 2013.pdf
3-b_photo of store from west view.jpg	UCC 3-b_footage of store from east view.wmv	C-2_emails from Smith to Roe 2018.pdf	UCC B-2_expenses 2018.pdf	IV_photo of filing area.jpg

Handing the Evidence to the Deputy Clerk

Counsel shall deliver all proposed exhibits with their corresponding exhibit list in electronic format on a DVD-R or CD to the courtroom deputy clerk at the U.S. District Court for the District of Puerto Rico. The Clerk's Office will not accept flash/thumb drives.

The disc shall be labeled with:

- the number and the title of the case,
- the docket entry number and title of the related Motion/pleading(s), and
- the name of the party for whom the exhibits are submitted.

All of the files shall be in one directory on the DVD-R or CD (preferably the root directory). A hard copy of the party's exhibit list that includes the electronic file name for each exhibit shall be submitted with the DVD-R or CD. Unless otherwise directed by the Court, the disc will not be returned to counsel.

Delivery of Courtesy Copies to Chambers

In addition to the submission of the exhibits pursuant to the above stated procedures, the presiding judge may also require the submission of courtesy copies of the exhibits to chambers. For additional information, consult the case management order, the presiding judge's standing order, and the order setting the procedures for the relevant evidentiary hearing or trial.

Contact Us

If you have any questions pertaining this topic, please contact the PROMESA Cases Information Line at 787.772.3401 or 1.888.889.5727 or by email at PROMESA@prd.uscourts.gov