

Jury Information



May 2022

Jury Wheel Creation Overview

1. Review Prior Jury Wheel Data

An analysis is completed of the prior wheel data to review usage and response rates. The information assists in determining the number of names needed from the Secretary of State.

2. Secretary of State

A request is sent to the Secretary of State to obtain voter registration and Iowa Department of Transportation records to create a master list of potential jurors. The Secretary of State removes duplicate names and provides a master list of names for each of the three divisions.

3. Requesting Records and Name Selection Procedure

Based on historical usage and response rates, the Clerk requests names from the Secretary of State for each division.

The Secretary of State uses an interval to complete the random selection of names and steps are taken to ensure each county is proportionately represented. For example, if the Secretary of State has 200,000 names available for the Central Division, and the Clerk requests 2,000 names, the Secretary of State would select every 100th record from the master list.

The Clerk conducts a drawing to determine the starting point for the Secretary of State to begin selecting names from the master list. Public notice of this drawing is posted in each divisional office and on the court website. A number is randomly drawn for each division. In our example, numbers 1-100 are placed into a drawing. If the number 33 is drawn, the Secretary of State is instructed to start at record number 33 on the master list and select every 100th name thereafter until 2,000 names are selected.

4. Administrative Order

The Chief Judge signs an Administrative Order detailing how the Secretary of State should select names. The order is filed and posted on the court's website.

5. Uploading Jury Records Into JMS

The Secretary of State provides the Clerk with a spreadsheet containing the names and other identifying information (address, date of birth, county of residence) of the individuals selected. The Clerk reviews the information to identify and eliminate individuals who do not live in the Southern District of Iowa, then uploads the information into the Jury Management System (JMS).

6. Elimination of Individuals Residing Outside of District and Deceased

The names are processed through the National Change of Address (NCOA) Database to verify addresses and identify individuals from the master list who reside outside the Southern District. Individuals residing outside the district are removed from the master list. The names are also processed to remove the names of deceased individuals from the master list.

7. Juror Qualification Questionnaires

The AO provides the juror qualification questionnaires which elicit responses to determine if an individual is qualified, disqualified, or exempt from service. The United States Code and the Jury Plan define the grounds for disqualifying, exempting, or excusing jurors.

8. Juror Qualification Questionnaire Mailing

The master list of names provided by the Secretary of State is larger than needed to create the qualified wheel. Only a predetermined number of questionnaires are mailed based on historical information and projected juror usage. The additional names are retained for use if the wheel needs to be supplemented before the new wheel is created. For example, if the Clerk requests 20,000 names for the Central Division, the Clerk may only send out jury qualification questionnaires to 15,000 potential jurors. The 15,000 names are randomly drawn by JMS. The additional 5,000 names are retained and available to qualify additional jurors, if needed.

A third-party vendor is used to mail the juror qualification questionnaires to the predetermined number of jurors for each division.

9. Processing Jury Qualification Questionnaires

Jurors are instructed to complete the jury qualification questionnaire within ten days by completing the paper form or using the eJuror online program. Most jurors complete the paper questionnaire and mail it to the Clerk.

All questionnaires/records returned to the Clerk are retained for four years.¹ Questionnaires are opened, reviewed, sorted, scanned by category (qualified, deceased, excused for medical reasons, etc.), and maintained in JMS. Questionnaires that are returned as “undeliverable” are scanned, unopened and retained.

Jurors contact the Clerk via telephone or email requesting to be excused from jury service because they meet one of the grounds defined by the Jury Plan. The Clerk verifies the validity of the request and excuses the individual consistent with the Jury Plan. For example, if a juror requests to be excused because they are at least 70 years old, the Clerk will verify their date of birth from the JMS records and, if appropriate, excuse the individual from service. A record of the excusal is documented in JMS.

Individual jurors who are disqualified, exempt, or excused for reasons outlined in the Jury Plan, are not placed in the qualified wheel. When monthly jury pools are created, the computer only selects names from the list of qualified jurors.

¹ All records and papers compiled and maintained by the Clerk before the master wheel is emptied are preserved in the custody of the Clerk for four years. 28 U.S.C. 1868. This four-year retention time begins after the master jury wheel is emptied and refilled pursuant to section 1863(b)(4), and after all persons selected to serve as jurors before the master wheel was emptied have completed their service.

10. Transition to New Jury Wheel

Once the new wheel is created, the Clerk determines when to begin utilizing the new wheel. The prior wheel data is archived and no longer utilized.

Information For Current Jury Wheel

- 65,000 names were requested from the Secretary of State.
 - 15,000 for the Western Division
 - 30,000 for the Central Division
 - 20,000 for the Eastern Division
- 43,000 jury qualification questionnaires were mailed.
 - 10,000 for the Western Division
 - 19,000 for the Central Division
 - 14,000 for the Eastern Division
- The Clerk began using the current jury wheel on July 20, 2021. On that date, the total number of qualified jurors was 22,241.
 - 4,773 for the Western Division
 - 10,313 for the Central Division
 - 7,155 for the Eastern Division

Creating Monthly Jury Pools, Excusing Jurors, and Securing Jurors for Trial

1. Drawing of Monthly Jury Pools

The names of jurors required to appear for jury service is randomly drawn, each month, from the list of qualified jurors in JMS, for each division. The number of jurors to be summoned is established by the Clerk based on historical information, including response rates and caseload. The names are drawn approximately six-weeks before jurors are required to report.

The number of jurors drawn by JMS each month are as follows:

125 for the Western Division
300 for the Central Division
225 for the Eastern Division.

Summons are mailed to the jurors with reporting instructions, and a request to complete the supplemental juror questionnaire approved by the judges. The jury term is for one month, and they are required to call each Friday after 5:00 p.m. for reporting instructions.

2. Deferment and Excusal of Summoned Jurors Before Trial

A. Deferrals

The Jury Plan and local practice authorizes the Clerk to defer jurors summoned for jury service. Jurors are allowed a one-time deferral. A record is made in JMS when a deferral is granted. The name of the juror will automatically be selected when the deferment period ends, resulting in the juror receiving a new summons to appear.

B. Excusals

The Jury Plan authorizes the Clerk to excuse jurors summoned for jury service. The authorized reasons for excusing a juror are:

- (1) They are 70 years of age or older and do not want to serve.
- (2) They served as a juror within the last two years.
- (3) They are a member of a volunteer fire, ambulance, or rescue squad.

Documentation is required for an individual to be excused, excluding individuals who are verified to be at least 70 years of age. All records are maintained in JMS.

3. Selecting a Jury Panel for Trial

The court requests a specified number of jurors to appear for jury selection. Two weeks prior to trial, a list of juror names is randomly drawn by JMS from the pool of summoned jurors. This list is provided to the judge. Once the panel is created and the names are submitted to the judge, any excusals or deferments are authorized by the judge.

Records and Reports

1. Records

All documentation received by the Clerk is retained for four years.² This includes but is not limited to medical excuses, school records, and undeliverable mail. The documentation is sorted and retained by categories (i.e., medical excuses, deceased, etc.), but not separated by division or sorted in alphabetical order because of the number of records.

Note: The Secretary of State does not provide the race of individuals to the Clerk. The jury qualification questionnaire requests this information and if the questionnaire is completed and returned, the information is retained in JMS. However, if an individual is released from service because of a preapproved excuse outlined in the Jury Plan, the questionnaire is returned undeliverable, or the juror does not answer the relevant question, the race of the juror is not known.

2. Reports

There are several reports that can be generated utilizing JMS. For example, reports can be created to identify the racial composition of the qualified jurors, summoned jurors (monthly), and individual jury trial pools.

Pursuant to 28 U.S.C. 1867 and the Jury Plan, the contents of records or papers used by the Clerk in connection with the jury selection process shall not be disclosed. The parties are allowed to inspect, reproduce, and copy records and papers at reasonable times during the preparation and during the pendency of a motion challenging the selection of the jury. 28 U.S.C 1867(f).

Monthly reports are prepared to monitor juror usage and ensure there are enough qualified jurors.

² All records and papers compiled and maintained by the Clerk before the master wheel is emptied are preserved in the custody of the Clerk for four years. 28 U.S.C. 1868. This four-year retention time begins after the master jury wheel is emptied and refilled pursuant to section 1863(b)(4), and after all persons selected to serve as jurors before the master wheel was emptied have completed their service.