



# How to Effectively Pick a Jury (Voir Dire/Jury Instructions)



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National Lead Litigation Conference

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# SPEAKER

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Judge John J. Ark

Supreme Court Justice

New York State Supreme Court

[jark@nycourts.gov](mailto:jark@nycourts.gov)

585-371-3607

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# Jury or Bench Trial?



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# Benefits of Jury

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1. Uncertainty: home run or strike out.



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# Benefits of Bench Trial

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1. Relative certainty: single or double
  - a. can set verdict parameters



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# Benefits of Bench Trial

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2. Scheduling simplification
  - a. can accommodate attorneys' and witnesses' schedules



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# Benefits of Bench Trial

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3. Limitation of issues
  - a. go where proof takes case
  - b. color code and submit deposition transcripts
  - c. submit/redact expert reports
  - d. fact finder can make inquiry
  - e. flexible rules of evidence



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# Benefits of Bench Trial

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4. Knowledge and reputation of fact finder
  - a. pretrial involvement
  - b. experience in area



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