

University of Houston Law Center
Voir Dire – The Art of Juror Deselection
Section #23874/Course #5297
Wednesdays 5:30PM – 7:30PM

Professors: Judge Christine Weems
Sepi Zimmer

Required Text: None.

Recommended Text: Dodge, Angela M., *Winning at Jury Selection: A Handbook of Practical Jury-Focused Techniques and Strategies*, Dodge Consulting & Publications, 2010.

Office Hours: By appointment

Email: Email is the best way to contact your professors.

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Prerequisite: Trial Advocacy or instructor approval

Course Description, Learning Description & Goals:

The most important part of any trial is picking your jury - the audience that will hear your presentation and ultimately decide your case. In this class, the students will learn about the psychology as well as the law behind choosing a jury for any kind of case. Through practical exercises as well as a study of the applicable legal principles and case law, the class will learn techniques to try to get the panel talking so you can get the information you need from jurors to determine whether they will be a good fit for your case, how to properly strike for cause and preserve error as well as the best way to use peremptory strikes to ultimately try to get the best panel possible. The class will end with the students doing a full voir dire as well as closing arguments with the opportunity to watch jury deliberations to see how the panel they ended up with impacted the decision that was made.

Attendance:

You should attend all class sessions and arrive on time. The UHLC attendance policy requires attendance at 80% of all scheduled (or makeup) classes or a student risks being dropped from the course. Attendance may be taken at each class.

Please note that you are responsible for managing your absences from class and ensuring that your total number of absences does not exceed 20%. If you have to miss a class, please inform your professors beforehand so that they can adjust the counseling pairings accordingly.

Grading:

To the extent there are any assignments that require a writing to be turned in, that writing may be emailed by the assigned due date. Additional specific instructions regarding how to turn in each assignment will also be provided in class.

Over the course of the semester, students will be required to bring volunteers to class – sometimes in person, sometimes over zoom. Failure to bring any volunteers to class for either assignments or the final examinations could negatively affect the student’s class participation grade if there is no explanation for the failure.

Your grade will be based on the following components:

- 25% Class Participation – This component is based on (1) showing up and (2) participating in class discussion in a productive and involved way.
- 20% Skill Evaluation
- 15% Class Exercise
- 40% Final Exam – voir dire and closing

Counseling and Psychological Services:

Counseling and Psychological Services (CAPS) can help students who are having difficulties managing stress, adjusting to the demands of a professional program, or feeling sad and hopeless. You can reach CAPS (www.uh.edu/caps) by calling 713-743-5454 during and after business hours for routine appointments or if you or someone you know is in crisis. No appointment is necessary for the “Let’s Talk” program, a drop-in consultation service at convenient locations and hours against campus. http://www.uh.edu/caps/outreach/lets_talk.html

Tentative Schedule:

- Class 1 (01/18) Course Introduction
 Twelve Angry Jurors
- Class 2 (01/25) Bring your friends to class day!
 Simulated voir dire – You will be required to bring friends to class.

- Class 3 (02/01) Identifying the Jurors you Want (and Don't Want)
- Class 4 (02/08) Different Ways to Get the Same Information from the Venire
- Class 5 (02/15) Class Exercise
Figuring out your voir dire style
- Class 6 (02/22) Strikes for Cause (*Cortez* and *Hyundai*)
Preservation of Error
- Class 7 (03/01) Peremptory Strikes
- NO CLASS ON WEDNESDAY, MARCH 8, 2023
SPRING BREAK
- Class 8 (03/15) Interpreting Juror Cards
Using jury questionnaires
Notetaking during voir dire
- Class 9 (03/22) Class Exercise
The Intangibles – The Psychology of Jurors
Implicit and explicit bias
- Class 10 (03/29) Jury Selection-Related Motions
(Jury Shuffle/Re-apportion Strikes/*Batson* Challenges)
- Class 11 (04/05) Class Exercise with live jurors over zoom
- Class 12 (04/12) Jury consultants
- Class 13 (04/19) Preparing for the Final Voir Dire