



DEFENSE ATTORNEY DISCOVERY PROCEDURES

NICE PROCEDURES

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NICE

- The State's Attorney's Office for Charles County (SAO) will be providing discovery primarily through NICE beginning **May 2024**.
- NICE is a cloud based system used to securely store and share digital evidence between persons and entities.
- While transitioning to NICE, discovery for existing cases may continue to be provided through Sharefile, and mail/hand-delivery for USB or CDs. Additionally, certain types of digital media will continue to require an unopened USB for discovery purposes.
- Discovery will include your initial discovery packet and any supplemental discovery.
- Child pornography and confidential informant discovery will be provided via current procedures and not through NICE.

MDEC NOTIFICATION

- The State will continue to file and serve through MDEC the Discovery Notice and any Supplemental Discovery Notice(s) indicating that discovery has been sent to you.
- The Discovery Notice and any Supplemental Discovery Notice(s) will indicate the method of discovery.

NICE NOTIFICATION

- An attorney will be added to a defendant's case only when the SAO has received a pleading, motion, or written entry of appearance as authorized pursuant to Maryland Rule 4-214(ii) via mail, hand delivery or file and serve through MDEC.
- When discovery for a case is available to download, a defendant's attorney will receive an email notification from NICE. The attorney will have **45 days** from the date of the discovery notification to download the related discovery.
- Be sure to check your junk mail for the NICE email notification. They are sent directly from the website.

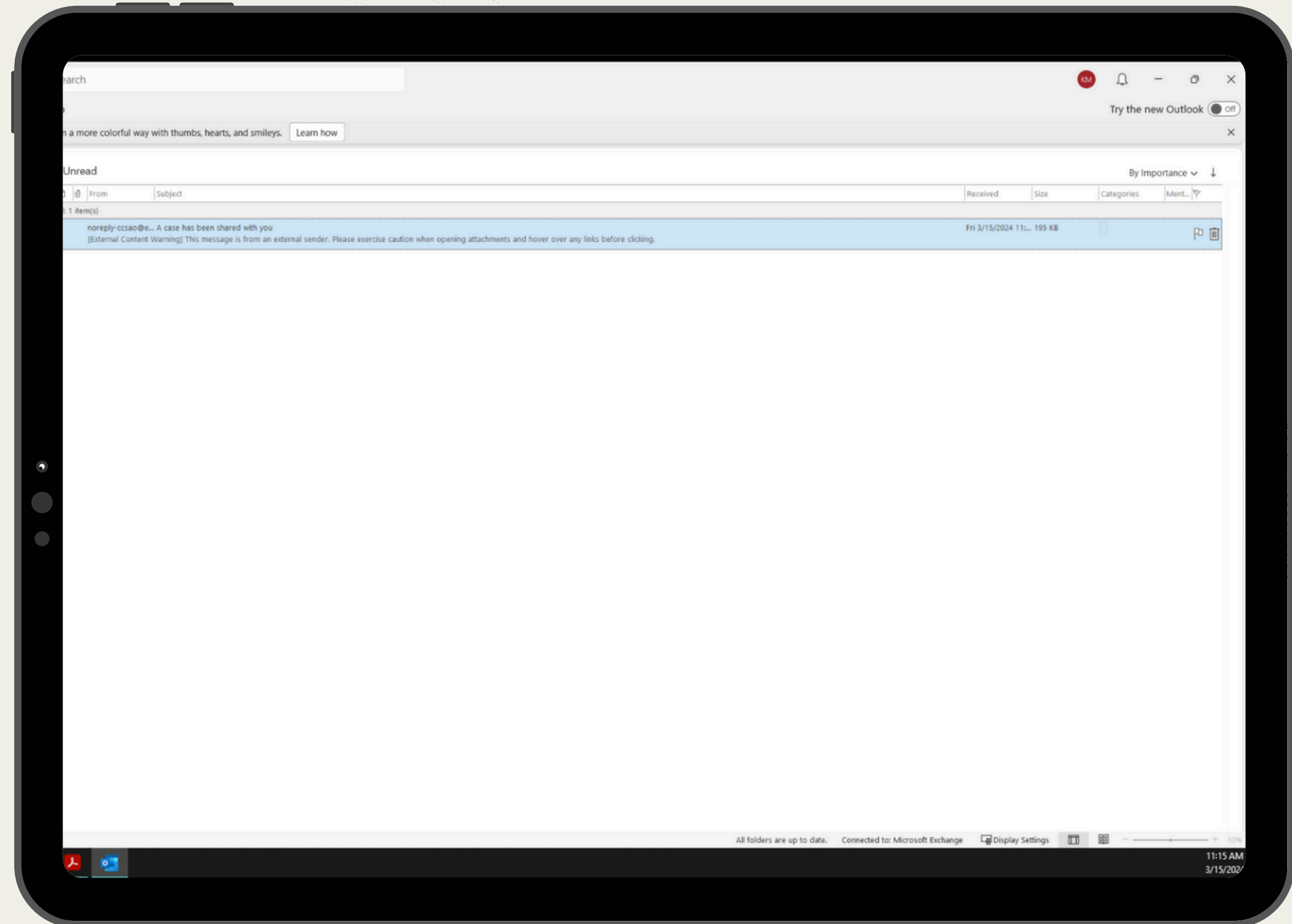
DEFENSE EMAIL ADDRESS

The SAO will only use the email address that you have listed on the pleadings, motion, or written entry of appearance that you file with the court. You **must** enter the email that is listed on your pleadings because NICE requires that you utilize the same email that the SAO used to set up your account.

The SAO will only change your email in NICE if you update it on your court documents and send the SAO written notification of the change.

NICE NOTIFICATION PRE-ACTIVATION

When discovery for a case is available to download, a defendant's attorney will receive an email notification from NICE.



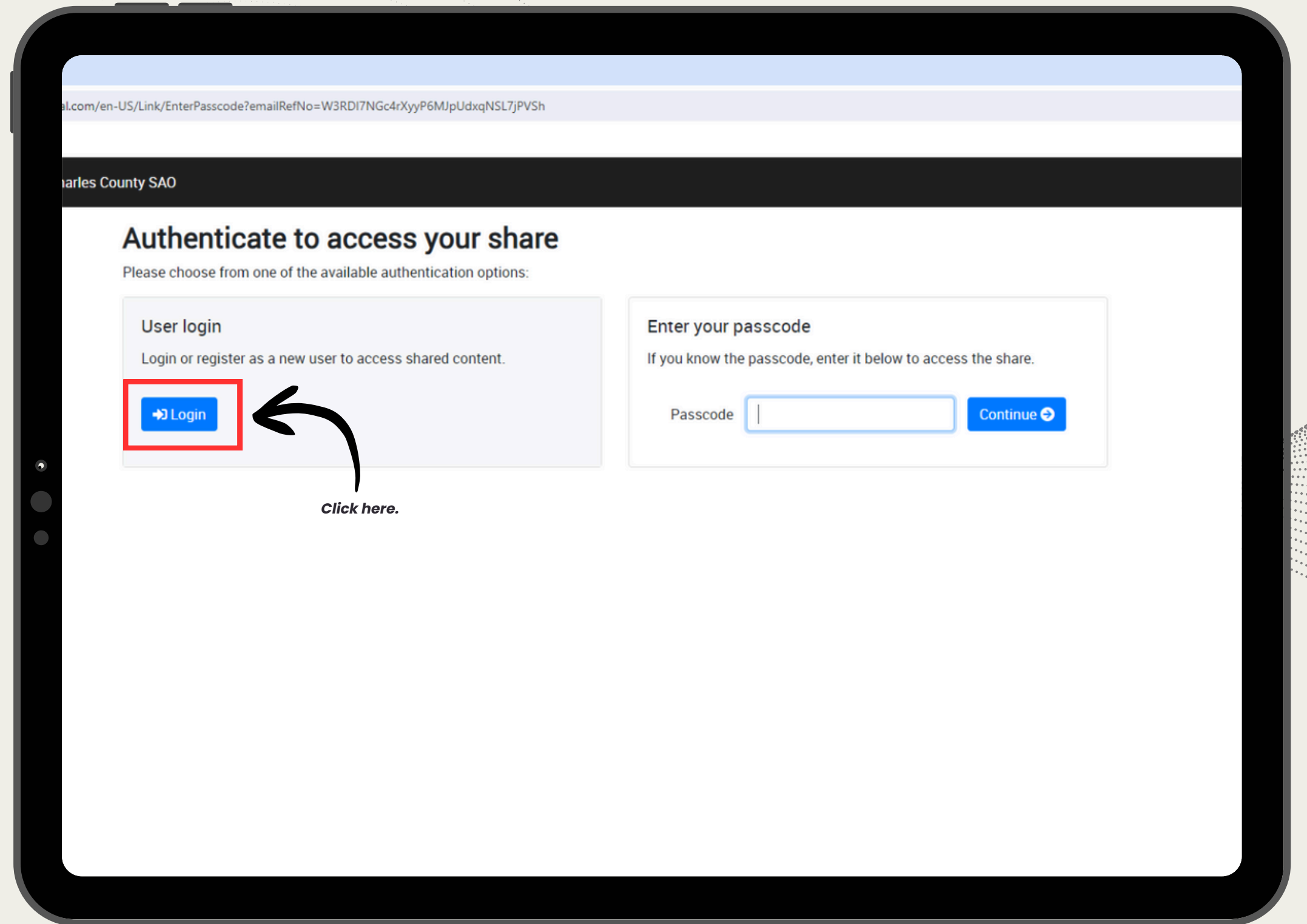
NICE NOTIFICATION PRE-ACTIVATION

Open email, then click the
hyperlink labeled "link".



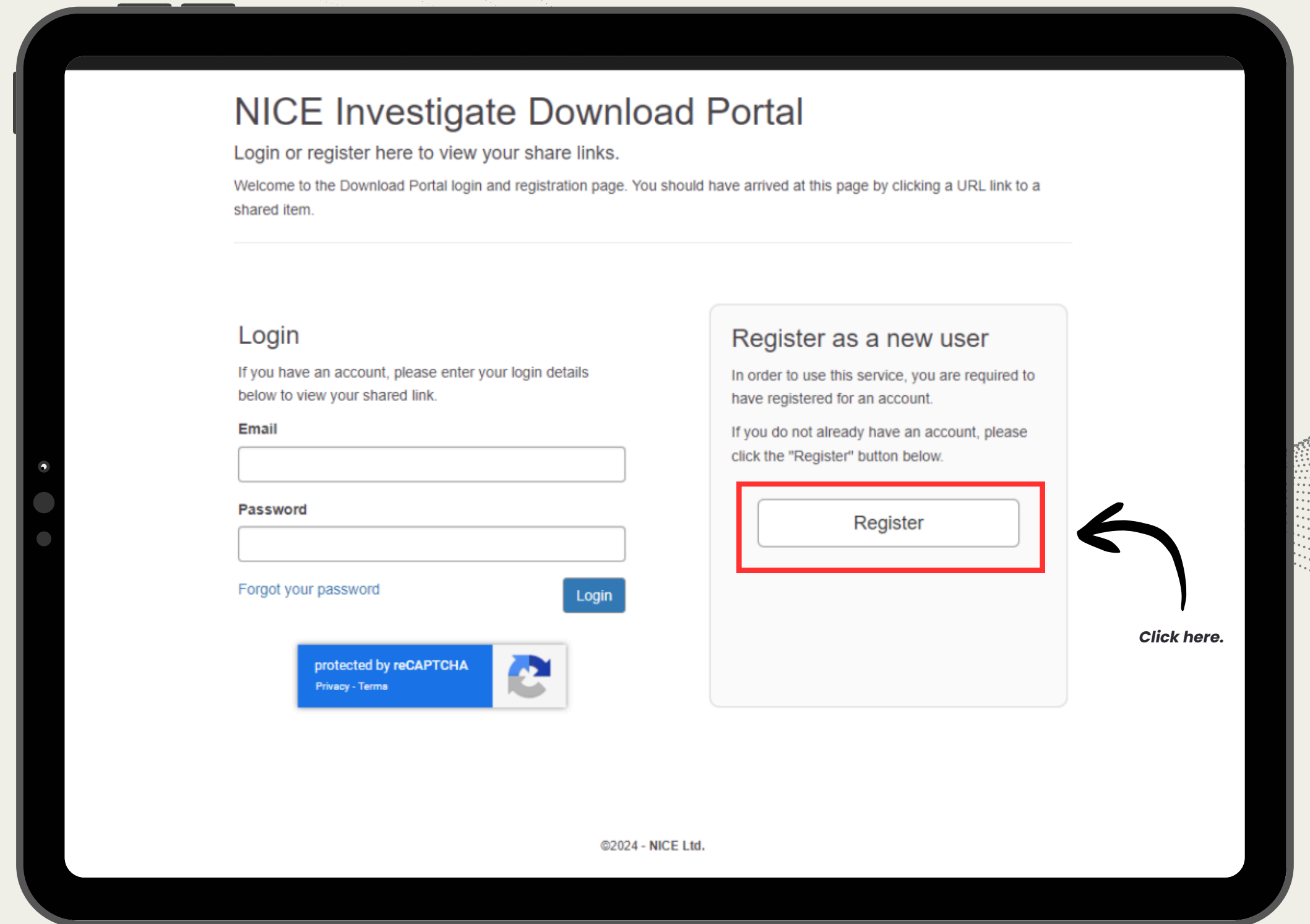
ACTIVATING YOUR ACCOUNT

Click "Login" on the left hand side.



ACTIVATING YOUR ACCOUNT

If you are a new user click "Register" under **Register as new user** on the right hand side.



ACTIVATING YOUR ACCOUNT

1. Enter the email that you have listed on your pleadings, motions, or written entry of appearances.
2. Choose a password and confirm the password.
3. Check the box that says "I'm not a robot".
4. Click "Register".

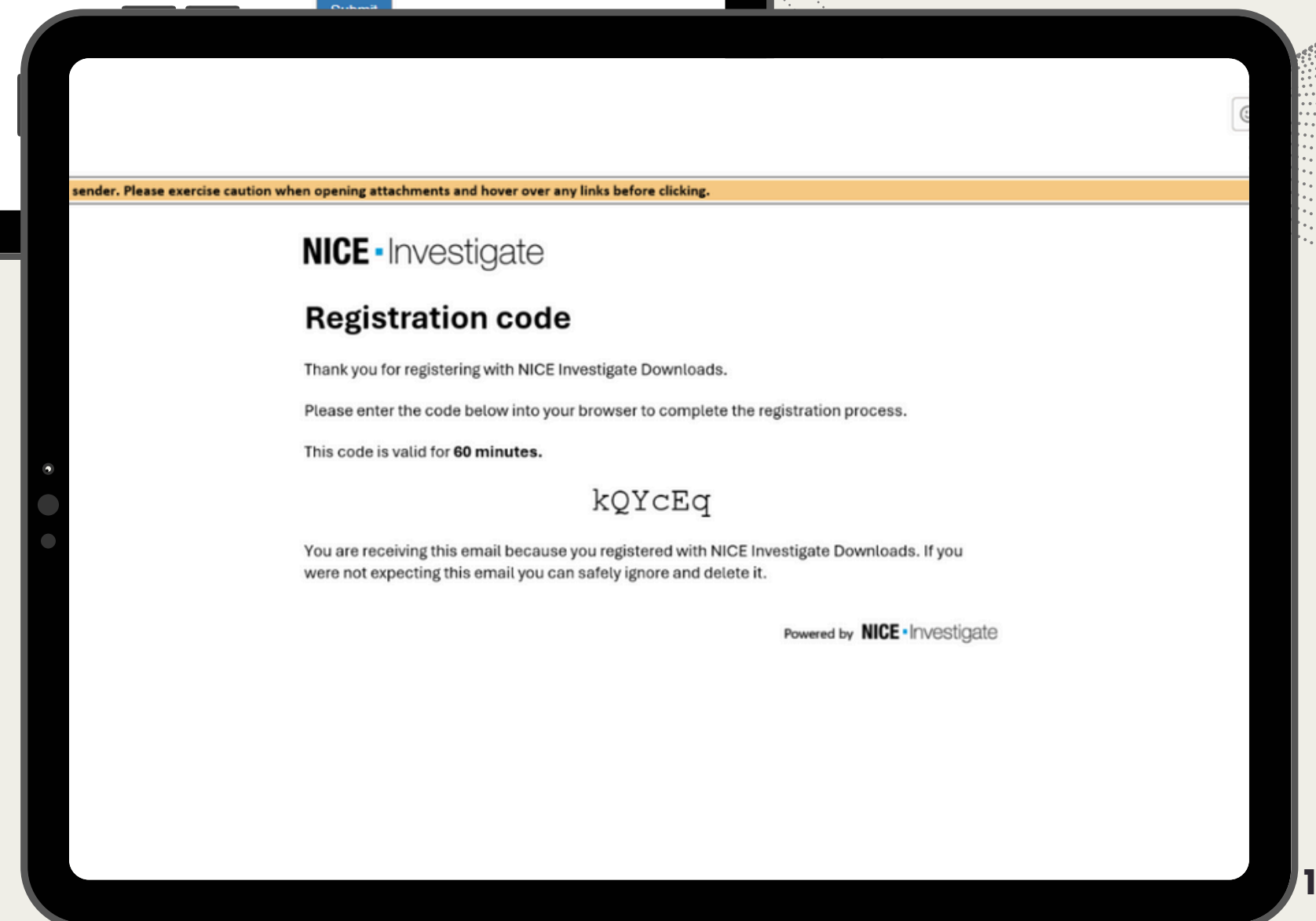
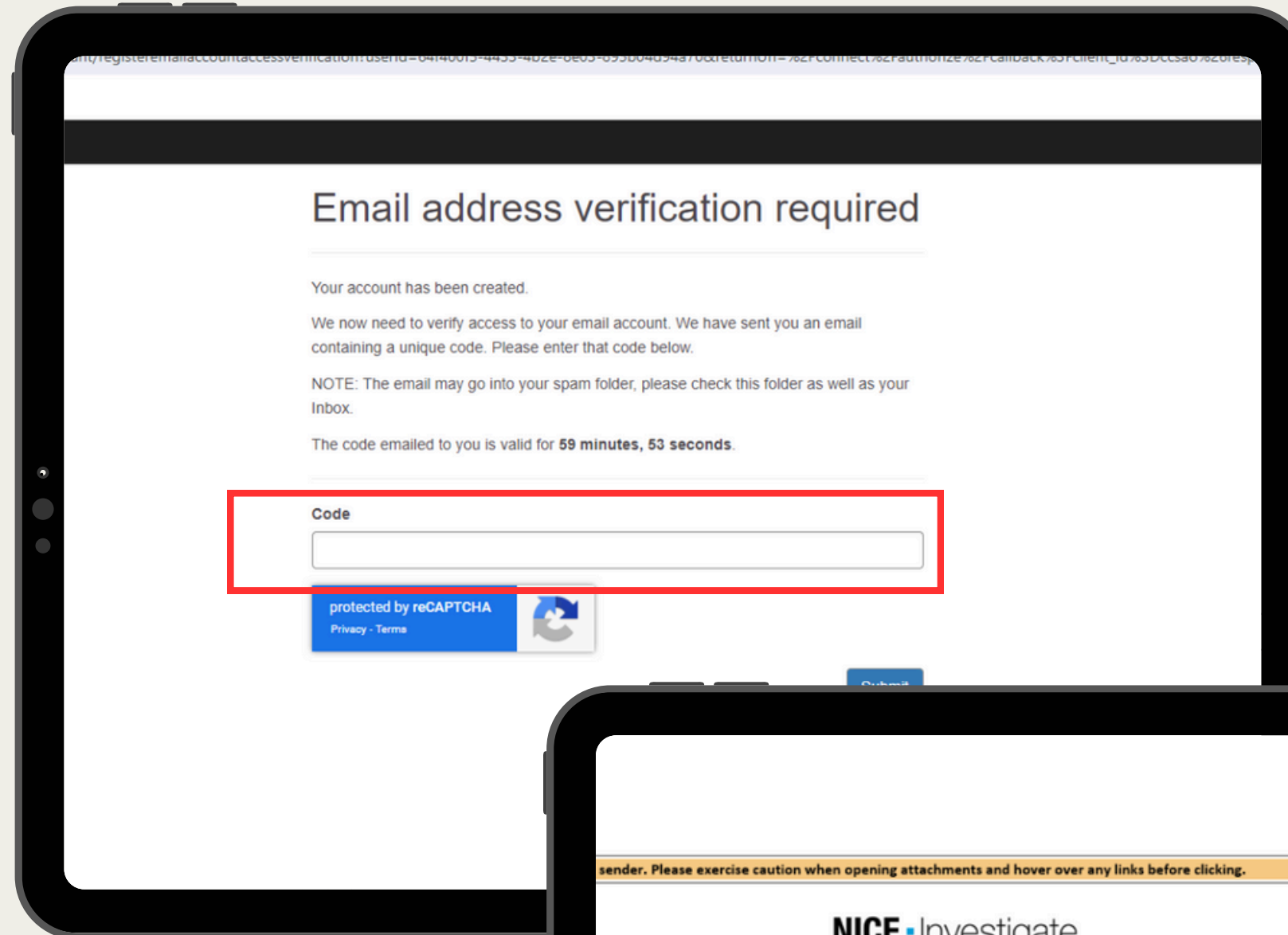
Account registration form on a tablet. The form is titled "Register" and includes the following fields and elements:

- Email:** A text input field with a red box around the label.
- Password:** A text input field.
- Confirm password:** A text input field.
- reCAPTCHA:** A checkbox labeled "I'm not a robot" with a red box around it, and a reCAPTCHA logo with "reCAPTCHA Privacy - Terms" below it.
- Register:** A blue button at the bottom right.

Instructions on the page: "Please enter your details below to register with this service. Use the same email address you have received your shared link on. Only approved email addresses are allowed to register and access to your approved email account will be verified."

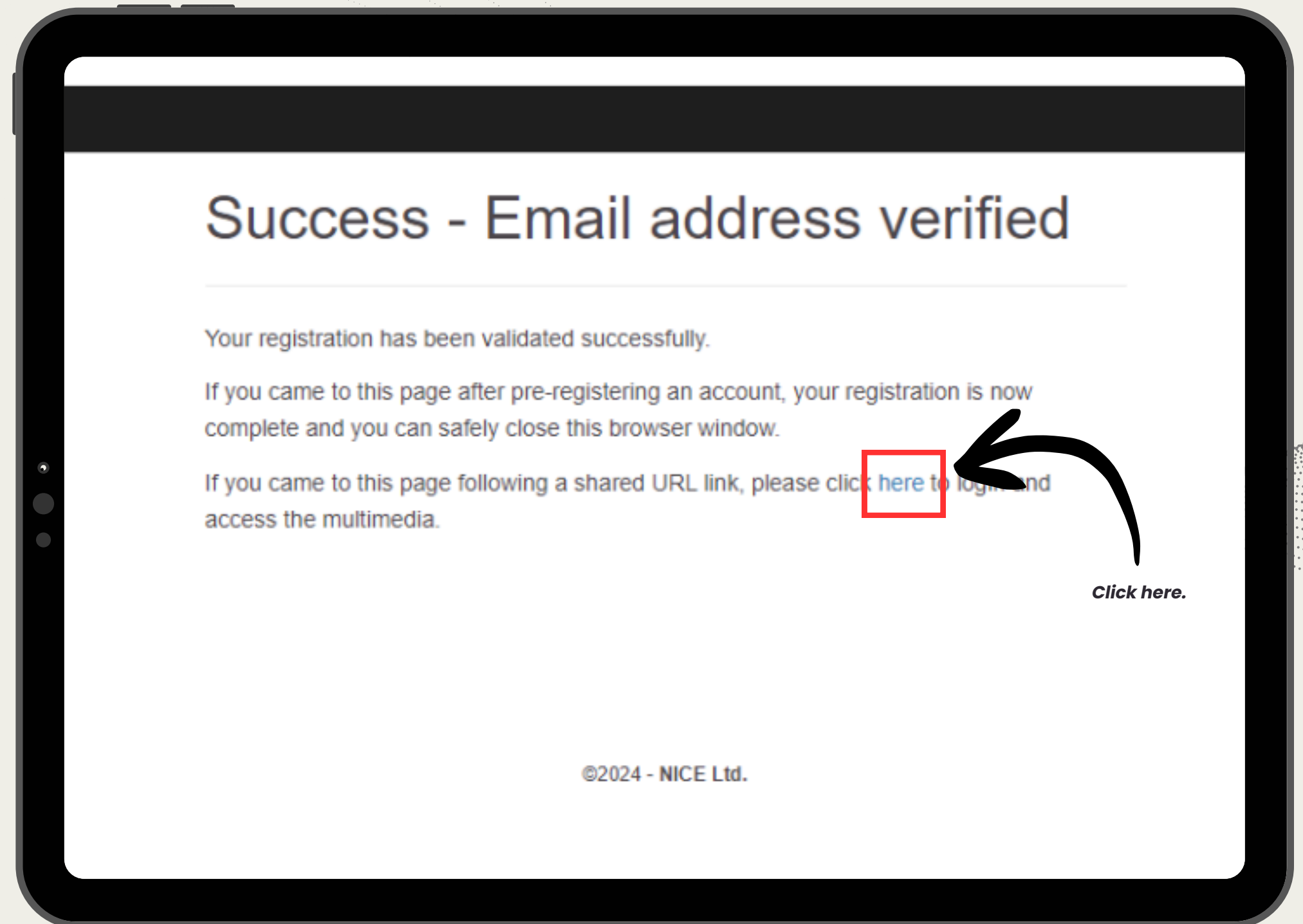
ACTIVATING YOUR ACCOUNT

1. You will be brought to a verification page.
2. A code will be sent to your email to verify your account.
3. Type that code into the **Code Box** on the verification page.



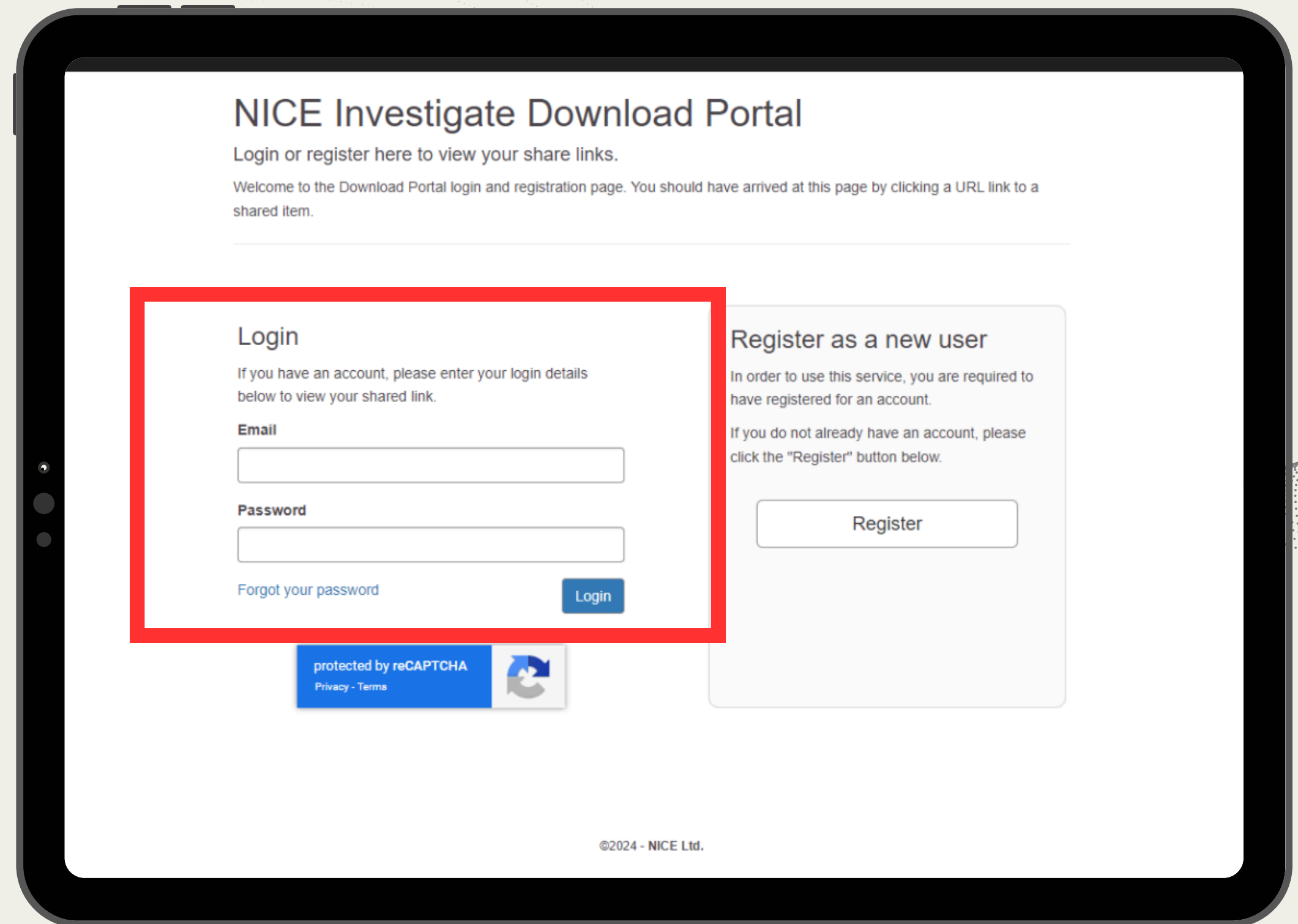
ACTIVATING YOUR ACCOUNT

Once you have successfully verified your account, click “here” to be brought back to the log in page.



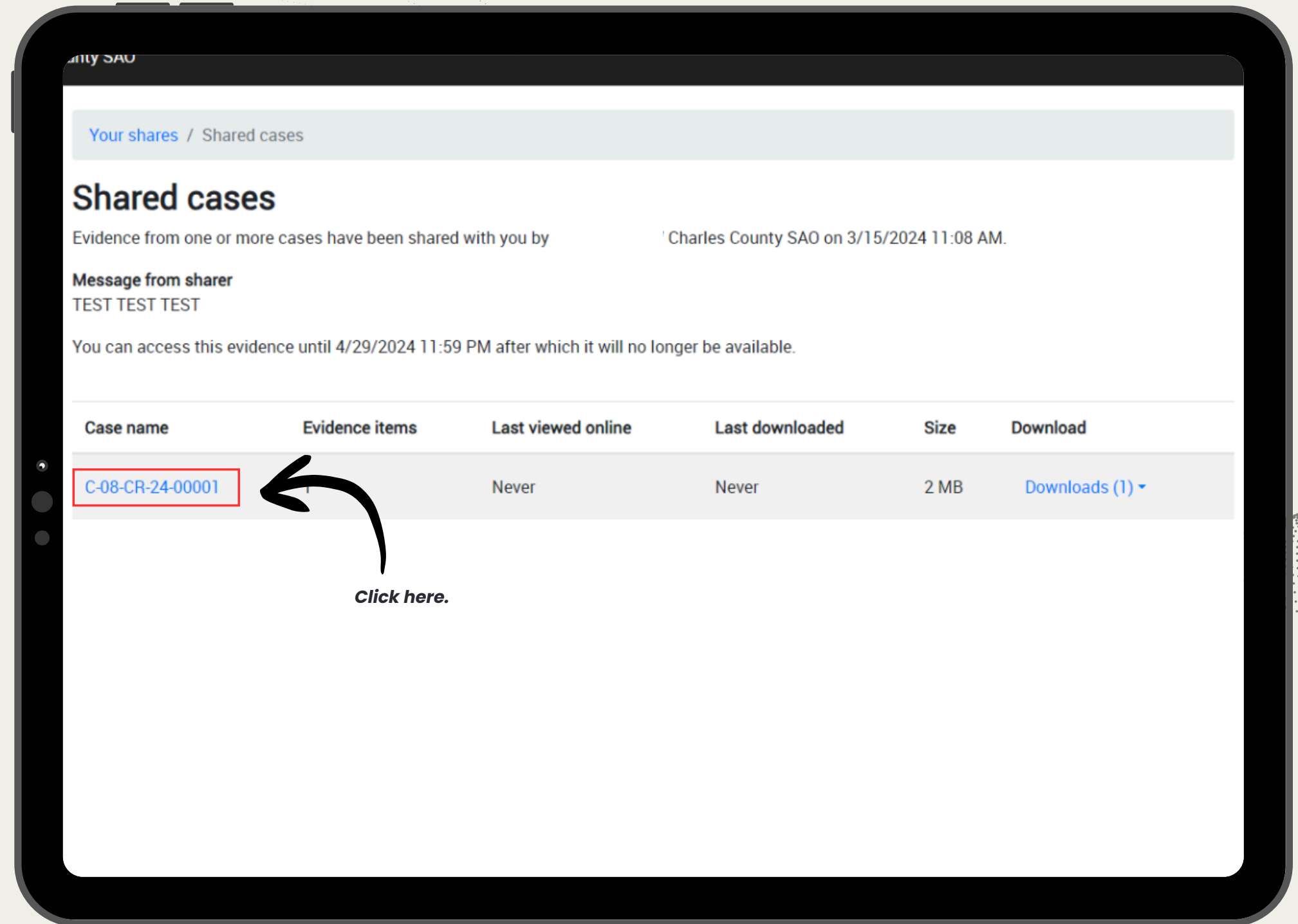
ACCESSING YOUR ACCOUNT

On the left hand side, log in with your email and password you created.



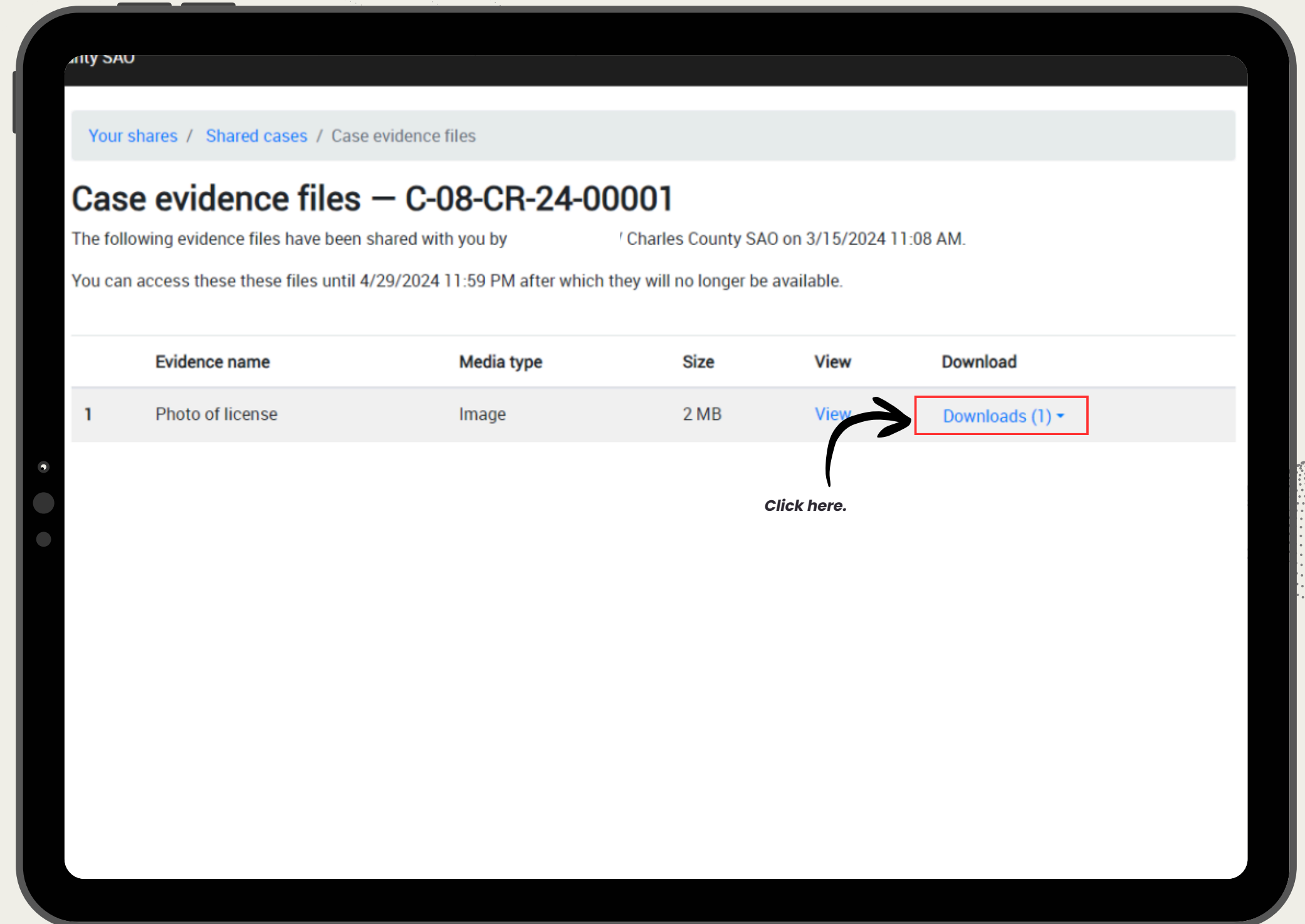
ACCESSING CASE FOLDER

Click on the hyperlink for your case – (Example: C-08-CR-24-00001).



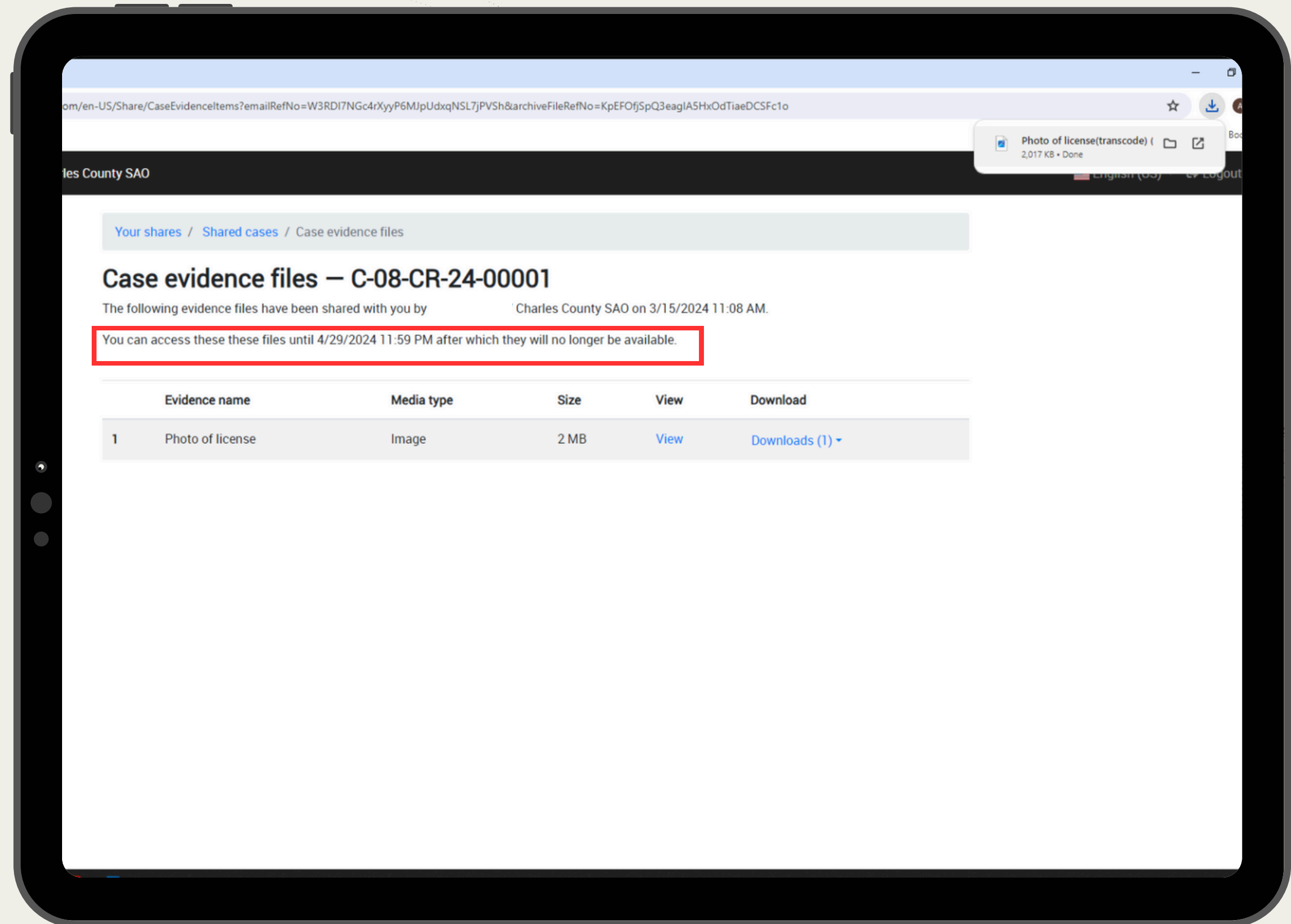
ACCESSING CASE FOLDER

1. Click “Downloads” and then the drop-down option to download the evidence.
2. All evidence that was shared for the case will be displayed.



ACCESSING CASE FOLDER

Evidence will then download onto your device. You will have **45 days** from the date of the discovery notification to access the file and download the related discovery.



NEW DEFENSE ATTORNEY ENTERS ON CASE

- When the new defense attorney enters on a case, they will receive an email notification giving them access to the discovery. They will have **45 days** to download any discovery that is available for that case.
- For any discovery material that was provided outside of NICE, it is the responsibility of the new defense attorney to retrieve the material from the previous defense attorney.

ShareFile

- ▶ The State's Attorney's Office for Charles County (SAO) will be providing discovery primarily through ShareFile beginning September 17, 2018.
- ▶ ShareFile is a cloud based system used to securely transfer and share files between persons and entities.
- ▶ Only discovery that is being provided starting September 17, 2018 will be available through ShareFile. Any discovery previously provided will not be added to ShareFile.
- ▶ Discovery will include your initial discovery packet and any supplemental discovery.
- ▶ Child pornography and confidential informant discovery will be provided via current procedures and not through ShareFile.

MDEC Notification

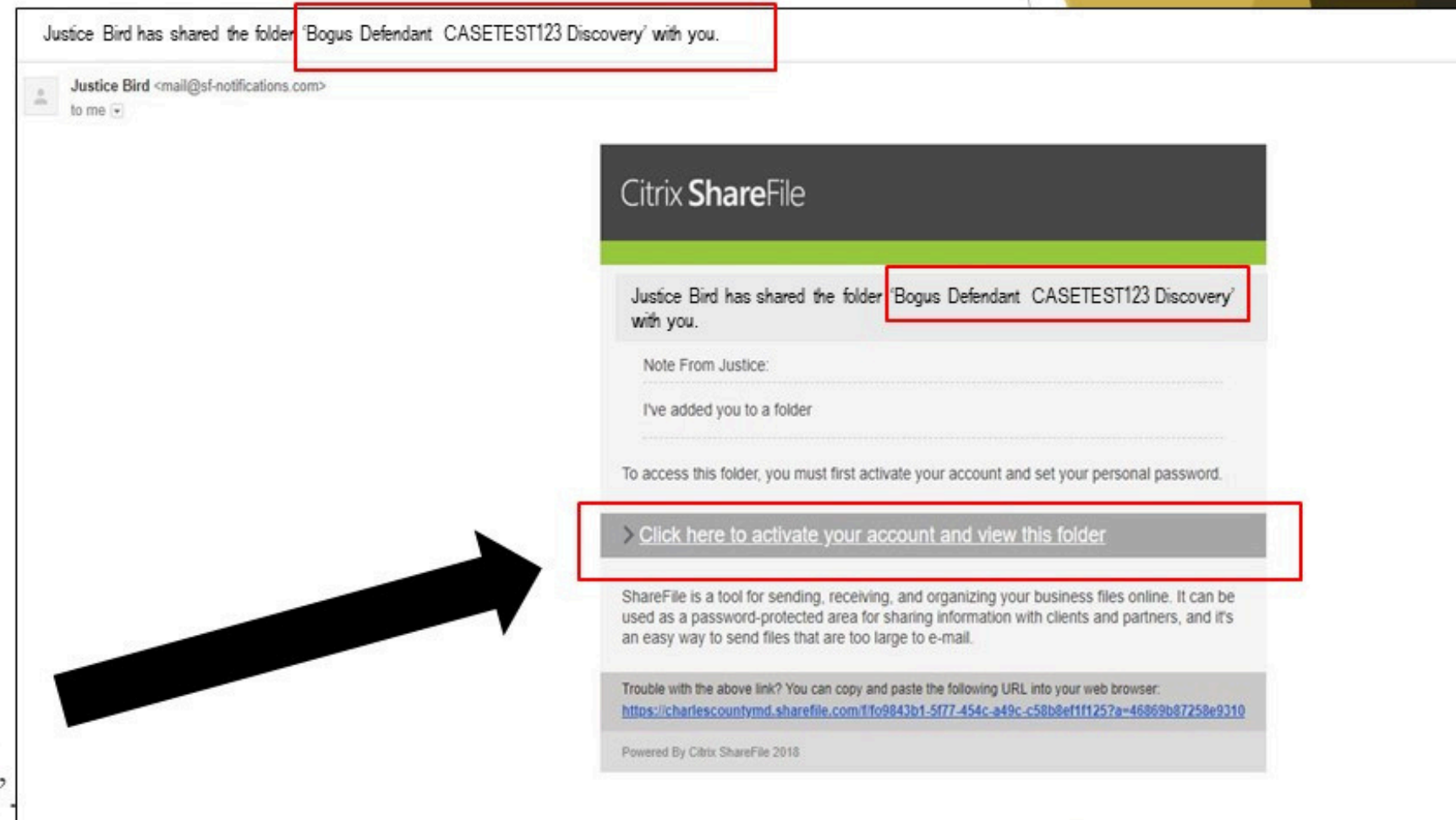
- ▶ The State will continue to file and serve through MDEC the Discovery Notice and Supplemental Discovery Notice indicating that discovery has been sent to you.
- ▶ The Discovery Notice and Supplemental Discovery Notice will indicate whether discovery has been provided via ShareFile.

ShareFile Notification

- ▶ An attorney will be added to a defendant's case only when the SAO has received a pleading, motion, or an entry of appearance as authorized pursuant to Maryland Rule 4-214(ii) via mail, hand delivery or MDEC File and Serve.
- ▶ When discovery for a case is available to download, a defendant's attorney will receive an email notification from ShareFile.
- ▶ Be sure to check your junk mail for the ShareFile email notification. They are sent directly from the website.

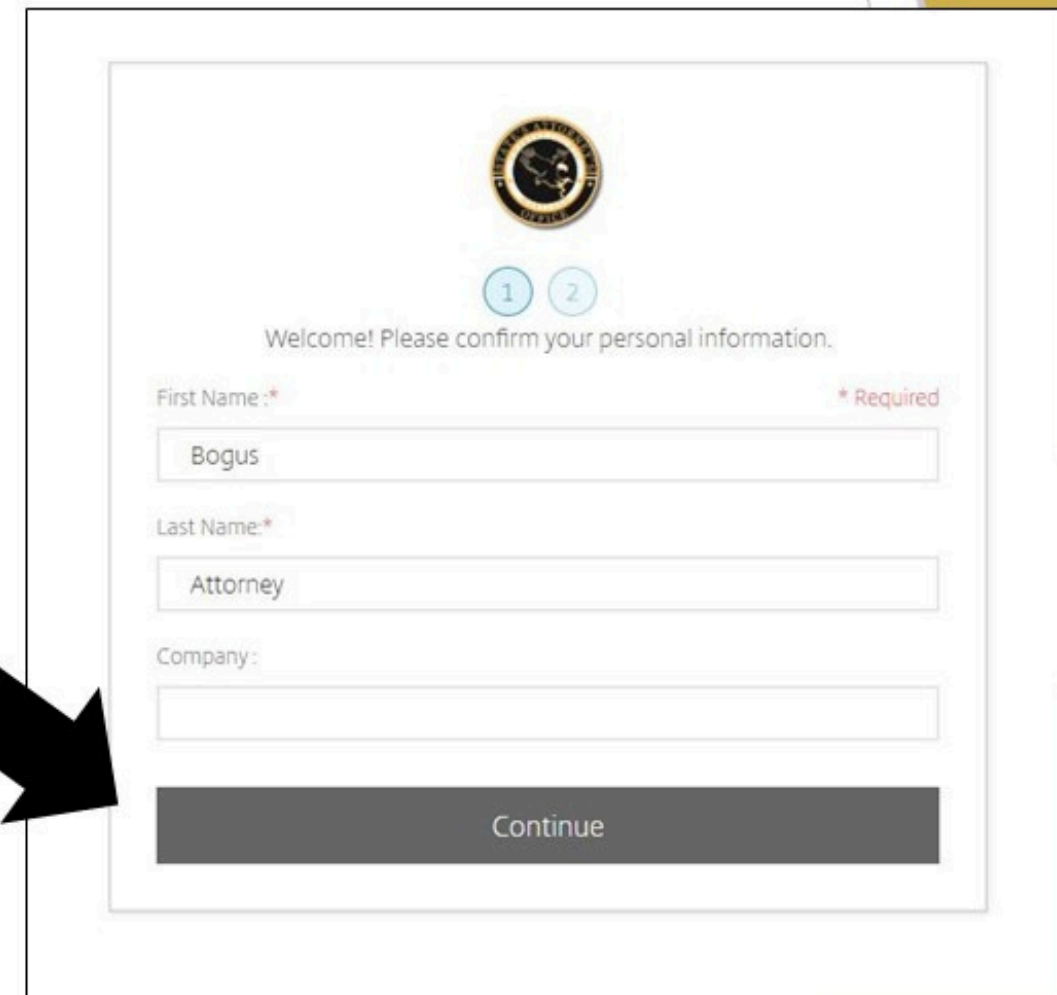
ShareFile Notification- Pre-Activation

- ▶ If you have never accessed ShareFile, the system will send you a pre-activation email notification requiring you to activate your account before you can access the discovery.
- ▶ That email will list the Defendant's name and case number.
- ▶ You will need to click on **“Click here to activate your account and view this folder”**.



Activating your Account

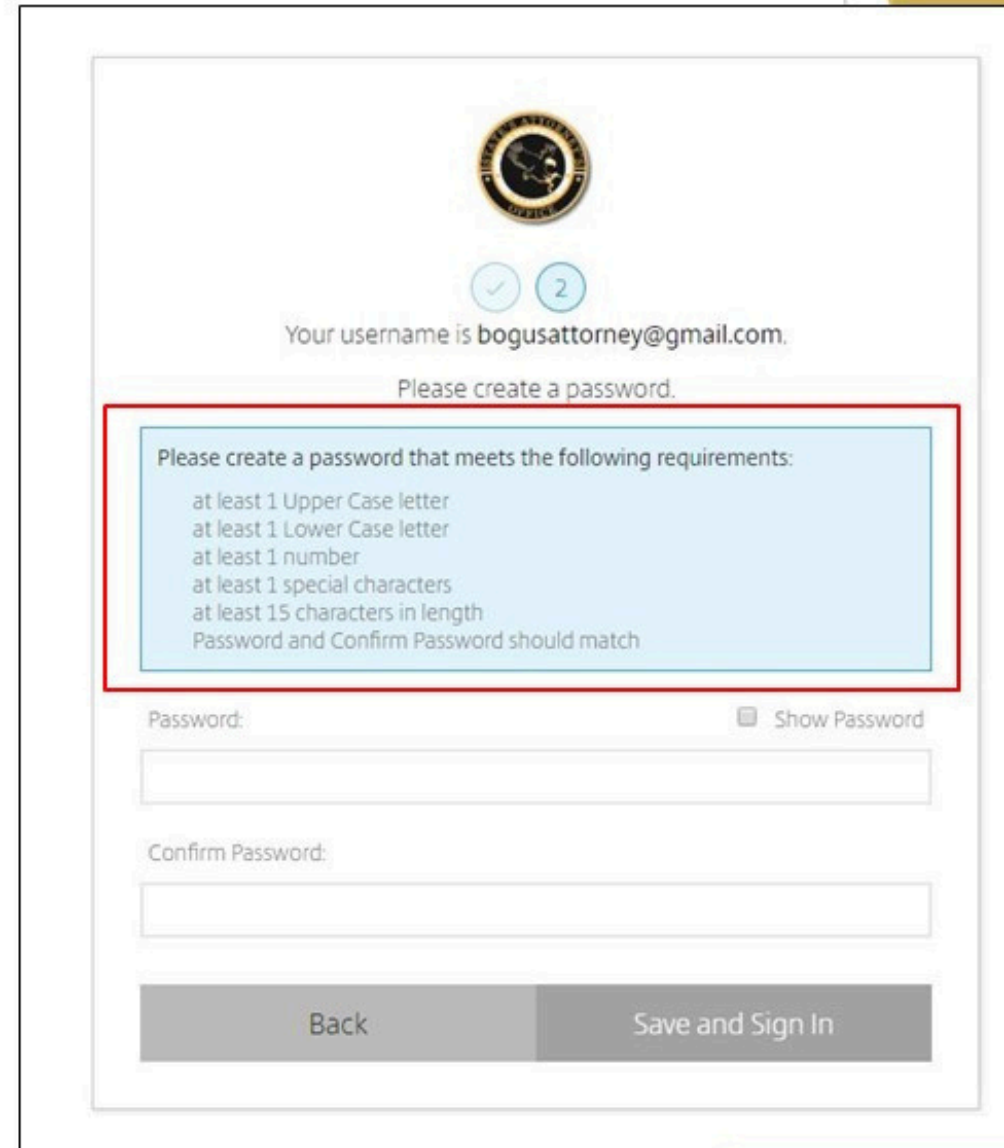
- ▶ Next, confirm that your first name and last name are correct.
- ▶ Click **Continue**.



The screenshot shows a web form for account activation. At the top center is a circular logo with an eagle. Below the logo are two small blue circles containing the numbers '1' and '2'. The text 'Welcome! Please confirm your personal information.' is centered below the circles. The form contains three input fields: 'First Name:*' with the value 'Bogus', 'Last Name:*' with the value 'Attorney', and 'Company:' which is empty. A red asterisk and the word 'Required' are positioned to the right of the 'First Name' label. At the bottom of the form is a dark grey button labeled 'Continue'. A large black arrow points from the text 'Click Continue.' in the list to the 'Continue' button.

Activating your Account

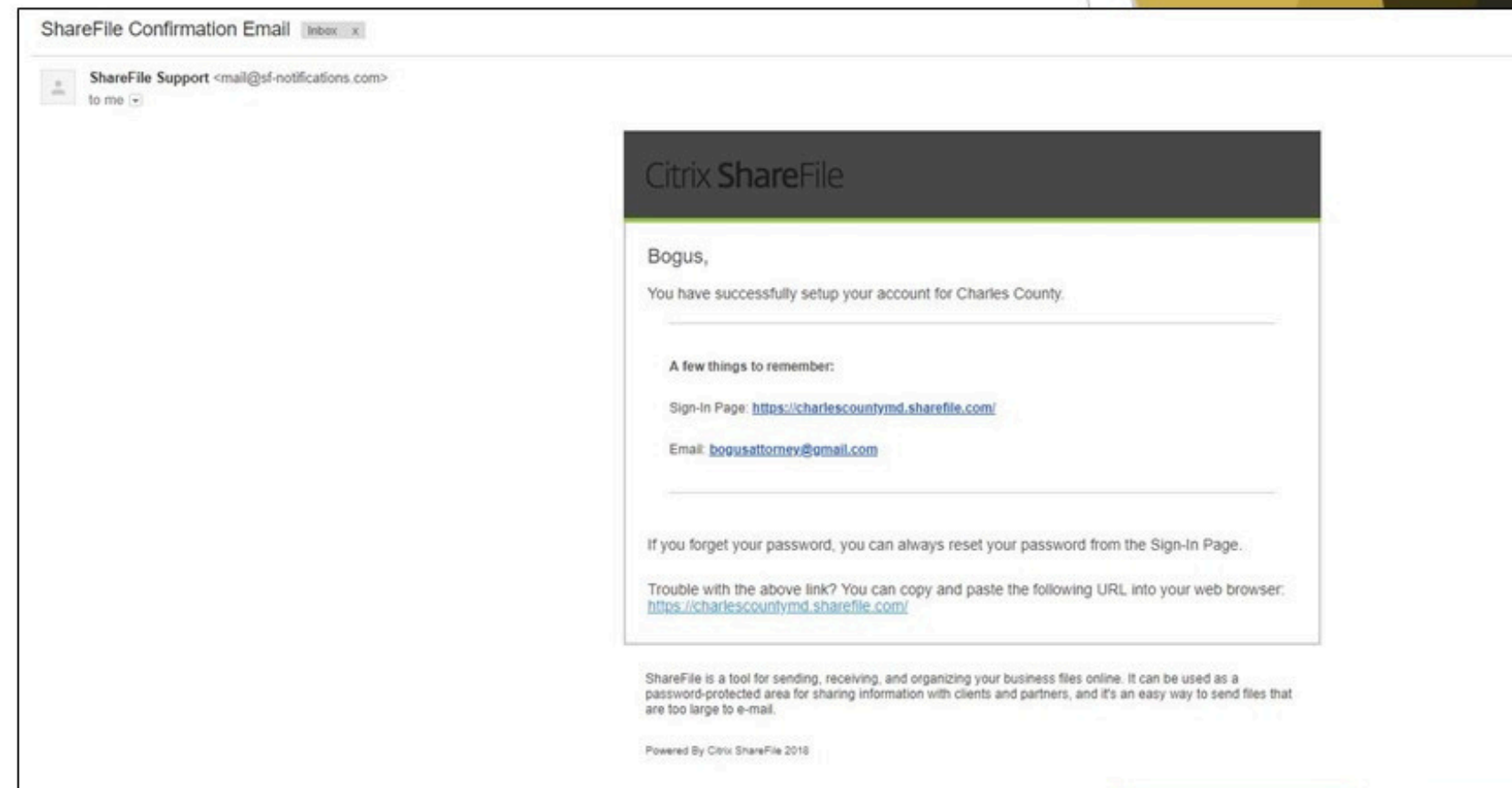
- ▶ Next, you will need to create a password based on the listed requirements.
- ▶ Your username is your e-mail address.
- ▶ Click **Save and Sign In**.
- ▶ All access to ShareFile will require your username and password.



The screenshot shows a web interface for creating a password. At the top center is a circular logo with a globe and the text 'SHAREFILE'. Below the logo are two small blue circles, the second containing the number '2'. The text 'Your username is bogusattorney@gmail.com.' is displayed. Below this is the instruction 'Please create a password.' followed by a light blue box with a red border containing the following requirements: 'Please create a password that meets the following requirements: at least 1 Upper Case letter, at least 1 Lower Case letter, at least 1 number, at least 1 special characters, at least 15 characters in length, Password and Confirm Password should match'. Below the requirements are two input fields: 'Password:' and 'Confirm Password:'. To the right of the 'Password:' field is a 'Show Password' checkbox. At the bottom are two buttons: 'Back' and 'Save and Sign In'.

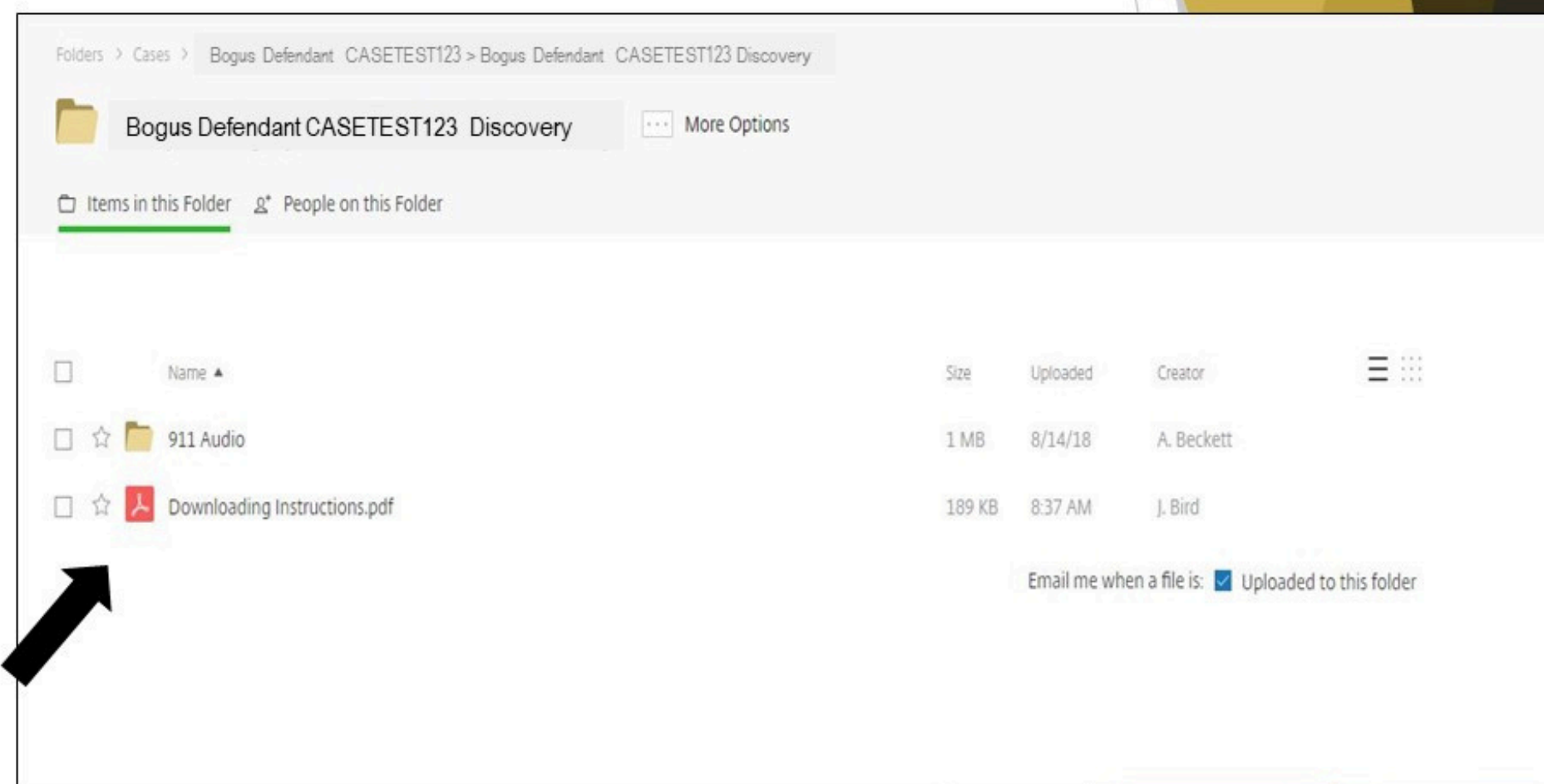
Activating your Account

- ▶ You will receive a **ShareFile Confirmation Email** after you have successfully activated your account.
- ▶ Save the **ShareFile Confirmation Email** as a reference to the ShareFile sign in page and your registered email.



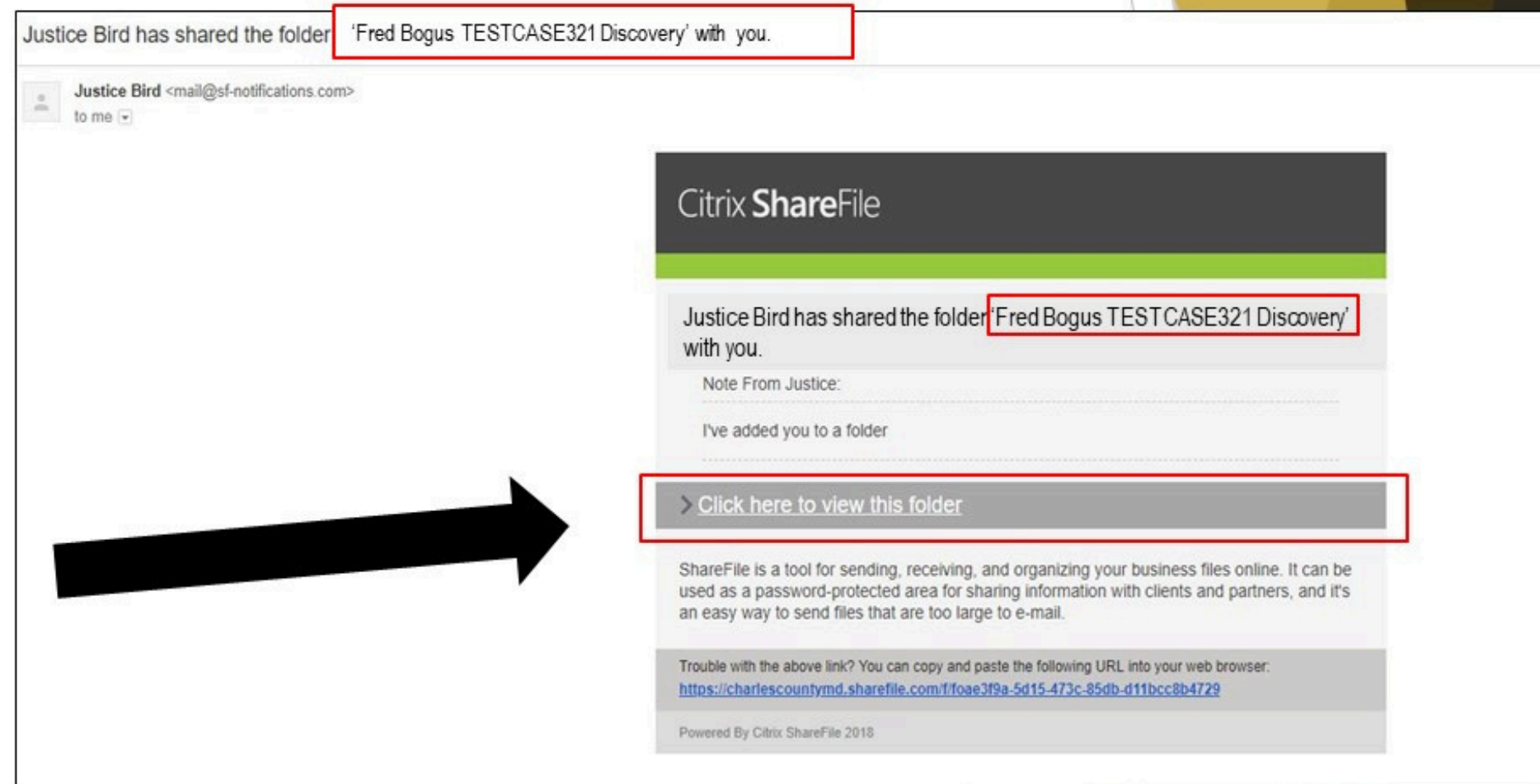
Accessing Case Folder via Email Notification

- ▶ After activating your account, you will automatically be taken to the Discovery folder for the case that is listed in the email.
- ▶ When you are brought to the Discovery folder, you will be able to view and download any discovery available in the case folder.
- ▶ Downloading Instructions are provided within the Discovery folder.



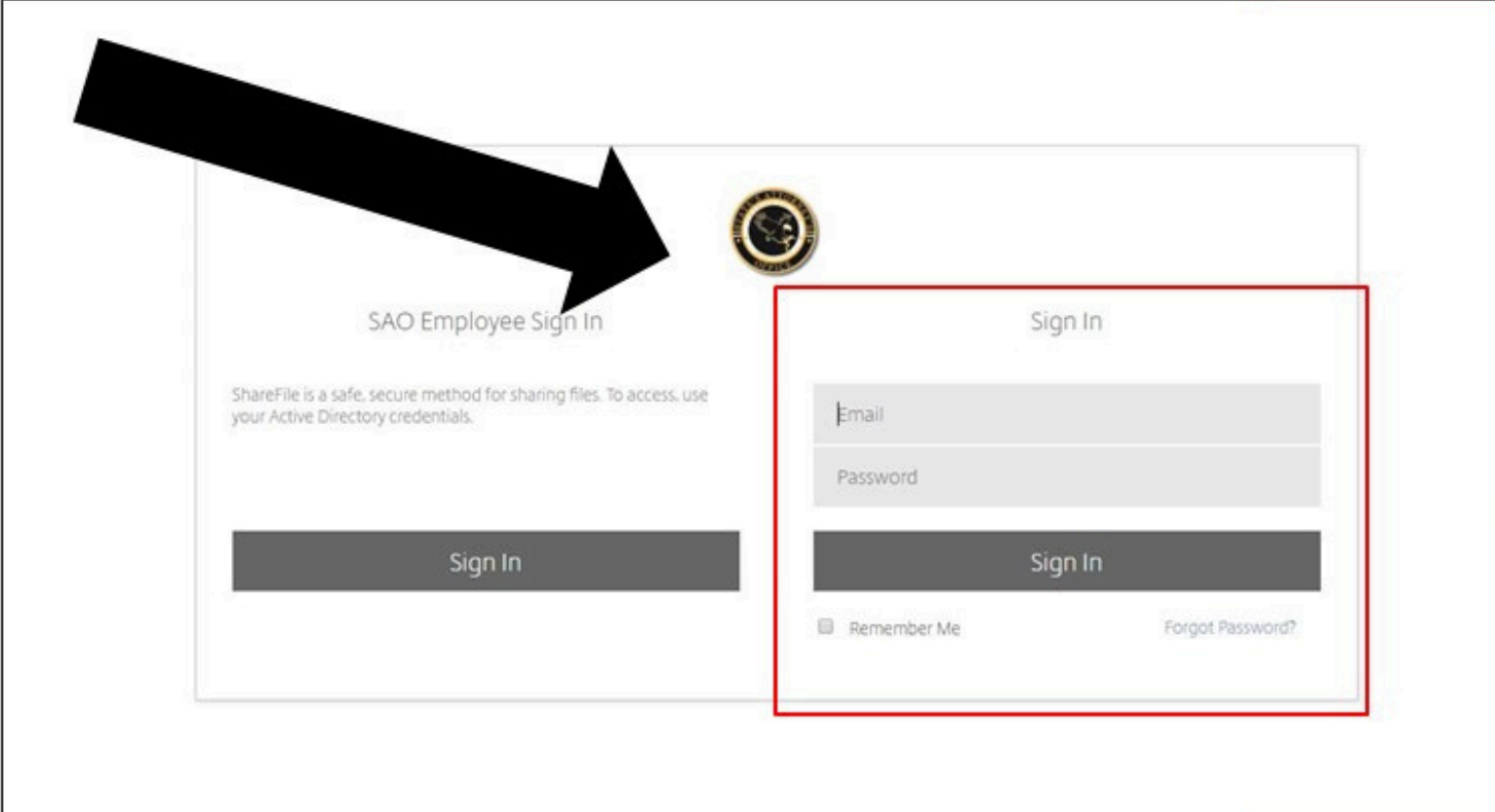
ShareFile Notification- Post Activation

- ▶ After you have activated your ShareFile account, you will receive a general email notification that lists the Defendant's name and case number.
- ▶ Click on **“Click here to view this folder”**.



Accessing Case Folder via Email Notification- Post Activation

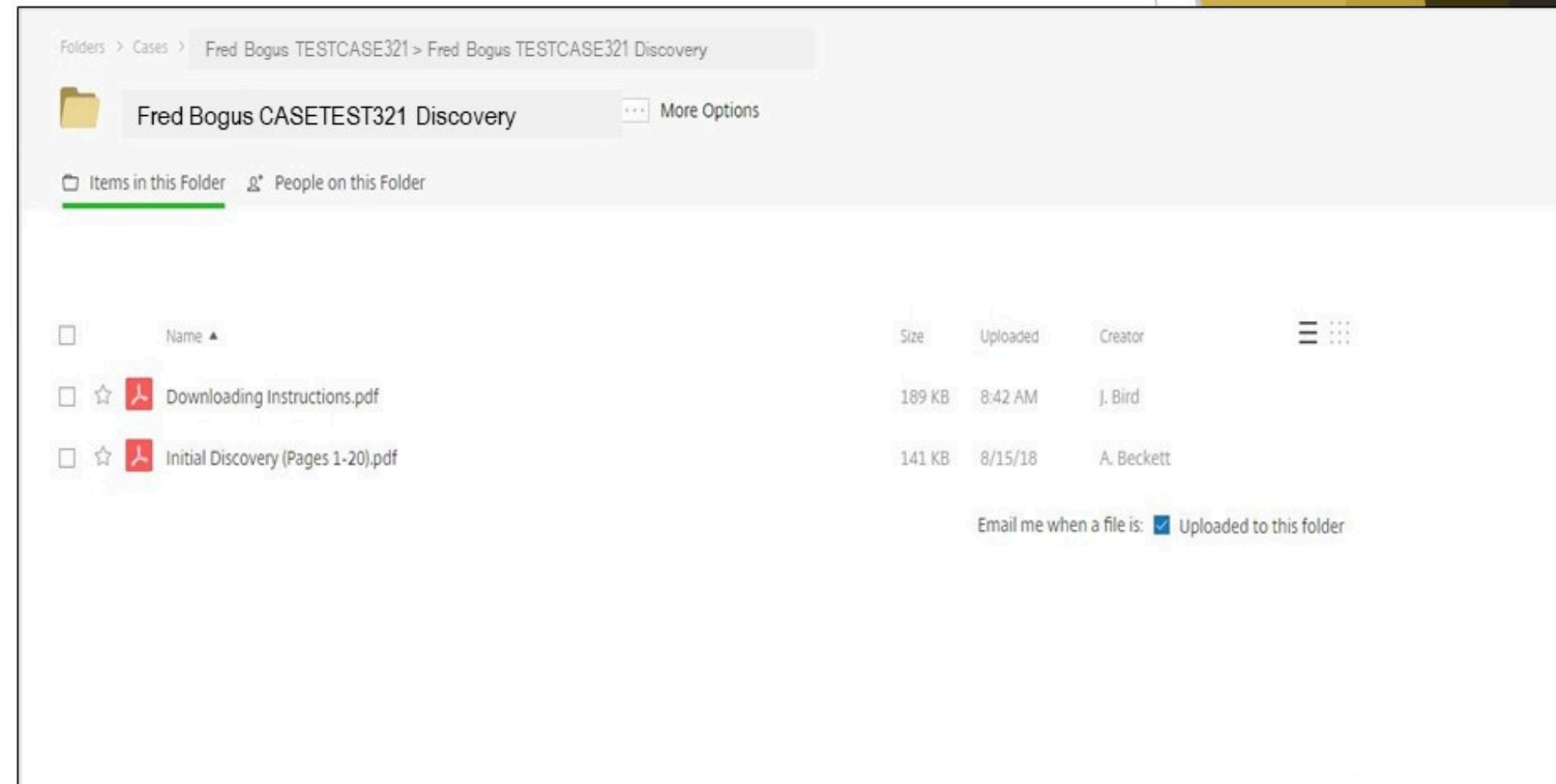
- ▶ Next, you will need to sign in on the right side of the login screen.



The screenshot displays the 'SAO Employee Sign In' interface. On the left, there is a section titled 'SAO Employee Sign In' with a sub-header 'ShareFile is a safe, secure method for sharing files. To access, use your Active Directory credentials.' and a 'Sign In' button. On the right, a standard sign-in form is highlighted with a red border. This form includes a 'Sign In' header, an 'Email' input field, a 'Password' input field, a 'Sign In' button, a 'Remember Me' checkbox, and a 'Forgot Password?' link. A large black arrow points from the top left towards the 'SAO Employee Sign In' section.

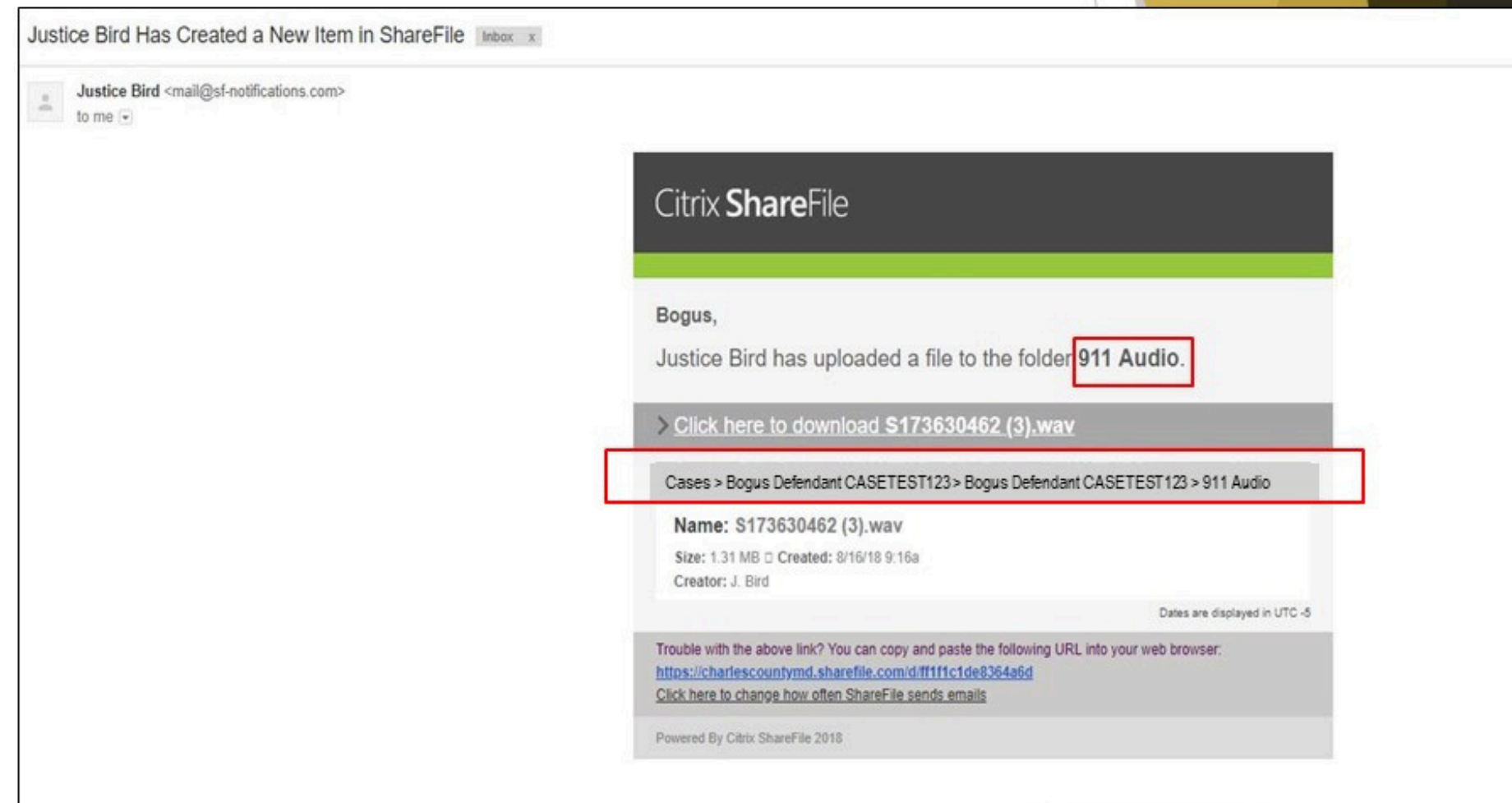
Accessing Case Folder via Email Notification- Post Activation

- ▶ You will automatically be taken to the Discovery folder for the case that is listed in the e-mail.
- ▶ When you are brought to the Discovery folder, you will be able to view and download any discovery available in the case folder.



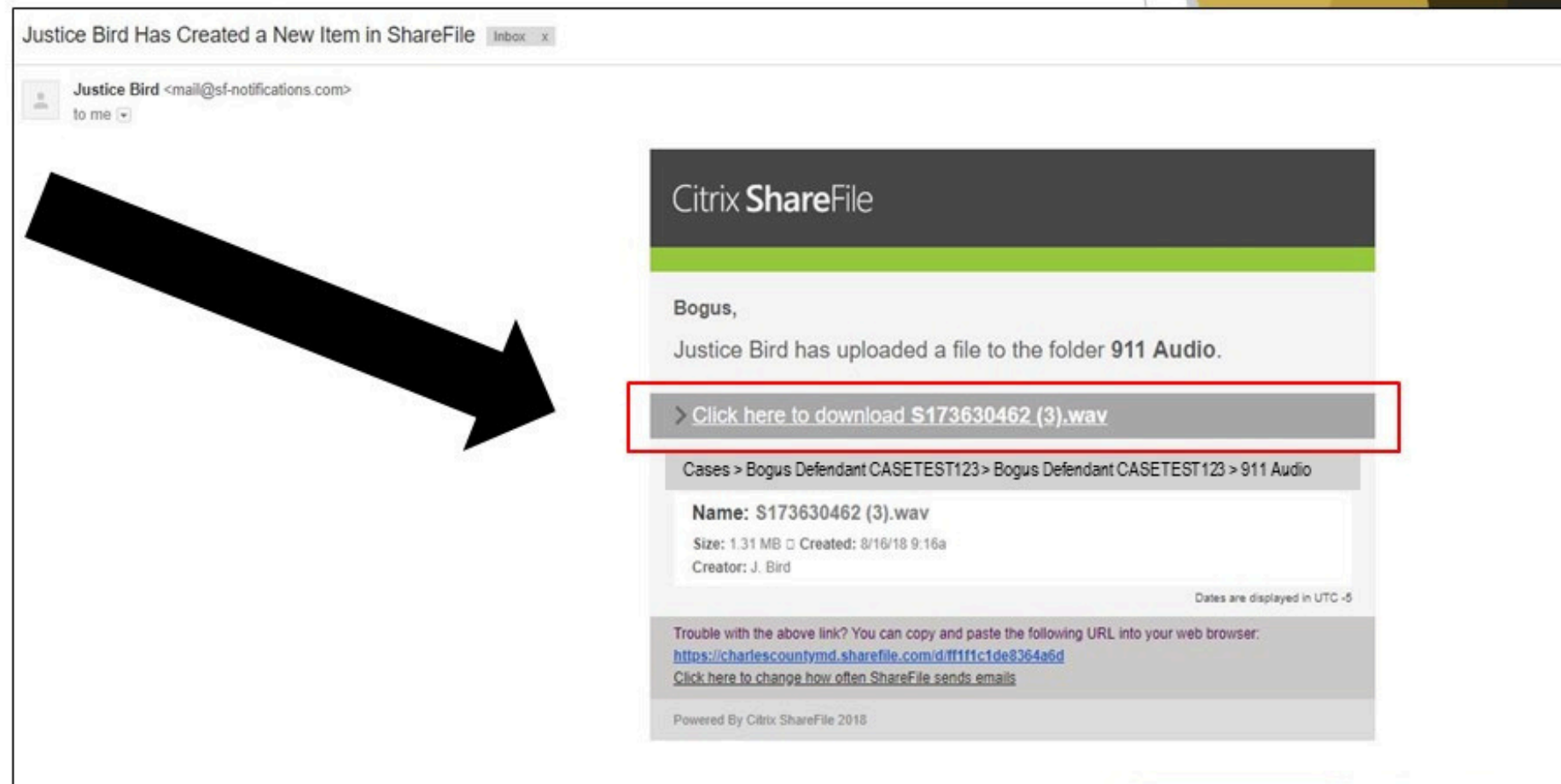
Downloading Supplemental Discovery from Email Notification

- ▶ When supplemental discovery is added to ShareFile, you will receive an email notification listing the Defendant's name and case number and the discovery that is available.



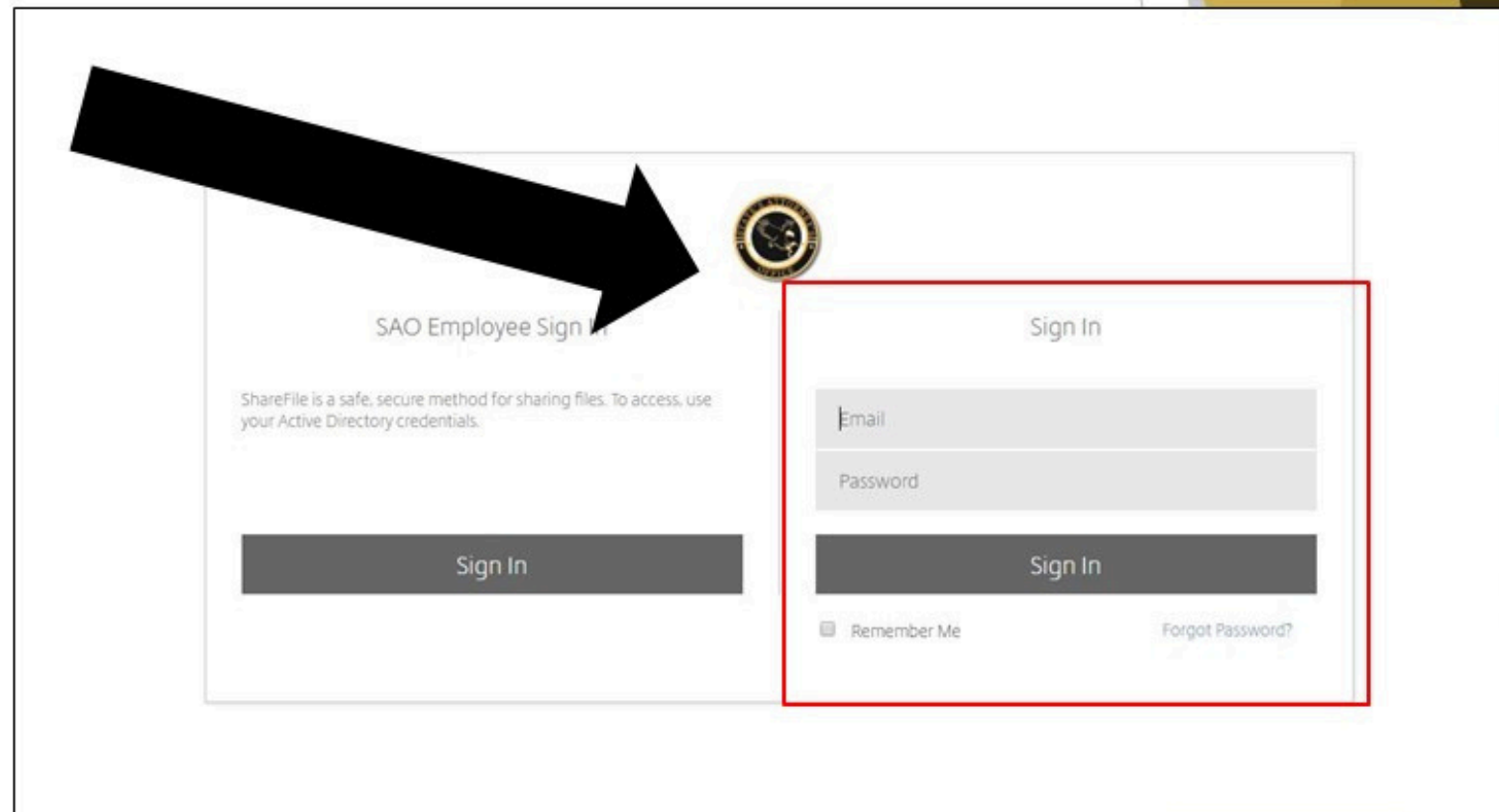
Downloading Supplemental Discovery from Email Notification

- ▶ Click on “**Click here to download...**”.

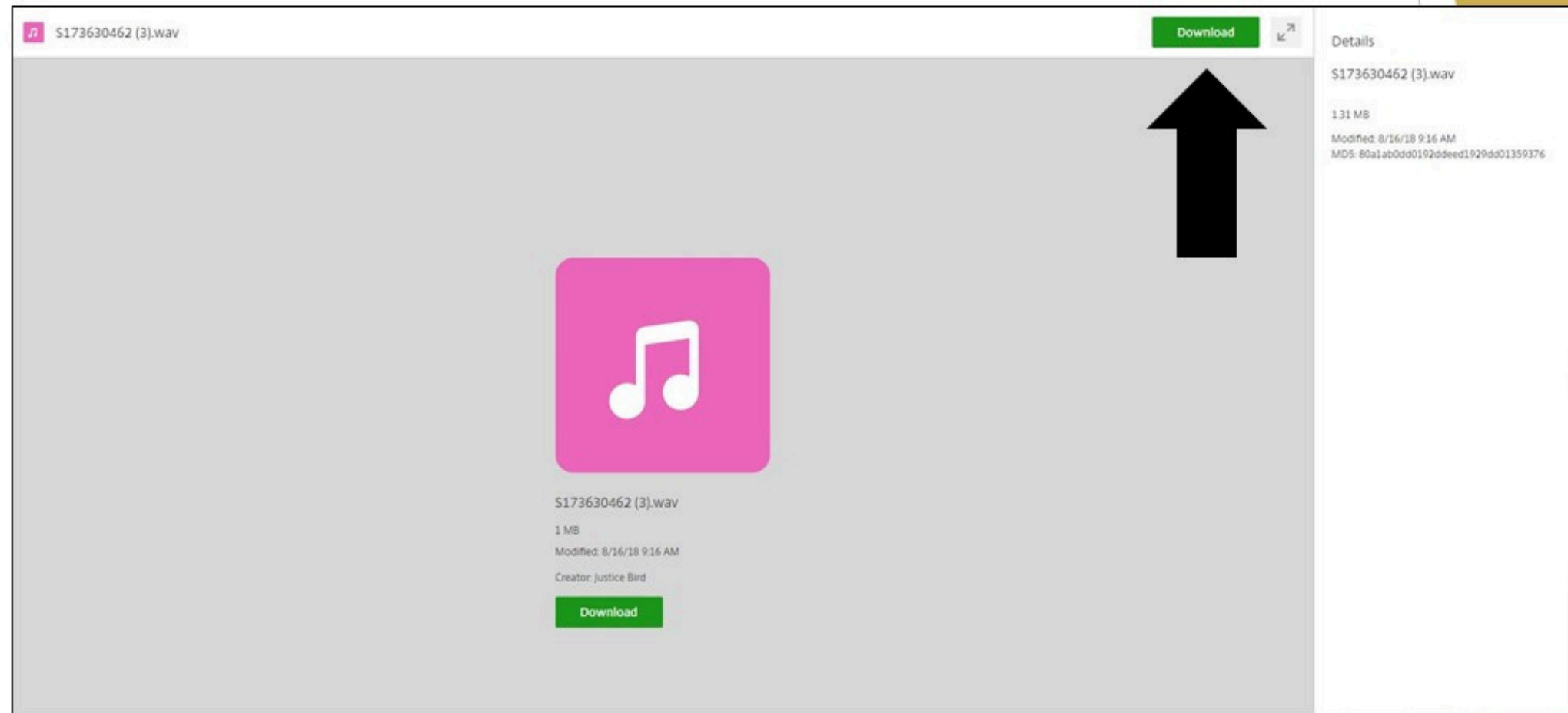


Downloading Supplemental Discovery from Email Notification

- ▶ You will need to sign in on the right side of the login screen.

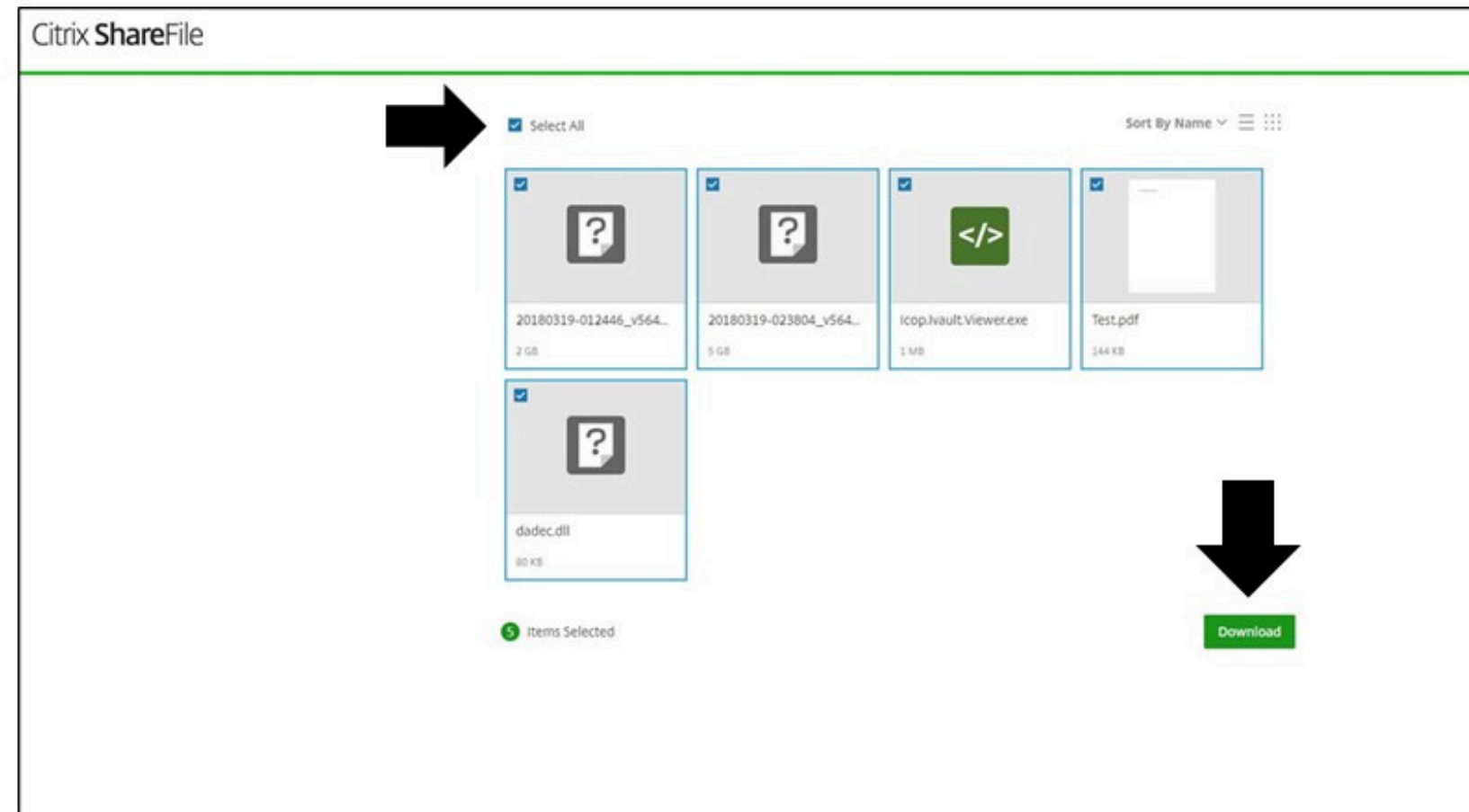


Downloading Supplemental Discovery from Email Notification



- ▶ You will be brought to the files available to download.
- ▶ Click **Download**.

Downloading Supplemental Discovery from Email Notification- Multiple Files



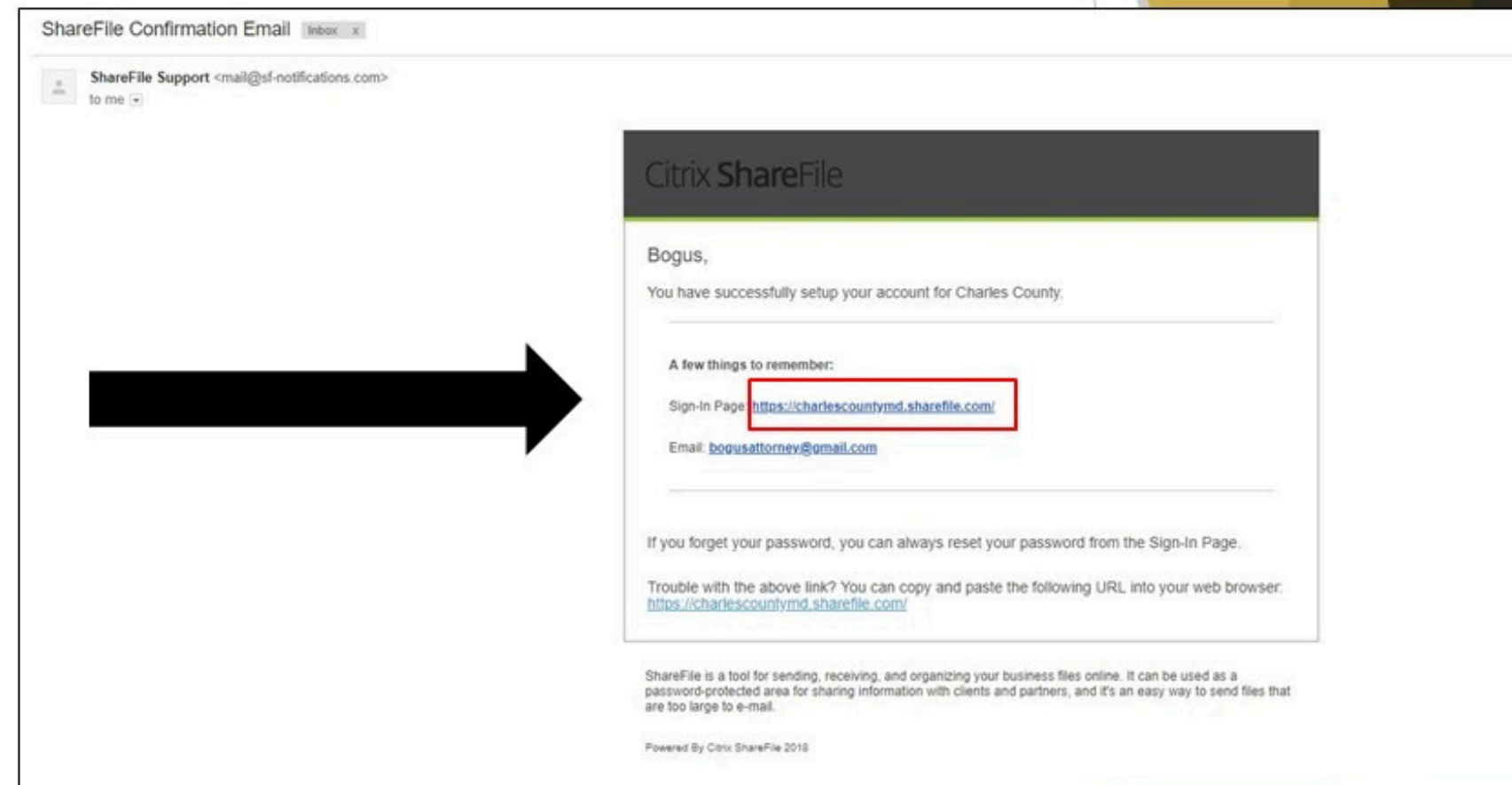
- ▶ If there is more than one file to download, you will need to select all files and download them together.
- ▶ Check the box for “Select All” and click **Download**.

Downloading Digital Evidence

- ▶ It is imperative to download all files associated with the digital evidence from ShareFile to ensure that you have included the required player to view the evidence.
- ▶ As you receive discovery through ShareFile, do not only view the files but download the files. Access to the files will not be permanent.

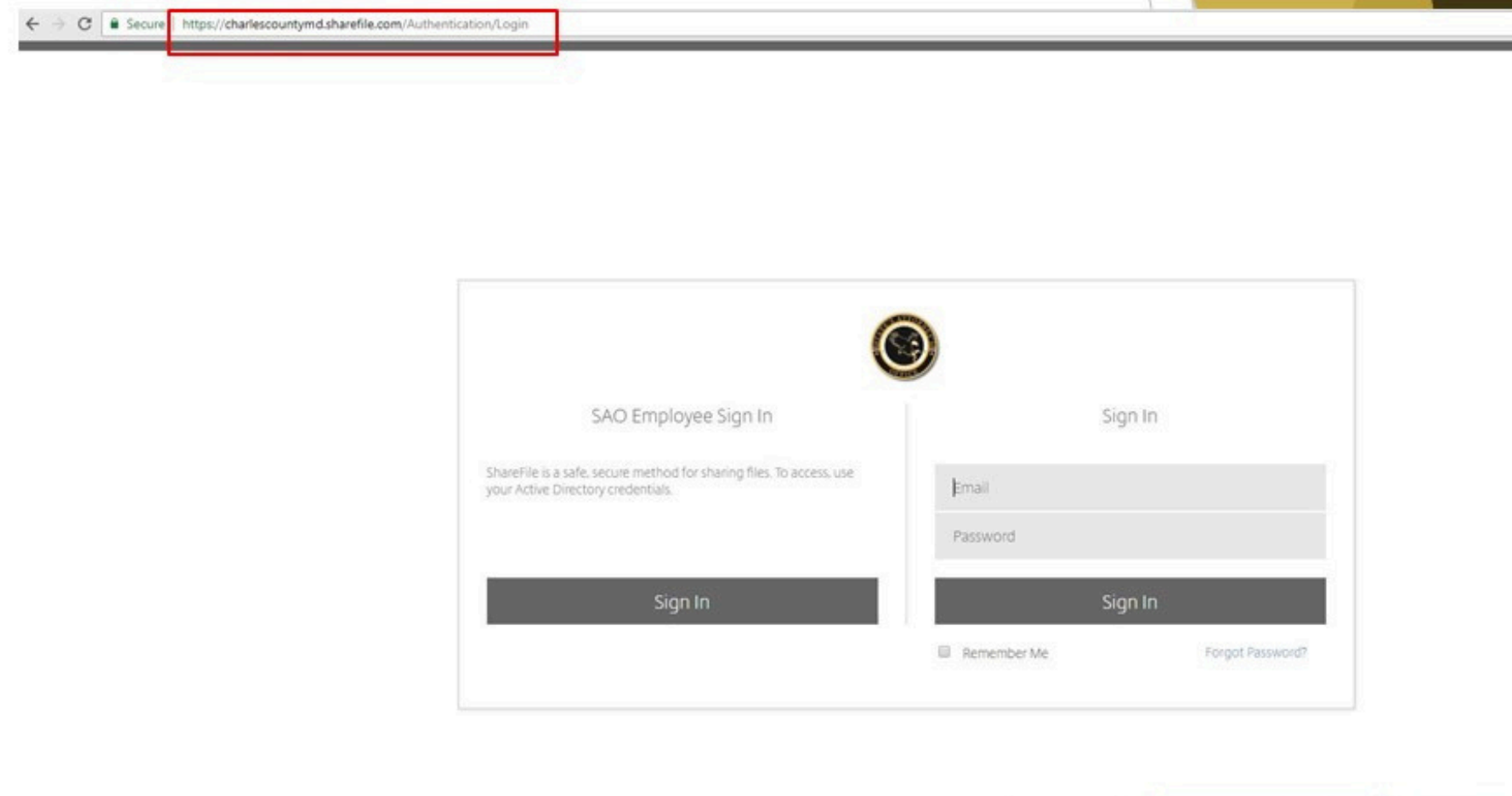
Accessing ShareFile via Website

- ▶ You also can access a file to view and download discovery by signing into ShareFile via the hyperlink from the **ShareFile Confirmation Email**.
- ▶ Open the **ShareFile Confirmation Email** that you received when you activated your account.
- ▶ Click on the hyperlink next to “Sign-In Page”.
- ▶ After signing in, you can open and download discovery from the case folders available to you.



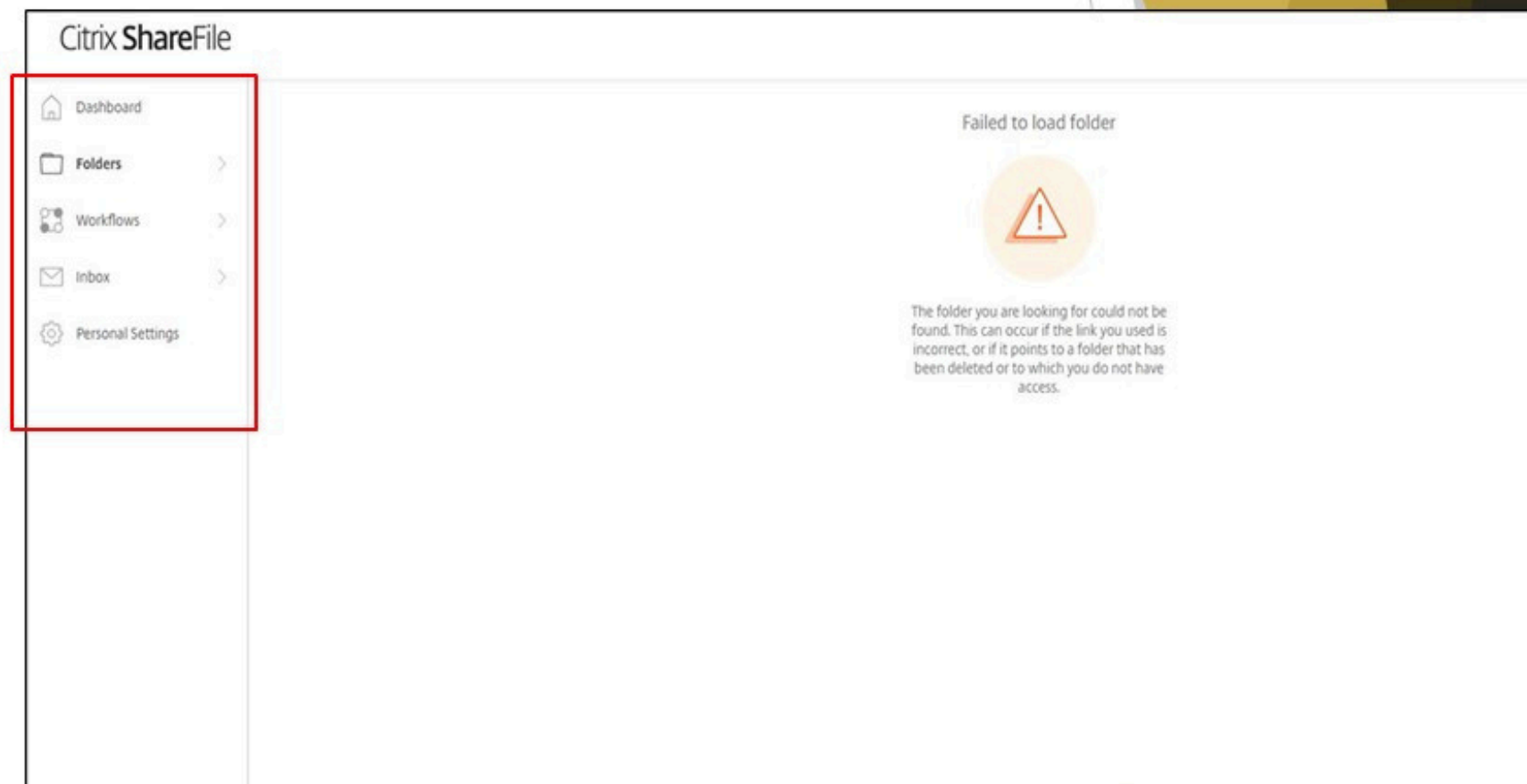
Accessing ShareFile via Website

- ▶ You also can save the hyperlink as a favorite.



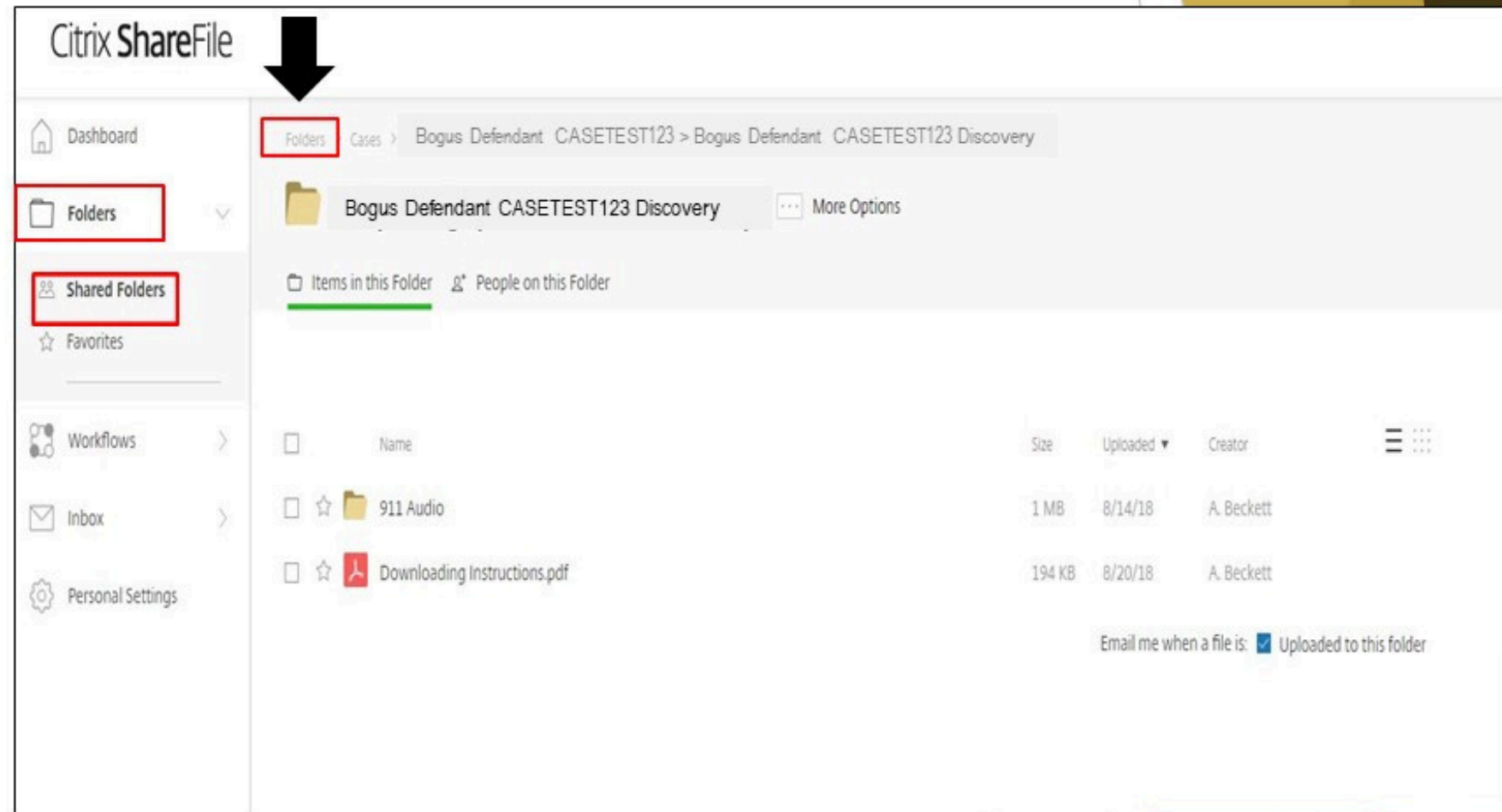
Accessing ShareFile via Website

- ▶ When you sign in, you will have a menu tree to the left of the screen where you can access any case folder to which you currently are assigned.

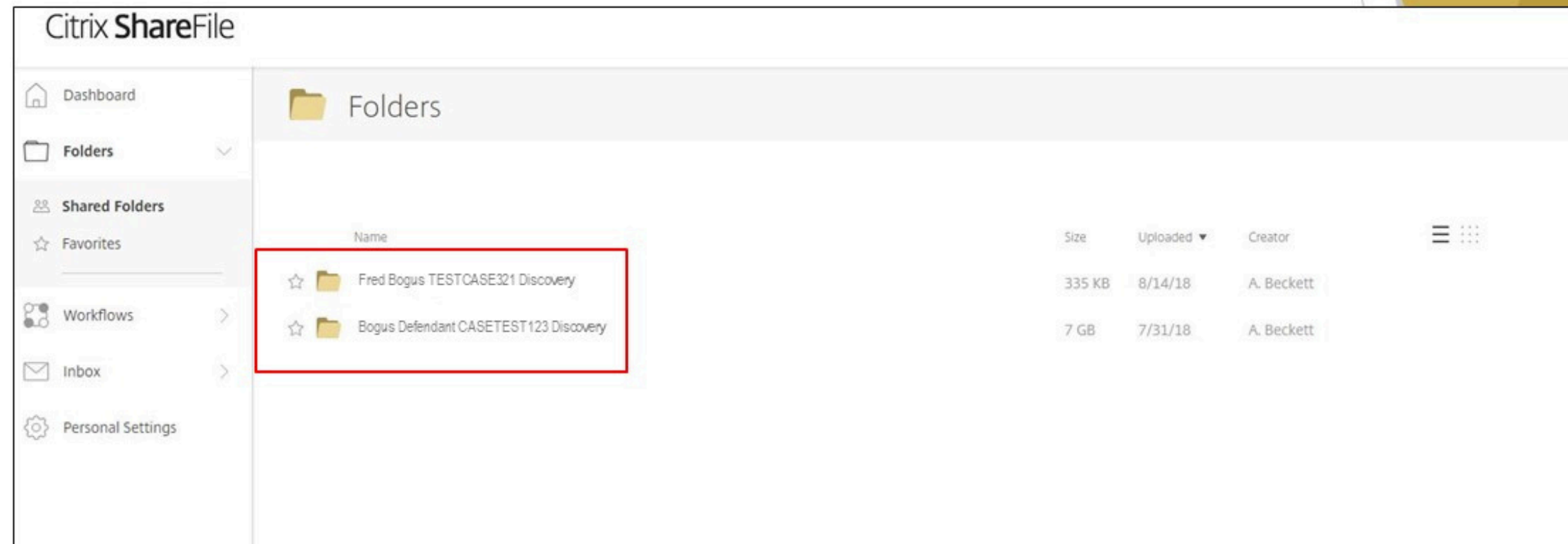


Accessing ShareFile via Website

- ▶ If you sign in using the hyperlink, you may be brought to the last folder you opened.
- ▶ Click on “**Folders**” or “**Shared Folders**”, and you will be brought to a list of cases you are currently assigned.

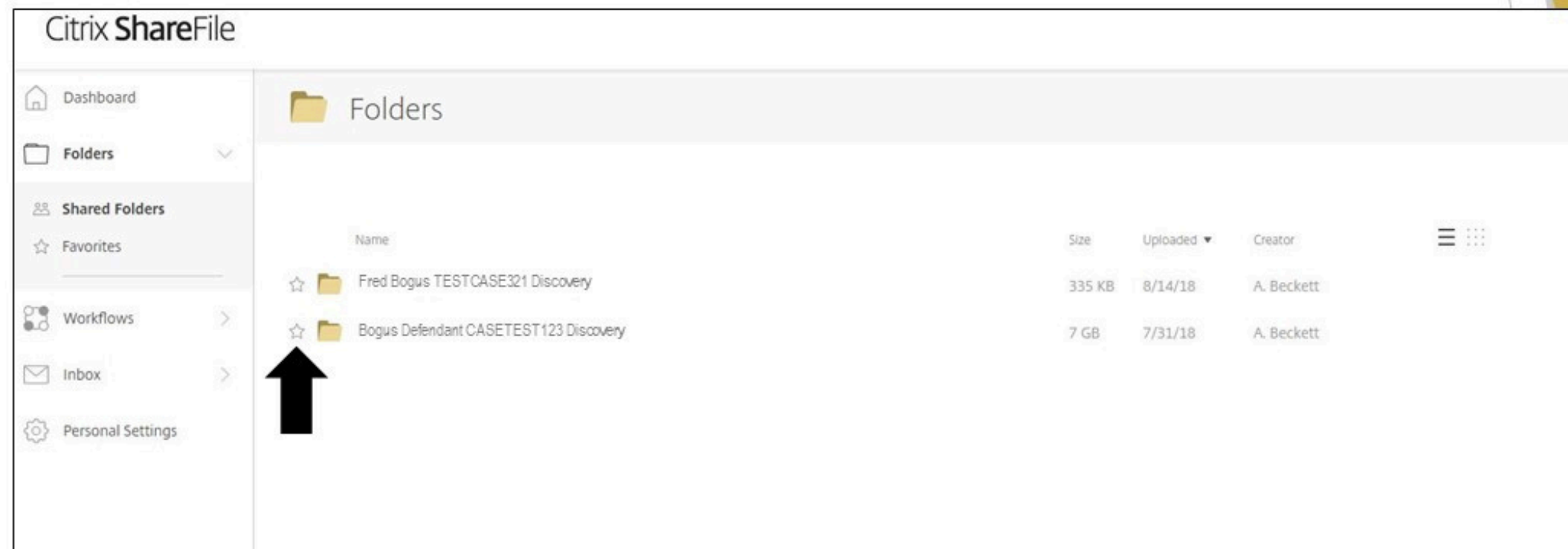


Accessing ShareFile via Website- Display of Case Folders



- ▶ After clicking “**Folders**” or “**Shared Folders**”, you will see the list of cases available for you to access.

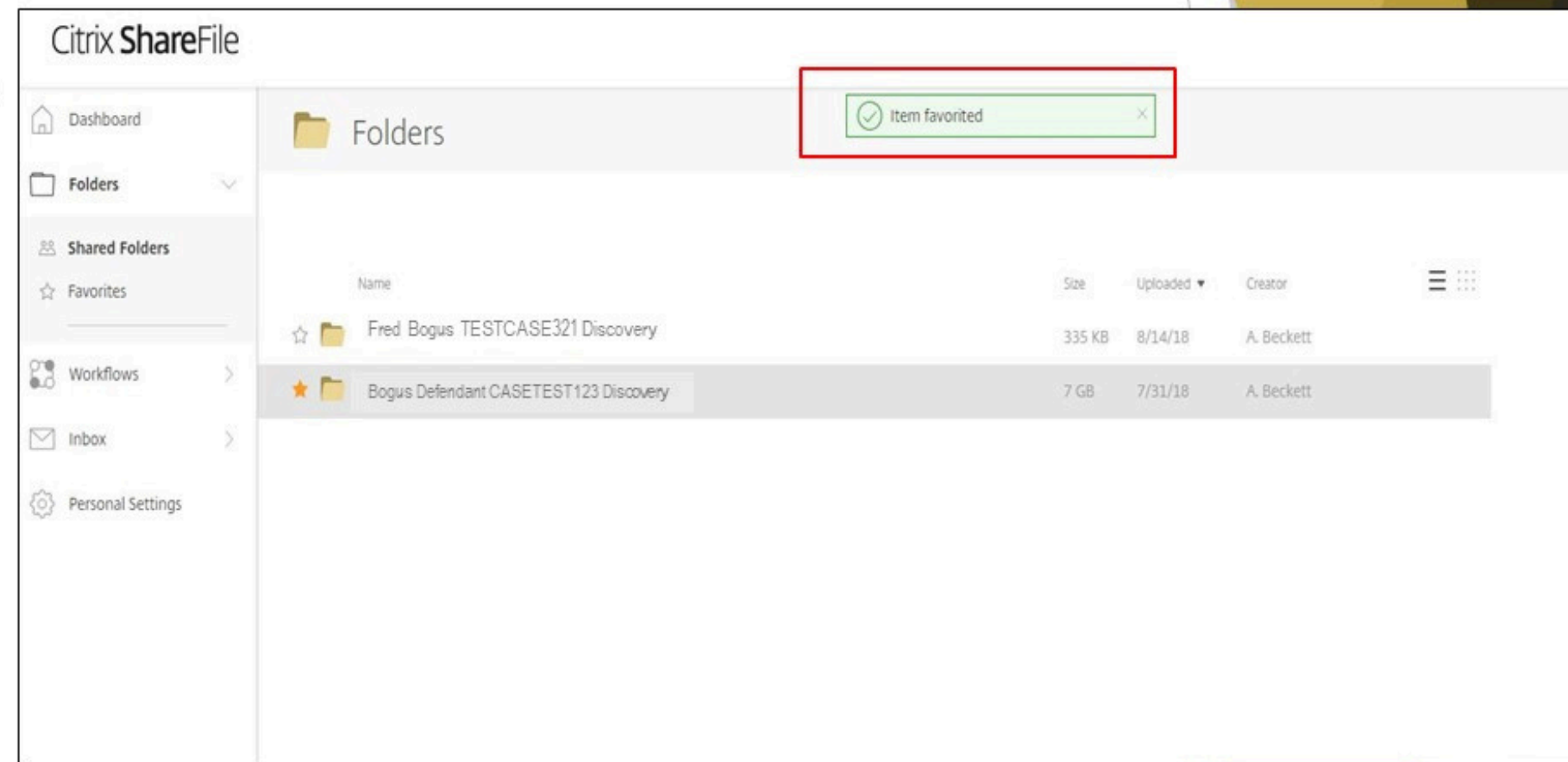
Case Folder Favorites



- ▶ To mark a case folder as a favorite, click on the “★” next to the case folder.

Case Folder Favorites

- ▶ After clicking on the “★” a prompt appears stating “Item favorited”.



Case Folder Favorites

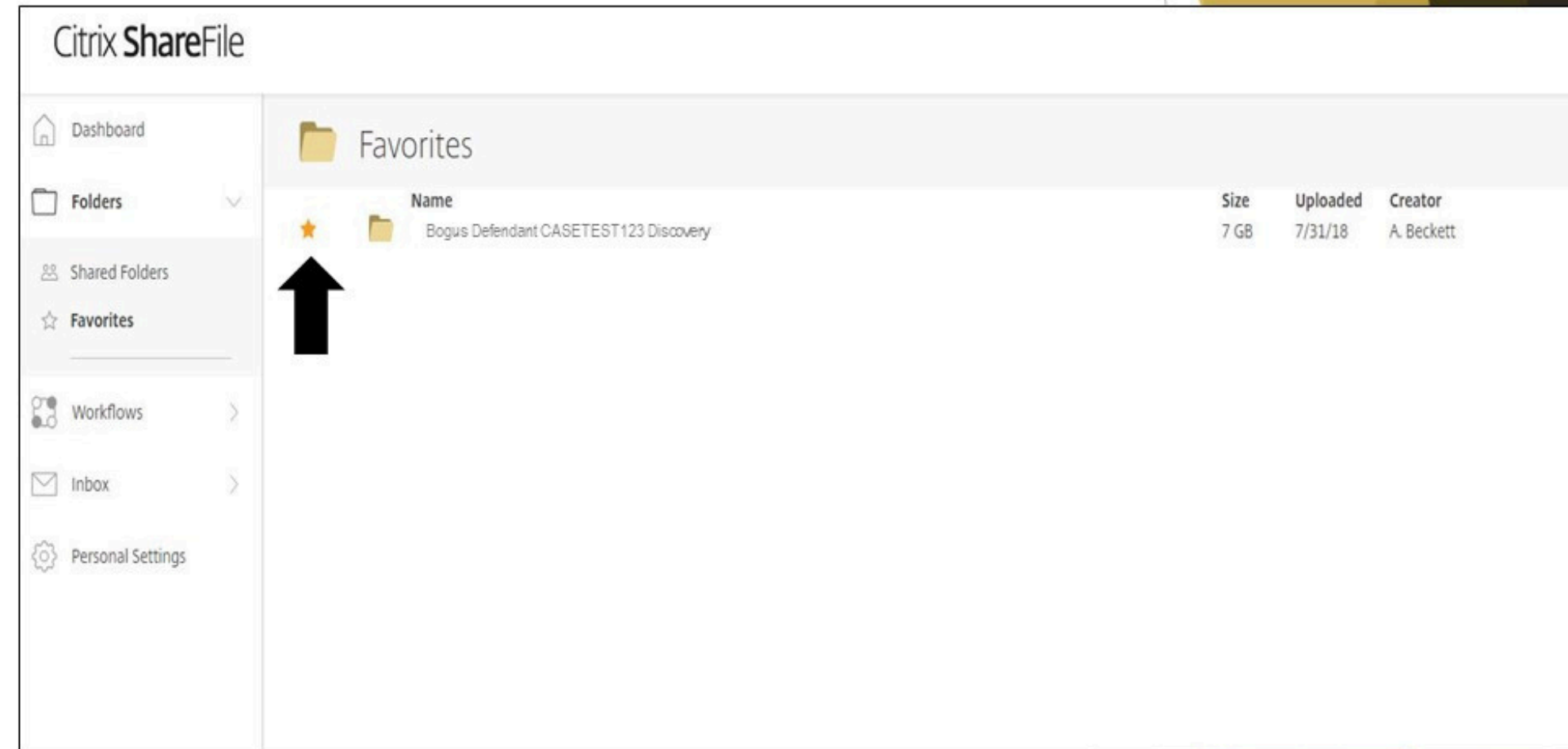
- ▶ On the Menu Tree, click on **Favorites** from the Folders options.
- ▶ The case(s) you marked as a favorite will be listed here.

The screenshot displays the Citrix ShareFile interface. On the left, a menu tree is visible with the following items: Dashboard, Folders, Shared Folders, Favorites, Workflows, Inbox, and Personal Settings. The 'Favorites' item is highlighted with a red box. The main content area shows the 'Favorites' section with a table listing a single favorite folder. The table has columns for Name, Size, Uploaded, and Creator. The folder listed is 'Bogus Defendant CASETEST123 Discovery', which is 7 GB in size, uploaded on 7/31/18, and created by A. Beckett. The folder name and its star icon are also highlighted with a red box.

Name	Size	Uploaded	Creator
Bogus Defendant CASETEST123 Discovery	7 GB	7/31/18	A. Beckett

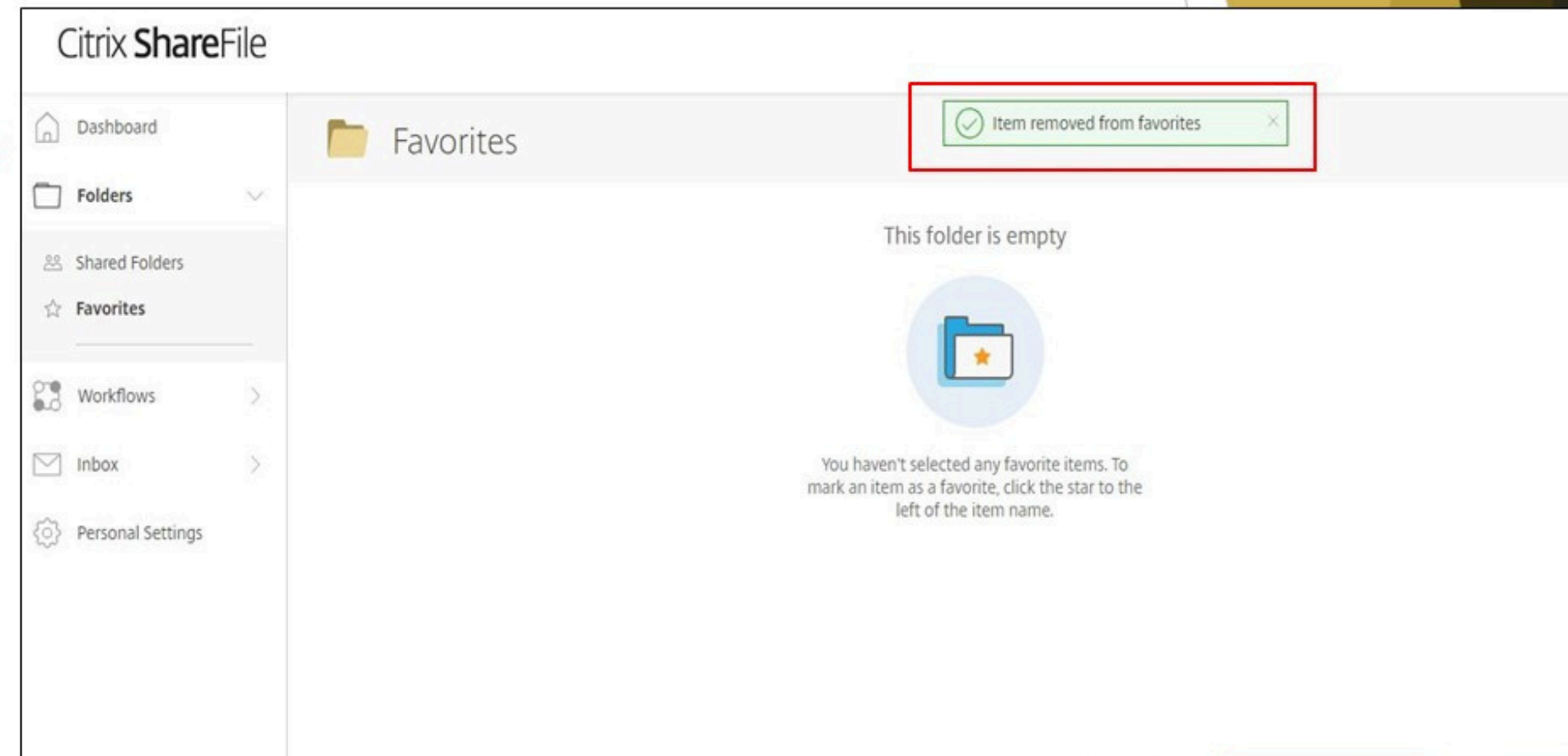
Case Folder Favorites

- ▶ If you no longer want a case marked as a Favorite, check the “★”.



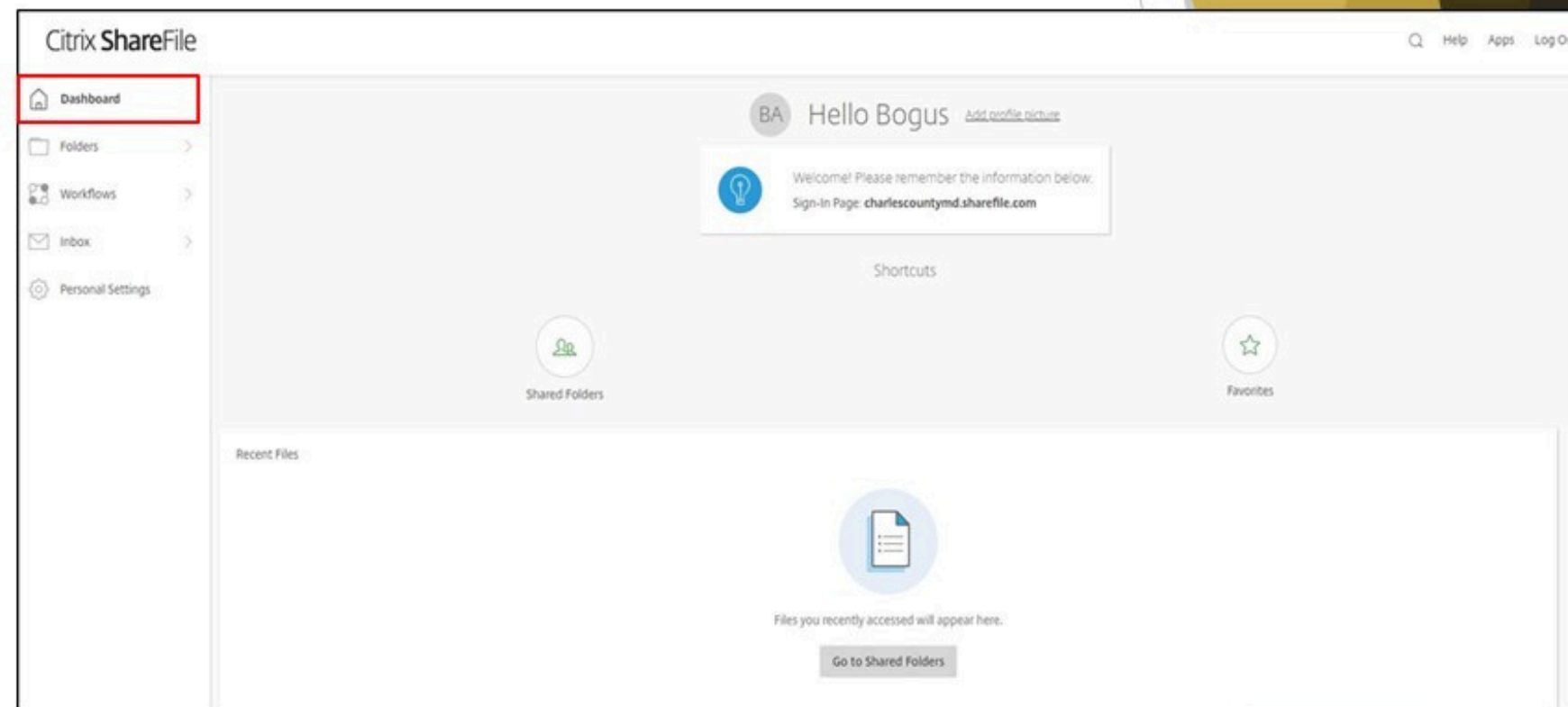
Case Folder Favorites

- ▶ You will receive a prompt stating “Item removed from favorites”.



Dashboard

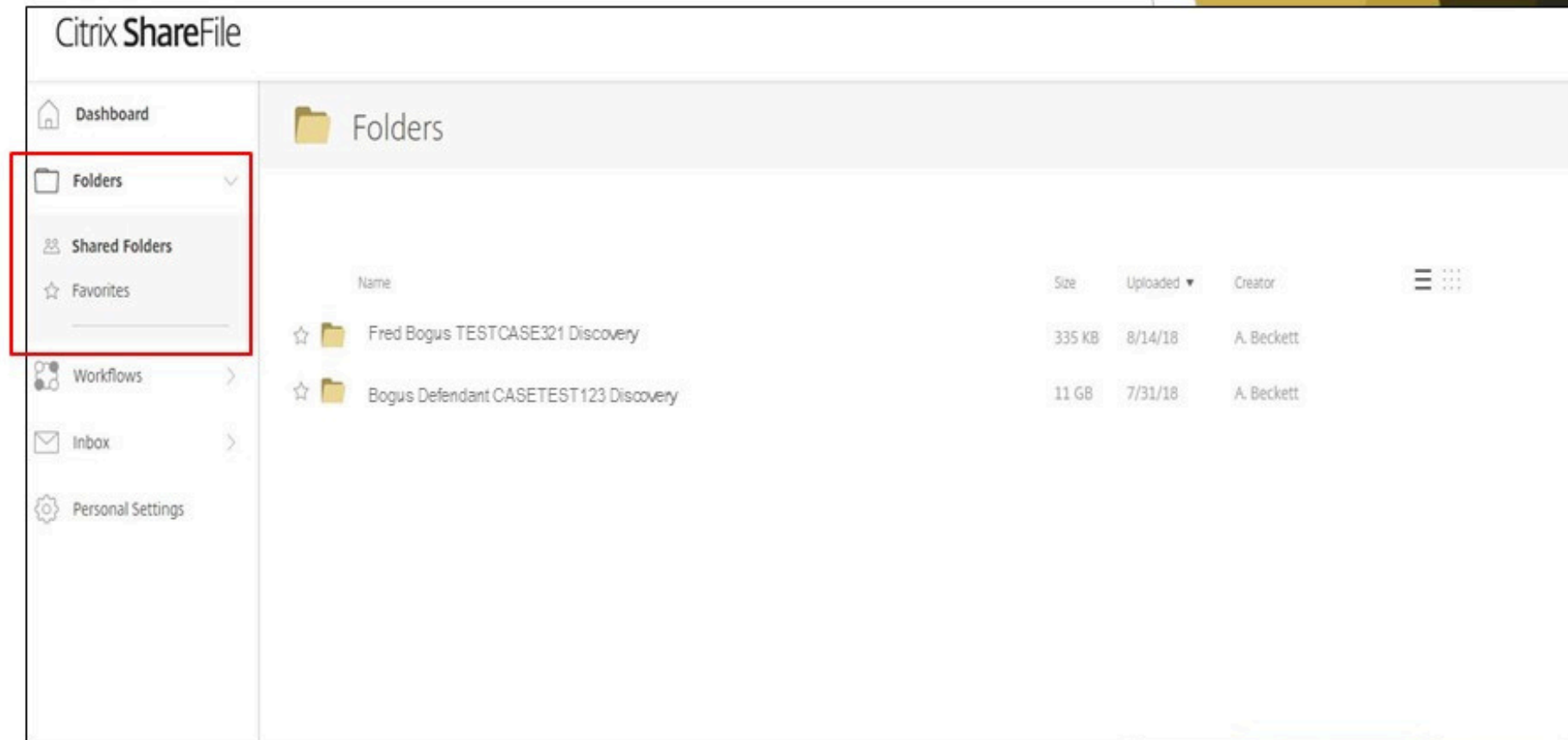
You will find Shortcuts and any recently accessed files on the Dashboard.



Folders

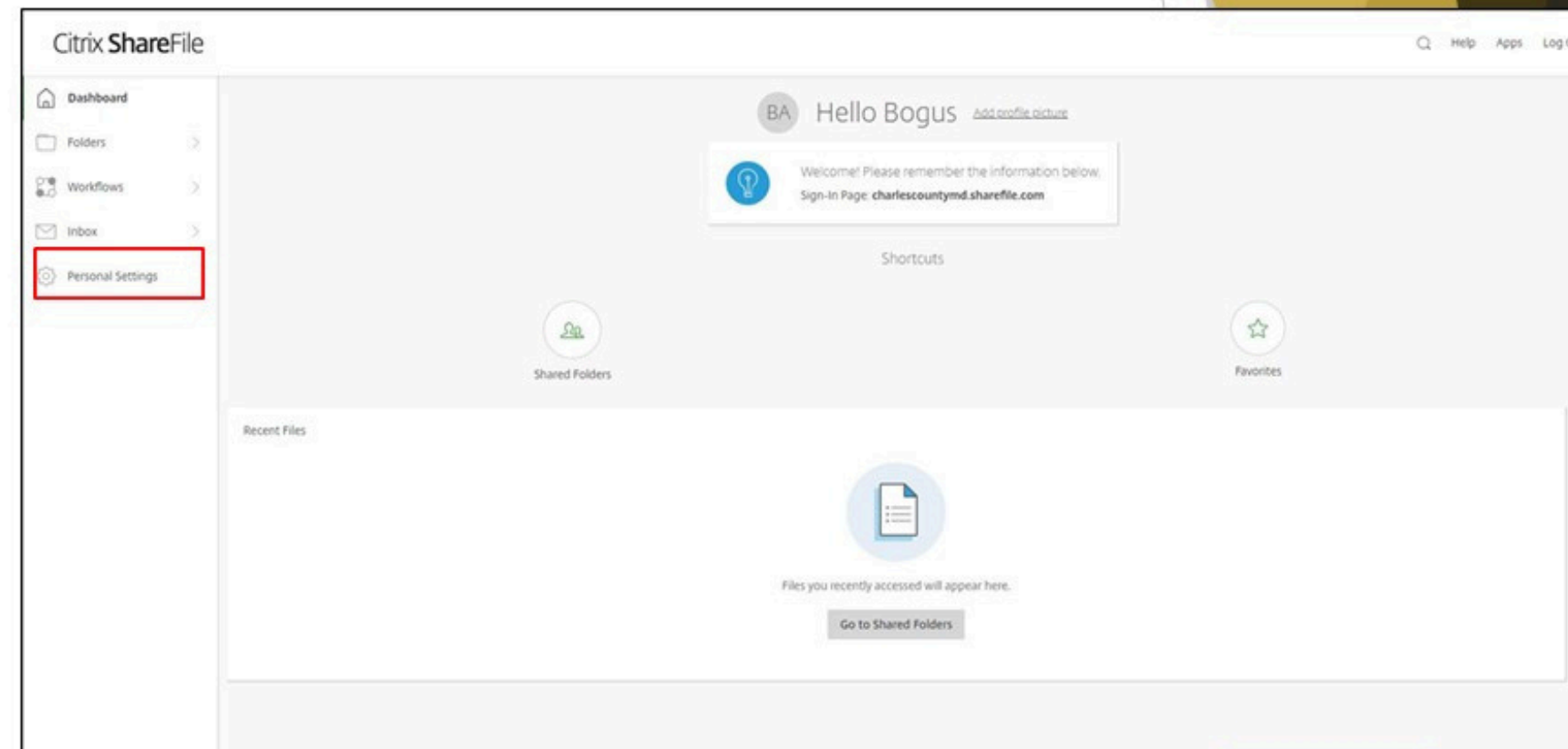
Shared Folders-displays Discovery folders to which you have been added.

Favorites-displays cases you have marked as favorites



Personal Settings

To update your personal information (ie. password and email address), click on **“Personal Settings”**.



Personal Settings

► Edit Profile

You can update your name, password and email address.

Your listed email is what has been provided to the SAO from your pleadings.

You cannot use one email address for several attorneys in your company.

It is your responsibility to keep your profile updated.

Citrix ShareFile

Edit Profile

Two-Step Verification
Advanced Connections
My Apps & Devices

Edit Profile

Name and Company Details

First Name*
Bogurj

Last Name*
Attorney

Company

Profile Picture: BA
Upload

Change Password

Old Password*
New Password*
Confirm Password*

Save

Personal Settings



- ▶ Click on **Two-Step Verification**.
- ▶ You can set up a phone number where a verification code will be sent to your designated phone number as an extra layer of protection to signing into ShareFile.

Account Lock-Out

- ▶ If you get locked out of your account, the SAO cannot unlock you.
- ▶ Contact ShareFile Support at 1-800-424-8749 to get unlocked.

New Defense Attorney Enters on Case

- ▶ If a new defense attorney enters on a case where discovery has already been provided to the previous defense attorney, the previous defense attorney will be removed from the discovery folder and the new defense attorney will be added.
- ▶ When the new defense attorney is added, they will receive an email notification giving them access to the discovery folder and they will be able to download any discovery that is in that folder.
- ▶ For any discovery material that was provided outside of ShareFile, it is the responsibility of the new defense attorney to retrieve the material from the previous defense attorney.