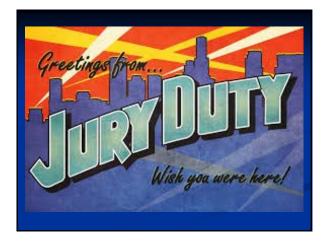
CRIMINAL VOIR DIRE Judge Jack Zouhary United States District Court Northern District of Ohio Rev. 8/2018



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

Courtroom Participants

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



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
 - One Senior JudgeOne Magistrate
 - One Magistrate Judge

Counties in the Northern District





- Serves 6 million people
- Courthouses in four cities
- 19 Judicial Officers

Importance of Jury Duty: Four great civic responsibilities

- Voting
- Paying taxes
- Military Service
- ☆Jury duty

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

"Voir dire"

- Speak the truth.
- Goal: find 13 jurors who can be <u>fair</u> and <u>impartial</u>.
- There are no "right" or "wrong" answers.
- For our justice system to work you must answer <u>openly</u> and <u>honestly</u>.
- We respect your privacy you may answer in private.
- Sometimes you have a duty <u>not</u> to serve.



Trial Schedule

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



Introduction of the Lawyers

Does anyone know:

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

Does anyone know:

- Mark Yellow?
- Carrie Purple?

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 2017 involving cash withdrawals totaling \$40,000 from a business account Defendant had with Bank One.

Defendant denies these charges.

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?

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?

Burden of Proof

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

Potential Witnesses

- Jane Green
- James Red
- Tom White
- John Yellow

Fair

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

Bias

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

Preconceived Notions

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

Bank Experience

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

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?

Your prior courtroom experience

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

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?

Take a moment and look around the room:

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

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

Your ---

- Education / Training
- Employment / What you do
- Spouse / Children
- Hobbies / Interests / Sports
- Books / TV Shows / Movies
- 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?

