

Criminal Voir Dire

Judge Jack Zouhary
United States District Court
Northern District of Ohio
Rev. 12/2013

Welcome to your United States District Court for the Northern District of Ohio

Federal Judges of the Western Division



James Carr



Jack Zouhary



Vernius Armstrong



David Katz



Jeffrey Helmick

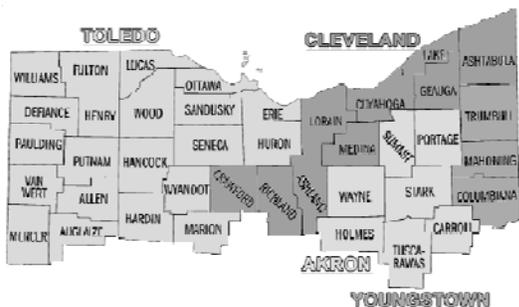


James Knepp

A Little About the Federal Courts:

- USA: 94 Federal District Courts
- Two Districts in Ohio: Northern and Southern
- Two Divisions in the Northern District: Eastern and Western
- Western Division:
 - Two District Court Judges
 - Two Senior Judges
 - Two Magistrate Judges

Counties in the Northern District



Northern District of Ohio

- Serves 6 million people
- Courthouses in four cities
- 23 Judicial Officers
 - 11 Active Judges
 - 4 Senior Judges
 - 8 Magistrate Judges

Courtroom Participants

- Judge
- Deputy Clerk
- Court Reporter
- US Marshals
- Court Security Officers (“CSO’s”)
- Law Clerks
- Lawyers and the parties they represent
- Jury

Importance of Jury Duty: Four great civic responsibilities

- Voting
- Paying taxes
- Military Service

★ Jury duty

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Jury Service

- **75%** of Americans see jury service as a civic duty rather than a burden, although only **27%** have personally served on a jury.
- **81%** of former jurors say the experience was a positive one.

Source: DRI National Poll on the Civil Judicial System, August 2012

History and importance of jury trials:

- England – 1066
- Replaced trial by ordeal & combat
- Mentioned in Declaration of Independence
- Trial by Jury -- Appears twice in the U.S. Constitution

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“Voir dire”

- Speak the truth.
- Goal: find 12 jurors who can be fair and impartial.
- There are no “right” or “wrong” answers.
- For our justice system to work – you must answer openly and honestly.
- We respect your privacy – you may answer in private.
- Sometimes you have a duty not to serve.

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Trial Schedule

- Time commitment: 2 trial days
- Medical problems?
- Personal distractions?

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**United States of America
v.
John Red**

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Introduction of the Lawyers

Does anyone know:

- Steve Green?
- Members of the U.S. Attorney's Office?

Does anyone know:

- Mark Yellow?
- Carrie Purple?

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Potential Witnesses

- John Red
- John Black
- Jane White

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Statement of the Case

This is a criminal case. Defendant is charged with bank fraud and money laundering that allegedly took place in the summer of 2010 involving cash withdrawals totaling \$40,000 from a business account Defendant had with Bank One.

Defendant denies these charges.

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Familiarity with the Case

- Do you have any prior knowledge of the facts or events of this case?
- Talking about the case?
- Overhear anyone?
- Media reports?

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Nature of Indictment

- Formal Charge / Accusation
- Not Evidence / Not proof of guilt
- Differences between Grand Jury and Trial Jury
- Ability to put aside any suspicions arising from the filing of charges in this case?

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Burden of Proof

- Ability to apply the presumption of innocence.
- Burden of proof on Government.
- Defendant not required to testify.

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Preconceived Notions

- Do you have any personal, philosophical or religious problems nearing a case like this? (If so, we can discuss privately.)

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Bias

- Have you, a family member, or close friend ever experienced a life event that would bias you in this case for or against either side?

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Bank Experience

- Do you or any family member have any experience working with a business bank account, making deposits or withdrawals?

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Equal Treatment of Witnesses and Parties

- Are you able to treat the Government in this case as you would treat any other private party?
- Treat Defendant fairly?

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Your prior courtroom experience

- Have you ever been involved in a lawsuit (civil or criminal) as:
 - Plaintiff or Defendant
 - Witness
 - Juror

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Instructions of Law

- You will be provided with written instructions on the application of the law.
- Will you follow the law as given to you by me in this case?

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Fair

- Is there any reason, now that you know something more about this case, why you could not start with a clean slate and be fair to both sides?

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Take a moment and look around the room:

- Do you recognize any friends or acquaintances among the prospective jurors?

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Tell us a little bit about each of you . . .

Your --

- Education / Training
- Employment / What you do
- Spouse / Children
- Hobbies / Interests / Sports
- May be surprised to know . . .

In Conclusion:

- Is there anything else not yet discussed that we should know in determining whether you can be a fair and impartial juror in this case?

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