

Juror Questions for the Witness

During the trial, the lawyers will ask questions of witnesses. The lawyer calling a witness will conduct what is referred to as direct examination, followed by cross examination by opposing counsel, and then by redirect examination by the first lawyer.

You will also be allowed to ask questions of the witnesses. You will have to submit the questions to me in writing so I can review them before they are asked. Use your note pad to write down a question as it arises. If it has not been answered by the time the attorneys are through with their questions, you can submit it to me.

I will ask if there are any juror questions after redirect examination. If you have a question, then raise your hand at that time. My clerk will then retrieve the handwritten questions from the jurors and I will review the questions in my office with the attorneys.

Your questions are bound by the same rules of evidence that apply to the lawyers' questions. If a lawyer could not ask the question, neither can you. Therefore, I may disallow your question if it would not be permitted under the rules of evidence. I may also be aware that another witness will be in a better position to answer a particular question, and I may not ask your question for that reason. I will give the lawyers an opportunity to comment on a question in my office before I decide whether or not to ask it.

Questions should be reserved for important points only. Their purpose should be to clarify testimony or facts, and they should not include any comments on or opinions about the evidence. Do not place any more weight on a question simply because it is asked by a juror, as opposed to an attorney.

I will personally read to the witness any juror questions that I have decided are appropriate. After any juror questions, the attorneys will be allowed to ask any follow-up questions the juror questions might have prompted.