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**Supreme Judicial Court Announces Interim Procedure for Attorney and Self-Represented Party Participation in Juror Voir Dire**

**BOSTON, MA** – The Supreme Judicial Court today announced an interim procedure to implement a new statute, St. 2014, Chapter 254, Section 2, which grants attorneys and self-represented litigants the right to participate in juror voir dire in the Superior Court. Voir dire is the part of the jury impanelment process during which prospective jurors are questioned before they are chosen to sit on a jury. The statute goes into effect on February 2, 2015. The interim procedure is set forth in Superior Court Standing Order 1-15, approved by the Superior Court on December 5, 2014 and by Trial Court Chief Justice Paula M. Carey on December 8, 2014.

In August, the Supreme Judicial Court formed a committee chaired by SJC Justice Barbara A. Lenk to examine the jury selection process in the five Trial Court departments that conduct jury trials. Since then, the committee has been examining issues related to the selection of jurors and considering how to improve juror voir dire so as to promote and protect the constitutional right to a fair and impartial jury. The committee, which includes judges from the five Trial Court departments that conduct jury trials, representatives from bar associations, prosecutors, defense attorneys, and professors from the academic community with expertise in jury selection, worked together to design the interim procedure for use in the Superior Court.

"The tremendous work of the committee in formulating this interim procedure provides a blueprint for how the bench and bar can work together to improve the way we administer justice in our trial courts," Supreme Judicial Court Chief Justice Ralph D. Gants said. "It marks the beginning of a valuable learning process with regard to attorney voir dire."

Supreme Judicial Court Justice Lenk said of the committee's work that "it was a collaborative process that involved much debate, discussion and mutual learning, all while keeping in mind the important guiding principle of voir dire: to select a fair and impartial jury within a reasonable time frame, so as not to delay the administration of justice, and with due regard to protection of the privacy and dignity of jurors."

Superior Court Chief Justice Judith Fabricant, also a member of the committee, said that "the Superior Court looks forward to working collaboratively with the bar to implement voir dire pursuant to the standing order, and to gather information and feedback to improve the jury selection process."

"At the outset of the committee's work, it seemed like a challenge to meet all the needs and the interests of the diverse stakeholders involved. Through the hard work and great cooperation of the judges, prosecutors, defense attorneys, professors, members of the bar, and court officials, the committee was able to develop an interim standing order that everyone could support," said Douglas K. Sheff, Esq., a committee member and past president of the Massachusetts Bar Association.

"The Committee's work on the Standing Order has been collaborative and respectful of all stakeholders' interests," committee member and Committee for Public Counsel Services attorney Carolyn I. McGowan said. "The development of this new area of trial practice is exciting, and welcome, but involves a complex set of considerations. I think the Order reflects the impressive commitment by the judiciary and the bar to thinking carefully and creatively about how best to implement the change in February, and how best to study the results thereafter."

The Superior Court will follow the interim procedure while the committee gathers information from multiple sources, including judges, attorneys and jurors who participate in juror selection under Standing Order 1-15 so as to identify the best methods for selecting juries. Once the Committee completes its work and reports to the Supreme Judicial Court, the Court may adopt rules or guidelines applicable to all five Trial Court departments that conduct jury trials.

Other members of the committee are: Professor David J. Breen, Boston University School of Law; Professor R. Michael Cassidy, Boston College Law School; Honorable John P. Corbett, Juvenile Court; Honorable Serge Georges, Jr., Boston Municipal Court; Honorable Jennifer L. Ginsburg, District Court; Honorable Peter M. Lauriat, Superior Court; Assistant District Attorney Mark Lee, Massachusetts District Attorney's Association; Carolyn I. McGowan, Esq., Committee for Public Counsel Services; Mark. D. Smith, Esq., Boston Bar Association; Honorable Jeffrey Winik, Housing Court; and Commissioner Pamela Wood, Office of Jury Commissioner. Superior Court Judges Bertha D. Josephson, Maynard M. Kirpalani, and Robert C. Rufo were all on the subcommittee that worked on the standing order.

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