

# Chapter 25

## Selection of Jury

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This chapter discusses issues that arise during jury selection. The chapter is divided into five sections. Section 25.1 addresses the fairness of the jury pool, the meaning of the requirement that jury selection be random, and the procedures for procuring regular and supplemental jurors. Section 25.2 discusses the process of preliminarily excusing jurors who do not meet statutory qualifications. Section 25.3 addresses the practice of voir dire—that is, the questioning of the jury panel by the attorneys for both sides. Sections 25.4 and 25.5 discuss the law on excusing jurors for cause and by peremptory challenges.

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**Practice note:** Except in capital cases, jury selection is not recorded by the court reporter unless the defendant specifically requests it. There are numerous errors that can occur during jury selection. Defense counsel *always* should request that it be recorded. If requested, the trial judge must order complete recordation. *See* G.S. 15A-1241(b). For further discussion of the procedures and the need for complete recordation of all stages of a trial, as well as a link to sample motions, see *infra* § 28.7C, Complete Recordation (discussing recordation of opening statements), or § 33.8C, Complete Recordation (discussing recordation of closing arguments).

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