

# VOIR DIRE

Submitted by Lynda Pierini - Madera

April 2, 2010

March 18<sup>th</sup> a panel of jurors were brought in for a jury trial, the jurors entered the courtroom @ 2:30pm, apparently the judge asked jurors that had a hardship to do so by way of a note. Then the Court and Counsel go into chambers to discuss the reasons for the hardship, make their decision as to who will be excused. Then proceed into the courtroom, where in the jurors are excused. The clerk said there was no questioning or Voir Dire process which occurred until after they went through their hardship excuses. On Friday March 18<sup>th</sup> he excused 27 jurors for hardship and 48 jurors returned on Monday to begin the selection process.

## What date would you consider Voir Dire to have begun?

1	Fran Johnson	Voir Dire would have started when the jurors were sworn to answer the qualification questions. Can the clerk tell you when he/she swore the jurors re qualifications? If he/she swore those jurors and then they completed the hardship questionnaire, they were sworn as part of the panel. If the clerk swore the jurors after the jurors were excused for hardship, they were not part of the voir dire. But why would the judge not swear them in, don't they need to answer the financial hardship part under oath?
2	Nellie Jaime	San Bernardino: March 18 <sup>th</sup> .
3	Edwina Harper	Yolo, One of our Judges has jurors complete all requests for hardships in writing while they are sitting in the Jury Assembly Room. The judge and the attorneys review the requests before the bailiff comes up to escort jurors to the courtroom. Once the jurors arrive in the courtroom they are still sworn in first before the judge actually addresses the hardships so they are still part of the Voir Dire process.
4	Sherry Spears	Fresno - My unofficial response is I would consider voir dire to begin when the court swore in the panel prior to selection.