

Grades 4-12

This is a Voir Dire simulation in a civil case. Students participate in the simulation by forming attorney teams comprised of 2-4 students. When deciding “to strike or not to strike,” there are 12 potential jurors from which to choose a 6-person jury.

Civil Case Scenario:

Nine months ago, Farmer Broccoli’s award-winning tomato crop was completely destroyed by Mr. Karn E. Vore. Mr. Karn E. Vore was mad at Farmer Broccoli for not allowing him to ride his four-wheeler across his property. That evening Mr. Karn E. Vore opened Farmer Broccoli’s garden gate and drove his four-wheeler through the tomato garden two to three times. Since it was dark he did not realize how much damage he had caused to the crop. Farmer Broccoli heard the sound of the four-wheeler on his property and called the police. The police arrested Mr. Karn E. Vore for criminal trespassing. Mr. Karn E. Vore pleaded guilty and was ordered to six months of community service. Farmer Broccoli is now suing Mr. Karn E. Vore for civil trespass to recover \$2,500 the lost profits of the award-winning tomato crop.

Defendant: Mr. Karn E. Vore

Plaintiff: Mr. Broccoli

Learning Objectives: The student will:

- Use critical thinking skills to participate in the process of jury selection in a civil case.
- Recognize and reflect on the importance of civic responsibility with regards to jury service.

Vocabulary:

- citizenship
- civil
- defendant
- impartial jury
- juror
- jury
- plaintiff
- strike
- voir dire

TEKS:

4.17; 5.20A; 6.13AB; 6.14AB; 7.16.B; 8.19D

Materials:

- [Juror Selection](#) handout (one for each student or team)
- [Jury Selection](#) PowerPoint Presentation
- [Attorney Toolkit](#)
- Notebook paper
- Notecard for each student

Teaching Strategy:

1. Open the Jury Selection PowerPoint Presentation. Show the citizenship quote on **Slide 2**: “Citizenship is a person’s highest calling.” (~Ambassador Walter Annenberg). Ask students what is meant by the quote.
2. Show **Slide 3** and ask students questions such as:
 - Why is “citizenship” important?
 - What rights do you have as a citizen?
 - What responsibilities do you have as a citizen?
3. Share that one right and responsibility citizens have is serving on a jury.
4. Show **Slides 4-5** and ask questions such as:
 - What is a jury?
 - Why is it important to serve on a jury?
5. Share with students that next to voting, jury service is our most important civic duty. Juries potentially hold the power to decide the fate of a person’s life.
6. **Slide 6** — Share with students that most people’s perceptions of trials and juries come from TV and movies. Pick a popular legal television show or movie and discuss how a trial is portrayed. Ask students if they think TV juries are more fact or fiction. Have them explain their answers.
7. Discuss what a “jury of one’s peers” means. Ask students:
 - Have juries always been a true representation of “one’s peers,” and why would that be important to the person on trial?
8. Show **Slide 7** and ask students to think about why the words “to tell the truth” are important when it comes to jury selection. Have students share their thoughts.

9. Show **Slide 8** and explain that voir dire is a questioning process from the French term which means "to tell the truth." Explain Voir Dire, and how it relates to jury selection.
10. Share that receiving a jury summons does not automatically mean you will serve on a jury. If you are summoned, you will become part of the jury pool — a large group of prospective jurors. From this group, you will be assigned to a jury panel and will be questioned by the lawyers for both sides, and sometimes by the judge as well. This is where the voir dire process begins. After voir dire, if you are selected to serve, you will be placed on a jury.
11. Share with students that they are going to participate in a Voir Dire jury simulation. You are going to share a civil case with them, and they are going to play the role of an attorney (either plaintiff or the defendant) to question members of the jury pool and to decide who they would like to strike from the pool. Show students the case scenario, **Slide 9**.
12. **Slide 10** — Explain the words plaintiff and defendant to the students.
13. Place students on attorney teams, no more than 4 students on a team. Depending on the number of students in a class, there would be 2-4 attorney teams for each side (Plaintiff and Defendant).
14. **Slide 11** — Review the case scenario again and explain the process and importance of impartial jury selection.
15. **Slide 12** — Each attorney team makes a list of favorable and unfavorable character traits for their side.
16. Teams use the character trait list to analyze each juror to determine the jurors who would be most favorable to their side in the case.
17. **Slide 13** — Give each student or team a [Juror Selection](#) handout to use to analyze the potential jurors.
18. Define the term "strike" for the students and explain how that process works.
19. Explain that based on the juror information, the team will "strike" a potential juror if the team feels that the juror exhibits a bias for or against one of the parties.
20. **Slide 14** — The same-side attorney teams get together and discuss who they struck and why. (The WHY FACTOR). The attorney teams must come to consensus to create their own final juror list.

21. Each side (Plaintiff and Defendant) shares their jury list with the other side.
22. Debrief the process with the students by asking questions about why the attorney teams decided to strike potential jurors (The WHY FACTOR).
23. **Slide 15** -- Reflection: Have students analyze this process by asking questions such as:
 - What characteristics of each juror had the biggest influence on the selection process?
 - Why is jury selection an important part of civic responsibility?
24. On a notecard have students reflect on their own learning by writing:
 - 3 things they learned about the jury selection process;
 - 2 things they learned about civic responsibility; and
 - 1 thing they would like to know more about.

Juror Striking Sheet

<p style="text-align: center;">Juror 1: Ham Berger</p> <ul style="list-style-type: none"> • 48-year old male Dairy farmer • Married with two children • Never served on a jury, but has had some legal issues with the Dairy Farmers • Best friends with Farmer Broccoli's brother 	<p style="text-align: center;">Juror 2: Rare Sirloin</p> <ul style="list-style-type: none"> • 39-year old female • Stockbroker • Single • Wouldn't turn her cell phone off at jury selection because she needed to stay connected for business • Has received 2 tickets for texting while driving • Never served on a jury
<p style="text-align: center;">Juror 3: Taste E. Bacon</p> <ul style="list-style-type: none"> • 62-year old male • Widower with 4 adult children • Teaches American History at local community college Historical scholar and public speaker on landmark court cases in the United States • Never served on a jury 	<p style="text-align: center;">Juror 4: Henry Ham</p> <ul style="list-style-type: none"> • 19-year old male • Did not complete high school, but earned GED Sells used cars • In the last 6 months, has received 3 speeding tickets and was involved in 2 minor accidents • Never served on a jury
<p style="text-align: center;">Juror 5: Lucy Lambchop</p> <ul style="list-style-type: none"> • 32-year old female • Stay-at-home mother • Married with 2 children • President of the Parent Teacher Association (PTA) at her children's elementary school • Active in several volunteer organizations • Never served on a jury 	<p style="text-align: center;">Juror 6: Chris P. Corn</p> <ul style="list-style-type: none"> • 40-year female Aerospace Engineer • In the Air Force Reserve • Married with 3 children • Never served on a jury
<p style="text-align: center;">Juror 7: Vicki Venison</p> <ul style="list-style-type: none"> • 41-year old female Insurance Lawyer • Law degree from the University of Texas School of Law Divorced • Ex-husband is a tobacco farmer • Served on a criminal jury and the defendant was found not guilty of theft 	<p style="text-align: center;">Juror 8: Thomas Turkey</p> <ul style="list-style-type: none"> • 55-year old male • Retired police officer • Married with 4 children • His father was a farmer who lost his farm to big business. • Served on a criminal jury and the defendant was found guilty of Driving While Intoxicated (DWI)
<p style="text-align: center;">Juror 9: B. Russel Sprouts</p> <ul style="list-style-type: none"> • 68-year old female • Retired math teacher Widow • Hobby is spending time with her 12 grandchildren • Served on two civil juries before and each time she sided differently 	<p style="text-align: center;">Juror 10: Chick P. Hummus</p> <ul style="list-style-type: none"> • 59-year old female Retired librarian • Married with no children • Takes in foster children, but doesn't currently have any in her home • Volunteers at local public library • Served on a criminal jury and a civil jury: the criminal jury the defendant was found not guilty of trespassing; the civil jury found for the plaintiff in a personal injury case
<p style="text-align: center;">Juror 11: Mash P. Tater</p> <ul style="list-style-type: none"> • 38-year old male • Works at the local Farm-to-Market store • Married with 2 children • Vice President of the national Farm-to-Market Association (bringing fresh farm produce to the local restaurants and markets in the community) • Scoutmaster • Never served on a jury 	<p style="text-align: center;">Juror 12: Frank N. Furter</p> <ul style="list-style-type: none"> • 22-year old male Professional gamer Single • Hobby is skydiving • Has received 5 speeding tickets in the last 4 months Drives a Race Red Mustang GT turbo car • Never served on a jury