

(Rev 6/04)

**ROBERT H. CLELAND
UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

THE “BLIND STRIKE” SYSTEM

A number of potential jurors will be questioned and qualified (passed for cause) equal to the number of trial jurors to be selected plus the total number of allowable peremptory challenges. In a criminal case with one defendant, a total of thirty-two potential jurors must be qualified to seat of jury of twelve plus two alternates. In a civil trial with no alternates and two parties, each with three peremptory challenges, a total of sixteen jurors must be qualified to seat of jury of ten. When *voir dire* is complete and the jurors have been passed for cause, the potential jurors will remain in court and each counsel will be given a copy of the clerk's jury sheet. The attorneys will simultaneously mark the sheet to indicate their desired strikes, but the attorneys will have no knowledge of the strikes marked by the other side until both have finished. Attorneys will choose whether or not to exhaust their peremptory strikes. It is possible that there will be overlapping strikes. The strike sheets will be handed to the clerk and compared; the jury will consist of the first twelve non-struck jurors plus two alternates. The strike process will be supervised by the court to insure that the time consumed is not extensive; the court expects the work to be done in no more than about ten minutes. The court will then alert counsel to the composition of the jury at the side of the bench before announcing it to the jury panel, and any objection to the manner in which this system was executed and any objection to the legitimacy of a particular strike must be brought to the court's attention before the jury is sworn.