

VOIR DIRE

Do you know

- Parties
- Lawyers
- Witnesses
- Other Jurors

Problem Sitting on This Case

- Some people cannot sit on a jury (ex. plaintiff is your brother)

Courtroom Experience

- As a witness
- As a party

Background

- Accidents/Lawsuits/Claims
- Do you, relatives or close friends suffer from any chronic or disabling illness or pain
- Training in Law or Medicine
- Union Membership

Industry Experience

- Feelings about the industry in which your client is engaged
- Feelings about your client, pro or con

How Many Believe There Is Too Much Litigation

- Just because an accident, must be an injury
- Just because an injury, someone should pay

Burden of Proof

- How many people feel that because plaintiff filed this lawsuit, must be some merit to this case
- Plaintiff has burden of proof to prove to you negligence, all injuries sustained, and all financial losses as a result of this accident
- Defendant does not have to prove anything

Issues in a Lawsuit

- Negligence/Liability
- Causation
- Damages
- Personal responsibility of plaintiff
- Agree to follow judge's instructions

Need to Investigate

- Will you hold it against defendant for relying on what the evidence demonstrates and on what doctors and experts say
- If we believed plaintiff was making a legitimate claim, we would not be here

Equality Under the Law

- Will you promise to give defendant same consideration as plaintiff
- Plaintiff and defendant equal under the law
- Commitment that will not allow sympathy or prejudice to influence decision
- Commitment from each of you to wait until you hear the whole story. Plaintiff goes first as plaintiff has burden of proof

Conclusion

- Is there anything you wished I had asked
- Anything anyone else wants to talk about

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