

**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 Brody) 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