

**Sample Voir Dire subjects covered by
Judge Susan Oki Mollway in Civil Trials¹**

1. Does anyone have a medical reason or personal hardship that would make it difficult to serve as a juror in this case?
2. Does anyone have difficulty reading, hearing, or understanding the English language?
3. Does anyone know or has anyone dealt with the plaintiffs, the defendants, or their attorneys? If yes, please identify the person you know or have dealt with, the nature of your relationship, and whether that relationship would hinder or affect your ability to give a fair trial to all of the parties in this case.
4. Does anyone know, or has anyone had any business dealings with, any of the witnesses who have just been identified by counsel? If yes, please identify the person you know or have dealt with, the nature of your relationship, and whether that relationship would hinder or affect your ability to give a fair trial to all of the parties in this case.
5. Now that I have discussed the different burdens of proof in criminal and civil cases, does everyone understand those different burdens?
6. Has anyone here previously served as a juror either in a criminal or civil case? If yes, has your previous experience as a juror affected your ability to be fair to all sides in the case?
7. Has anyone here served as either a state or federal grand juror? If yes, has your previous experience as a grand juror affected your ability to be fair to all sides in the case?

¹These sample questions are provided only as a guide to the types of questions used by Judge Susan Oki Mollway during voir dire. These sample questions are not a script. Judge Mollway may change the wording of the questions, decline to ask particular questions, and/or may ask other questions in her discretion.

8. In the eyes of the law, all parties, whether individuals or corporations, are to be treated alike. All parties are entitled to the same honest, fair and impartial treatment. If selected to serve as a juror in this case, would everyone accept and apply this principle of law?
9. Does anyone know of any reason he or she may be prejudiced for or against the plaintiffs or defendants because of the nature of the case, or otherwise?
10. Is anyone here a lawyer, married to a lawyer, or in a substantial relationship with a lawyer? Has anyone here studied law or worked in a law office? Notwithstanding what you feel the law is or should be on a particular subject, will you apply the law as I give it to you at the end of this case?
11. Does anyone here, because of the nature of your employment, feel that you may not be able to judge this case impartially?
12. Have you read in the newspapers, read on the internet, seen on television, or heard on the radio anything about this case, or do you have any knowledge of the facts or events of this case?
13. If you are selected as a juror, do you pledge that you will base your decision on the facts as presented in this trial and not on any past experience or prior opinions you might have about the subject matter of this case?
14. Have you or a close family member sued or been sued by someone? If so, what was the nature of the lawsuit? Does that experience affect your ability to be fair to all parties in deciding this case?
15. Have you or a close family member ever testified in a lawsuit? Does this experience affect your ability to be fair to all parties in deciding this case?

16. You may be called upon in this case to decide liability and/or award money damages. Do any of you have any religious, philosophical, or other belief that prevents you from acting as an impartial juror in this case?
17. Is there anyone who, if selected to serve as a juror, has any qualms about attempting to come to a verdict at the end of the case?
18. Have any of you, any member of your family, or any very close personal friend ever engaged in investigating or otherwise acting upon claims for damages?
19. Do you know of any reason that you cannot sit in this case with complete fairness and impartiality and decide the case based only on the evidence presented in court and the law as given at the conclusion of the trial?
20. Each potential juror is asked to state:
 - a. his or her full name and area of residence (Manoa, Hilo, etc.);
 - b. how long he or she has been a resident of the State of Hawaii;
 - c. his or her occupation;
 - d. if retired, what his or her occupation was before retirement;
 - e. marital status (single, married, etc.);
 - f. if married, spouse's name and occupation;
 - g. respective ages and occupations of any children; and
 - h. if a relative (other than a spouse or a child), friend, or roommate lives in the same household, that person's occupation.