

IN THE SUPERIOR COURT OF FULTON COUNTY
STATE OF GEORGIA

STATE OF GEORGIA

v.

DONALD JOHN TRUMP,
RUDOLPH WILLIAM LOUIS GIULIANI,
JOHN CHARLES EASTMAN,
MARK RANDALL MEADOWS,
KENNETH JOHN CHESEBRO,
JEFFREY BOSSERT CLARK,
JENNA LYNN ELLIS,
RAY STALLINGS SMITH III,
ROBERT DAVID CHEELEY,
MICHAEL A. ROMAN,
DAVID JAMES SHAFER,
SHAWN MICAH TRESHER STILL,
STEPHEN CLIFFGARD LEE,
HARRISON WILLIAM PRESCOTT FLOYD,
TREVIAN C. KUTTI,
SIDNEY KATHERINE POWELL,
CATHLEEN ALSTON LATHAM,
SCOTT GRAHAM HALL,
MISTY HAMPTON a/k/a EMILY MISTY HAYES
Defendants.

CASE NO.

23SC188947

STATE'S MOTION TO USE A JUROR QUESTIONNAIRE FOR JURY SELECTION

COMES NOW, the State of Georgia, by and through the District Attorney FANI T. WILLIS, and requests this Court permit the State to use a jury questionnaire for jury selection.

In preparation for jury selection, the State requests this Court to employ a jury questionnaire to ensure the jury selection process proceeds smoothly for the State and for all defendants. O.C.G.A. § 15-12-11(b) authorizes the Court to allow prospective jurors to fill out questionnaires to aid the parties in determining the jurors' qualifications for jury service. Whether to permit the use of a jury questionnaire is within the discretion of this Court. *Jones v. State*, 263 Ga. 904, 907, 440 S.E.2d 161 (1994); *Wallace v. State*, 248 Ga. 255, 261, 282 S.E.2d 325 (1981).

The use of jury questionnaires will facilitate and streamline the jury selection process in many respects. First, the prospective jurors may feel more comfortable answering personal questions on paper, in private, rather than answering questions in open court during voir dire. Therefore, the parties may be able to learn more about the jurors than those jurors would feel comfortable divulging in open court. Moreover, a questionnaire from the Court would not indicate which side formulated the question, so jurors will not harbor resentment to a particular side regarding the question

Further, the attorneys may be able to agree that certain prospective jurors are not qualified without engaging in additional questioning. These questionnaires will also save time by permitting attorneys to learn basic demographic information of the jurors prior to trial. Finally, the Court will also have a copy of each questionnaire and will be able to review any basis for challenge for cause in a more expedient manner.

The State further requests that all information on the jury questionnaires remain confidential in accordance with O.C.G.A. § 15-12-11(b). The State also requests this Court inform the jurors that they must answer the questionnaires under oath.

Finally, the State urges this Court to convene a hearing so the parties may object or agree to all proposed questions prior to the distribution of the questionnaires.

CONCLUSION

The State requests this Court convene a hearing to address the use of jury questionnaires prior to the commencement of jury selection in this case. The State requests permission to use a jury questionnaire to aid *both* sides in the efficacy of jury selection.

Respectfully submitted this 5th day of September 2023,

FANI T. WILLIS
District Attorney
Atlanta Judicial Circuit

/s/ F. McDonald Wakeford
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CERTIFICATE OF SERVICE

I hereby certify that I have this day served a copy of this STATE'S MOTION TO USE A JUROR QUESTIONNAIRE FOR JURY SELECTION, upon all counsel who have entered appearances as counsel of record in this matter via the Fulton County e-filing system.

This 5th day of September 2023,

FANI T. WILLIS
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/s/ F. McDonald Wakeford
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