

CIVIL PRETRIAL CONFERENCE CHECKLIST

Voir dire (procedure sheet and juror questions attached):

Jury instructions (provide to Court a hard copy and on disk):

Exhibit list (in similar format to Form AO 187):

Witness list (name, affiliation or address):

Expert witnesses:

Evidentiary issues, motions in limine:

Other pending motions:

Length of trial:

Number of witnesses:

Special issues affecting trial length:

Other issues:

Settlement:

Order on trial calendar:

Jury Selection Procedures for Civil Trials

A voir dire examination shall be conducted for the purpose of discovering any basis for challenge for cause and for the purpose of gaining knowledge to enable an intelligent exercise of peremptory challenges.

Voir Dire

1. The Court will explain nature of case, the burden of proof, conduct general voir dire covering knowledge of case, acquaintance with participants, importance of following court's instructions on law and impartiality in general, and will ask case specific questions taken from the parties' voir dire submissions.
2. The Court will then ask each venire person to please stand and answer the 9 general background questions in the form questionnaire which is distributed to the panel members before they enter the courtroom. The Court will ask follow-up questions as appropriate.
3. Counsel will then have a brief opportunity to ask questions that the Court has not already asked or to follow up on answers to the Court's questions. Counsel are usually allocated 10 to 15 minutes each side for this purpose.
4. Counsel should not ask questions which
 - a) have already been asked;
 - b) anticipate instructions on law which have not been given;
 - c) ask a juror to speculate on his verdict if certain facts are proved;
 - d) solicit a juror's opinion as to law or legal terms;
 - e) are clearly irrelevant and seek to embarrass or establish rapport with a juror;
 - f) questions that are in the substance arguments of the case; or
 - g) questions which are grossly unfair or embarrassing to the juror and questions where the average juror cannot possibly know the answer.

SELECTION PROCESS

After the voir dire is completed, the Court will excuse the venire from the court room, and ask counsel to select their jury. Challenges for cause to the whole panel will be taken first. Thereafter, the plaintiff will accept or reject the first three members of the panel. If the plaintiff accepts any of the 3 members, then the defendant accepts or rejects those members. Those who have been accepted become members of the jury. For the fourth thru sixth members of the panel, the defendant accepts or rejects those members. If the defendant accepts any of those members, then plaintiff will accept or reject the remaining members and they become members of the jury. Plaintiff and defendant will continue to alternate until a jury is selected or a party exhausts its peremptory challenges. No backstrikes are allowed. Each party is entitled to 3 peremptory challenges except the Court may rule that several plaintiffs or several defendants shall be considered as a single party for the purposes of making challenges as provided by 28 U.S.C. §1870. The civil jury shall usually consist of eight jurors, all of whom will deliberate unless excused by the Court.

EACH MEMBER OF THE JURY PANEL IS REQUIRED TO REVIEW THE FOLLOWING QUESTIONS AND BE PREPARED TO RESPOND ORALLY TO THEM WHEN CALLED UPON BY THE COURT TO DO SO.

1. Please state your full name, the area in which you live, and how long in Miami-Dade County.
2. What kind of work do you do? If retired, please describe your work prior to retirement.
3. What is your educational background? (Grade school, high school, college, etc.)
4. Are you married? If so, is your spouse employed outside home? If so, what type of work does your spouse do?
5. Do you have any children? If so, please tell us something about them; i.e., ages, school, employment, etc.
6. Have you served in the military? If so, please briefly describe such service.
7. Have you ever served on a jury before? If so, please state the type of case; whether the trial was in State or Federal Court; did you reach a verdict in the case, were you the foreperson.
8. Would you briefly describe any personal hobbies and/or interests you have?
9. What newspaper and magazines do you read regularly? Also, do you have any favorite T.V. or radio shows and/or websites?
10. Do you belong to any organizations or groups (community, social, civic, political, religious, unions) and hold a leadership position?

UNITED STATES DISTRICT COURT

DISTRICT OF _____

EXHIBIT AND WITNESS LIST

V.

Case Number: _____

PRESIDING JUDGE					PLAINTIFF'S ATTORNEY	DEFENDANT'S ATTORNEY
TRIAL DATE (S)					COURT REPORTER	COURTROOM DEPUTY
PLF. NO.	DEF. NO.	DATE OFFERED	MARKED	ADMITTED	DESCRIPTION OF EXHIBITS* AND WITNESSES	

* Include a notation as to the location of any exhibit not held with the case file or not available because of size.

