UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
ORLANDO DIVISION

COURT'S INSTRUCTIONS TO COUNSEL RE: JURY SELECTION (CRIMINAL)

A jury panel will be summoned by the jury administrator who will initially screen the hardships and bring any questionable cases to the Court for a final decision. There will be 40 persons brought into the Courtroom randomly selected by a computerized process. They will be seated in the jury box and adjacent areas in a randomly selected order. Names of the 40 jurors in their randomly selected order will be provided. Jury selection will proceed with those assigned numbers. Thus, if, after voir dire, there are no challenges at all, jurors nos. 1-12 on the list would be the jury and jurors nos.13 and 14 would be the alternates. The Court will begin by briefly explaining the nature of the case and then conduct a general voir dire examination using the jury questionnaire that was completed by each prospective juror. In doing so, the Court may also ask questions provided by counsel that the Court deems proper.

After completion of the voir dire examination, the Court will inquire at side bar as to any objections to the voir dire, any additional or follow up questions requested by counsel and anticipated challenges for cause so that the Court can conduct additional inquiry, if needed. The venire will then be excused and counsel will be afforded an opportunity to discuss the exercise of challenges with their client(s) or case agent. Counsel will first be asked to exercise any challenges for cause from among the entire venire. After disposing of any challenges for cause, peremptory challenges will then be exercised in an alternating manner, the first by Defendant and then by the Government.

The Defendant will be permitted up to 10 peremptory challenges and the Government 6. Initial challenges shall be directed to the first 12 prospective jurors seated in the box. If, for example, the Government excuses prospective juror no. 4, juror no. 13 will be deemed substituted in no. 4's place. If the Defendant then excuses no. 8, no. 14 will be on the jury, etc. Thus, there will always be a panel of only 12 prospective jurors under consideration at any time. Counsel will be directed to exercise peremptory challenges only as to those 12 prospective jurors. The exercise of challenges will thus continue until all challenges are exhausted or the parties both accept the jury. The Court will allow “back striking” of any juror among the 12 under consideration until both parties pass or exhaust their respective challenges. If, before exhausting its peremptory challenges, one party chooses to accept the jury as constituted and "passes," the other side may also accept the jury and jury selection will be complete. If, however, one side passes and the other side exercises a challenge, the side who passed may still exercise a challenge to the newly constituted 12 under consideration if they have one left. Once a jury of 12 has been selected using this method, the court will select 2 alternate jurors. The alternate jurors will be the next 2 jurors who have not been selected to be on the jury of 12. Each side may exercise 1 peremptory challenge to the alternate jurors, beginning with the Defendant.

Note :These procedures may be modified in multiple defendant or protracted cases.

Case No. _____

Juror # _____

Date _____

JUROR QUESTIONNAIRE IN CRIMINAL CASES - JUDGE DALTON

Please answer the following questions truthfully and correctly under penalty of perjury:

1. What is your name? _____ and date of birth? _____

2. Please describe your current employment, and past work history.

_____

_____

_____

3. What is your educational background (i.e., grade school, high school, college, etc.)?

_____

_____

4. Are you married? ___ Divorced? ___ Separated? ___ Widowed? ___ or Single ____ Please describe your spouse or partner's current and past occupation and describe his/her educational background.

_____

_____

5. Do you have any children and if so, what are their ages? If you have any adult children, describe their level of schooling and employment.

_____

_____

6. Have you served in the military? If so, please describe such service.

_____

7. Have you ever served on a jury before? If so, state how many times; the type of case; whether the trial was in state or federal court; if you reached a verdict and if you were the foreperson.

8. Briefly describe any personal hobbies and/or interests you have.

9. What newspaper and/or magazines do you read regularly? Also, do you have any favorite T.V. shows and/or websites?

10. Have you or a close family member or friend ever been accused, arrested or convicted of a crime? If so, please indicate the year, type of offense charged, and disposition.

11. Have you, a close family member or friend ever been the victim of a serious crime? If so, please indicate the nature of the crime, date and location.

12. Have you, a family member or close friend ever worked for a law enforcement agency? If so, please specify.

13. Do you participate in any organizations or groups (community, social, civic, union, religious, political)? _____ If yes, please state the name of the group and any leadership position held: