

## DWC HEARING EXHIBIT GUIDELINES

(Revised 1-2021)

**Attorneys are expected to file all exhibits electronically 3 business days before the hearing. Contact the local office court reporter if you need assistance in following these instructions:**

**1. Label All Exhibits:**

- a. Place an exhibit sticker/label at the mid to upper right side of first exhibit page.
- b. Fill in the "Exhibit:" "Injury No.:" and "Date:" lines. Leave the "Reporter:" line blank. The "Date" is the date of the hearing.
  - Claimant exhibits are numbered (Claimant's Ex. 1)
  - Employer/Insurer exhibits are alphabetized (Employer's Ex. A)
  - Second Injury Fund exhibits are marked with lower case Roman numerals (SIF's Ex. i)
  - For MedFee Disputes - Healthcare provider exhibits are numbered (HCP's Ex. 1)

**2. Add Page Numbers:** Prior to adding page numbers, first rotate any pages that need to be viewed in landscape view. Each exhibit starts with page number 1 in the upper right-hand corner even if a certification page (A-1, A-2, A-3; B-1, B-2, etc.). Make sure page numbers are in a blank space on each page and do not overlap anything else.

**3. Depositions:** The Commission/Division requires full-sized deposition transcripts (not "mini" or "scrunched"). Deposition exhibits remain attached to the deposition transcript and are numbered continuing from the deposition's last page. For example, if the deposition transcript is 45 pages then the first exhibit page will be numbered 46.

**4. Physical Exhibits:** While physical (three-dimensional) objects may be used at hearing (example: a hammer) only a photo of the object may be offered as an exhibit.

**5. Videos:** Bring your own equipment to play a video at a hearing.

**6. Exhibit List:** Prepare an exhibit list, which **MUST** be uploaded with your exhibits:

- a. Example: Claimant's Exhibit 1 - Dr. Vern medical records - 6 pages
- b. In accordance with Section 287, RSMo, **parties must exchange Exhibit Lists and Exhibits** prior to hearing and communicate with each other to avoid submitting duplicate documents.
- c. Exception: Impeachment exhibits need not be listed or uploaded prior to hearing; however, if offered during the hearing, will need to be uploaded immediately following the hearing, along with an updated Exhibit List.

**7. Uploading Exhibits:** Exhibits must be uploaded specifically to the DWC Exhibits Box.com account AT LEAST 3 business days prior to the hearing. The party submitting an exhibit is responsible for assuring it is properly scanned and legible. For Box.com uploading guidelines, please click here: "[DWC Electronic Exhibits-Box.com Instructions](#)".

Additional Information:

<https://support.box.com/hc/en-us/articles/360044196633-Upload-to-Box-With-the-File-Browser>

## Guidelines For Self-Represented Litigants Submitting Paper Exhibits

The Division will coordinate with unrepresented parties who do not have the capability to submit exhibits electronically. Attorneys are expected to file all exhibits electronically. When paper exhibits are necessary, the following guidelines shall apply:

1. **Paper Size:** All exhibits must be on 8 ½" x 11" paper. If a document is any other size, please reduce or enlarge it to 8 ½" x 11".
2. **Single-Sided Documents only - DO NOT present double-sided documents.** If the document is double-sided, copy to a 1-sided document PRIOR to trial.
3. **Photographs:** Attach photographs to a blank sheet of white paper 8 ½" x 11" – only one photograph per page.
4. **Page numbers** – please see Rule #1 on page 1 above.
5. **Labels** - please see Rule #1 on page 1 above.
  - a. If you submit paper exhibits with tab dividers, the Exhibit Label goes on the first page of the exhibit, not on the tab divider.
  - b. Suggestions with regard to labels: Parties can purchase Avery labels 48860 at a business supply store or online at [www.avery.com](http://www.avery.com). When printing in Microsoft Word, go to Mailings, Labels, Options, and select Avery US Letter as label vendor and #5160 for product number.
  - c. Feel free to copy the labels below. Please fill in all of the information, except for the Reporter, and paste them onto your exhibits, changing only the exhibit number/letter.
6. **Binding:**
  - a. Use binder clips for all multi-page exhibits. (Please do **NOT** use staples to bind documents.)
  - b. Exhibits with voluminous pages should be presented in a 3-ring binder (or multiple 3-ring binders). If multiple binders are used for one exhibit, mark each binder by volume, e.g., Volume 1, Volume 2, etc., paginating sequentially from volume to volume. If all of your exhibits require more than (3) volumes, you must present exhibits in a banker's box. Please submit binders no larger than 3 inches thick.

Claimant's Exhibit: <u>  1  </u>
Injury No(s): _____
Reporter: _____ HrgDate: _____

Employer/Insurer's Exhibit: <u>  A  </u>
Injury No(s): _____
Reporter: _____ HrgDate: _____

SIF's Exhibit Roman Numeral: <u>  i  </u>
Injury No(s): _____
Reporter: _____ HrgDate: _____

JOINT Exhibit: _____
Injury No(s): _____
Reporter: _____ HrgDate: _____

Healthcare Provider Exhibit: _____
Injury No(s): _____
Reporter: _____ HrgDate: _____

Marked exhibits can be provided to parties prior to hearing.

After the exhibit(s) have been marked for hearing, all exhibit(s) can be made accessible to all parties of a case through Box.com. Marked exhibit(s) will only be made available to parties who follow the guidelines for submitting electronic exhibits through Box.com. After the reporter marks the exhibit(s), the reporter will notify the parties through email that the marked exhibit(s) will be available through their Box.com account. Exhibits will only be made available to the parties after all parties submit their exhibits to Box.com for a hearing no less than **72 business hours** prior to said hearing. Providing complete sets of marked exhibits to all parties is a complimentary service offered by the court reporters that is contingent on all parties complying with the guidelines. If the parties wish to retain a copy of the marked exhibits, it will be necessary to download the exhibits to their computer system as exhibits will automatically be deleted from Box.com after a period of time.