



## NEWS FROM U.S. DISTRICT COURT

March 11, 2022

**Criminal Subpoenas and Retained Counsel.** The October newsletter described how you should prepare and file ex parte motions for criminal subpoenas if you are appointed under the Criminal Justice Act. If you are retained counsel, section (b) of Rule 17 of the Federal Rules of Criminal Procedure does not apply. Section (a) controls. It directs that the “clerk must issue a blank subpoena—signed and sealed—to the party requesting it, and that party must fill in the blanks before the subpoena is served.” No motion is required, and subpoenas issued under section (a) are *not* filed in CM/ECF.

**New Jury Instructions Builder Available.** The Eighth Circuit Pattern Jury Instruction Committee has developed a new tool for preparing Civil and Criminal Pattern Jury Instructions. The Jury Instructions Builder (JIB) allows users to create an entire packet of pattern jury instructions with just a few computer clicks. The program automatically generates a Table of Contents and allows the user to reorder and paginate instructions as they choose. No log-in is required and users can save or print a Microsoft Word copy of selected instructions with or without Committee Comments and Notes on Use. The JIB also ensures that the most current approved instructions are being utilized. For additional information on the JIB see the **JIB Announcement** and **JIB\_Quick Guide** following the newsletter.

To access the JIB directly, go to <https://juryinstructions.ca8.uscourts.gov/>.

**Letters of Support Reminder.** The November newsletter described a new procedure that relies on the deadlines set by Rule 32 of the Criminal Rules of Civil Procedure for submission of objections to the PSR, filing of motions and filing of support letters regarding criminal sentencings and identifies CM/ECF events that should be used for particular filings related to the established deadlines. Although some judges continue to enter scheduling orders, *all letters of support should be filed by counsel* using the Sealed Letter(s) of Support event. None should be submitted directly to the Probation Office or the court.






# New Jury Instructions Builder (JIB) is Live and Ready for Use!


The Jury Instruction Committee for the Eighth Circuit is pleased to announce a new tool with increased functionality for both Civil and Criminal Pattern Jury Instructions.

Trial lawyers and judges will benefit from this new tool that enables users to format an entire packet of jury instructions by clicking a few computer keys!

Use of the JIB will ensure that the most current Committee-approved version of instructions are being used.

Other benefits include:

-  No log-in required.
-  Save or print a Microsoft Word copy of selected instructions with or without Committee Comments and Notes on Use.
-  JIB automatically generates Table of Contents.
-  Reorder and paginate instructions to customize your packet of instructions.
-  Content is maintained and updated by court staff in the Eighth Circuit, ensuring feedback goes directly to the Jury Instruction Reporter.

 Available to bench and bar at:  
<https://juryinstructions.ca8.uscourts.gov/>

← → ↺ ↻ https://juryinstructions.ca8.uscourts.gov/juryinst-civil.php

**UNITED STATES FEDERAL COURTS**  
**Eighth Circuit**  
Pattern Jury Instructions Builder - Civil Cases <https://juryinstructions.ca8.uscourts.gov/>













**Options**

☒ Include Annotations ☒ Continuous Page Numbering

☒ Display Current Instructions ☐ Display Prior Instructions

**Select Instructions:**

☒ Preliminary Instructions For Use At Commencement Of Trial

- ☐ 1.01 EXPLANATORY: BEFORE VOIR DIRE  
- ☐ 1.02 EXPLANATORY: RECESS AT END OF VOIR DIRE  
- ☐ 1.03 EXPLANATORY: GENERAL; NATURE OF CASE; DUTY OF JURY; CAUTIONARY  
- ☐ 1.04 EXPLANATORY: EVIDENCE; LIMITATIONS  
- ☐ 1.05 EXPLANATORY: BENCH CONFERENCES AND RECESSES  
- ☐ 1.06 EXPLANATORY: NO TRANSCRIPT AVAILABLE [NOTE-TAKING]  

☐ Instructions For Use During Trial

☐ Instructions For Use At Close Of Trial

☐ Prisoner/Pretrial Detainee Civil Rights Cases

☐ Title VII Cases

☐ Age Discrimination In Employment Act Cases

☐ Equal Pay Act Cases

☐ Harassment Cases Under Title VII, Sections 1981 and 1983, ADA, and ADEA

☐ Americans With Disabilities Act

☐ Employment - Retaliation (Anti-Discrimination Statutes)

☐ Employment - Race Discrimination (42 U.S.C. § 1981)

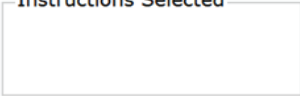
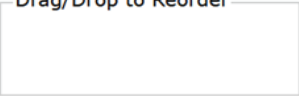
☐ Employment - Public Employers (42 U.S.C. § 1983)

☐ Employment - First Amendment Retaliation (42 U.S.C. § 1983)

☐ Employment - Family And Medical Leave Act

☐ Employment - Federal Employers Liability Act

**Instructions Selected** **Drag/Drop to Reorder**

## Special Thanks

The new Pattern Jury Instructions Builder would not be possible without the following:

### The Eastern District of Missouri IT Department

**Angel Hernandez**, IT Director  
**David Robinson**, Web Specialist  
**Jeff Johnson**, Systems Administrator

**Faith Jones**, Assistant IT Manager  
**Mike Hobbs**, Systems Administrator

### The Eighth Circuit Library

**Eric Brust**, Circuit Librarian

**Diane Neske**, Assistant to the Circuit Librarian

## A QUICK GUIDE FOR THE 8TH CIRCUIT

# JURY INSTRUCTIONS BUILDER

### Create Jury Instructions:

Select Case Type

- ☐ Civil  
☒ Criminal

[Begin Jury Instructions Builder](#)

### Reference Materials

[Current Complete Civil Pattern Jury Instructions \(PDF\)](#)  
[Current Complete Criminal Pattern Jury Instructions](#)

1













Choose Civil or Criminal and click/tap the Begin Jury Instructions Builder button.

### Options

- ☒ Include Annotations ☒ Continuous Page Numbering  
☒ Display Current Instructions ☐ Display Prior Instructions

### Select Instructions:

#### ^ Preliminary Instructions Before Opening Statements

- ☐ 0.01 Instruction Before Voir Dire    
☐ 0.02 Instruction at End of Voir Dire    
☐ 1.01 General: Nature of Case; Nature of Indictment; Cautionary    
☐ 1.02 Elements of the Offense— Preliminary    
☐ 1.03 Evidence; Limitations    
☐ 1.04 Direct and Circumstantial Evidence  











2

Select or deselect the options for including annotations, continuous page numbering and current or prior instructions., as needed, and then review each section and click/tap to select the desired instruction.

### Instructions Selected

0.01  
1.03  
1.04  
2.01  
2.02  
2.08  
3.01  
3.02  
10.01  
10.03

### Drag/Drop to Reorder

 0.01  
 1.03  
 1.04  
 2.01  
 2.02  
 2.08  
 3.01  
 3.02  
 10.01  
 10.03

[Undo Reorder](#)

[Clear All](#) [Generate Jury Instructions](#)

3

If needed, use your mouse to click and drag until the selections are in the needed order. Then click/tap the Generate Jury Instructions button.

### Pattern Jury Instructions - Criminal

Option Requested: Include Annotations, Continuous Page Numbering.

### Jury Instructions Selected (3):

1.08, 10.01, 10.02

[View Merged Document.](#) 

DONE.

[Build another instruction set](#)

4

Click/tap the View Merged Document link to open the selections in Word.