

14-111. Supplemental jury questionnaire.

The court, in its discretion, may allow a case-specific juror questionnaire to be distributed to the jury panel to supplement the general questionnaire originally given to the panel. This procedure is not mandatory but may be helpful. A sample questionnaire is provided below, which must be altered to fit the individual case. Questionnaires are not to be used as a substitute for voir dire questioning. The questionnaires have several purposes:

1. They allow the jurors to provide some information privately in a less intimidating atmosphere.
2. The questionnaires give the court and the parties useful information about some mundane yet important topics (for example, the jurors' knowledge of witnesses) in an efficient manner. They thus free the attorneys to question about more substantive and interesting issues and to follow up on specific topics which are highlighted by the questionnaires.
3. Questionnaires help to detect some excuses for cause earlier in the process so that the court's time is used questioning those jurors who are more likely to sit in the case, rather than those who will ultimately be excused.
4. Supplemental questionnaires give the court and parties more specific information about question areas addressed in the general questionnaire which are of particular relevance to this case.

SAMPLE SUPPLEMENTAL JUROR QUESTIONNAIRE

To Prospective Jurors:

Please answer each of the following questions as fully and accurately as possible. There are no right or wrong answers. You should simply answer the questions honestly and conscientiously. You must not discuss the questionnaire or the answers with anyone else.

Your answers will be given to the parties or their attorneys in the case for which you are being considered as a juror. If you do not understand a question or do not have enough room to give adequate explanation to your answer, please use the last page for additional information. This questionnaire is to be answered as though you were in court answering questions.

The case for which you are being questioned is entitled *State of New Mexico v. John Jones* in which the State alleges that Mr. Jones committed the crimes of (1) driving while under the influence of intoxicating liquor and (2) vehicular homicide. This is a brief statement of the charges against Mr. Jones but this and the following statements are not evidence. Mr. Jones is presumed innocent and the truth, if any, of the charges against him must be proved by the prosecution beyond a reasonable doubt.

The incidents which are relevant to the case occurred on or about June 1, 1991 on the 100 block of Central Avenue in Albuquerque. At that time Wanda Smith, 25, from Albuquerque, was a passenger in Mr. Jones' car and was killed as a result of a one vehicle accident. Also riding in the automobile were Sandra Johnson and Jose Garcia. All of the passengers in the car were students at the University of New Mexico.

Your candor in answering these questions is appreciated.
Thank you for your cooperation.

NAME: _____

1. The possible witnesses in this case include:
(See attached list)

Do you know or have you heard of any
of these prospective witnesses? Yes No

If yes,
which witnesses do you know?

what is your relationship to the witness?
or what have you heard?

2. Have you heard of the incidents or persons
involved in this case in any way, including
through radio, television, newspapers,
the internet, discussion with friends or otherwise? Yes No

If yes,
what have you heard?

—
what is the source of your information?

3. Mr. Jones is represented by (attorneys
for defendant). Do you know or have you
heard of the attorneys in this case? Yes No

If yes,
which do you know? _____
how do you know? _____
what have you heard? _____

What is your feeling about sitting on a case in
which these attorneys are involved?

4. The State of New Mexico is represented by

(names of prosecuting attorneys). Do you know or

have you heard of these attorneys?

Yes No

If yes,
which do you know?

how do you know?

what have you heard? _____

What is your feeling about sitting on a case in
which these attorneys are involved?

Have you had any contact whatsoever with the
Bernalillo County District Attorney's office?

Yes No

If yes, explain

5. Have you had any contact whatsoever with the
Albuquerque Police Department?

Yes No

If yes,
what has been your contact?

—
what is your feeling about the members of
the Albuquerque Police Department?

6. Do you, your relatives or close associates
belong to any organizations which take an
official position on the use of alcohol?
(MADD, SADD, certain churches, etc.)

Yes No

7. Do you drink alcohol?
How often? _____ What are your
feelings about the use of alcohol?

Yes No

8. Have you ever known anyone who was arrested for
driving while intoxicated (DWI)?

Yes No

Explain: _____

9. Have you, your relatives, or close associates become familiar, through work, training, or study, with the effects of alcohol? Yes No

If so, please explain:

10. Have you ever taken any courses which addressed the effects of alcohol? Yes No

Explain: _____

11. What is your knowledge, education, or training about blood alcohol levels as shown by a blood test or breath test? Please explain:

12. Do you drive an automobile regularly? Yes No
What kind of car(s) do you drive?

13. Have you ever been in an automobile accident? Yes No
Was anyone injured or killed? Please explain:

14. How well do you feel the court system deals with crime?

How well do you feel the court system deals with alcohol related crimes?

15. What are your favorite movies that you've seen within the last few years?

16. From what brief description you've been given, is this a case in which you would like to serve as a juror? Yes No

Why or why not? _____

17. Please list any other information you think would be important for the court to know. Also, list here any information which you did not have room

to give earlier.
If you do not understand particular questions,
please list those questions.

**I SWEAR OR AFFIRM THAT THE ABOVE INFORMATION IS TRUE
AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF**

Signature

Date

[Adopted, effective January 1, 1995; as amended by Supreme Court Order No. 08-8300-060, effective February 2, 2009.]