

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF INDIANA
SOUTH BEND DIVISION

UNITED STATES OF AMERICA

v.

DEFENDANT

Case No.

THE COURT'S STANDARD VOIR DIRE QUESTIONS – CRIMINAL TRIALS

1. Do any of you know or are you related to any of the attorneys?
2. Have any of the lawyers represented you, your family, or your friends?
3. Do any of you know or are you related to the defendant, _____?
 - a. In what capacity?
 - b. Would your knowledge of [Defendant] prevent you from acting with complete impartiality in this case?
 - c. Would your knowledge of [Defendant] cause you to give greater weight to any statement that he might make in this case by reason of such knowledge?
4. Do any of you know any members of [Defendant's] family?
 - a. Which family member?
 - b. How do you know him/her?

- c. Would your knowledge of _____ prevent you from acting with complete impartiality in this case?
 - d. Would your knowledge of _____ cause you to give greater weight to any statement that [Defendant] might make in this case by reason of such knowledge?
5. Are any of you related to any of the Court staff present in this Courtroom?
 6. Does anyone know, on a personal basis, any of your fellow jury panelists?
 7. The witnesses in this case may include the following people: [INSERT]. Do you know or are you related to any of them?
 8. Does anyone have problems with their vision such that it would be difficult to view exhibits or to observe witnesses as they testify?
 9. Does anyone have a hearing impairment?
 10. Is anyone unable to read, write, and speak the English language fluently?
 11. Is there anyone here with any health problems that will interfere with their ability to serve as a juror?
 12. Is there any juror who will be unduly burdened with financial, business, family, or medical problems if the trial takes _____ days to complete?

13. Has anyone talked with any of you about this case, or discussed this case in your presence?
14. Do any of you have personal knowledge of the facts of this case?
 - a. (If any response is yes, ask) Without saying your personal knowledge, has that information caused you to form an opinion about the innocence or guilt of the defendant?
15. Have any of you formed or expressed an opinion as to the merits of this case?
 - a. Without stating what the opinion is, if I instruct you that it is your duty to put it out of your mind and to make your decision in this case only on the basis of the evidence presented and the law as provided, can you follow the instruction?
16. Have any of you, or members of your immediate family, previously served on a jury or grand jury, either in federal or state court?
 - a. Was the case civil or criminal?
 - b. What were the facts of that case?
 - c. What was your verdict?
 - d. Were you the jury foreman?

- e. Do you understand that each case must be decided upon the facts introduced into evidence at trial and the law as read in the final instructions?
 - f. Was there anything about the prior jury experience which would interfere with you giving both parties a fair trial in this case?
17. Have any of you ever testified as a witness in any court?
 18. Do any of you, or any members of your immediate family, have any special legal training either from educational courses or an occupation?
 19. Do you know of any reason why you may be prejudiced for or against the government or for or against the defendant because of the nature of this case or otherwise?
 20. Do you hold any philosophical or religious beliefs that would prevent you from sitting in judgment of another person?
 21. Is anyone here currently a defendant in a pending criminal case?
 22. Is anyone here a law enforcement officer?
 23. There may be law enforcement officers and other government agents who testify in this case. Would any of you have any difficulty giving testimony

by law enforcement officers and government agents the same weight and consideration you would give the testimony of other witnesses?

24. Have any of you ever been acquainted with any law enforcement officers of any type whatsoever? If so:

- a. Who?
- b. What department did they work for?
- c. What relationship did you have with them?
- d. Would that fact prevent you from acting with impartiality in this case?

25. Have any of you ever had experiences with law enforcement officers or government agents which would cause you to be prejudiced either for or against the government or the defendant in this case? If so:

- a. When?
- b. What law enforcement office or government agency was involved?
- c. What happened?

26. This case is being prosecuted by the United States Attorney's Office for the Northern District of Indiana. Have any of you had any prior dealings with the federal government or the United States Attorney's Office in particular that might affect your ability to be fair and impartial to the government?

27. Have any of you ever been involved, in any court, in a criminal matter that concerned yourself, any member of your family, or a close friend either as a defendant, a witness, or a victim? If so:
- a. Do you feel that this experience would prevent you from acting with impartiality in this case?
28. The defendant is charged with _____. Do any of you know of any reason why you may be prejudiced for or against the government or the defendant because of the nature of the charge?
29. Is there anything at all about the criminal charge at issue in this case that would make you prejudiced against someone who is merely accused of it?
30. Have you had any experience involving yourself, any member of your family, or any close friend that relates to _____? If so:
- a. Do you feel that this experience would prevent you from acting with impartiality in this case?
31. If you are selected as jurors, you will be instructed on various principles of law that the jury will be expected to apply in this case. One of these instructions will discuss the presumption of innocence: you will be instructed that a defendant in a criminal case is presumed to be innocent of the charge,

that this presumption remains with the defendant throughout every stage of the trial and during the jury's deliberations on the verdict, and that this presumption is not overcome unless, from all of the evidence in the case, the jury is convinced beyond a reasonable doubt that the defendant is guilty. The jury will be told that the government bears the burden of proving the defendant's guilt beyond a reasonable doubt, that this burden remains on the government throughout the trial, and that the defendant is not required to prove his innocence or to produce any evidence.

Do any of you believe that you would be unable or unwilling to follow these rules of law?

32. Do any of you disagree that the defendant is presumed innocent as he sits here right now?
33. Do any of you believe that if the defendant was arrested and charged, then he must be guilty?
34. Do any of you have any problems or reservations about the rule of law that the government must prove the defendant guilty beyond a reasonable doubt?

35. Have any of you, a family member or close friend ever been accused of committing a crime?
36. If you are selected as jurors, you will be instructed that the defendant in a criminal trial has an absolute, constitutional right not to testify. If the defendant decides not to testify, you will be told that you cannot take that choice into account in your deliberations; rather, you must decide the case on the basis of what you did hear in court, and not on the basis that the defendant chose not to testify. If, on the other hand, the defendant decides to testify, you will be told that you should judge his testimony the same as you would any other witness. Do any of you believe that you would be unable or unwilling to follow these rules of law?
37. Do any of you think that persons accused of committing a crime should not have the right to remain silent?
38. Do any of you think it is more likely that the defendant is guilty if he chooses not to testify?
39. *[If applicable]* An interpreter will be used at trial. Does anyone believe that a defendant should not be entitled to an interpreter at trial?

40. *[If applicable]* The interpreters who will be used at trial are _____
and _____. Do any of you know or are related to either interpreter?
41. If you are selected as a juror in this case, you will be required to put aside any feeling of passion or prejudice and decide this case solely on the evidence introduced during the trial and the instructions that the court will give you concerning the law. Is there anyone unable or unwilling to do that?
42. Some people form quick and strong opinions and will not change their positions even though they may later suspect or even believe that they are wrong. Think carefully and honestly about yourself. Do any of you feel you are such a person?
43. Some people have difficulty making up their minds when required to make a difficult decision. Think carefully and honestly about yourself. Do any of you feel you are such a person?
44. If you were the defendant or if you were the Assistant United States Attorney prosecuting this case, do you know of any reason why you would not be comfortable to have this case tried to someone in your state of mind?

45. I would like each of you to briefly introduce yourselves. Please tell us what city or town you live in, what you do for a living, a little bit about your family, and what you like to do with your time.