

7/11/2008

Question No. 1

What do you think is the most important characteristic for a person who is going to serve on a jury? (Every juror must answer.)

Answers should include:

Honest

Fair

Open-Minded

Attentive

Patient

Good Listener

Wait Until Everything Is Received

Decision Only on Facts

Unbiased/Not Prejudiced/Impartial

Objective

Question No. 1 (cont'd)

Answers to Discuss (remember no answer is “wrong”):

Compassionate

Sympathetic

Religious/Christian/Loving/Caring

With these answers follow up with—What do you mean by that? (To get back to more objective characteristics.)

Question No. 2

What is an example of bias or prejudice?

Answers should include:

Sex/Gender

Appearance

Age

Race

Religion

Economic Status

Ethnicity

National Origin

Question No. 2 (cont'd)

Exercise (using four jurors): Have juror “pick out” who he/she thinks is (1) the defendant, or (2) the attorney for the party bringing the claim, or (3) the person bringing the claim, or (4) the defense attorney. [If the parties and lawyers have already been introduced, create another “exercise” to reinforce how preconceived notions are commonly used in making decisions.]

Question No. 2 (cont'd)

After the four choices are made “just by looking at the people at counsel table,” ask **what is wrong with this methodology?**

Answer: Cannot judge a book by its cover; appearance is an invalid analytical method, and so on.

Question No. 3

[The Decision-Making Process]

How do you decide the case without being influenced by an illegal or unconstitutional consideration?

Answers:

Decide the case solely on the facts/the evidence in the case.

Question No. 3 (cont'd)
[The Decision-Making Process]

Do you think that, in [____(insert city and state)____] people/a jury can really do that?

Isn't that going to be difficult?

What are you going to do if another juror says "I just don't like the way [s/he looks] and so on?"

Question No. 4 (Read Summary of Complaint and Answer/or Indictment)

Does knowing the allegations affect your ability to decide the case solely on the evidence?

Has something like what is alleged in this case happened to you and/or a member of your family or a friend?

[These questions often result in sidebars with individual jurors.]