(d) Other Books and Records of Clerk.

(1) Withdrawal of Files from Clerk's Office. Files generally shall remain in the Clerk's offices. The Clerk or employees thereof may take files to courtrooms or to judicial officers. Judicial officers, court reporters and court administration staff may check files out. Attorneys may also review court files, with convenient and appropriate areas for such review designated by the Clerk.

The statement of facts, after having been settled and signed, shall not be withdrawn from the Clerk's office except by order of the Court.

(2) Exhibits

(A) Temporary Withdrawal. Exhibits may be withdrawn temporarily from the clerk's office only by:

(i) The judge having the cause under consideration;

(ii) Official court reporters for use in connection with their duties, without court order; and,

(iii) An attorney of record, upon court order.

(B) Videotaped Depositions. Videotaped depositions published in open court shall be treated as court exhibits, with the same retention standards. A party who wishes to make a published videotaped deposition part of the court file must submit a certified transcript of the deposition.

(3) Return of Contraband Exhibits. When contraband, alcoholic beverages, tobacco products or controlled substances are being held by the clerk of the court as part of the records and files in any criminal case, and all proceedings in the case have been completed, the court may order the clerk to deliver such contraband or substances to an authorized representative of the law enforcement agency initiating the prosecution for disposition according to law.

(4) Return of Exhibits and Unopened Depositions. When a civil case is finally concluded, and upon stipulation of the parties or court order, the clerk of the court may return all exhibits and unopened depositions, or destroy the same.

(5) Disposition of Exhibits. After final disposition of a civil cause, the Court after hearing, may order the clerk to destroy or otherwise dispose of physical evidence which cannot, because of bulk or weight, be retained in the case file provided that all parties of record are given thirty (30) days written notice of any such hearing.

(6) Return of Administrative Records. When a case for review of an administrative record is finally completed, the clerk shall return the administrative record to the officer or agency certifying the same to the court.

(7) Verbatim Record of Proceedings. A verbatim report of proceedings shall not be withdrawn from the clerk's office except by court order.

(8) Transcripts. A request for a copy of a transcript prepared by a court reporter in the possession of the clerk of the court, shall be referred to the court reporter that prepared said transcript.

[Adopted Effective April 1, 1986; Amended Effective September 1, 2002, September 1, 2007]