

JUROR QUESTIONNAIRE FOR CIVIL CASES

Code of Civil Procedure Section 205(c)-(d)

Sec. 1. Statutory Authority

This Juror Questionnaire has been drafted under the authority of Code of Civil Procedure section 205(c)-(d) 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 intended for use in the court's discretion in appropriate civil cases. Its use in cases of brief duration may not be appropriate. Particular kinds of cases may require that this questionnaire be altered or augmented. The Personal Injury Supplement is intended to be used along with the General Questions in personal injury actions. Judges, in their own discretion, must determine what additional kinds of inquiry are appropriate in any given case.

B. Pre-Voir Dire Conference

The court should 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. Proposed supplemental questions drafted by counsel should be filed and served at least three court days before the pre-voir dire conference. Arrangements for duplication of completed questionnaires should be confirmed. The parties should share the cost of duplication.

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, to encourage complete answers, and to 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.

The court could direct that the Juror Questionnaire be given to prospective jurors by the jury commissioner in the jury assembly room. However, 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.

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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 people involved in the case need to know something about you 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, not on emotion or on other views not supported by the evidence. 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. If there is any reason why you might not be able to give both sides a fair trial in this case, it is important that you say so.

The judge has decided to use this form to save time and to give you a chance to tell the court and the lawyers about yourself.

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

If there is anything you do not want to talk about in open court, please circle the question number. After you have finished the questionnaire, let the clerk know that you have circled one or more question numbers.

Do not write on the back of any page. Use an additional sheet of paper.

If you are called to the jury box, your answers to this questionnaire become a matter of public record, just as if you had answered the questions aloud in the courtroom.

If you have trouble reading, understanding, or filling out this form, please let the court clerk know.

PLEASE 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.

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General Questions

PLEASE PRINT ALL ANSWERS LEGIBLY

FULL NAME: _____

1.1 DATE AND PLACE OF BIRTH: _____

1.2 AREA, NEIGHBORHOOD, OR COMMUNITY IN THIS COUNTY WHERE YOU CURRENTLY LIVE
(DO NOT GIVE YOUR ADDRESS):

 HOUSE APARTMENT OWN RENT

1.3 AREA, NEIGHBORHOOD, OR COMMUNITY WHERE YOU HAVE LIVED IN THE PAST 10 YEARS (AND DATES):

1.4 WHAT IS THE HIGHEST LEVEL OF EDUCATION YOU COMPLETED?

<input type="checkbox"/> GRADE SCHOOL OR LESS	<input type="checkbox"/> SOME COLLEGE (MAJOR): _____
<input type="checkbox"/> SOME HIGH SCHOOL	<input type="checkbox"/> COLLEGE GRADUATE (MAJOR): _____
<input type="checkbox"/> HIGH SCHOOL GRADUATE	<input type="checkbox"/> POSTGRADUATE STUDY (MAJOR): _____
<input type="checkbox"/> OTHER (PLEASE EXPLAIN): _____ _____ _____	<input type="checkbox"/> TECHNICAL, VOCATIONAL, OR BUSINESS SCHOOL (MAJOR): _____

1.5 IF YOU PLAN TO ATTEND OR ARE CURRENTLY ATTENDING SCHOOL, DESCRIBE:

1.6 IF YOU HAVE TAKEN ANY COURSES OR HAD ANY TRAINING IN MEDICINE OR OTHER HEALTH CARE FIELD,
DESCRIBE:

FATHER:

MOTHER:

1.18 WHAT ARE/WERE THE OCCUPATIONS OF YOUR PARENTS? (IF RETIRED, WHAT DID THEY DO BEFORE?)

1.17 ALL FULL-TIME EMPLOYMENT OF YOUR SPOUSE OR ANY PERSON WITH WHOM YOU HAVE A SIGNIFICANT PERSONAL RELATIONSHIP (AND FOR HOW LONG):

1.16 ALL OTHER EMPLOYMENT YOU HAVE HAD (AND FOR HOW LONG):

1.15 ARE YOU INVOLVED IN EVALUATING THE JOB PERFORMANCE OF OTHER EMPLOYEES? YES NO

1.14 ARE YOU INVOLVED IN THE HIRING OR FIRING OF OTHER EMPLOYEES? YES NO

IF YES, APPROXIMATELY HOW MANY?

1.13 DOES YOUR JOB INVOLVE SUPERVISING OTHER PEOPLE? YES NO

1.12 WHAT ARE YOUR SPECIFIC DUTIES AND RESPONSIBILITIES ON THE JOB?

1.11 NAME OF YOUR CURRENT OR MOST RECENT EMPLOYER OR, IF A STUDENT, YOUR SCHOOL:

1.10 YOUR CURRENT OR MOST RECENT OCCUPATION:

1.9 YOUR PRESENT EMPLOYMENT STATUS (CHECK ALL THAT APPLY):
EMPLOYED FULL-TIME RETIRED UNEMPLOYED, LOOKING FOR WORK
EMPLOYED PART-TIME STUDENT UNEMPLOYED, NOT LOOKING FOR WORK
HOMEMAKER

1.8 EDUCATIONAL BACKGROUND OF ANY OTHER ADULT WHO LIVES IN YOUR HOME, INCLUDING ANY DEGREES OR CERTIFICATES EARNED:

1.7 IF YOU HAVE TAKEN ANY COURSES OR HAD ANY TRAINING IN LAW OR A RELATED SUBJECT, DESCRIBE:

1.19 IF YOU HAVE CHILDREN, PLEASE LIST (INCLUDING ANY CHILDREN WHO DO NOT CURRENTLY LIVE WITH YOU):

<u>SEX</u>	<u>AGE</u>	<u>DOES CHILD LIVE WITH YOU?</u>	<u>EDUCATION</u>	<u>OCCUPATION</u>
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____

1.20 IF YOU OR YOUR CURRENT SPOUSE OR 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:

1.21 WHAT SOCIAL, CIVIC, PROFESSIONAL, TRADE, OR OTHER ORGANIZATIONS ARE YOU AFFILIATED WITH?

1.22 DESCRIBE ANY OFFICES YOU HAVE HELD IN ORGANIZATIONS LISTED ABOVE:

1.23 DO YOU KNOW ANYONE ON THIS JURY PANEL?

1.24 ON HOW MANY CASES HAVE YOU SERVED ON A JURY?

WHERE DID YOU SERVE ON A JURY? _____

WHAT KINDS OF CASES DID YOU HEAR WHILE SERVING ON A JURY? _____

IN HOW MANY OF THOSE CASES DID THE JURY REACH A VERDICT? _____

IN HOW MANY OF THOSE CASES DID YOU SERVE AS THE JURY FOREPERSON? _____

WAS YOUR JURY SERVICE A POSITIVE OR NEGATIVE EXPERIENCE? _____

1.25 IF YOU HAVE EVER BEEN TO COURT FOR ANY OTHER REASON (EXCLUDING DIVORCE), EXPLAIN:

1.26 IF YOU PERSONALLY KNOW ANY JUDGES OR ATTORNEYS OR COURT PERSONNEL, WHAT ARE THEIR NAMES AND RELATIONSHIP TO YOU?

1.27 DESCRIBE ANY PROBLEMS (VISION, HEARING, OR OTHER MEDICAL PROBLEMS) THAT MAY AFFECT YOUR JURY SERVICE:

1.28 IF YOU OR ANYONE CLOSE TO YOU HAS EVER MADE ANY TYPE OF CLAIM FOR DAMAGES, EXPLAIN:

1.29 IF A CLAIM FOR MONEY DAMAGES HAS EVER BEEN MADE AGAINST YOU OR ANYONE CLOSE TO YOU, EXPLAIN THE CIRCUMSTANCES:

1.30 IF YOU OR ANYONE CLOSE TO YOU HAS EVER SUED OR BEEN SUED IN ANY TYPE OF LAWSUIT, EXPLAIN:

1.31 DO YOU FEEL THAT MONEY DAMAGES AWARDED IN LAWSUITS ARE (CHECK ONE):

<input type="checkbox"/> EXCESSIVE	<input type="checkbox"/> OCCASIONALLY TOO LOW
<input type="checkbox"/> OFTEN TOO LARGE	<input type="checkbox"/> OFTEN TOO LOW
<input type="checkbox"/> ABOUT RIGHT	<input type="checkbox"/> OTHER (SPECIFY): _____

1.32 IF YOU HAVE ANY ETHICAL, RELIGIOUS, POLITICAL, OR OTHER BELIEFS THAT MAY PREVENT YOU FROM SERVING AS A JUROR, EXPLAIN:

1.33 IF THERE IS ANY MATTER NOT COVERED BY THIS QUESTIONNAIRE THAT COULD AFFECT YOUR ABILITY TO BE A FAIR AND IMPARTIAL JUROR, EXPLAIN:

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Personal Injury Supplement

FULL NAME: _____

2.1 IF YOU OR ANYONE CLOSE TO YOU HAS EVER BEEN INVOLVED IN AN ACCIDENT IN WHICH SOMEONE WAS INJURED, EXPLAIN:

2.2 PLACE A CHECK MARK ON THE APPROPRIATE LINE(S) IF YOU OR ANYONE CLOSE TO YOU HAS EVER BEEN EMPLOYED IN ANY CAPACITY BY ANY OF THE FOLLOWING TYPES OF BUSINESSES:

YOURSELF	OTHER PERSON	
_____	_____	ANY COURT IN THE STATE OF CALIFORNIA
_____	_____	ATTORNEY, LAW FIRM, OR LAW OFFICE
_____	_____	CLAIMS ADJUSTMENT, EVALUATION, REVIEW, SETTLEMENT, OR INVESTIGATION
_____	_____	ACCIDENT INVESTIGATION OR LAW ENFORCEMENT
_____	_____	DISABILITY, HEALTH, LIFE, CASUALTY, OR ACCIDENTAL INJURY BENEFITS OR PROGRAMS
_____	_____	ECONOMICS, ACTUARIAL, OR INVESTMENTS
_____	_____	HEALTH CARE DOCTOR, NURSING, HOSPITAL, DENTAL, PHYSICAL THERAPY, PHARMACY, OR ANY RELATED FIELD

2.3 IF YOU CHECKED ANY LINE IN THE PREVIOUS QUESTION (2.2), PLEASE STATE THE RELATIONSHIP OF THAT PERSON TO YOU, THE TYPE AND DETAILS OF THAT EMPLOYMENT, AND THE YEARS OF THAT EMPLOYMENT:

2.4 DO YOU HAVE ANY BELIEFS AGAINST AWARDING DAMAGES FOR PERSONAL INJURY, PAIN, OR SUFFERING?

YES NO

IF YES, EXPLAIN:

2.5 DO YOU OR ANY MEMBERS OF YOUR IMMEDIATE FAMILY OR HOUSEHOLD SEE A DOCTOR OR OTHER MEDICAL PRACTITIONER REGULARLY FOR ANY CONTINUING MEDICAL PROBLEM? YES NO

IF YES, EXPLAIN:

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Verification

I, _____, (PRINT NAME) DECLARE UNDER PENALTY OF PERJURY
UNDER THE LAWS OF THE STATE 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)

CORNELL V. CITY AND COUNTY OF SAN FRANCISCO, ET AL.

SUPPLEMENT TO JUROR QUESTIONNAIRE

PLEASE ANSWER ALL QUESTIONS ON THIS FORM, IN ADDITION TO THE QUESTIONS ON THE FORM ENTITLED "JUROR QUESTIONNAIRE FOR CIVIL CASES."

1. Have you, any relatives, or close friends ever worked or volunteered in law enforcement? (This includes any police or sheriff's department, state police, highway patrol, jail or prison, military police, FBI, DEA, CIA, U.S. Marshal, prosecutor's office, or any other law enforcement agency.)

Yes

No

a. If yes, please state your relationship. _____

b. Type of law enforcement work/employer: _____

c. Dates employed: _____

2. Have you or has anyone close to you ever worked for any other federal, state, or local government agency?

Yes

No

a. If yes, please state your relationship. _____

b. Agency or agencies where employed: _____

c. Dates employed: _____

3. Do you have any friends or relatives employed by the City and County of San Francisco?

Yes

No

a. If yes, please state your relationship. _____

b. Agency or agencies where employed: _____

c. Dates employed: _____

4. Have you had any education or training in law enforcement, criminal justice, administration of justice, or the law?

Yes

No

a. If yes, please explain. _____

5. How often do you seek out positions of leadership? (Please circle one.)

Always

Often

Seldom

Never

6. How would you describe yourself in ten words? _____

7. Have you ever considered bringing a lawsuit? If so, please describe:

8. What do you think of lawsuits in general?

9. What do you think about the police in general?

10. What experiences have you had with police? Please describe:

Would your experience affect your ability to be fair and impartial in this case?

11. How do you feel about people who sue police officers?

12. Would you consider bringing a lawsuit against a police officer if you believed the officer violated your rights? Why or why not?

13. How do you feel about awarding money damages for emotional distress against a city or its police officers? Why or why not?

14. What do you think about lawsuits against cities?

15. How do you feel about awarding punitive damages against a police officer? (Punitive damages are additional money damages to be paid by a defendant to the plaintiff to punish or deter certain conduct.)

16. Do you believe that police officers are generally more or less believable or trustworthy than other witnesses? Why or why not?

17. Have you heard anything about this case as the Court has described it to you? If so, please describe what you have read or heard.

18. Do you have any experience with any attorney or attorneys which might affect your ability to be fair and impartial in this case?

The last page is reserved to complete your answers to the questions above, if necessary.

I declare under penalty of perjury pursuant to the laws of the State of California that the foregoing is true and correct. Executed December ____, 2012, at San Francisco, California.

YOUR SIGNATURE

