

## **Voir Dire / Jury Selection**

Thomas J. Hurney, Jr. and Randal H. Sellers, 75 Def. Couns. J. 370 (2008), Feature Article PICKING JURIES: QUESTIONNAIRES AND BEYOND

Bobby Marzine Harges, 54 Loy. L. Rev. 95 (2008), Article PEREMPTORY CHALLENGES IN JURY SELECTION IN LOUISIANA—WHEN “GUT FEELING” IS NOT ENOUGH

Shari Seidman Diamond and Mary R. Rose, 42 Law & Soc'y Rev. 513 (2008), Article JUDGING BIAS: JUROR CONFIDENCE AND JUDICIAL RULINGS ON CHALLENGES FOR CAUSE

Brooke A. Thompson, 30 U. Ark. Little Rock L. Rev. 845 (2008), The Ben J. Altheimer Symposium CRIMINAL LAW—THE SUPREME COURT EXPANDS THE WITT PRINCIPLES TO EXCLUDE A JUROR WHO WOULD FOLLOW THE LAW. UTTECHT v. BROWN, 127 S. CT. 2218 (2007)

Joseph Brooks, 27 Trial Advoc. Q. 14 (Summer 2008), MYTHS AND REALITIES OF JURY SELECTION: SOME PRACTICAL CONSIDERATIONS

Stephen M. Masterson, 27 Trial Advoc. Q. 7 (Summer 2008), “WITHOUT MEAT, DRINK, FIRE OF CANDLE”: WHAT ARE THE LIMITS ON VOIR DIRE AND JURY DELIBERATIONS?

Chris O'Brien, 44 Trial 36 (August 2008), Feature CONNECTING WITH PROSPECTIVE JURORS

David Kennedy, 41 Md. B.J.34 (July/August 2008), Feature JURY VOIR DIRE

R. Rex Parris and James Wren, 44 Trial 19 (March 2008), Motivating Jurors REACH JURORS ACROSS THE GENERATIONS Recognizing the Effects of Life Experiences Will Help You Segment a Jury Pool Into Groups Whose Values and Prejudices you Can Accommodate

Catherine M. Castaldi, 50 Orange County Law. 7 (March 2008), Column THE BLOGGING JUROR—WHY YOU NEED TO KNOW ABOUT BLOGS

Penelope Pillsbury Campbell, 20 DCBA Brief 16 (Jan. 2008), Lead Article CRIMINAL BACKGROUND CHECKS OF PROSPECTIVE JURORS: A NECESSITY OR AN INTRUSION?

Gary R. Giewat, 34 Westchester B.J. 61 (2007), THE USE OF ZIP CODE DATA IN JURY SELECTION

Jo-Ellan Dimitrius, 25 Comm. Law. 17 (Fall 2007), Practice Pointer SPOTTING THE STEALTH JUROR

William P. Barnette, 84 U. Det. Mercy L. Rev. 451 (2007), Comment MA, MA, WHERE'S MY PA? ON YOUR JURY, HA, HA, HA! A CONSTITUTIONAL ANALYSIS OF IMPLIED BIAS CHALLENGES FOR CAUSE

Jeffrey J. Swart and Daniel C. Norris, 23 Ga. St. U. L. Rev. 617 (2007), Article PRACTITIONER'S NOTE JURY SELECTION: WHOSE JOB IS IT ANYWAY?

Joseph A. Colquit, 40 Conn. L. Rev. 1 (2007), Article USING JURY QUESTIONNAIRES; (AB)USING JURORS

Joel D. Lieberman and Bruce D. Sales, SCIENTIFIC JURY SELECTION (American Psychological Association Books, 2007, [Http://Books.apa.org](http://Books.apa.org))

Richard M. Goehler, 25 Comm. Law. 37 (Spring 2007), Practice Pointers WEEDING OUT THE TOXIC JUROR

Roger Enriquez and John W. Clark, 13 Tex. Hisp. J.L. & Pol'y 25 (2007), Article THE SOCIAL PSYCHOLOGY OF PEREMPTORY CHALLENGES : AN EXAMINATION OF LATINO JURORS

Marc S. Raspanti and Michael A. Morse, 31 Champion 32 (October 2007), Feature WHY ISN'T EVERY WHITE COLLAR DEFENSE LAWYER USING A JURY QUESTIONNAIRE?

Gary R. Giewat, 34 Westchester B.J. 49 (2007), SYSTEMATIC JURY SELECTION AND THE SUPPLEMENTAL JUROR QUESTIONNAIRE AS A MEANS FOR MAXIMIZING VOIR DIRE EFFECTIVENESS

Andje Morovich, 37 Golden Gate U. L. Rev. 657 (2007), Case Summary VOIR DIRE RACIAL DISCRIMINATION UNDER A "COMPARATIVE JUROR ANALYSIS" IN KESSER V. CAMBRA

Frank P. Andreano, 95 Ill. B.J. 474 (2007), Article VOIR DIRE: NEW RESEARCH CHALLENGES OLD ASSUMPTIONS Research Shows That 1) Judge-Directed Voir Dire Can be Less Revealing of Juror Prejudice Than Lawyer Questioning and 2) Attitudes Toward Hot-Button Issues Like Tort Reform are Better Predictors of Juror Bias Than Race, Class, and Other Demographic Factors

James H. Barrett, 30 Wyo. Law. 28 (April 2007), Feature BRING JURORS INTO THE PROCESS THROUGH VOIR DIRE

David Baum, 43 Trial 79 (May 2007), Department QUESTION POTENTIAL JURORS WITH A PLAN

Craig T. Enoch and David F. Johnson, 39 Tex. Tech L. Rev. 229 (2007), Article NARROWING THE ABILITY TO STRIKE JURORS: THE TEXAS SUPREME COURT ADDRESSES IMPORTANT VOIR DIRE ISSUES

Anthony D. Foti, 51 Vill. L. Rev. 1057 (2006), Third Circuit Review COULD JESUS SERVE ON A JURY? NOT IN THE THIRD CIRCUIT: RELIGION-BASED PEREMPTORY CHALLENGES IN UNITED STATES V. DEJESUS AND BRONSHTEIN V. HORN

Marvin L. Longabaugh, 13 Rich. J.L. & Tech. 6 (2006), Articles THE Z-TEST FOR PERCENTAGES: A STATISTICAL TOOL TO DETECT PRETEXTUALLY NEUTRAL JUROR CHALLENGES

Ted A. Donner, 19 D.C. Bar Brief 10 (November 2006), Lead Article SUPREME COURT REVISITS USE OF PEREMPTORY CHALLENGES IN JURY SELECTION

Phylis Skloot Bamberger, 78 N.Y. St. B.J. 24 (October 2006), JUROR VOIR DIRE IN CRIMINAL CASES

Howard M. Snyder, 43 Ariz. Att'y 12 (October 2006), Feature TIME WARP How Arbitrary Voir Dire Limits Harm the Jury System

Helen W. Gunnarsson, 94 Ill. B.J. 278 (June 2006), Practice News BACKGROUND CHECKS FOR JURORS? A Federal Judge and Some State's Attorneys Offer Their Varying Viewpoints about How Far to Go to Determine whether Prospective Jurors are Coming Clean

Molly McDonough, 22 A.B.A. J. E-Report 3 (June 2, 2006), The National Pulse NO MORE EXCUSES Indiana Among Several States to Cut Jury Duty Exemptions

Edward H. Moore, Winter 2006 ATLA-CLE 493 (2006), ATLA Winter Convention Reference Materials Track II: Keeping Our Roads Safe: Litigating Motor Vehicle and Interstate Trucking Cases JURY SELECTION IN A VEHICLE COLLISION CASE: AUTOMOBILE, TRUCKING

Lauren V. Rousseau, 3 Rutgers J. L. & Urb. Pol'y 287 (2006), Urban Privacy Right PRIVACY AND JURY SELECTION : DOES THE CONSTITUTION PROTECT PROSPECTIVE JURORS FROM PERSONALLY INTRUSIVE VOIR DIRE QUESTIONS?

J. Shontavia Jackson, 59 Ark. L. Rev. 93 (2006), Comment PEREMPTORY CHALLENGE: STRIKING DOWN DISCRIMINATION IN ARKANSAS'S JURY SELECTION PROCESS

Devon Knowles, 37 Colum. Hum. Rts. L. Rev. 235 (2005), Note FROM CHICKEN TO CHIGNIK: THE SEARCH FOR JURY IMPARTIALITY IN RURAL ALASKA NATIVE COMMUNITIES

Robert W. Gurry, 18 Regent U. L. Rev. 91 (2005-2006), Article THE JURY IS OUT: THE URGENT NEED FOR A NEW APPROACH IN DECIDING WHEN RELIGION-BASED PEREMPTORY STRIKES VIOLATE THE FIRST AND FOURTEENTH AMENDMENTS

Ron Spears, 93 Ill. B.J. 594 (Nov. 2005), Column THINKING OUTSIDE THE ROASTING PAN ABOUT PEREMPTORIES When You Exercise Peremptory Challenges, Are You Relying on Stereotypes about Jury Behavior? If So, You're Doing Your Client a Diservice

Hillel Y. Levin and John W. Emerson, 38 Conn. L. Rev. 325 (2006), Article IS THERE A BIAS AGAINST EDUCATION IN THE JURY SELECTION PROCESS?

Lisa Blue, Robert Hirschborn, and Macy Jagers, 47 S. Tex. L. Rev. 343 (2005), Judge & Jury Symposium PROFILE OF A PERFECT JUROR

Nancy S. Marder, 74 Fordham L. Rev. 1683 (2006), Symposium JUSTICE STEVENS, THE PEREMPTORY CHALLENGE, AND THE JURY Jim M. Perdue, Sr., 41 Trial 54 (July 2005), Trial Technique TIPS FOR WEEDING OUT JUROR BIAS

Lin S. Lilly, 41 Trial 64 (July 2005), Trial Technique LET JURORS SPEAK THE TRUTH, IN WRITING Some jurors aren't fully candid during oral voir dire. When you hand them a supplemental juror questionnaire and a pen, many will feel free to open up

John Gibeaut, 4 A.B.A. J. E-Report 1 (June 17, 2005), The National Pulse JUSTICES CRITICIZE JURY SELECTION BIAS AGAIN Supreme Court Sends Back Texas Capital Case for Retrial

Catherine Stehlin, 12 Vill. Sports & Ent. L.J. 297 (2005), Casenote IS OPEN VOIR DIRE "A GOOD THING"? ABC, INC. V. MARTHA STEWART: THE SECOND CIRCUIT'S INTERPRETATION OF FIRST AMENDMENT RIGHTS DURING JURY SELECTION IN HIGH-PROFILE CELEBRITY TRIALS

Richard Watson, 41 Trial 72 (Oct. 2005), Department TEST JUROR VIEWS ON JUDICIAL SYSTEM

J. O'Toole, 153 Pittsburgh Legal J. 213 (2005), Opinion COMMONWEALTH OF PENNSYLVANIA V. DAVID WONTAE FITZGERALD Search of Parolee's Residence—Jury Selection—Sequestration of Witness

Hon. Ron Spears, 93 Ill. B.J. 420 (Aug. 2005), Column JURY DESELECTION You Don't Pick Who Serves on Your Jury—You Pick Who Doesn't

Todd B. Seelig 34 Brief Summer 10, (2005), Book Review BLUE'S GUIDE TO JURY SELECTION

Arthur L. Burnett, Sr., 20 Crim. Just. 26 (2005), Feature ABOLISH PEREMPTORY CHALLENGES Reform Juries to Promote Impartiality

Rachel Hartje, 41 Cal. W. L. Rev. 479 (2005), Comments A JURY OF YOUR PEERS?: HOW JURY CONSULTING MAY ACTUALLY HELP TRAIL LAWYERS RESOLVE CONSTITUTIONAL LIMITATIONS IMPOSED ON THE SELECTION OF JURIES.

Shannon L. Bell, 74 J. Kan. B. Assoc. 12 (Mar. 2005), Regular Feature JURY SELECTION FROM A JUROR'S PERSPECTIVE.

Robert Trager, Sandra Moriarty, Tom Duncan, 83 Neb. L. Rev. 685 (2005), Article SELLING INFLUENCE: USING ADVERTISING TO PREJUDICE THE JURY POOL.

Jonathon Poole, 21 Ga. St. U. L. Rev. 36 (2004), Court JURIES: PROVIDE THE STATE AND THE ACCUSED WITH THE SAME NUMBER OF PEREMPTORY CHALLENGES IN MISDEMEANOR, FELONY, AND DEATH PENALTY CASES AND IN CHALLENGING ALTERNATIVE JURORS; PROVIDE THE MANNER IN WHICH PEREMPTORY CHALLENGES ARE MADE; CHANGE THE SIZE OF THE JURY PANEL IN FELONY AND DEATH PENALTY CASES; PROVIDE THE STATE WITH AN EQUAL NUMBER OF ADDITIONAL PEREMPTORY CHALLENGES IN TRIALS FOR JOINTLY INDICTED DEFENDANTS; PROVIDE AN EXEMPTION FROM JURY DUTY FOR A PRIMARY CAREGIVER OF A CHILD WHO IS FOUR YEARS OF AGE OR YOUNGER; PROVIDE AN EXEMPTION FROM JURY DUTY FOR A PRIMARY TEACHER OF CHILDREN IN A HOME STUDY PROGRAM; AND FOR OTHER PURPOSES.

Rebecca Porter, 41 Trial 79 (March 2005), News and Trend JURORS CAN'T BE REJECTED FOR RELIGIOUS APPEARANCE, NEW JERSEY COURT RULES

Phoebe Haddon, 13 Temple Pol. & Civ. Rts. L. Rev. (2004), Symposium DOES GRUTTER OFFER COURTS AN OPPORTUNITY TO CONSIDER RACE IN JURY SELECTION AND DECISIONS RELATED TO PROMOTING FAIRNESS IN THE DELIBERATION PROCESS?

Antony Page, 85 B.U. L. Rev. 155 (2005), Articles BATSON'S BLIND-SPOT: UNCONSCIOUS STEREOTYPING AND THE PEREMPTORY CHALLENGE

Lisa Blue, Robert Hirschhorn & Macy Jagers, 28 Champion 28 (Dec. 2004), HOW TO PICK A WINNING JURY: OPENING THE LINES OF COMMUNICATION IN VOIR DIRE.

Howard K. K. Luke, 8 Ha. Bar J. 7 (Oct. 2004), SOME THOUGHTS CONCERNING JURY SELECTION IN A CRIMINAL CASE

Lisa Blue and Robert Hirschhorn, 40 Trial 78 (2004), MAKE THE MOST OF YOUR JURY QUESTIONNAIRE

Christopher A. Cosper, 37 Ga. L. Rev. 1471 (2003), Note REHABILITATION OF THE JUROR REHABILITATION DOCTRINE

Jerry Buchmeyer, 66 Tex. B.J. 631 (2003), Department THE POTENTIAL JUROR

Walter F. Becker, Jr., 50 La. B.J. 426 (2003), Theme HOW TO USE A JURY CONSULTANT: A GUIDE FOR TRIAL ATTORNEYS

Peter J. Richards, 26 Seattle U. L. Rev. 445 (2003), Canary in the Coal Mine: The Importance of the Trial Jury THE DISCREET CHARM OF THE MIXED JURY: THE EPISTEMOLOGY OF JURY SELECTION AND THE PERILS OF POST-MODERNISM

Valerie P. Hans and Alayna Jehle, 78 Chi.-Kent L. Rev. 1179 (2003), Symposium: The Jury at a Crossroad: The American Experience AVOID BALD MEN AND PEOPLE WITH GREEN SOCKS? OTHER WAYS TO IMPROVE THE VOIR DIRE PROCESS IN JURY SELECTION

John R. Gillespie, 54 Baylor L. Rev. 581 (2002), Article FEAR OF COMMITMENT? IN STANDEFER V. STATE THE TEXAS COURT OF CRIMINAL APPEALS CLARIFIES THE ROLE OF COMMITMENT QUESTIONS IN JURY SELECTION IN CRIMINAL TRIALS

Don Rogers, 40 Hous. Law. 38 (Oct. 2002), Department NEW JURY VOIR DIRE RESTRICTIONS FROM THE COURT OF CRIMINAL APPEALS

Steven M. Richman, 216 N.J. Law. 50 (Aug. 2002), Department STACK AND SWAY: THE NEW SCIENCE OF JURY CONSULTING

Marvin L. Karp, 31 Brief 12 (Summer 2002), JURY SELECTION IN CATASTROPHE CASES

Carol McKay, 49 Fed. Law. 14 (July 2002), Department JUROR SELECTION: DO YOUR HOMEWORK

David D. Neiser, 76 Fla. B.J. 42 (April 2002), Column AN OVERVIEW OF CURRENT LAW IMPACTING JURY SELECTION IN CIVIL CASES

Kathleen Wright, 53 Mercer L. Rev. 929 (2002), Casenote FRIENDS AND FOES IN THE JURY BOX: WALLS V. KIM AND THE MISSION TO STOP IMPROPER JUROR REHABILITATION

John P. Marks, 55 Ark. L. Rev. 613 (2002), Case Note BADER V. STATE: THE ARKANSAS SUPREME COURT RESTRICTS THE ROLE RELIGION MAY PLAY IN JURY SELECTION

Heath R. Patterson, 35 Prosecutor 29 (Dec. 2001), Feature JURY SELECTION: PROSECUTION'S FINAL FRONTIER

William T. Pizzi, 38 Am. Crim. L. Rev. 1391 (2001), Article JURY SELECTION ERRORS ON APPEAL

Mark R. Kosieradzki, 37 Trial 65 (Oct. 2001), Feature VOIR DIRE IN THE AGE OF JUROR BIAS

Cynthia R. Cohen, 68 Def. Couns. J. 348 (2001), Feature Article EFFECTIVE DEFENSE VOIR DIRE: MAKING SENSE OF JURORS' EXPERIENCES

Rosalyn Richter, 73 N.Y. St. B.J. 19 (June 2001), JURY REFORM HAS CHANGED VOIR DIRE, BUT MORE EXPLORATION IS NEEDED INTO THE TYPES OF QUESTIONS ASKED

Gillian Drake, 34 Md. B.J. 18 (April 2001), Feature DESELECTING JURORS LIKE THE PROS

Jennifer C. Ball, 58 Bench & B. Minn. 27 (March 2001), Feature THE JURY MAY BE SEATED STRATEGIES FOR CONDUCTING LOW-COST JURY RESEARCH

Jennifer Stewart McGeorge, 32 McGeorge L. Rev. 771 (2001), CHAPTER 43 BANS DISCRIMINATION IN JURY SELECTION BASED ON SEXUAL ORIENTATION: WILL IT REALLY PREVENT ATTORNEYS FROM EXCUSING UNWANTED PROSPECTIVE JURORS?

Stephanie Leonard Yarbrough, 54 SMU L. Rev. 1885 (2001), Article THE JURY CONSULTANT--FRIEND OR FOE OF JUSTICE

Ashley Newsom, 52 Fla. L. Rev. 1039 (2000), Casenote PRETRIAL PUBLICITY AND INDIVIDUAL VOIR DIRE: WHAT HAS THE FLORIDA SUPREME COURT DONE TO THE JURY SELECTION PROCESS?

Karen L. Lugosi, 36 Trial 95 (Dec. 2000), Department DEAL OPENLY WITH RACE IN JURY SELECTION

James W. Mehaffy, 63 Tex. B.J. 878 (2000), Feature A FEW TIPS ON JURY SELECTION A View from the Bench

Janeen Kerper, 24 Am. J. Trial Advoc. 1 (2000), Trial Technique THE ART AND ETHICS OF JURY SELECTION

William S. Neilson, 20 Int'l Rev. L. & Econ. 223 (2000), BIAS AND THE ECONOMICS OF JURY SELECTION

Robert Gordon, 36 Trial 64 (June 2000), Law Office Management TRIAL RESEARCH IN THE AGE OF TECHNOLOGY

James W. McElhaney, 67 Tenn. L. Rev. 517 (2000), Symposium: Communicating with Juries PICKING A JURY: WHO ARE YOU TALKING TO?