

Chapter 16
Iowa Rules of Electronic Procedure

CLERK SUPREME COURT

.....

Rule 16.412 Exhibits.

....

16.412(2) *Electronic submission of proposed exhibits prior to hearing or trial.*

.....

e. Sanctions. If a party fails to submit a proposed exhibit as this rule requires, the court, upon its own motion or the motion of any party, may impose sanctions. A sanction imposed under this rule must be limited to that which will deter repetition of the conduct or comparable conduct by others. ~~The~~ A sanction for violating this mandatory electronic submission rule may not include exclusion of the exhibits from the hearing or trial.

.....

16.412(9) *Mistrial.* In the event of mistrial, the parties, the court, and the clerk of court must comply with all of the following:

a. Exhibit maintenance order. The court, except in juvenile court proceedings, must enter an exhibit maintenance order that states which proposed exhibits were offered or which were admitted into evidence. If no party files an objection to the exhibit maintenance order within 10 business days after ~~its~~ the order's filing, the clerk of court may delete proposed exhibits that are not listed in the order.

.....

16.412(11) *New trial.* If nonelectronic exhibits are offered or admitted during trial, and the district or appellate court has ordered a new trial, the parties and the court must comply with the following provisions:

a. Clerk of court to retain custody of exhibits. The clerk of court will retain custody of all exhibits offered or admitted during the prior trial, whether the exhibits are maintained electronically or nonelectronically, ~~which were offered or admitted during the prior trial.~~