

JURY SELECTION PROCEDURES IN JUDGE BOONE'S COURTROOM

These are the General Procedures for selecting civil juries in Judge Boone's courtroom. These procedures are of general applicability only and may change based upon the nature of the case, the parties and/or the length of trial. Also, the procedures are not all inclusive and other rules may apply when it comes to the jury selection process consistent with federal law. When in doubt, inquire of the court; otherwise, the parties are assumed to know the applicable procedures. The parties are expected to discuss any jury selection issues at the pre-trial conference, motion in limine hearing or prior to the start of the selection process.

On the day of trial, the Courtroom Deputy Clerk will provide counsel with a list of venire members to be called for the trial (in alphabetical order) and a jury selection seating chart. The Court may require the parties to return the alphabetical list of venire members to the Court at the conclusion of the jury selection process.

The following are the General Procedures for selecting civil juries:

1. Judge Boone conducts the majority of the voir dire examination. Judge Boone may incorporate some of the parties proposed voir dire questions into his examination.
2. Each side is afforded fifteen (15) minutes to voir dire the jury. Strict time limits are enforced. Counsel are allowed to conduct their examination after the court concludes its examination. In a situation involving multiple parties and counsel on each side, the court will assign time prior to jury selection.
3. Judge Boone will select twenty-one (21) venire members from the audience. Seven (7) are placed in the back row of the jury box, seven (7) are placed in the front row of the jury box and seven (7) are placed in chairs in front of the jury box. **Seat Number One** is considered the seat located closest to the bench in the back row of the jury box.
4. The Court first examines the venire members. If during the course of the Court's voir dire examination, a venire member is removed for "cause" or other reason, a member of the venire audience will be selected and seated in that removed venire member's seat. After the Court completes its voir dire examination, any subsequent venire member removed for "cause" and/or other reasons will not be replaced by a member of the audience. The venire member next in line will be considered the next juror even though that venire member will not occupy the empty seat.
5. After the examination process and removal of any venire members for "cause," the Courtroom Deputy Clerk will distribute a "strike sheet," starting with plaintiff for the selection of one preemptive strike or pass. On the sheet, each counsel will list the last name and number of the venire member the party wishes to exercise their preemptive strike. The Courtroom Deputy Clerk will then pass the "strike sheet" to the defendant and back and forth between the parties until the preemptive strike process is complete. The Court will then "thank and excuse" the stricken jurors. The Court will not indicate who struck a particular venire member.

6. A “pass” is not considered a preemptive strike.
7. **Two passes** in a row constitute an acceptance of the panel.
8. Once all preemptive strikes have been exercised or two passes in a row occur, then the first eight jurors will constitute the jury.
9. In determining who is “on” the jury, the first eight (8) jurors beginning from Seat One (seat located in back row closest to the bench) to the 8th venire member (moving right from Seat One to end of row and then to next row starting on left [again closest to bench]) is the jury.
10. Any motion about the make-up of the potential jury and/or to strike the venire member juror should be made before the court removes any venire member, otherwise the court will consider the request waived. In making this request, counsel must simply state that “I wish to make a motion” and the Court will hear argument of counsel outside the presence of the venire members.