

JURY SELECTION – LAW 3608

Spring 2024

Instructor Information

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Office Hours

By appointment only. Scheduled in advance via email.

Required Reading Materials

- ❖ **Required Textbook:** *Mastering Voir Dire and Jury Selection: Gain an Edge in Questioning and Selecting Your Jury*, Jeffrey T. Frederick, 4th Ed. ISBN: 9781641050272.
- ❖ **Supplemental Reading Materials:** There are required supplemental reading materials that will be referenced throughout lectures, and are part of some of your assignments, that can be found in the “Modules” tab on our Canvas course page.

Learning Outcomes

By the end of this course, students should be able to:

- (1) Identify relevant and legally significant facts raised by a client’s case and how the facts impact jury *voir dire* and selection;
- (2) Identify, evaluate, and apply legal, psychological, and behavioral science concepts and theories applicable to jury selection;
- (3) Identify relevant legal and ethical rules applicable to jury selection;

- (4) Prepare for an engage in oral communication appropriate for effective jury selection; and
- (5) Create a strategy to determine which jurors are a “good fit” for a case and how to effectively execute the strategy.

Credit Hours

In accordance with Stetson’s Credit Hour Policy, you are expected to devote a minimum of 85 hours of total work (42.5 hours per credit), including class time, to this course. The completion of watching assigned videos and completing assigned coursework counts towards the 85 hours.

Attendance

Classroom participation is an essential part of this course. Students are required to attend class regularly and punctually. The class participation component of your grade will be negatively affected by excessive or unexcused absences from class.

Additionally, it is Stetson’s policy, in accordance with the standards of the American Bar Association, that class attendance is mandatory. Under Stetson’s Class Attendance Policy, failure to attend at least 80% of our scheduled class sessions, regardless of the reason, may be grounds for a failing grade. Roll will be taken during every class. If you anticipate an attendance problem, please let me know as soon as possible.

Class Recordings

All class sessions will be recorded by our Media Services Department. No other recording in or out of class is permitted by any means. You will be provided with access to recordings for any class sessions that you are required to miss due to serious illness or need access to for purposes of accommodation. Speak to me if you believe you need access to a class recording.

Classroom Discussion

I expect that every student will come to class prepared to discuss the assigned materials. Our class discussions will involve a mixture of cold-calling and volunteers. If you have a reasonable excuse for being unprepared for a particular class session, you should notify me in advance. I expect all class discussion to be polite, professional, and respectful.

Grading

There is no final exam in this class. The course is graded on the standard numerical scale subject to the curve. Grades are a combination of the following:

- **15%** is based on your class participation, which includes your regular and punctual class attendance, your level of preparedness for each class, your participation in classroom discussion, and your preparedness as a *juror* throughout the mock voir dire simulations;
- **30%** is the quality of your mock *voir dire* simulation as an *attorney*, which will be conducted during the second weekend of the course; and
- **55%** is the quality of your four written assignments, broken down as follows:
 - o 10% - Video Reflection Assignment
 - o 10% - Self-Assessment of Voir Dire Exercise
 - o 15% - *Batson* Analysis – The Call for an Objective Legal Standard
 - o 20% - Jury Selection Analysis – *State of Florida v. George Zimmerman*

Written Assignments and Deadlines

The following written assignments are due on or before the following dates and times. You can find details on each assignment on the “Assignments” tab of our Canvas course page. All assignments should be submitted via Canvas in a Word document.

- (1) Video Reflection Assignment – **Due by Friday, February 23, 2024 at noon.**
- (2) Jury Selection Analysis – *State of Florida v. George Zimmerman* – **Due by Friday, Friday, February 23, 2024 at noon.**
- (3) Self-Assessment of Voir Dire Exercise – **Due by Friday, March 1, 2024, at noon.**
- (4) *Batson* Analysis – The Call for an Objective Legal Standard – **Due by Friday, March 1, 2024, at noon.**

Course Schedule

This course will be taught over the course of two, three-day weekends:

- ❖ February 16 – 18, and February 23 – 25.

The hours for both weekends are:

- ❖ Friday – 6:00pm-9:00pm
- ❖ Saturday – 9:00am – 4:00pm
- ❖ Sunday – 9:00am – 1:00pm

Course Outline

The following is a tentative outline of the major topics that will be covered during this course. This outline is subject to adjustment, based on the flow and progress of our classroom discussion.

FIRST WEEKEND: Friday, February 16th – Sunday, February 18th

Class 1 – Friday February 16, 2024, from 6:00-9:00pm

- ❖ Introduction and overview of the course. We will generally discuss the topics covered in Chapters 1 and 2 of our Frederick textbook, as well as:
 - Chapter 2 – The Psychology of Communication & Persuasion – of Dr. Richard C. Waites’ book *Courtroom Psychology and Trial Advocacy*, a PDF of which can be found in the “Modules” tab on Canvas under SUPPLEMENTAL READING.
 - Chapter 3 – Jury Psychology and Decision Making – of Dr. Richard C. Waites’ book *Courtroom Psychology and Trial Advocacy*, a PDF of which can be found in the “Modules” tab on Canvas under SUPPLEMENTAL READING.

Class 2 – Saturday February 17, 2024, from 9:00am – 4:00pm

- ❖ The focus of Saturday’s class will be on the topics covered in Chapters 3, 4, 5, and 6 of our Frederick textbook, as well as Chapter 10 – Voir Dire and Jury Selection – of Dr. Richard C. Waites’ book *Courtroom Psychology and Trial Advocacy*, a PDF of which can be found in the “Modules” tab on Canvas under SUPPLEMENTAL READING.
 - Please note that I will reference Chapter 4 of Waites’ book during the lecture, which is also provided in the supplemental reading module, but it is only recommended reading for this class. However, if you are interested in civil litigation, I *strongly* recommend you download and save the PDF of that chapter for future use as it is incredibly insightful!

Class 3 – Sunday February 18, 2024, from 9:00am-1:00pm

- ❖ The focus of Sunday’s class will be on Chapters 8, 10, and 11 of our Frederick textbook, as well as Chapter 9 – Pretrial Publicity – of Dr. Richard C. Waites’ book *Courtroom Psychology and Trial Advocacy* and the landmark US Supreme Court ruling in *Batson v. Kentucky*. PDF’S of both Waites’ Chapter 9 and *Batson* can be found in the “Modules” tab on Canvas under SUPPLEMENTAL READING.

SECOND WEEKEND: Friday, February 23rd – Sunday, February 25th

- ❖ Classes all three days will be comprised of mock jury selection simulations. More information will be provided on how this will work in the week between our classes. In addition, on the morning of Saturday, February 24th, we will have a presentation from a guest lecturer on how to conduct voir dire in criminal cases in Florida.

Academic Honor Code

Students are expected to comply with all standards set forth in Stetson University College of Law's [Academic Honor Code](#). Any violation will result in an investigation and sanctions in accordance with the Code.

Accommodations

According to the Stetson University College of Law policies on ADA Accommodations and ESL Testing Modifications, students with disabilities or foreign students may seek reasonable accommodations and/or ESL testing modifications for this course. Accommodations and/or modifications cannot be made unless written notice is provided to the ADA Coordinator. To seek accommodations students must communicate with the ADA Coordinator as soon as possible at ada@law.stetson.edu and follow the procedures found on the school's Accessibility Resources website: <http://www.stetson.edu/law/accessibility/index.php>.