

Criminal Jury Selection Procedures

In federal misdemeanor cases, only defendants charged with a Class A misdemeanor are entitled to a jury trial.

Five days before trial, counsel should submit a list of proposed voir dire questions. At trial, the Court will assign jurors random numbers and seat the jurors with the lowest numbers in the jury box. The remaining jurors are seated in the audience section in numerical order. The Court will have counsel make introductions, describe the case to all jurors, and read the witness lists. The Court will also screen for hardship, and familiarity with the case and witnesses. The Court normally will allow counsel to question the jurors subject to time limits the Court has set.

The Court generally hears challenges for cause outside the presence of the jury. Each side is normally granted three peremptory challenges. The United States will note the first peremptory challenge on a form provided by the Court. The United States will then pass the form to defendant to note a peremptory challenge. The form will be passed back and forth until all peremptory challenges have been exercised. The form is then signed and given to the clerk. The Court will then excuse the challenged jurors. The jurors in numerical order seated on the benches will fill the vacated seats of the jurors who were excused in the jury box.