

UNITED STATES DISTRICT COURT
Southern District of Iowa

U.S. Courthouse
111 Locust Street
Des Moines, Iowa
50309

Clerk of Court's Office
www.iasd.uscourts.gov



Des Moines
Davenport
Council Bluffs
o: 515-284-6248
f : 515-284-6418

JURY EVIDENCE RECORDING SYSTEM

OVERVIEW

The District Court for the Southern District of Iowa uses the Jury Evidence Recording System (JERS) that allows evidence admitted during trial to be viewed electronically in the jury deliberation room upon the conclusion of trial.

JERS provides easy access to evidence during deliberations through the use of a large screen monitor in the jury room using a touch screen kiosk. JERS reduces the need to handle physical evidence while allowing the jury to view evidence easily, play audio and video recordings, and have access to the trial evidence in an indexed fashion.

Attorneys of record will be given an opportunity to review the exhibits at the conclusion of evidence. Court personnel, at the judge's direction, will release exhibits to the jury as deliberations begin.

JERS has the ability to:

- Store all exhibits submitted prior to trial, and then designate just those admitted into evidence for the jury's use during deliberations.
- Print a list of the exhibits, by number and by description, that can be released to the deliberating jury; and
- Restrict how the jury may review the exhibit, for example, audio only, video only, zoom off (restrict the jury from enlarging an exhibit on the touch screen in the deliberation room).

The presiding judge will determine how and if JERS will be used during any trial.

ACCEPTABLE FILE TYPES FOR EXHIBITS

JERS will accept electronic evidence in the following formats only:

- Documents and photographs:
.bmp, .gif, .jpg, .jpeg, .pdf, .tif, .tiff
- Video and audio recordings:
.avi, .mpg, .mpeg, .mp3, .mp4, .wav, .wma, .wmv, .asf, .m4a, .m4v, .3gpp

Each file may not be larger than 500 MB.

SUBMITTING EXHIBITS

Counsel shall submit all proposed exhibits electronically on a disc or USB drive in addition to the usual practice of submitting hard copies. Counsel shall submit the electronic and hard copy exhibits before trial, as directed by chambers in the trial scheduling order. Exhibits must be marked with exhibit numbers or letters, consistent with Local Rule 83E.

Note: Sensitive evidence must be excluded from electronic submission and will be sent back to the jury by other means.

Each exhibit file should be clearly named as in the examples below:

(Exhibit number)__(exhibit description).(file extension)

1_camera footage.wmv

2_photo of east side.jpg

3_contract.pdf

If an exhibit has sub-parts, naming should follow these examples:

(Exhibit number)-(exhibit subpart)__(exhibit description).(file extension)

3-a_photo of store from east view.jpg

3-b_photo of store from west view.jpg

Note: The exhibit description will appear on the list displayed to the jury.

Important:

- **The exhibit description may not exceed 130 characters, including spaces.**
- **Quotation marks, brackets, parentheses, and foreign language accent marks MAY NOT be used in the exhibit description. Hyphens and underscore characters must be used only as shown in the examples above.**

PRIOR TO TRIAL

Counsel shall mark all exhibits as directed by the court, and produce an exhibit list.

DURING TRIAL

Attorneys' experience during trial shall remain largely unchanged while using JERS. Exhibits will be presented and admitted in the traditional format (i.e., on paper or electronically). Attorneys will remain responsible for publishing their exhibits. The presiding judge will make any decisions on what method will be used to present the evidence during trial.

Attorneys shall have paper copies of all exhibits available and pre-marked when admitted by the court, and for use by the jury during deliberations.

On occasion evidence may be modified during the trial by a witness (for example, marking a picture or document) or by the court (redacting certain pages or portions of an exhibit). Should any evidence be modified during trial, the courtroom deputy will work with counsel, prior to the start of deliberations, to substitute the new modified exhibits for the original exhibits submitted within JERS.

PRIOR TO DELIBERATIONS

The courtroom deputy will meet with counsel prior to the jury beginning deliberations and review all exhibits entered in the JERS software, to guarantee that the evidence is labeled correctly.

The JERS software has the ability to permit, or not permit, the jury to zoom in or zoom out of any evidence (other than audio and video submissions). The default is to allow jurors to use the zoom function. If a lawyer objects to this functionality, they need to let the trial judge know before the exhibits are submitted to the jury.

The presiding judge will advise the jury as part of his or her charge that JERS is available in the deliberation room and explain that a tutorial is available.

APPEALS

The Court of Appeals requires the submission of hard copies of any and all trial exhibits. All trial exhibits are returned to counsel at the conclusion of deliberations. Counsel must retain those exhibits until the time for appeal has lapsed.