

**UNITED STATES DISTRICT COURT
DISTRICT OF MAINE**

***VOIR DIRE* CHECKLIST FOR CRIMINAL TRIALS**

I. QUESTIONS JUDGE ORDINARILY WILL NOT ASK BECAUSE INFORMATION IS OTHERWISE AVAILABLE

A. Information Available from Clerk's List of Jurors

1. Age
2. City/Town of residence
3. Occupation
4. Employer
5. If married, spouse's occupation

B. Information Available from Maine's Juror Questionnaire

1. Previous grand jury service
2. Previous petit or traverse jury service
3. Previous involvement in court as a party, witness, complaining witness or victim
4. Law enforcement employment
5. Current employment duties
6. Education, including legal, technical and medical education

II. SUBJECT MATTERS JUDGE ORDINARILY WILL EXPLORE AT ORAL *VOIR DIRE* EVEN WITHOUT A SPECIFIC REQUEST

- A. Juror availability for trial, given the date and length
- B. Prior knowledge of the case or of the defendant from any source, including media
- C. Any connection to U.S. Attorney's Office/prosecutor and government witnesses
- D. Any connection to the defendant, defendant's lawyer/law firm, and any witnesses the defendant identifies
- E. Consideration of testimony by law enforcement personnel
- F. (Only if a drug case) Views or experiences re: illegal drugs
- G. Mental/physical difficulties that might interfere with juror duties
- H. (Carter and Hornby only, not Singal) Willingness to follow law (final jury instructions) re:
 1. Indictment not evidence
 2. Presumption of innocence and burden of proof beyond a reasonable doubt
 3. Defendant's constitutional right not to testify
 4. Basing verdict solely on admitted evidence and the law as instructed by the judge
- I. Any reason at all the juror could not be fair and unbiased