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Tips for Effectively Picking Jurors

December 26, 2013 / in Litigation, Trial / by Patricia Knight



Choosing the right jury for your case means really getting into jurors' heads. Attorneys must handle the voir dire questions — and overall process — in an effective manner. It is vital to not only know the best questions to ask but to make the most of jurors' answers. Pattern Voir Dire Questions by Susan Broome, Ph.D. includes sample voir dire questions and features pointers to help you choose the best jurors for your case, such as:

- Know when it is best to use a questionnaire. If faced with embarrassing or upsetting questions, jurors are not as likely to be honest in front of their peers, attorneys, or a judge as they are when answering written questions. Crime involvement and concerns such as drinking/drug use, domestic violence and other potentially sensitive topics are candidates for questionnaire use.
- . Examine methods of rehabilitating potential jurors. Know which questions to ask to show that a potential juror can indeed be fair and follow the law, despite personal beliefs, experiences, or other areas of concern that may lead to excusing the juror.

Don't forget to look out for any red flags during the voir dire process — including important warnings, such as:

- Bumper stickers on a juror's car. These drivers have already made a public statement and may be more opinionated (regardless of what message is even on the bumper sticker).
- . In injury cases, potential jurors who have already formed a dollar limit for the amount of damages someone should receive. If a juror has made this decision before hearing the evidence, it is not necessary to even ask for the limit decided upon. This type of thinking is an automatic red flag for the attorney for the plaintiff.

[More on the author of Pattern Voir Dire Questions]

Susan Broome, Ph.D. has been working with trial lawyers for more than 20 years. She was trained at Litigation Sciences, Inc., and was one of two consultants to open its Boston Office. She assists trial lawyers and witnesses for her firm in Boston and is an anchor for Los Angeles-based Leggett Jury Research's East Coast cases. Dr. Broome is a member of the American Society of Trial Consultants, and holds a B.A. from Columbia University, an M.A. from Tufts University, and a Ph.D. in Psychology from Clark University.

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