

Voir Dire Questions
Case No. 09-cv-528-slc

1. Statement of the case. In this case the Equal Employment Opportunity Commission, also known as EEOC, claims that JPMorgan Chase Bank, also called Chase or Chase Bank, illegally discriminated against Lisa McCurty when it failed to promote her from her teller position at the bank's Monona Branch to a Sales and Service Associate position because she was African-American, or because she was pregnant, or because she was a pregnant African-American woman. Chase denies that it violated McCurty's rights and asserts that its decision not to promote her was a business decision that was not based on her race or pregnancy.

Have any of you heard of this case before today? [Sidebar] Would your ability to serve impartially as a juror be affected by what you have heard?

Is there anything about the nature of this case that would affect your ability to be fair to both sides? [sidebar]

2. The trial of this case will begin today and is will last three days, through this Wednesday. Would any of you be *unable* to serve as a juror during this time?
3. Ask counsel to stand and tell the jury where they practice and with whom. Ask whether anyone knows or has worked with the attorneys, law firm, or agency.
4. *[Have plaintiff's counsel briefly explain the work of the EEOC and where it operates.]* Have any of you, your relatives or close friends ever worked for or had any interaction with the EEOC? Do any of you have any opinions about the EEOC or its work that would affect your ability to be fair in a lawsuit alleging employment discrimination? [Sidebar]
5. *[Have Chase's counsel identify the nature of its business, its major subsidiaries or its parent corporation, and where it conducts business.]* Have any of you, your relatives or close friends ever worked for, or had a banking or business relationship with Chase Bank?
6. Do any of you have any opinions or feelings about Chase Bank in specific, or about banks in general that would affect your ability to be fair in a lawsuit alleging employment discrimination by a bank? [Sidebar]
7. The following people might be called as witnesses in this case or referred to in this case. Please raise your hand if you know any of these people:

Steve Abraham
Chantel Adams
Adam Baker
Sherry Dunford
Ronald Fillon

Nancy Franke
Raul "Tres" Garza
Bernadette Hopkins
Fred Landsiedel
Kerri Maksen

Lisa McCurty
Mary Ann McKilligan
Serina Mitchner
Evan Wing
Jeremy Young

8. Questions to each prospective juror:

Please stand up and tell us 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 partner and any adult children.

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

Level of education, and major areas of study, if any.

Memberships in any groups or organizations.

Hobbies and leisure-time activities.

Favorite types of reading material, including newspapers and magazines you read and any book you are currently reading.

Favorite types of television shows.

Whether you regularly listen to talk radio, and if so, to which programs.

Whether you regularly use the internet to visit sites other than e-mail or personal business, and if so, what types of sites you visit most often.

9. Do any of you know any of the other persons on the jury panel?

10. Other than what you already have told us, have you or any family member or close friend been employed at a bank?

11. Have any of you ever applied for a job with a bank or in the banking industry? What happened? Would this affect your ability to be fair to both sides in this lawsuit?

12. Have any of you ever had any negative experience with a bank beyond the routine irritations that are part of dealing with any business? Would this affect your ability to be fair to both sides in this lawsuit.

13. Have any of you, family members or close friends ever made a claim under Title VII, the Civil Rights Act, the Americans With Disabilities Act or any other anti-discrimination law?
14. Do any of you believe that you or any of your close friends or family have been the victim of discrimination in the workplace because of your age, gender, race, religion or disability? If yes, please explain.
15. How many of you have worked outside the home while pregnant? Would anything about this affect your ability to be fair to both sides here?
16. How many of you have worked with a pregnant woman as her coworker or boss? Would anything about this affect your ability to be fair to both sides in this case?
17. Do any of you have opinions or feelings, whether positive or negative, about working women who are pregnant, that would affect your ability to be fair to both sides in this case?
18. Do any of you have opinions or feelings, whether positive or negative, about woman workers who claim pregnancy discrimination at work?
19. How many of you ever worked with an African American as a coworker or boss? Was there anything about this that would affect your ability to be fair to both sides in this lawsuit?
20. Have any of you ever had a negative encounter or experience with an African American that would affect your ability to be fair to both sides in this lawsuit?
21. Do any of you have opinions or feelings, whether positive or negative, about African Americans who claim racial discrimination at work?
22. Do any of you have opinions or feelings, whether positive or negative, about African Americans who claim racial discrimination?
23. Have any of you ever been responsible for hiring, promoting or firing employees?
24. Have you or any family member or close friend been employed in a human resources position or other position that involved administering or applying anti-discrimination laws?
25. Have you ever held a supervisory position at work? If yes, did you supervise any employees who were African American or who were pregnant?
26. Have you ever owned a business? If yes, have you ever had a complaint filed against you by an employee of the business in relation to employment?

27. Have you or any family member or close friend ever been a defendant in a claim or lawsuit filed by an employee? If yes, please explain.
28. Have any of you ever applied for a promotion at work and been denied the promotion? Would this affect your ability to be fair to both sides in this lawsuit?
29. Have you or any family member or close friend ever filed a lawsuit or grievance against your employer, supervisor, management, or another employee? If yes, please explain.
30. Prior experience with court proceedings:
 - a. Have any of you ever been a party to a lawsuit?
 - b. Have any of you ever been a witness in a lawsuit?
 - c. How many of you have served previously on a jury? Please tell us in what court, when, the type of case, the outcome, and whether you were foreperson.
31. At the end of the case I will give you instructions on the law that will govern your deliberations. As a juror, you are required to follow those instructions, even if you do not agree with them. Would any of you be unable or unwilling to follow the law given to you by the court?
32. Do any of you know of any reason whatsoever why you could not sit as a trial juror with absolute fairness and impartiality to all the parties in this case?

JUROR QUESTIONNAIRE

When asked to do so by the court, please stand and provide the following information:

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 partner and any adult children.

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

Level of education, and major areas of study, if any.

Memberships in any groups or organizations.

Hobbies and leisure-time activities.

Favorite types of reading material, including newspapers and magazines you read and any book you are currently reading.

Favorite types of television shows.

Whether you regularly listen to talk radio, and if so, to which programs.

Whether you regularly use the internet to visit sites other than e-mail or personal business, and if so, what types of sites you visit most often.