

MINNESOTA DIGITAL EXHIBIT SYSTEM (MNDES)

Mower County Guidelines

MNDES is an electronic system for submitting and processing exhibits. It provides a reliable and flexible solution for sharing, submitting, tracking, presenting, and storing exhibits. Below are guidelines to follow.

Resources:

1. MNDES is used to submit exhibits to the court and to provide access to uploaded exhibits to others, including opposing parties. Any court rules or court orders regarding exhibits also apply to exhibits submitted through MNDES and need to be followed (e.g., providing discovery and/or exhibits to opposing parties, etc.).
2. Access to the [MNDES Portal](http://www.mncourts.gov/mndes) and information and training resources, such as quick reference guides and frequently asked questions, are available under the Evidence and Exhibits Help Topic at www.mncourts.gov/mndes.
3. If you do not yet have a MNDES account, one should be created prior to the hearing so that exhibits can be uploaded prior to the hearing and retrieved during the hearing. For assistance creating an account or for support with MNDES, select the Contact Us button at www.mncourts.gov/mndes or call (651) 413-8160 from the Twin Cities Metro, or (833) 707- 2791 from other locations.

MNDES Exhibit Submissions:

1. Uploading Exhibits
 - Exhibits should be numbered as detailed in the Mower County Judicial Standing Order
 - Exhibit descriptions should be detailed as reflected in the Mower County Judicial Standing Order
 - Exhibit list filed with the court should be identical to the MNDES Exhibit Name field description (e.g., Ex. 001 Picture of rear passenger door)
 - Exhibits should be uploaded in their native format - do not zip or compress an exhibit file
 - Exhibits should be uploaded individually so they are listed separately in MNDES - multiple exhibits should not be combined into a single uploaded file
 - If the exhibit is too large to be submitted in MNDES (size limit is over 100 GB), you must submit as a physical exhibit
 - An exhibit should be uploaded as “public”¹ unless it meets one of the following criteria:
 - Medical record admitted in Civil Commitment Case
 - Judicial Order restricting public access to exhibits
 - If an exhibit contains sensitive information that is not relevant or necessary to the case, you may redact that information before uploading the exhibit.
2. If you need to submit a certified copy for the purposes of authenticating that exhibit as an original copy, the certified original should be provided to the court as a physical exhibit.
3. Physical exhibits that cannot be digitized (e.g., weapons, drugs, etc.) should be brought into the courtroom. Once offered and accepted, court staff will label and upload a physical exhibit tracking sheet into MNDES.
4. You cannot upload exhibits in sealed cases. If the case is sealed, you must contact Court Administration at (507)-509-7013 or Mowercourts@courts.state.mn.us to upload the exhibits on your behalf.
5. In-Camera Review exhibits are not uploaded to MNDES.

Viewing and Sharing Exhibits Submitted Through MNDES:

1. The person who submitted the exhibits can view their own public exhibits through MNDES, using the same sign on that was used when submitting.
2. The person who submitted the exhibits must share exhibit(s) through MNDES by selecting the “Share” function and entering an email or cell phone number. The share function can be used for service if both parties agree. A Quick Reference Guide-Sharing Exhibits is available under the MNDES Portal Training Materials at www.mncourts.gov/mndes.

¹ By Order of the Supreme Court, prehearing exhibits are non-public unless or until admitted as evidence in a public proceeding or designated as public by order of a Judicial Officer.

3. Prehearing exhibits are not accessible to the public unless or until admitted as evidence in a public proceeding.
4. The Rules of Public Access² provide that evidentiary exhibits are accessible to the public once admitted as evidence in a public proceeding. Exceptions include medical records in a Civil Commitment Case, an exhibit that is designated as non-public by a court order, or the evidence is no longer retained by the court under a court rule, order, or retention schedule. There is no remote access to public evidentiary exhibits.

Display of Exhibits at Hearing/Trial:

1. The offering party must “offer” or ask the judge to allow proposed exhibits to be accepted as evidence in the case during the hearing. Exhibits will only be reviewed and considered by the judicial officer after being offered on the record.
2. The offering party must display exhibits onto the courtroom display monitors during court, using one of the two options below:
 - a. Open the exhibit from the MNDES application on your own computer or personal device and display it during the hearing.
 - i. The benefit to this option is the exhibit being displayed is the one that becomes part of the official court record if it is admitted into evidence.
 - b. Open the exhibit saved on your own computer or personal device and display it during the hearing.
 - i. This option requires you to ensure, and state on the record, that the copy displayed is a true and correct copy of the exhibit that is uploaded in MNDES.
 - ii. This option is the only option available to you if the exhibit’s native format is zip. Zip formats are uploaded to MNDES, but stored in an alternative court folder, and therefore unable to be played directly from MNDES.
3. All courtrooms have Crestron technology and multiple Audio/Visual connection cables which can be connected to your computer or personal device to allow you to display.
4. Court staff should only display exhibits onto the courtroom display monitors during court in the following scenarios:
 - a. If the exhibit is a 4K video and there is no HDMI cable in the courtroom.
 - b. If the exhibit is designated as non-public or sealed in MNDES.
 - c. If the offering party is having technical difficulties in the courtroom and the judicial officer directs court staff to display.
 - d. If a Self-Represented Litigant does not have a device in the courtroom and the judicial officer directs court staff to display.

Jury Trial Exhibits:

1. Access to MNDES for jurors is currently being piloted throughout the state. Until this goes live, you must bring a certified³ paper copy of all exhibits to Jury Trial for use in jury deliberation. If the jury requests access to audio or video during deliberation, the jury will be brought back to the courtroom to listen or view. Best practices will be updated once more information becomes available. This is also subject to the Third Judicial District administrative order regarding feasibility of audio and video exhibits in the Jury Room regarding the Minnesota Supreme Court issued Administrative Order Promulgating Amendments to the Minnesota Rules of Criminal Procedure ADM10-8049 which amended Minnesota Rule of Criminal Procedure 26.03, subd. 20, effective July 3, 2023.

² Record Access Rule 8, subd. 5

³ Unless required by rule or statute, here, the attorneys and/or Self-Represented Litigants merely need to certify to the Court that the paper copies are a true and accurate copy of what has been uploaded to MNDES.