



**“First thing we do, let’s
kill all the lawyers.”**

Janet Ward Black

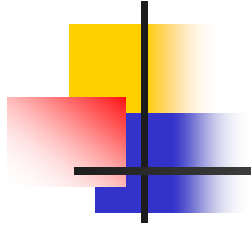
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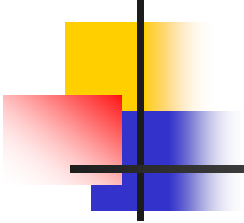
“Voir dire” =

to see speaking

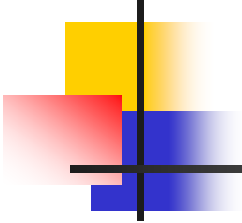


Who are jurors?

- Voter registration
- Drivers license registration
- Not served in 2 years
- 18 or older
- 65 or older
- live in county
- no suit pending

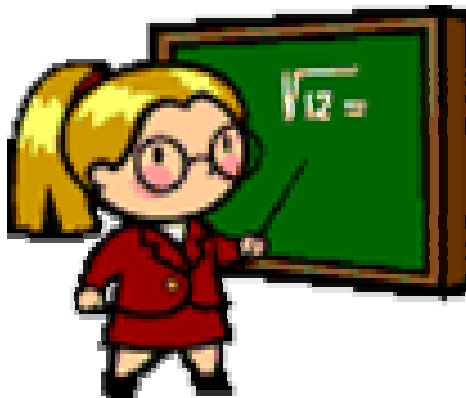
- 
-
- \$12.00 per day
 - \$30.00 per day after 5 days





What is the number 1 fear
of Americans?

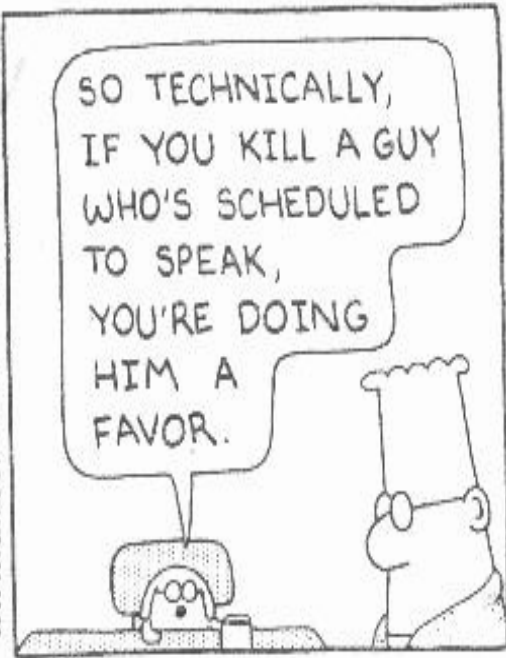
Public Speaking



DILBERT® by Scott Adams



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How does a juror feel about serving?

- Scared
- Herded like cattle
- Inconvenienced
- Financially burdened



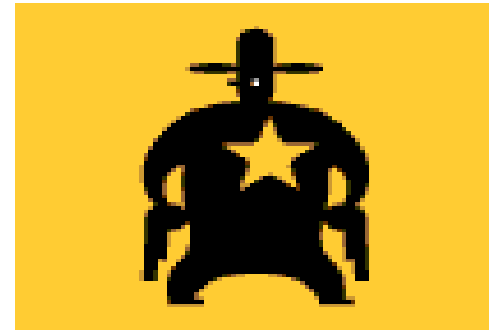


What's your job?

- To learn about the jurors so you can exercise peremptory and cause challenges in an intelligent fashion

Learn about jurors and your judge before trial

- Venire – sheriffs, tax records, criminal records, houses
- Judge – bailiff, clerk, ADA's



VS.

JURY

File No. _____

Film No. _____

| | | | | | |
|-----------|---|---|----|----|----|
| BACK ROW | | | | | |
| 1 | 2 | 3 | 4 | 5 | 6 |
| 7 | 8 | 9 | 10 | 11 | 12 |
| FRONT ROW | | | | | |

CHALLENGES

For Cause _____

State or Plaintiff _____

Defendant _____

AOC-G-111 (Replaces L-168)
New 8/88

I certify that in the above-numbered case the persons whose names appear above were called as jurors, that those whose names are marked through were excused, and that those whose names are not marked through were empanelled to serve as jurors.

This _____ day of _____, 19____.

Clerk.



Challenges

- Array
- Cause
- Peremptory

NC Constitution is broader than Batson

- Race, Color, Religion, Sex, National Origin
- Juror must identify





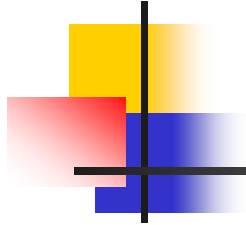
Consider . . .

- Tell me about yourself and your family
- What makes you good at your job?
- Do you supervise at work?
- Do you organize social activities?

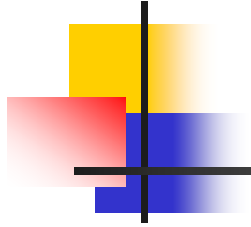


Help jurors understand that you want to hear them talk

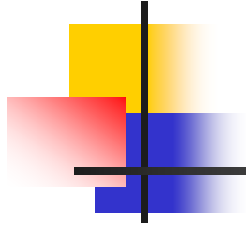
- Modeling – “Who here”
- Open-ended questions – “Tell me,”
“What,” “Why,” “How”
- Body language – Move, Nod, Eye
Control, Open Gestures



- My name is music to me.
- Don't ask me what my husband does, I just said he was dead.



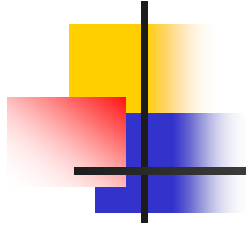
Macaroni and Cheese



-
- Don't try to change their minds

(PS - you can't)

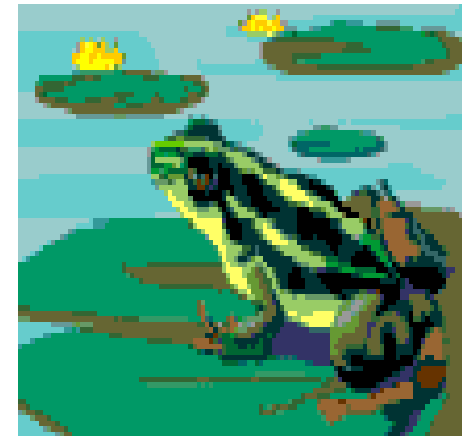
- McDonald's Coffee



- You want them to say the bad stuff.
- Their only chance to talk is now. The next time will be their verdict.

Cover only a few concepts

- Tell them the basic premise of the case
- Tell them your warts
- Question about no more than 5 big issues – BOP, litigation explosion, damages.





Identify the kind of people who'll dislike

- lawyers like you
- clients like yours
- fact patterns like yours

Beware of stereotypes

Preachers, Loan Officers,
Golfers . . .





What does your gut say?





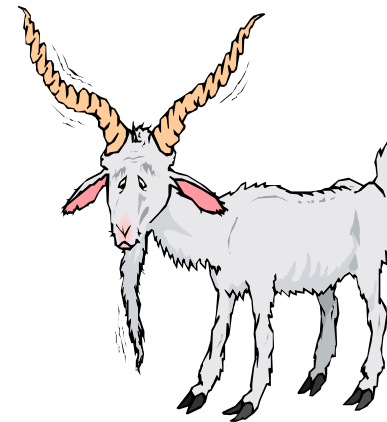
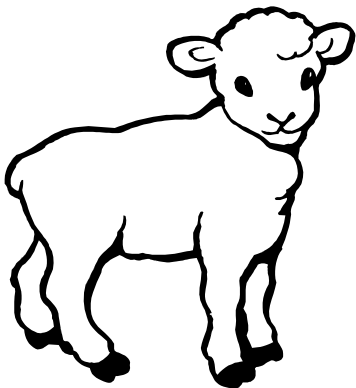
Jurors lie.

- New Jersey study of high profile criminal cases
 - 71% in questionnaire admit opinion on guilt/innocence
 - 15% in open court admit
- “Impression Management”



Goats vs. Sheep

- AKA Leaders, Followers, Fillers, Negotiators and Holdouts





“Don’t leave home without it.”

- NC Trial Practice – Carol Anderson
- NC Civil Procedure – Gray Wilson
- Damages – David Ball