

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

United States District Court
Northern District of California

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

JULIE SU,
Plaintiff,
v.
SIEMENS INDUSTRY, INC.,
Defendant.

Case No. 12-cv-03743-JST

**ORDER DENYING REQUEST FOR
WRITTEN JURY QUESTIONNAIRE**

Re: Dkt. No. 113

Jury selection in this case is scheduled to begin on August 17, 2015. The parties have jointly requested that the Court use a written questionnaire as part of jury selection, in addition to oral voir dire. ECF No. 113.

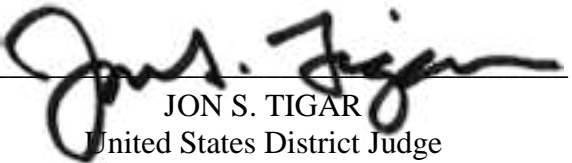
The Court has wide discretion to determine the appropriate method of selecting a jury in an individual case. Written juror questionnaires are particularly useful where “lengthy voir dire may be necessary, many prospective jurors are likely to be ineligible, an anonymous jury procedure is used, questions regarding extensive pretrial publicity carry a serious risk of prejudicing potential jurors, or the case directly implicates sensitive, personal, moral or religious issues.” United States v. Jackson, 863 F. Supp. 1449, 1459 (D. Kan. 1994). On the other hand, a written questionnaire is not essential in all cases. Where few or none of the foregoing considerations are present, the Court may reasonably conclude that the additional time and expense associated with a questionnaire outweigh the benefits to the parties, counsel, and the Court. “The variety of options available to the District Judge to identify actual prejudice provides sufficient assurance to the Court that a written jury questionnaire, although a potentially helpful guide, is not a necessary tool to ensure an impartial jury.” United States v. Kaplan, No. 2:13-CR-00377-GMN, 2014 WL 3366442, at *8 (D. Nev. July 8, 2014).

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

In this case, in which it seems likely that the trial can be concluded in two weeks of jury time and the jury can be selected in one day, and in which the issues involved are neither complex nor particularly sensitive, the Court concludes that a questionnaire is unnecessary. Accordingly, oral voir dire will proceed on August 17 according to the guidelines set forth at the pretrial conference conducted on July 10.

IT IS SO ORDERED.

Dated: July 27, 2015



JON S. TIGAR
United States District Judge