

**(a) Examination, Selection, etc.** See rule 38.

**(b) Care of Jury While Deliberating.**

(1) *Generally.* During trial and deliberations the jury may be allowed to separate unless good cause is shown, on the record, for sequestration of the jury.

(2) *Communication Restricted.* Unless the jury is allowed to separate, the jurors shall be kept together under the charge of one or more officers until they agree on their verdict or are discharged by the court. The officer shall keep the jurors separate from other persons and shall not allow any communication that may affect the case to be made to the jurors, nor make any such communication, unless by order of the court, except to ask the jurors if they have agreed on their verdict. The officer shall not, before the verdict is rendered, communicate to any person the state of the jurors' deliberations or their verdict.

(3) *Motions.* Any motions or proceedings concerning the separation or sequestration of the jury shall be made out of the presence of the jury.

[Adopted effective September 1, 1984; Amended effective September 1, 1989; September 1, 2022.]