

VOIR DIRE EXERCISE A

Type of Case: Rape

Name of Case: State of Missouri v. Dan Stevens

Case-Specific Information: Dan Stevens is a twenty-nine-year-old white police officer in Kansas City. His wife is a popular high school teacher, and Dan has been on the police force seven years. Dan has no prior arrests. The alleged victim is a twenty-year-old African American woman. She is very attractive; in fact, she was a former beauty queen. The facts of the case indicate that the police officer violated three of the codes of the department: (1) He took a police car outside city limits; (2) He called in and said he was answering a call when, in fact, he was not; and (3) He made a confession that he had engaged in consensual acts with this young woman, but claimed that she had consented. There is also evidence that the young woman had consumed extensive amounts of alcohol and had smoked several joints of marijuana. State law defining "rape" would include "taking advantage" of a woman when she was in an alcoholic or drugged state.

Special Problems of the Case: The primary problem of the case concerns the credibility of the defendant as well as the credibility of the defendant. Two other Kansas City police officers have recently been disciplined for inappropriate sexual conduct. As a result, the Kansas City Star has ran several stories on the alleged rape incident and a member of the city council has loudly advocated "cleaning up the police department."

VOIR DIRE EXERCISE B

Type of Case: Negligence

Name of Case: Stella Liebeck v McDonald's Corp.

Case Specific Information: Stella Liebeck purchased a cup of coffee at a drive-in window at a McDonald's restaurant on Wornall Road in Kansas City. Liebeck, who is 81 years old, spilled the coffee on herself at a stoplight while removing the lid of the cup to add cream and sugar. As a result of the spill, Liebeck received third-degree burns on her groin, thighs, and buttocks. She spent seven days in a hospital burn unit. She received skin grafts, but is permanently scarred. The operation and training manual for McDonald's says coffee should be held at 180 to 190 degrees for optimal taste. Burn risks increase sharply with the temperature of the liquid. At 185 degrees, it takes less than five seconds to produce third degree burns. At 160 degrees, it takes 25 seconds to produce third degree burns. It is undisputed that McDonald's coffee is, on averages almost twenty degrees hotter than Burger King's and most other fastfood restaurants. Despite having received over 700 complaints of burns, McDonald's has never consulted a burn expert and does not place any warning label on its coffee cups. Liebeck alleges that McDonald's sold a "defective" product because the coffee was too hot. She also alleges that the company is negligent in failing to warn consumers of the danger presented by their hot coffee, and in failing to consult a burn expert.

VOIR DIRE EXERCISE C

Type of Case: Toxic Tort

Name of Case: Janice Walstrom vs. Chemyard Corp.

Case Specific Information: Janice Walstrom signed an agreement with Chemyard in which Chemyard would chemically treat her yard every six weeks to inhibit the growth of weeds. Walstrom claims that after the first application of Chemyard's chemicals, her dog died and she began to suffer from dizziness, headaches, and nausea which continue until the present time. Walstrom will introduce evidence that Chemyard applied chemicals at over twice the levels recommended by most lawncare companies. She will also introduce evidence that the Chemyard applicators failed to remove her dog from the area of application despite her previous understanding with the company that the dog would be moved into Walstrom's garage on days which the chemicals were applied. Chemyard will argue that the agreement Walstrom signed specifically holds customers responsible for ensuring the safety of their own pets. Chemyard will also dispute the causal connection between Walstrom's symptoms and their chemical treatments.