

National Discovery

State	City/County/District	Forms of disco available	Defense cost?	Assessment of Costs	Statute/Rule?	Statewide?
Alabama	Escambia	Paper; CD; Flashdrive	No		Rule 16 AL Rules of Crim Pro	Yes
Alaska	Ketchikan	Electronically; CD	No		Statute Rule 16	Not sure but isn't aware of anyone paying for Discovery in AK
Arizona	Phoenix	E-discovery; LawPHX.net	No		Rule 15.2-15.7	Not sure
Arkansas	District 11W; Jefferson/Lincoln	CD; Flash drive; paper	No		Crim Rules of Procedure	Yes
California	San Francisco	Paper; CD/DVD; Flash drive	No - PD may provide thumb drive		CA Penal Code 1054	
Colorado						
Connecticut	Hartford	E-discovery per rule change - just starting	No but have provided paper or flash drives		Chapter 40 of CT Practice Book	Yes
Delaware	New Castle County	Paper/DVD	No		Delaware Superior Court Rule 16	Yes
Florida	Key West	CD/DVD/Flash drive; paper; e-discovery	No but have provided discs/thumb drives		FL Rule of Crim Pro 3.220	Yes
Georgia	Atlanta	Paper CD/DVD/Flash drive	No		OCGA 17-16-4	Yes
Hawaii	Oahu	Mainly e-discovery; occasionally discs	911 recordings, photos, body cam videos are flat fee of .50; .10/page; defense provides thumb drive		Hawaii Rules of Penal Proc 16	No
Idaho	Boise	E-discovery; rarely disc or thumb drive	No		Idaho Criminal Rule 16	Not sure but hasn't heard of defenders paying
Illinois	Quincy	E-discovery; email; if large on DVD or thumb drive	No but provide DVDs and thumb drives to DA		Illinois Supreme Court Rule (# unknown)	Not sure
Indiana	Marion County	E-discovery for the most part	No		Local Court Rule 107	Not sure but hasn't heard of anyone paying for discovery
Iowa	Des Moines	E-discovery; paper; CD/DVD/Flash drive;	Varies by county; legislation about to pass limiting charges to \$10 for ea request for everything; e-discovery is free; only charged for actual cost of CD if they give you a CD		Rules of Criminal Procedure	No different across the state
Kansas	Johnson	CD/DVD/Flash drive; E-discovery for larger counties	No		Local Rules for individual counties	Not sure but they only pay nominal fee for actual memory stick or copies
Kentucky	Jefferson County	Usually paper accompanies by CD or flash drive; some emails	No but they do provide flash drives at times		Court Rule RCR 7.24 & 7.26/BOP RCR 6.22	Not sure but never heard of anyone being charged for discovery
Louisiana	Orleans	Paper; CD/DVD/Flash drive	No but they do provide flash drives at times		Statute but doesn't know number	Believes it's the same across the state
Maine	Portland	E-discovery; CD	No		Court Rule 16	Not sure
Maryland	Baltimore City	E-discovery; some still use CD/paper but mostly it's e-discovery	No		Maryland Rule for Circuit Court 4263	Not sure but hasn't heard of anyone having to pay for discovery
Massachusetts	Boston	Paper; CD/DVD/Flash drive; e-discovery	No		Mass Rules of Crim Pro 14	Yes
Michigan	Washtenaw County	Paper; CD/DVD/Flash drive; e-discovery	No		MCR 6.201	Yes
Minnesota	Hibbing	E-discovery but varies by jurisdiction	No for PDs but private attorneys may be charged a reasonable fee to cover the cost of reproduction		MN Rules of Crim Pro 9.05	Yes
Mississippi	Jackson	Paper; CD/Flash Drive	No		MS Rules of Crim Pro 17.2	Yes
Missouri	St. Charles	E-discovery	No		Missouri Supreme Court rule 2503	Not sure

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Montana	Billings	Paper; CD/DVD/Flash Drive	No but you do provide the item (hard drive/flash drive, etc.)		Statute but doesn't know number	It's different
Nebraska	Douglas County	Through email; CD	No		Nebraska Revised Statute 29-1912	Not sure but not aware of any rule allowing DA to charge for discovery
Nevada	Carson City	Paper; CD/DVD/Flash drive; e-discovery	No		Case Law - DAs agree to open file	It's different
New Hampshire	Concord	E-discovery; paper; CD/DVD/Flash drive;	No		Rules of Crim Pro Rule 12	Not sure
New Jersey	Camden	E-discovery; DVD/Flash drive	No		Court Rule 3:13-3 of the Rules Governing Criminal Procedure	Not Sure
New Mexico	Carlsbad	Trying to move to paperless; different in each district	No		New Mexico Rules Annotated Rule 5501	Thinks it's the same
New York	Brooklyn	E-discovery - One Drive	No		Statute CPL 245	Thinks it's the same
North Carolina	Greenville	Paper; CD/DVD	No		General Statute Chapter 15A	Yes
North Dakota	Fargo	Paper; CD/DVD/Flash drive; e-discovery	No		Adopted Fed Rules of Crim Pro	Yes
Ohio	Chillicothe	Paper; CD/Flash drive	No		Criminal Rule 16	Thinks it's the same
Oklahoma	Oklahoma City	Emailed in PDF; CD/DVD/Flash drive; Sometimes paper	No but they provide their own flash drives, CDs, things of that nature		Title 22 section 2001 & 2002	Thinks it's the same
Oregon	West Chester	Paper; CD/DVD/Flash drive; e-discovery	No		PA Rules of Crim Pro 573	Yes
Rhode Island	Providence	Paper sometimes but e-discovery primarily	No but sometimes they provide thumb drives		Rules 16 & 26.1	Yes
South Carolina	Columbia	Paper; CD/DVD/Flash drive; e-discovery	No but if they get records outside of the Solicitor's office they usually get charged		SCRCP 5	Yes
South Dakota	Deadwood	Paper; CD; e-discovery	No		Primarily Court Rule; SDCL Chp. 23A-13 1-18	Yes
Tennessee	Kingston	Paper; CD/DVD/Flash drive; e-discovery but not often	No		TN Supreme Court Rule 16	Yes
Texas	Travis County	Paper; CD/DVD/Flash drive; e-discovery	No but sometimes provide thumb drives or external hard drives		Statute - doesn't have #	Thinks it's the same - has never heard of anyone paying for discovery
Utah	Utah County	CD; e-discovery	No but sometimes will provide hard drive or thumb drive		Rule 16 of Utah Rules of Crim Ppro	Not sure
Vermont	Bennington	Paper; CD/DVD/flash drive; e-discovery	No		VT Rules of Crim Pro 16.1, 16.2, 17, 15	Yes
Virginia	Chesapeake	Paper; CD/DVD/ some on evidence.com	No sometimes paper/discs provided		VA Rules of Supreme Court 3A:11	Yes
Washington	Kitsap County	E-discovery	No but they bear the cost of printing; flash drives; CDs	Budget from County Commissioner for Public Defenders for paper, etc.	Court Rule 4.7 (CR 4.7); Superior Court CrLJ 4.7	Yes
West Virginia	Beckley	Paper; CD/DVD/thumb drive	No		WV Rules of Crim Pro Rule 16	Thinks it's the same - has never heard of anyone paying for discovery
Wisconsin	Peshigo	Paper; CD/DVD/Thumb drive	Yes but the max is \$5/disc and .20/page		Local Rules & Statute WI 973.23	Not everyone charges, but if they do amounts are the same
Wyoming	Jackson	Paper; CD/DVD/Thumb drive; e-discovery	No		Criminal Rules 16 & 26.2; Subpoenas are 12	Thinks it's the same - has never heard of anyone paying for discovery