

VOIR DIRE

Good morning, ladies and gentlemen. I am Judge Andrews. We are going to select a jury in a criminal case called _____.

I am going to ask you a series of questions to help the Court and the attorneys in the jury selection process. Before I ask any questions, I am going to ask the Deputy Clerk to swear the jury panel to answer any questions truthfully. (To Deputy, Please swear the panel).

If any of you answer "yes" to any of the questions that I ask, please raise your hand, and, when recognized by me, please stand, state your name and your jury number. At the end of the questions, the Deputy Clerk will ask some of you to take seats in the jury box, and, after that, the lawyers and I may ask those of you who answered "yes" to one or more questions to come up to the bench to discuss your answers with the lawyers and me.

The presentation of evidence in this case is expected to take ____ days, but jury deliberations could extend your service beyond that. The schedule that I expect to keep over the days of evidence presentation will include a morning break of fifteen minutes, a lunch break of an hour, and an afternoon break of fifteen minutes. We will start at 9:30 a.m. and finish no later than 5 p.m. each day.

1. Does the schedule that I have just mentioned present a special problem to any of you?

2. (Description of the case). This is a criminal case involving charges of _____. The jury in this case will be asked to decide whether the defendant is guilty beyond a reasonable doubt of the charges against him/her.

2A. Have any of you heard or read anything about this case?

2B. Is there anything about the nature of the charges that would prevent you from being a fair and impartial juror?

3. The lawyers and law firms involved in this case are: (*typed list to be supplied by the parties*). Do any of you or your immediate families, such as spouse, child, parent, or sibling, know any of the attorneys or law firms I have just named?

4. Have any of you or your immediate families had any business dealings with, or been employed by, any of these attorneys or law firms?

5. The potential witnesses in this case are: (*typed list to be supplied by the parties*). Are you familiar with any of these potential witnesses?

6. The law enforcement agencies involved in this case are _____. Would the fact that _____ investigated this case interfere with your ability to be fair and impartial?

7. Have you or any member of your immediate family ever been employed by, or investigated by, any law enforcement agency, including _____?

8. Do you believe that you will give more or less weight to the testimony of a law enforcement officer, simply because he or she is employed as a law enforcement officer?

9. Have you or any member of your immediate family ever been (a) a victim of a crime, (b) a witness in a criminal case, or (c) arrested for a crime, not including minor traffic offenses?

10. Do you have any opinions about the criminal justice system that might make it difficult for you to be a fair and impartial juror in this case?

11. If you are selected to sit as a juror in this case, are you aware of any reason why you would be unable to render a verdict based solely on the evidence presented at trial?

12. If you are selected to sit as a juror in this case, are you aware of any reason why you would not be able to follow the law as I give it to you?

13. A fundamental principle of our legal system is that when a person is charged with a crime, [s]he is presumed to be innocent unless and until the Government proves guilt beyond a reasonable doubt. If you are selected as to sit as a juror in this case, will you have difficulty following this rule of law?

14. _____, as the defendant in this case, may choose not to testify in his/her own defense, and I instruct you that the choice not to testify, if that is _____ choice, may not be held against _____. If you are selected as a juror in this case, will you have difficulty following this instruction?

15. Testimony may be presented in this case by a witness who has agreed to testify as part of a guilty plea agreement with the Government. I instruct you that if such a witness testifies, you will have to evaluate that witness's testimony as you would that of any other witness. If you are selected as a juror in this case, will you have difficulty following this instruction?

16. Have you served on a jury in a criminal case before?

17. Have you served on a grand jury before?

18. Is there anything, such as poor vision, difficulty hearing, difficulty understanding spoken or written English, that would make it difficult for you to serve on this jury?

19. This is the last question. Is there anything else, including something you have remembered in connection with one of the earlier questions, that you think you would like to tell me in connection with your service as a juror in this case?