

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
v.) Criminal Action No. XX-XX (MN)
)
JOHN DOE,)
)
Defendant.)

VOIR DIRE

Good morning, ladies and gentlemen. My name is Maryellen Noreika and I am the judge presiding over the criminal case, United States of America v. _____, for which we are about to select a jury. 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 in the jury panel to answer any questions truthfully. (To Deputy, Please swear the panel).

You have a copy of the voir dire questions I am going to ask. If any of you answer “yes” to any of the questions, please make a note next to it. At the end of the questions, we will take all of you into a different courtroom and then bring those of you who answered yes back in here 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 trial days will be that we will start around 9:00 a.m. and finish by 4:30 p.m., with a fifteen minute morning break, a 45 minutes to an hour lunch break and another fifteen minute break in the afternoon.

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

2. This is a criminal case involving [description of the case]. The jury in this case will be asked to decide whether the defendant is guilty beyond a reasonable doubt of the charges against him. Have any of you heard or read anything about this case?

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

4. The lawyers involved in this case are _____. Do any of you or your immediate families, such as spouse, child, parent, or sibling, know any of the attorneys I have just named?

5. Have any of you or your immediate families had any business dealings with, or been employed by, any of these attorneys or their offices?

6. The potential witnesses in this case are _____. Are you familiar with any of these potential witnesses?

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

8. Have you, any member of your immediate families, or any of your close friends ever been employed by, or investigated by, any law enforcement agency, including _____. 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. Do you believe that you will give more or less weight to a party or witness, simply because of their race, color, religion, national ancestry, or gender?

10. Have you, any member of your immediate families, or any close friend 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?

11. 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?

12. In order to reach a verdict, jurors must reach the same conclusion. During deliberations over the verdict, will you have difficulty expressing your own opinions and thoughts about the case? Or do you think you will have difficulty in respecting the views of your fellow jurors even if they are different from your own?

13. If you are selected as a juror in this case, you will take an oath to render a verdict based upon the law as given to you by the court. You will be required to accept the law as given to you by the court without regard to any personal opinion you may have as to what the law is or should be. Would you have a problem or be unable to reach a verdict in accordance with the law as given to you in the instructions of the court?

14. 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 solely on the evidence presented at trial?

15. 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?

16. A fundamental principle of our legal system is that when a person is charged with a crime, he/she 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?

17. The defendant may choose not to testify in his own defense, and I instruct you that the choice not to testify, if that is [defendant's] choice, may not be held against him. If you are selected as a juror in this case, will you have difficulty following this instruction?

18. 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?

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

20. Have you served on a grand jury before?

21. 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?

22. This is the last question. Is there anything else, including something that 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?