



ADMINISTRATIVE RULES OF MONTANA



38.2.4205 EXHIBITS

- (1) Size of exhibits. Whenever possible, exhibits offered as evidence shall be, when folded, 8-1/2 inches by 11 inches.
- (2) Marking exhibits. All exhibits shall be marked as ordered by the presiding officer. Parties shall arrange in advance with the court reporter the manner of identifying their exhibits.
- (3) Designation of part of document as evidence. When relevant and material matter offered in evidence by any party is embraced in a book, paper, or document containing other matter not material or relevant, the party offering the same must plainly designate the matter so offered. If other matter is in such volume as would necessarily encumber the record, such book, paper, or document will not be received in evidence, but may be marked for identification, and, if properly authenticated, the relevant or material matter may be read into the record, or, if the presiding officer so directs, a true copy of such matter in proper form shall be received as an exhibit, and like copies delivered by the party offering the same to all other parties or their attorneys appearing at the hearing, who shall be afforded an opportunity to examine the book, paper, or documents, and to offer in evidence in like manner other portions thereof if found to be material and relevant.
- (4) Abstracts of documents. When documents are numerous, such as freight bills or bills of lading, and it is desired to offer in evidence more than a limited number of such documents as typical of the others, an abstract in an orderly manner of relevant data of such documents shall be prepared and offered as an exhibit, giving other parties to the proceeding reasonable opportunity to examine both the abstract and the document.
- (5) Copies of exhibits. When exhibits are offered in evidence, the original and two copies shall be furnished to the reporter, and the party offering exhibits should also be prepared to furnish a copy to each commissioner or examiner sitting, each party, and the staff, unless such copies have previously been furnished or the presiding officer directs otherwise. Whenever practicable, the parties should interchange copies of exhibits before or at the commencement of the hearing.
- (6) Exhibits for rate cases. In rate or other proceedings involving detailed and complicated accounting exhibits, the commission may require the applicant, respondent, any other party, or the commission staff, to file and serve copies thereof within a specified time in advance of the hearing in order to enable parties and protestants to study the same and prepare cross-examination with reference thereto. Data attempting to justify proposed tariff changes may be requested in a suspension order.

Implementing statute(s): 69-2-101, MCA

History: NEW, 1977 MAR p. 1200, Eff. 12/24/77.