

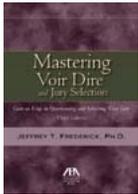
Book Review

Mastering Voir Dire and Jury Selection, Third Edition

By Jeffrey T. Frederick, PhD

Reviewed by Marlo Orlin Leach

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Countless articles and treatises have been written about various facets of voir dire and the importance of the jury selection process. But how many of those truly address the numerous aspects and considerations of voir dire in a practical, clear manner that allows the reader to actually take what is written and apply it in the courtroom in a beneficial and meaningful manner? Jeffrey T. Frederick's *Mastering Voir Dire and Jury Selection, Third Edition* is such a book.

Frederick's well-structured and authoritative treatise contains more than 500 pages of essential information, including an appendix of more than 200 pages packed with sample motions, questions for both civil and criminal cases, and juror questionnaires. It is undoubtedly an encyclopedia of information that every litigator should read at least once before stepping foot into a courtroom. In fact, much of the information provided can be used outside of the jury selection process and as a regular part of litigation practice. For example, Frederick shares analytical insights for understanding and interpreting jurors' verbal and non-verbal communications. The principles he discusses—body movement, posture, eye contact, facial expressions, speech disturbances, vocal hesitancy, tone, and laughter—apply not only to juror selection, but also to a variety of situations, including depositions and witness interviews.

The author sets out to examine the jury selection process and offers valuable and unique guidance for how to achieve his four stated goals of jury selection: information gathering, rapport, education, and persuasion. He successfully accomplishes his purpose through a comprehensive, well-organized analysis of a myriad of topics that include how to prepare for voir dire through case analysis and question development, how to conduct voir dire utilizing communication skills and interview techniques, dealing with reluctant and difficult jurors, utilizing juror questionnaires, and developing strategies for evaluating and selecting the actual jurors.

It is not difficult to find an article that discusses a particular aspect of voir dire in the abstract. Frederick, however, chooses not to follow that path, and instead provides practical examples and suggestions that can be readily applied by the civil and criminal litigator in the courtroom. At the same time, the goals of voir dire are firmly woven throughout the book as detailed explanations are followed by examples and excerpts from actual trials to illustrate how the components of voir dire help accomplish the goals of jury selection. For example, the reader is reminded that a key part of voir dire is gathering background information about a juror to help establish a rapport with the attorney, which at the same time assists counsel in establishing a baseline for determining the juror's level of anxiety.

There is little doubt that Frederick knows his subject because his work on this guidebook is preceded by his experience of more than 35 years in the field of juror research, and he has provided jury assistance in hundreds of cases utilizing the very techniques he addresses in the book. His research and courtroom application of his techniques have yielded keen insights and support for the information and advice he has compiled and arranged in this comprehensive guidebook. Using his extensive knowledge and expertise, Frederick has created a useful tool that should serve as a constant resource for the trial lawyer.