

The Hon. Marcia S. Krieger
JURY SELECTION PROCEDURES IN
FELONY CRIMINAL CASES

In accordance with Fed. R. Crim. P. 24(b) and (c), the Court will use the following procedures in selecting juries in felony criminal cases with **one defendant**.

1. A Jury of twelve (12) members and two (2) alternates will be selected. Thirty Two (32) potential jurors will be randomly selected from the jury pool. They will be seated from left-to-right and back-to-front as shown in the attached diagram. Although it will not be disclosed to the potential jurors, those drawn from seats 1-2, 11-12 (folding chairs to the left side when facing the permanent jury box) will be designated as alternate jurors under Fed. R. Crim. P. 24(c).

2. The Court will conduct *voir dire*, first through general questions to the entire panel, followed by individual questions to each juror. Depending on various circumstances, the Court may excuse a juror for cause at the time a disqualifying answer is given, or may elect to refrain from excusing a juror for cause until primary questioning is completed.

When a juror is excused for cause, the Courtroom Deputy will immediately replace that juror with a randomly selected member of the pool. The newly-selected juror will be asked to respond to those questions previously asked of the panel.

3. Upon the completion of primary questioning, the Court will request that counsel approach the bench. At that time, the Court will entertain motions to excuse jurors for cause or requests for additional follow-up questions.

4. Once the entire panel has been cleared for cause, the Courtroom Deputy will provide a strike sheet to counsel to note their peremptory challenges. The government may exercise 6 peremptory challenges and the defendants will exercise 10 peremptory challenges. Two challenges (one for the government; one for the defendant) may be exercised as to the alternates. Unless counsel agree amongst themselves to exercise peremptories in a different sequence, the following sequence shall be used:

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| 1. Government exercises peremptory 1; | Defendant exercises peremptory 1 and 2 |
| 2. Government exercises peremptory 2; | Each defendant exercises peremptory 3 and 4 |
| 3. Government exercises peremptory 3; | Each defendant exercises peremptory 5 and 6 |
| 4. Government exercises peremptory 4; | Each defendant exercises peremptory 7 and 8 |
| 5. Government exercises peremptory 5 and 6; | Each defendant exercises peremptory 9 and 10 |

Then the government will exercise their peremptory challenge as to the alternates, the defendant will then exercise their peremptory challenges as to the alternates.

If not all peremptory challenges are exercised, the Court will excuse from the remaining jurors (by highest juror number first,) the appropriate number to compose a jury of 12 and 2 alternates.

5. Once the strike sheet is complete, the Court will excuse the stricken jurors as a group.