I.R.C.P. 47.i. Opening Statements - Voir Dire Examination of Jurors - Challenges - Struck Jury.

Idaho Rules of Civil Procedure Rule 47(i). Opening Statements - Voir Dire Examination of Jurors - Challenges - Struck Jury.

(1) Opening Statements to the Entire Jury Panel. The parties may, with the court's consent, present brief opening statements to the entire jury panel, prior to voir dire. On its own motion, the court may require counsel to do so. Following such statements, if any, the court shall conduct a thorough examination of prospective jurors.

(Amended May 4, 2001, effective July 1, 2001.)

(2) Examination and Challenges for Cause. - Voir dire examination of the prospective jurors drawn from the jury panel shall first be conducted by the court. The attorney for the plaintiff, and then the attorney for the defendant, and then the attorney for each other party to the action shall then be permitted to propound questions to each prospective juror concerning qualifications to sit as a juror in the action. The voir dire examination shall be under the supervision of the court and subject to such limitations as the court may prescribe in the furtherance of justice and the expeditious disposition of the case. Any question propounded by an attorney to a prospective juror which is not directly relevant to the qualifications of the juror, or is not reasonably calculated to discover the possible existence of a ground for challenge, or has been previously answered, shall be disallowed by the court upon objection or upon the court's own initiative. Challenges for cause may be made by an attorney at any time while questioning a prospective juror, or no later than the conclusion of all questions propounded to an individual prospective juror, or the prospective jury if questioned as a whole, except that a challenge for cause may be permitted by the court at a later time upon a showing of good cause. Challenges for cause, as provided by law, must be tried by the court. The challenged juror, and any other person, may be examined as a witness on the trial of the challenge. Whenever a juror is excused by the court in sustaining a challenge for cause, the clerk shall immediately draw another name from the jury panel to fill the vacancy. There shall be no limit upon the number of challenges which may be made for cause by any party, and it shall not be necessary for any coparties to join in making such challenges. Unless otherwise stipulated in the record by all parties to the action, the entire voir dire examination of all prospective jurors and the court's rulings on all challenges shall be reported verbatim.

(Amended May 4, 2001, effective July 1, 2001.)

(3) Use of Struck Jury. - The Court may, in its discretion, cause a panel of jurors to be questioned and

passed for cause in a number equal to the number of jurors required for the final jury and alternates, and an additional number equal to the number of peremptory challenges of the parties. Such prospective jurors when chosen shall be seated in such manner as to be designated numerically with the lower numbered jurors constituting the initial panel and the subsequent numbered jurors becoming the replacement jurors in the event any of the jurors of the original panel are removed by a peremptory challenge.

(Amended January 8, 1976, effective March 1, 1976; amended March 28, 1986, effective July 1, 1986; amended May 4, 2001, effective July 1, 2001.)

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