

VOIR DIRE PROCEDURES IN JUDGE RAMSEYER'S COURT

Before Voir Dire:

1. The bailiff or clerk will provide counsel with a list of the court's general voir dire questions and jury seating charts.
2. Counsel may submit proposed general voir dire questions they wish the court to ask.
3. [Civil cases] Counsel shall submit, ideally, an agreed brief summary of the case to be read to the jurors at the beginning of voir dire. If no agreement, each party shall submit its proposed summary.
4. At a pretrial conference, counsel and the court decide the length of time for each counsel's questioning of the panel.
5. At a pretrial conference, counsel and the court decide the number of alternate jurors and the size of the panel.

Juror Questionnaires:

6. Juror questionnaires are public documents and are not used routinely. Counsel should discuss in advance with the court a request to use a questionnaire.

Assignment of a Jury Panel:

7. We receive from the jury room a randomized list of jury panelists and the juror information sheets.
8. Each panelist is assigned a number, beginning with number one. Each panelist has only this number, which is the number used during voir dire. Each panelist will receive a large card, showing this number.

Procedure Upon Arrival of the Panel:

9. The jury panel is brought into the courtroom by the bailiff. Panelists one through twelve plus alternates (*e.g.*, 13, 14, if alternates are to be impaneled) are seated in the jury box. (lower right corner (facing the box) is number one, upper right corner is number seven.) The remaining panelists sit on the benches starting with the next number in the first row.
10. The court makes introductory remarks, the jury panel is sworn to answer questions, and the court asks general voir dire questions.

Procedure for Voir Dire:

11. During general questioning, the court asks if jury service will present an undue hardship and the nature of any such hardship. The court will determine which panelists to excuse for hardship, which shall occur before additional questioning of the panel.

Additionally, the court will ask its general questions of the panel, but typically will leave for counsel follow up questions they may choose to ask.

12. Each party may inquire of the entire panel for the predetermined length of time. Each party normally is allowed two rounds of questioning.
13. The purpose of voir dire is to elicit information that will enable the parties to make an informed exercise of peremptory challenges and challenges for cause. It is not proper to introduce facts related to the case or argue a party's theory of the case. Questions are governed by the following general rules:
 - (a) questions must be reasonable. See generally CR 47(a);
 - (b) questions are proper if they are probative of and germane to a particular ground of possible disqualification disclosed by responses to the court's questions;
 - (c) inquiry is proper regarding employment, experience, or feelings and beliefs where the person's special knowledge, sympathy, or bias could affect his or her ability to be impartial;
 - (d) questions may not be used to establish rapport with a juror;
 - (e) questions should not be repetitious, embarrassing, or unfair;
 - (f) argumentative questions are improper, especially if designed to present a party's view of the case;
 - (g) questions that anticipate disputed instructions on the law are improper;
 - (h) asking a panelist to speculate on his or her verdict if certain facts are proved is improper;
 - (i) a party may not solicit a panelist's opinion about the law or legal terms.
14. Challenges for cause should be exercised when they come to the party's attention and not reserved to raise at a later time.
15. When questioning by the parties has been completed, each party exercises its peremptory challenges, alternating between parties until twelve jurors plus alternates, if any, in the jury box are accepted by all parties. Challenges should be directed only to panelists in the jury box.
16. As panelists are challenged and excused from the box, remaining panelists are assigned to the vacated seats in numerical order, starting with the next panelist not already seated in the jury box.
17. Alternates are impaneled with other jurors and either identified as alternates at the end of trial or informed at the end of trial that their number was randomly pre-selected before trial began. When more than one alternate is impaneled, the alternates replace disabled jurors in the order of the alternate's juror number. In other words, the alternate with the lowest juror number i.e., 13 before 14, is the first replacement juror.
18. The remaining panel members are thanked and excused to the main jury room.
19. The jury is sworn and trial begins.