

### **Rule 119. Custody of Property and Exhibits in Criminal Cases**

(a) PRIOR TO VERDICT. Unless otherwise ordered by the court, a party must retain any exhibits and property until a verdict or final order is entered.

(b) AFTER VERDICT OR ORDER.

(1) *Filing Copies of Exhibits.* After a verdict or final order is entered, a party must file a copy of each exhibit in the time, manner, and form prescribed by the court or administrative order of the Chief Judge.

(2) *Retaining Original; Inspection or Transmission.* It is the responsibility of the party who submitted the exhibit to preserve and maintain the original exhibit until the time prescribed by administrative order of the Chief Judge. On request by another party or the court, the party having custody of the exhibits must make them available for inspection. On request, the party must transmit the exhibits to the appellate court.

#### COMMENT TO 2020 AMENDMENTS

This rule has been amended consistent with the general restyling of the federal rules in 2002. In order to accommodate technological changes, the rule has also been amended to provide for filing of exhibits in accordance with an administrative order or other court order. Subsection (b)(2), which addresses retention of exhibits, does not impact a party's or attorney's responsibilities imposed by other statutes, regulations, or rules, such as the D.C. Rules of Professional Conduct.