

Voir Dire Questions

10-cv-598-slc

1. Statement of the case. Plaintiff Raymond Shaw is a prisoner at the Columbia Correctional Institution in Portage, Wisconsin. Defendant Steve Helgerson was a nurse at the institution and defendant Lori Alsum was the manager of the prison's Health Services Unit. Plaintiff contends that between December 11, 2008 and February 23, 2009, he asked the defendants for treatment for his knee pain but they refused to give it to him. Defendants deny that Shaw had a serious medical need and deny that they failed to reasonably respond to his request for treatment.
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? Is there anything about the nature of this lawsuit that would prevent you from serving as an impartial juror?
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. Would the fact the plaintiff happens to be an inmate complaining about medical treatment at a correctional institution prevent any of you from serving as a fair juror in this case?
5. Ask the assistant attorney(s) 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, J.B. Van Hollen? Would this affect your ability to be a fair juror in this case?
7. Question to each prospective juror.

Name, age, and city or town of residence.

Marital or partnership 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 from before today?
9. Have any of you, members of your family, or your close friends received treatment for a knee injury?
10. Have any of you, a family member, or close friend ever worked in the health care field?
11. Do any of you believe that prisoners are somehow the victims of society and do not deserve confinement for the crimes they commit?
12. Do any of you believe that taxpayers should not pay for basic medical treatment for incarcerated persons?
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 relative or a close friend ever been incarcerated in a jail or prison? If so, please explain. [*sidebar*]
15. Have any of you ever visited a jail or prison?
16. Have any of you, a spouse or family member, or close friend ever worked in a jail or prison?
17. Have any of you or your immediate family members ever worked for the State of Wisconsin?
18. 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?

19. Have any of you, or members of your family or close friends ever worked for 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?
20. 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?
21. Would any of you judge the credibility of a witness who is an inmate differently from other witnesses simply because he was an inmate?
22. 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.

23. 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?
24. 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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