JUROR QUESTIONNAIRE FOR CRIMINAL CASES

Form JURY-002 (Optional Form)

Code of Civil Procedure section 205(c)–(e)

Sec. 1. Statutory Authority

This Juror Questionnaire has been drafted under the authority of Code of Civil Procedure section 205(c)–(e) and is intended to expedite jury selection. It is not intended to alter statutes or rules governing the authority of the court or the role of counsel during voir dire.

Sec. 2. Use Notes for Courts

A. General

This Juror Questionnaire is an **optional form** and is **NOT** intended to constitute the complete examination of prospective jurors. **The utility and appropriateness of this questionnaire to a particular case is at the discretion of the judge.** Particular kinds of cases may require that this questionnaire be altered or augmented with the participation of counsel.

B. Pre–Voir Dire Conference

Rule of court 4.200 requires that the court confer with counsel about voir dire before a jury panel is called. At this conference, the court may establish (1) guidelines for the use of the Juror Questionnaire, (2) any supplemental questions to be propounded to the panel by questionnaire, (3) the extent of the court's oral inquiry of the panel, and (4) the extent of oral questioning by counsel. Arrangements for duplication of completed questionnaires should be confirmed.

C. Introduction of Questionnaire to Prospective Jurors

It is suggested that the Juror Questionnaire be used after the court has given its customary introductory remarks and any additional instructions that the court deems appropriate. The court also may wish to tell the panel members that a questionnaire will be used, encourage complete answers, and remind them that their answers will be given under penalty of perjury. In introducing the questionnaire, the court should instruct prospective jurors how to proceed if they have difficulty reading or filling out the form.

It is not recommended that the court direct the jury commissioner to give the Juror Questionnaire to prospective jurors in the jury assembly room. This procedure ordinarily will mean that jurors are not given complete instructions about the type of case they will hear or the identity of participants and witnesses. In addition, jurors who fill out the form before appearing in the trial court may not clearly understand that their answers are given under penalty of perjury. For these reasons, and to avoid the need to have jurors fill out supplemental questionnaires once they have been sent to the trial court, it is strongly recommended that the Juror Questionnaire be used in the trial court setting.

JUROR QUESTIONNAIRE FOR CRIMINAL CASES

Introduction and Instructions

Thank you for coming to court as a potential juror. Before the case can start, a jury must be selected. The judge and the parties need to know information about you and people you know in order to select jurors who can be fair to both sides.

Everyone has attitudes and opinions that are shaped by their life experiences. Sometimes these experiences can make it difficult to look at a certain issue in an unbiased and unemotional way. As a juror, you must return a verdict based on the law and on the facts proved in court. The judge will give you instructions on the law and on how you should go about deciding the case. You must listen to and follow the judge's instructions.

The questions on this form are designed to help the court and the lawyers learn something about your background and your views on issues that may be related to this case. The questions are asked not to invade your privacy but to make sure that you can be a fair and impartial juror.

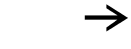
In portions of this form, you will see the term “person with whom you share a significant personal relationship.” That term means a current or former spouse, domestic partner, life partner, or anyone with whom you have an influential or intimate relationship that you would characterize as important.

As you answer the questions that follow, please keep in mind that there are no “right” or “wrong” answers. The only right answer is one that reflects how you honestly feel. Please make sure your answers are as complete as possible. Complete answers are far more helpful and may help shorten the time it takes to select a jury. If you have trouble reading, understanding, or filling out this form, please let the court staff know. If a question does not apply to you, please write in “NA” for “not applicable” rather than leave the question blank.

The information you provide will become part of the court record in this case and will be a public document that is accessible to anyone. Some of the questions may require information that is personal and sensitive to you, and you may be reluctant to talk about this information with the other prospective jurors and the public present. If this is so, write “private” next to the question and the court **may** then give you an opportunity to share your information on the record with only the judge, counsel, the defendant, and the court reporter present. The answers you provide will, under most circumstances, be included as part of the public record, but you may not have to share the information in open court.

PLEASE PUT THE LAST FOUR DIGITS OF YOUR JUROR IDENTIFICATION NUMBER FOUND ON YOUR JUROR BADGE ON THE TOP OF EACH PAGE.

REMEMBER THAT YOU ARE ANSWERING THESE QUESTIONS UNDER PENALTY OF PERJURY. YOUR ANSWERS MUST BE TRUE AND COMPLETE. THANK YOU FOR YOUR HELP IN SELECTING A FAIR JURY.



Juror ID number _____
Case number _____

JUROR QUESTIONNAIRE FOR CRIMINAL CASES

General Questions

PLEASE PRINT ALL ANSWERS LEGIBLY

1.1 Age: ____

1.2 This (these) crime(s) allegedly took place (*specify location of crime(s)*):

_____

Do you reside in the vicinity of this location, or do you frequent this location? ☐ Yes ☐ No

If yes, please explain:

_____
_____
_____
_____
_____

1.3 Describe any difficulties (vision, hearing, or medical problems) that may affect your jury service:

_____
_____
_____
_____
_____
_____

1.4 If you have any ethical, religious, political, or other beliefs that may prevent you from serving as a juror, explain:

_____
_____
_____
_____
_____
_____

Juror ID number _____
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1.5 What is the highest level of education you completed?

- ☐ Grade school or less
- ☐ Some high school
- ☐ High school graduate
- ☐ Other *(please explain):*

_____
_____
_____

- ☐ Some college
  (Major): _____
- ☐ College graduate
  (Major): _____
- ☐ Postgraduate study
  (Field): _____
- ☐ Technical or vocational school
  (Field): _____

1.6 If you plan to attend or are currently attending school, describe:

_____
_____
_____

1.7 If you, your spouse, any person with whom you have a significant personal relationship, or a relative have taken any courses or had any training in law or a related subject, describe:

_____
_____
_____
_____
_____

1.8 Educational background of any other adult who lives in your home, including any degrees or certificates earned:

_____
_____
_____
_____
_____

1.9 Your present employment status *(check all that apply):*

- ☐ Employed full-time
- ☐ Employed part-time
- ☐ Other *(specify):*
- ☐ Retired
- ☐ Student
- ☐ Unemployed, looking for work
- ☐ Unemployed, not looking for work

1.10 Your current or most recent occupation (and for how long):

_____
_____
_____

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1.11 Name of your current or most recent employer or, if a student, your school:

1.12 Describe your specific duties and responsibilities in your current or most recent job:

1.13 Does your current job involve supervising other people? ☐ Yes ☐ No

If yes, approximately how many? _____

1.14 Are you involved in the hiring or firing of other employees? ☐ Yes ☐ No

1.15 Are you involved in evaluating the job performance of other employees? ☐ Yes ☐ No

1.16 All other employment you have had in the past 10 years (and for how long):

1.17 The present employment status of your spouse or any person with whom you have a significant personal relationship (check all that apply):

☐ Employed full-time ☐ Retired ☐ Unemployed, looking for work
☐ Employed part-time ☐ Student ☐ Unemployed, not looking for work
☐ Other *(specify):*

1.18 The current or most recent occupation of your spouse or any person with whom you have a significant personal relationship (and for how long):

1.19 The name of the current or most recent employer of your spouse or any other person with whom you have a significant personal relationship or, if a student, name of the school:

→

1.20 Describe the specific duties and responsibilities for the current or most recent job of your spouse or any person with whom you have a significant personal relationship:

_____
_____
_____
_____

1.21 If you, your spouse, a person with whom you have a significant personal relationship, or a relative are currently working or have ever worked in law enforcement, please list the agency, position, and the person's relationship to you:

_____
_____
_____
_____
_____

1.22 If you have children, please list (including any children who do not currently live with you):

Age	Does the child live with you?	Education	Occupation
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

1.23 If you, your spouse, or a person with whom you have a significant personal relationship has ever served in the military, please list for each the branch of service and dates of service:

_____
_____
_____

1.24 If you, your spouse, or a person with whom you have a significant personal relationship ever had involvement with the military police or the military justice system, please describe:

_____
_____
_____

1.25 Social, civic, professional, trade, or other organizations with which you are affiliated:

_____
_____
_____

Juror ID number _____
Case number _____

1.26 Describe any offices you have held in organizations listed above:

_____
_____
_____

1.27 Do you know anyone on this jury panel? ☐ Yes ☐ No

1.28 If you personally know any judges or attorneys or court personnel, what are their names and relationships to you?

_____
_____
_____

1.29 Have you previously served on a criminal or civil trial jury? ☐ Yes ☐ No

On how many cases did you serve? _____
Approximate year(s)? _____
Where did you serve on a jury? _____
Were you a juror or an alternate? _____
What kinds of cases did you hear while serving on a jury?

_____
_____
_____

Was there anything about your jury service that would make you question your ability to be fair and impartial in this case? If so, please explain:

_____
_____
_____
_____

1.30 Have you ever served on a grand jury panel? ☐ Yes ☐ No

Criminal or civil grand jury? _____
Approximate year(s)? _____
Where did you serve on a grand jury? _____
How long did you serve on a grand jury? _____
What kind of matter did you hear while serving on a grand jury?

_____
_____
_____

Was there anything about your jury service that would make you question your ability to be fair and impartial in this case? If so, please explain:

_____
_____
_____
_____

Juror ID number _____
Case number _____

1.31 Have you, your spouse, any person with whom you have a significant personal relationship, or a relative ever been a victim of a crime? ☐ Yes ☐ No

If yes, who? _____

What crime(s)? _____

When? _____

What happened?

_____

_____

_____

Was anyone arrested? ☐ Yes ☐ No

Was there a trial? ☐ Yes ☐ No

If yes, did you attend the trial? ☐ Yes ☐ No

Did the person who is the subject of this question testify? ☐ Yes ☐ No

Did the police interview the person who is the subject of this question? ☐ Yes ☐ No

Did anyone working for the defendant interview the person who is the subject of this question? ☐ Yes ☐ No

As a result of that experience, is there anything that would make you question your ability to be fair and impartial in this case? If so, please explain:

_____

_____

_____

_____

1.32 Have you, your spouse, any person with whom you have a significant personal relationship, or a relative ever been a witness to a crime? ☐ Yes ☐ No

If yes, who? _____

What crime(s)? _____

When? _____

What happened?

_____

_____

_____

Was anyone arrested? ☐ Yes ☐ No

Was there a trial? ☐ Yes ☐ No

If yes, did you attend the trial? ☐ Yes ☐ No

Did the person who is the subject of this question testify? ☐ Yes ☐ No

Did the police interview the person who is the subject of this question? ☐ Yes ☐ No

Did anyone working for the defendant interview the person who is the subject of this question? ☐ Yes ☐ No

As a result of that experience, is there anything that would make you question your ability to be fair and impartial in this case? If so, please explain:

_____

_____

_____

_____

_____

1.33 Have you, your spouse, any person with whom you have a significant personal relationship, or a relative ever had any contact with law enforcement, including but not limited to being: (a) stopped by the police; (b) accused of misconduct, whether or not it was a crime; (c) investigated as a suspect in a criminal case; (d) charged with a crime; or (e) a criminal defendant? ☐ Yes ☐ No

If yes, who? _____

What crime(s)? _____

When? _____

What happened?

_____

_____

_____

Was anyone arrested? ☐ Yes ☐ No

Was there a trial? ☐ Yes ☐ No

If yes, did you attend the trial? ☐ Yes ☐ No

Did the person who is the subject of this question testify? ☐ Yes ☐ No

Did the police interview the person who is the subject of this question? ☐ Yes ☐ No

Did anyone working for the defendant interview the person who is the subject of this question? ☐ Yes ☐ No

As a result of that experience, is there anything that would make you question your ability to be fair and impartial in this case? If so, please explain:

_____

_____

_____

_____

_____

1.34 Have you ever been to court for any other reason? Explain:

_____

_____

_____

1.35 The following is a principle of law that applies to all criminal cases:

A defendant in a criminal action is presumed to be innocent. This presumption requires that the People prove a defendant guilty beyond a reasonable doubt. Whenever the judge tells you the People must prove something, the judge means they must prove it beyond a reasonable doubt [unless the judge specifically tells you otherwise].

Proof beyond a reasonable doubt is proof that leaves you with an abiding conviction that the charge is true. The evidence need not eliminate all possible doubt because everything in life is open to some possible or imaginary doubt.

In deciding whether the People have proved their case beyond a reasonable doubt, you must impartially compare and consider all the evidence that was received throughout the entire trial. Unless the evidence proves the defendant guilty beyond a reasonable doubt, the defendant is entitled to an acquittal and you must find the defendant not guilty. (CALCRIM No. 103.)

Do you understand this principle of law? ☐ Yes ☐ No

Do you agree with this principle of law? ☐ Yes ☐ No

Will you follow this principle of law? ☐ Yes ☐ No

If you answered no to any question, please explain:

_____

_____

_____

1.36 In general, what are your opinions, if any, about law enforcement officers?

_____

_____

_____

1.37 Have you, your spouse, any person with whom you have a significant personal relationship, or a relative ever had a particularly pleasant or unpleasant experience with law enforcement or the district attorney's office? ☐ Yes ☐ No

If yes, please explain:

_____

_____

_____

1.38 Would the fact that a witness is a member of law enforcement cause you to automatically believe or disbelieve the testimony of that witness? ☐ Yes ☐ No

If yes, please explain:

_____

_____

_____

Juror ID number _____
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JUROR QUESTIONNAIRE FOR CRIMINAL CASES

Capital Case Supplement

By asking the following questions regarding your feelings or opinions about capital punishment, the court is not suggesting in any way that you will ever need to decide this question. The court does not know in advance what the evidence in this case will be or whether you will find a defendant guilty or not guilty of any charge at all. The court is asking the following questions because *if* a defendant is found guilty of murder in the first degree as well as what we call "special circumstances" that have been charged, the possible sentences to be decided in a separate penalty trial are the sentence of death or the sentence of life imprisonment without the possibility of parole. A defendant may also be acquitted or found guilty of lesser charges, which means there never will be a penalty trial. Since we do not know in advance what your decisions may be, the court must know whether you could be fair to all sides on the issue of punishment if and only if a penalty trial is necessary.

To clarify, you will only make a sentence decision between life without the possibility of parole and death in a separate penalty trial if you find a defendant guilty of murder in the first degree beyond a reasonable doubt and you find a "special circumstance" (to be defined for you later) true.

If the penalty trial is necessary, you will first hear evidence and arguments from counsel. The law also provides very specific guidelines as to what a jury can consider in deciding the sentence in this separate penalty trial. These guidelines are called "aggravating factors" and "mitigating factors" and are explained in *Judicial Council of California Criminal Jury Instructions* number 763:

> In reaching your decision, you must consider and weigh the aggravating and mitigating circumstances or factors shown by the evidence.
>
> An aggravating circumstance or factor is any fact, condition, or event relating to the commission of a crime, above and beyond the elements of the crime itself, that increases the wrongfulness of the defendant's conduct, the enormity of the offense, or the harmful impact of the crime. An aggravating circumstance may support a decision to impose the death penalty.
>
> A mitigating circumstance or factor is any fact, condition, or event that makes the death penalty less appropriate as a punishment, even though it does not legally justify or excuse the crime. A mitigating circumstance is something that reduces the defendant's blameworthiness or otherwise supports a less severe punishment. A mitigating circumstance may support a decision not to impose the death penalty.

Juror ID number _____
Case number _____

2.1 Which do you think is the more severe punishment?

☐ The death penalty ☐ Life in prison without parole

Why?

_____
_____
_____
_____
_____

2.2 Which would you say accurately states your general belief regarding the death penalty?

☐ Strongly in favor ☐ Strongly opposed ☐ Neutral

☐ Moderately in favor ☐ Moderately opposed

Please explain in more detail your beliefs about the sentence of death:

_____
_____
_____
_____
_____

2.3 Which would you say accurately states your general belief regarding life without the possibility of parole?

☐ Strongly in favor ☐ Strongly opposed ☐ Neutral

☐ Moderately in favor ☐ Moderately opposed

Please explain in more detail your beliefs about the sentence of life in prison without the possibility of parole:

_____
_____
_____
_____
_____

2.4 What purposes, if any, do you believe that life imprisonment without the possibility of parole serves?

_____
_____
_____
_____
_____

Juror ID number _____
Case number _____

2.5 What purposes, if any, do you believe the death penalty serves?

_____
_____
_____
_____
_____

2.6 Do you believe the death penalty is imposed:

☐ Too often ☐ Enough ☐ Do not know

☐ Not enough ☐ Randomly

2.7 Have your views about the death penalty changed substantially in either intensity or nature in the last few years? ☐ Yes ☐ No

If yes, how have your views about the death penalty changed?

_____
_____
_____
_____
_____

2.8 Can you set aside any opinions you may have about the death penalty, and make a decision in this case based on the evidence and the law as it is given by the judge? ☐ Yes ☐ No

If no, why not?

_____
_____
_____
_____
_____

2.9 Do you have any religious or personal beliefs that may influence you in your determination of whether to vote to impose either the penalty of death or life in prison without the possibility of parole? ☐ Yes ☐ No

If yes, please explain:

_____
_____
_____
_____
_____

→

Juror ID number _____
Case number _____

2.10 Are you a member of, or have you contributed to or otherwise supported a church, religious organization, political or social advocacy group, or any other organization that takes a position for or against the imposition of the penalty of death? ☐ Yes ☐ No

a. If yes, what group(s)?

_____
_____
_____
_____
_____

b. What is the group's position?

_____
_____
_____
_____
_____

c. Do you feel obligated to accept this position? ☐ Yes ☐ No

If yes, please explain why:

_____
_____
_____
_____
_____

2.11 Even if you believed the prosecutor had proved guilt beyond a reasonable doubt, would you, because of any views you may have regarding the death penalty, refuse to find the defendant(s) guilty or find a special circumstance to be true in order to avoid having to decide whether to impose the death penalty? ☐ Yes ☐ No

2.12 If you find the defendant(s) guilty of the crime, would you automatically in all cases vote for a sentence of life without the possibility of parole regardless of the evidence concerning aggravating and mitigating factors? ☐ Yes ☐ No

2.13 If you find the defendant(s) guilty of the crime, would you automatically in all cases vote for a sentence of death regardless of the evidence concerning aggravating and mitigating factors? ☐ Yes ☐ No

Juror ID number _____
Case number _____

JUROR QUESTIONNAIRE FOR CRIMINAL CASES

Verification

I, _____, declare under penalty of perjury under the laws of the State
(Type or Print Name)
of California that the foregoing responses I have given on this juror questionnaire, and on any attached sheets, are true and correct to the best of my knowledge and belief.

Date:

▶ _____
Signature

For your protection and privacy, please press the Clear button after you have printed the form.

Print Save Clear