

***IN THE SUPREME COURT, STATE OF WYOMING***

***October Term, A.D. 2021***

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***In the Matter of Amendments to*** )  
***Rule 903 of the Uniform*** )  
***Rules for District Courts of the*** )  
***State of Wyoming*** )

**ORDER AMENDING RULE 903 OF THE UNIFORM RULES FOR  
DISTRICT COURTS OF THE STATE OF WYOMING**

**The District Court Conference** has recommended the Court amend Rule 903 of the Uniform Rules for District Courts of the State of Wyoming. This Court finds the proposed amendments should be adopted. It is, therefore,

**ORDERED** that the amendments to Rule 903 of the Uniform Rules for District Courts of the State of Wyoming, attached hereto, be and hereby are adopted by the Court to be effective May 1, 2022; and it is further

**ORDERED** that this order and the attached amendments be published in the advance sheets of the Pacific Reporter; the attached amendments be published in the Wyoming Court Rules Volume; and that this order and the attached amendments be published online at the Wyoming Judicial Branch’s website, <http://www.courts.state.wy.us>, on the “Rule Amendments” page. The amendments shall also be recorded in the journal of this Court.

**DATED** this 22<sup>nd</sup> day of February, 2022.

**BY THE COURT:**

/s/

**KATE M. FOX**  
**Chief Justice**

## Uniform Rules for District Courts of the State of Wyoming

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### **Rule 903. Retrieval or disposition of exhibits.**

~~After time for appeal has expired, counsel shall retrieve all exhibits. Exhibits not retrieved by counsel within 60 days after the time for appeal has expired, shall be disposed of by the court reporter.~~

(a) Custody of Standard Exhibits. The court shall have safekeeping responsibilities for exhibits admitted at trial or hearing; however, at the conclusion of the trial or hearing, the court shall only retain standard exhibits. As used in this rule, standard exhibits include documents, photographs, and video or other electronically stored data on a disk or storage device--it does not include sensitive or bulky exhibits. The court shall not take custody or possession of physical evidence. Attorneys offering physical evidence at a trial or hearing must submit a photograph of the item to the court, which will retain the photograph as part of the record in lieu of the physical item. At the conclusion of the hearing or trial, physical evidence shall be returned to the custody of the party (attorney/law enforcement agency) who offered the item, and they shall be responsible for transporting and safekeeping the exhibit until the time to appeal has expired or any appeal taken has concluded. The party (attorney/law enforcement agency) in charge of the exhibit shall permit inspection of the exhibit by any party for purposes of preparing the record on appeal.

(b) Sensitive and Bulky Exhibits. At all times sensitive or bulky exhibits such as money, drugs, and firearms shall remain in the custody of the party (attorney/law enforcement agency) producing them. If deemed appropriate by the court, some of these exhibits may be provided to the jury for examination during deliberation but shall be returned to the party (attorney/law enforcement agency) for safekeeping at the conclusion of jury's examination. A signed receipt identifying the exhibits returned is to be filed in the case. The party (attorney/law enforcement agency) to whom the exhibit is returned shall permit inspection of the exhibit by any party for purposes of preparing the record on appeal and shall be responsible for transporting and safekeeping the exhibit until the time to appeal has expired or any appeal taken has concluded.

(c) Return of Standard Exhibits. Unless otherwise ordered, at the conclusion of the trial or hearing, standard exhibits in the custody of the court shall be retained until the time to appeal has expired or any appeal taken has concluded. Standard exhibits shall be returned to the party who introduced them into evidence. A signed receipt identifying the exhibits returned and/or destroyed is to be filed in the case. If the party fails to retrieve the exhibits within sixty (60) days after the time for appeal has expired, the court shall destroy or otherwise dispose of exhibit(s).

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