

Voir Dire Questions

10-cv-313-slc

1. Statement of the case. Plaintiff Lamont Walker is a prisoner at the Columbia Correctional Institution in Portage, Wisconsin. Defendants Ryan Armson and James Kottka are correctional officers at the prison. Plaintiff contends that [on July 7, 2009] he asked the defendants for his asthma inhaler when he was having breathing problems but that they refused to give it to him. Each defendant denies that Walker asked for his inhaler or that he was having trouble breathing. Both officers claim that they would have given plaintiff his inhaler if he had asked for it.
2. Have any of you heard of this case before today? Would this affect your ability to serve as an impartial juror in this case?
3. The trial of this case will continue today after we pick the jury, will last the rest of the day and might continue into tomorrow morning. Is there any one of you who would be actually unable to serve as a juror during this time?
4. Ask plaintiff to stand and introduce himself to the jury. Ask whether anyone knows the plaintiff.
5. Ask the assistant attorneys general to introduce themselves and the defendants. Ask whether anyone knows any of the lawyers or the defendants.
6. Do any of you have strong opinions, positive or negative, about the Wisconsin Department of Justice or the Wisconsin Attorney General?
7. Question to each prospective juror.

Name, age, and city or town of residence.

Marital status and number of children, if any.

Current occupation (former if retired).

Current (or former) occupation of your spouse or domestic partner and any adult children.

Any military service, including branch, rank and approximate date of discharge.

How far you went in school and major areas of study, if any.

Memberships in any groups or organizations.

Hobbies and leisure-time activities.

Favorite magazines, newspapers or other reading material.

Favorite types of television shows.

Websites you visit on a daily or weekly basis for work or leisure.

8. Do any of you know any of the other people in the jury box?
9. Do any of you, members of your family, or your close friends have asthma? Do you/they have or use an inhaler? Have you ever experienced or witnessed an asthma attack?
10. Have any of you, a relative or a close friend ever been incarcerated in a jail or prison? If so, please explain.
11. Have any of you ever visited a jail or prison?
12. Have any of you, a spouse or family member, or close friend ever worked in a jail or prison? Please explain.
13. Do any of you believe that prisoners or criminals should not be able to file lawsuits or receive money damages if or when their constitutional rights are violated?
14. Have any of you, a spouse or family member, or close friend ever been employed by or volunteered in any type of criminal defense work, at a public defender's office, a Legal Aid office, or with any type of support or advocacy group for those charged or convicted of crimes?
15. Have any of you or your immediate family members ever worked for the State of Wisconsin?
16. Have any of you had a negative experience with a state employee or law enforcement officer that would affect your ability to be impartial in this case?
17. Would any of you judge the credibility of a witness who is a law enforcement or correctional officer differently from other witnesses simply because of his or her position?
18. Would any of you judge the credibility of a witness who is an inmate differently

from other witnesses simply because he was an inmate?

19. Have any of you ever been a party to a lawsuit?

Have any of you ever been a witness in a lawsuit?

How many of you have served previously on a jury? Tell us when, where, the type of case, the verdict and whether you were the foreperson.

20. At the end of the case I will give you instructions that will govern your deliberations. You are required to follow those instructions, even if you do not agree with them. Is there any one of you who would be unable or unwilling to follow the instructions?
21. Do any of you have opinions, whether positive or negative, about people who go to court to obtain relief for wrongs they believe they have suffered?
22. Do you know of any reason whatsoever why you could not sit as a trial juror with absolute impartiality to all the parties in this case?

JUROR BACKGROUND INFORMATION

When asked to do so, please stand and provide this information about yourself:

Name, age, and city or town of residence.

Marital status and number of children, if any.

Current occupation (former if retired).

Current (or former) occupation of your spouse or domestic partner and any adult children.

Any military service, including branch, rank and approximate date of discharge.

How far you went in school and major areas of study, if any.

Memberships in any groups or organizations.

Hobbies and leisure-time activities.

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