

Jury Questions of the Witnesses

Judge Van Bokkelen permits the jury to submit questions for a witness after the lawyers have finished questioning the witness.

The jury is instructed that they are permitted to ask questions to clarify or help them understand the evidence. The Court's experience with juror questions indicates that a jury will rarely have more than a few questions for one witness, and there may be no questions for some witnesses.

If a question is submitted, the Court will share the jurors' questions with the lawyers. If the question is permitted under the rules of evidence, the Court will read the question to the witness so that the witness may answer it. In some instances, the Court may modify the form or phrasing of a question so that it is proper under the rules of evidence. On other occasions, the Court may not allow the witness to answer a question, either because the question may not be asked under the law or because another witness is in a better position to answer the question. The Court will instruct the jury that if it cannot allow the witness to answer a question, they should not draw any conclusions from that fact or speculate on what the answer might be.