VOID DIRE

1. My name is Nef Habtemariam. My clients’ name is Mihereteab Mezenge, he goes by Ziad. Let me tell you a little bit about the case. This is a case about a car crash. The car crash occurred on October 22, 2013. It is T-bone type collision. It occurred at the 33rd Ave NE, Seattle, WA (In north Seattle) close to plaintiff’s home/place. Plaintiff was travelling northbound on 33rd Ave NE. The defendant came out of a parking lot or drive way and attempted to do U-turn and end up cutting plaintiff and plaintiff and Defendants crashed to each other. In this case you will be asked to decide the issue of (1) damages for injuries. The court has already decided that the Defendant caused the car crash and he was at fault for violating the rules of road.
2. I would like to speak to you about what you can and cannot consider. You should base your decision only on evidence such as documents and witnesses testimony and the law (that you will receive from the judge). You cannot consider bias and sympathy. Evidence + Law = verdict. But, you do not have to leave your common sense at the door. That the jury decision is evidence, law and common sense of 6 jurors from the community.
3. Plaintiff, that is us, has a burden of proof and we have it. We have to prove to you that the defendant was at fault and caused damages by preponderance of evidence.
4. Today the plaintiff will go first and the Defendant will go second. So, I will ask you not to make your decision until all of the evidence is in.

Step 1. Tossing out the Bait.

1. Who thinks:
	1. **Our civil justice system is broken**
	2. People should take responsibility for themselves after an accident or car crash
	3. **People shouldn’t sue for accidents or car crash**
	4. It is unfair to enter a money judgment against a person who caused an accident
	5. Only people who intentionally cause an accident should be sued
	6. Injured people have a victim mentality
	7. **The defendant is the real victim for being sued**
	8. The burden of proof should be beyond a reasonable doubt in a civil case
	9. **Paying for medical bills and wage loss is okay, but we cannot put a price on pain and suffering**
	10. **People should not receive money rewards for injuries**
	11. The Tort system is good:
		1. People who harm pay for the harm caused deters bad conduct
	12. **Are you a little suspicious about people who bring lawsuits**
		1. Too many law suits
	13. Injuries:
		1. **Is there any one or family, friends been involved in a car accident and suffered bodily injuries?**
		2. Ask about similar events/injuries for family, friends, self, etc.
		3. If juror has similar injury or permanent condition ask if defense is at a disadvantage because of it, won’t hold it against defense, etc. Get juror to commit to being fair if the juror feels he/she can be and let the defense
	14. Soft Tissue Injuries:
		1. The defense will often argue that soft tissue injuries are temporary and should heal in a few months.
		2. You need to decide based on your medical evidence when and how you are going to address this. Are your doctors strong for your client?
		3. Consider asking jurors (is there **anyone has severely sprained their ankle and had the doctor tell them they would have been better off if it had broken?** How long did it hurt? That you can stick a bone back together and it will heal but that there isn’t a similar “cast” for torn ligaments.
	15. Life Hurts:
		1. The defense will argue or imply we all get aches and pains as we get older and don’t get paid for them so why should plaintiff get paid. This may be more of a theme from the defense than an issue for voir dire.
		2. Do your best to explain the difference in plaintiff before and after the accident. I love witnesses who can come in and give five minutes of testimony saying how the plaintiff’s life has changed.
		3. **You can also ask the jurors if anyone or friends/family has been injured somehow and unable to do the things they loved before or to do them without pain**. Then you can ask the jurors if they can still be fair and sit and how the juror thinks it will affect their ability to be on the jury. Get the jurors to commit to being able to serve.
	16. **Because this disctrict court case, in Disctrict, parties are allowed to submit declaration from a doctor ins treat of calling the doctor to testify. Does anybody know why we prefer to use a declaration instead of calling the doctor to come her and testify.**

 Step 2. Generating more nibbles.

* 1. Thank you
	2. I respect your opinion
	3. Who agrees with Juror X

 Step 3. Getting on the hook

1. Why do you feel that way
2. How does it make you feel when you hear about
3. Who agrees with that statement
4. Who disagrees

 Step 4. Securing the hook

1. How strongly do you feel about this
2. Do you stand up for your personal beliefs
3. If the judge says one thing, but you believe justice can only be done if you vote your conscience, will you do what the judge says, or will you do what you believe to be right.

 Step 5. Landing the fish

1. In this case you will be asked to decided the issue of fault or liability and damages for the car carsh that occurred on October 22, 2013.
2. Given your deeply held beliefs, am I correct that you would not be a juror who could sit on this jury and apply the law told to you by the judge, if that law goes against your personal principles?
3. Your Honor, the plaintiff challenges Juror No. \_\_, for cause.

**We are on the topic of how people feel about lawsuits**. “too many frivolous lawsuits.” Thank you who else agrees. “out of control.” Thank you who else agrees. “Money won’t fix the problem.” Thank you who else agrees.