

Rule 223.1. Conduct of the Trial. Trial by Jury

(a) In conducting a trial by jury, the court may use one or more of the procedures provided in subdivisions (b) and (c) as may be appropriate in the particular case.

Note: This rule catalogs certain procedures which may be utilized in the conduct of a jury trial. Since the court has broad power and discretion in the manner in which it conducts a jury trial, it is not intended that this rule be construed as enlarging, restricting or in any way affecting that power and discretion.

See Rule 223.2 for juror note taking in civil cases.

(b) The court may permit jurors to view a premises or a thing in or on a premises.

Note: See Rule 219 governing view of premises.

(c) The court may

(1) permit specified testimony to be read back to the jury upon the jury's request,

(2) charge the jury at any time during the trial, **[and]**

Note: The court is not limited to charging the jury after the closing argument by the attorneys[.].

(3) make exhibits available to the jury during its deliberations, **and**

(4) make a written copy of the charge or instructions, or a portion thereof, available to the jury following the oral charge or instructions at the conclusion of evidence for use during its deliberations.