If you sit through enough trials in the City and County Building, you learn that verdicts often start taking shape long before opening statements. They start when a panel of strangers files into the box and the judge says good morning. As a Denver personal injury lawyer, I treat jury selection as the one chance to shape how the case will be heard, not with speeches, but by finding the right listeners.

This is not guesswork or theater. It is a practical process guided by rules, habits of local courts, and the human realities jurors bring from their jobs, families, and experience with injuries. When a personal injury attorney says voir dire matters, it is because every question serves a simple goal: uncover what will make it hard for someone to follow the law and the evidence in this particular case.

The Denver room you actually walk into

Most civil juries in Denver County have six jurors, sometimes with one or two alternates. Verdicts in Colorado civil cases do not need to be unanimous, but they do require a supermajority. The judge controls the time for voir dire. In practice, some judges give twenty minutes per side, others allow closer to forty or more, often depending on how many cause challenges they anticipate.

Panels vary. Denver draws from a dense, highly mobile population that includes tech workers, teachers, service industry professionals, healthcare workers, construction trades, and retirees. You will meet transplants who arrived last year and natives who remember the skyline before the Union Station remake. Outdoor culture is strong, which can influence attitudes about cycling collisions, ski injuries, and risk acceptance. You also see a range of views about cannabis impairment, pain management, and alternative medicine. Those attitudes show up when you ask about credibility of different providers, from orthopedic surgeons to chiropractors.

The court typically uses a short written questionnaire. Judges differ on how much they rely on it and whether counsel may propose additional case-specific questions in advance. Ask politely and early. A narrowly tailored question about experiences with insurance claims or workplace safety, circulated before the panel walks in, can make live questioning far more efficient.

The legal frame that shapes every strike

Voir dire has rules. In Colorado civil cases, each side gets a limited number of peremptory challenges. If multiple defendants have clearly adverse interests, the court may grant additional strikes, but that is discretionary. Challenges for cause are unlimited, but only when you provide a clear legal basis: a juror who cannot follow the law, cannot be fair, or has a concrete conflict. Appellate courts will expect a record that supports the judge's ruling on cause, so I build that record with precise, open questions and let the juror explain in their own words.

Equal protection applies. Batson and its state counterparts prohibit peremptory strikes based on race, ethnicity, or gender. Denver benches take this seriously. A personal injury attorney should be prepared to articulate a clear, case-related reason for every peremptory challenge, not because we anticipate a Batson challenge in every panel, but because careful, race-neutral reasoning is part of ethical practice.

One more practical rule: many judges now restrict or bar live internet research on prospective jurors during voir dire. Some allow counsel to look up public social media beforehand, others do not. If a judge issues an order, follow it exactly. Surprising the court with a phone at counsel table is a quick way to lose credibility in the first hour of trial.

What good voir dire actually tries to accomplish

Attorneys sometimes treat voir dire like an audition. It is not. It is a brief interview to locate the handful of people who, through no fault of their own, are a poor fit for the facts and law in your case. My goals are specific and repeatable.

- Identify attitudes that clash with the legal standards the jury must apply, such as personal resistance to awarding non-economic damages or distrust of certain medical specialties.
- Surface personal experiences that map closely to disputed facts, including prior accidents, claims, or work in insurance, safety, or medicine.
- Build enough rapport that jurors feel safe sharing views that might lead to cause challenges, rather than hiding them to appear agreeable.
- Clarify misunderstandings about the burden of proof and the meaning of a civil standard, which in Colorado is a preponderance of the evidence, not beyond a reasonable doubt.
- Preserve a clean record for cause challenges by eliciting clear, firm statements about inability to be fair or to follow a particular legal instruction.

Those aims guide the content and pacing of my questions. I do not try to sell the case during voir dire. I try to open doors and let jurors walk through them.

The questions that do the real work

Open-ended questions matter. A yes-or-no answer hides nuance, and nuance is where cause challenges are won. If a juror tells me they are "skeptical of lawsuits," I do not stop there. I ask what experiences shaped that view. Did they file a claim and feel mistreated by an insurer, or did they watch a relative go through a case they thought was frivolous? The difference matters. One juror may distrust insurers and expect lowballing. Another may dismiss pain claims they cannot see.

I often use scaled questions. On a scale of one to ten, how comfortable are you with awarding money for pain and suffering if the evidence supports it? A "two" is an alarm bell. Then I follow up: what would it take to move you to a four? If the juror says nothing could change their view, I keep that language in mind for a cause challenge. If they say they could listen to instructions but would be reluctant, that is a candidate for a peremptory strike rather than a cause strike.

When the case involves a rear-end crash with minimal visible property damage, I ask about the idea that "big injury needs big crash." Many people hold that belief. I do not argue with them. I ask who in the panel has seen a friend or family member struggle with soft-tissue injuries. Denver juries include athletes and outdoor enthusiasts who have experienced significant pain with no dramatic imaging findings. Their voices help normalize the concept that tissue injuries can be real even when photographs show little bumper damage.

Insurance, money, and what you can ask

Colorado allows limited discussion of insurance during voir dire for bias detection, but there are guardrails. I do not talk about policy limits, claim settlements, or suggest an insurer is behind the defense table. I ask about employment in insurance claims, defense work in liability cases, underwriting, or SIU investigations. Those are fair questions to identify specific perspectives. An adjuster who has spent twenty years looking for inconsistencies in pain diaries will hear a case differently from a NICU nurse who sees pain every shift.

On damages, I ask whether anyone believes that money cannot compensate for non-economic harm as a matter of principle. Some will raise their hands. I ask them to tell me more. In Colorado, the law permits non-economic damages within statutory limits. The question is whether a juror could follow that law if the evidence justifies it. I do not ask for promises to award money. I ask whether the juror can consider it without shutting down, and whether instructions from the judge would control their decision.

The quiet biases that derail fairness

Bias does not mean malice. It often looks like efficiency. A juror who says "I just go with the police report" may intend to be fair, yet they are announcing a shortcut that conflicts with their duty. In injury cases, officers rarely witness the crash. Reports contain hearsay and can be wrong about fault, especially on low-speed urban collisions where witness positions and angles matter. I explore whether jurors will evaluate testimony and demonstratives rather than default to a form. If they insist the report will control even if evidence shows otherwise, that is a cause challenge waiting to be made.

Another recurring pattern is distrust of certain medical providers. Chiropractic care draws strong opinions in Denver. So does long-term physical therapy. I ask who has had positive or negative experiences, then ask whether a juror would discount care solely because it came from a chiropractor. If someone says yes without hesitation, I ask if they could follow the judge's instruction that credibility of witnesses and weight of evidence are for the jury to decide based on all the circumstances, not a label on the door. Some will walk that back. Some will not. Again, it is not about winning an argument, it is about clarity.

Time constraints and the art of the follow-up

Limited time rewards discipline. I plan topic clusters rather than individual questions: liability attitudes, damages attitudes, medical skepticism, insurance exposure, lawsuit skepticism. I start with broader prompts and then work into specific follow-ups with the few jurors who raise hands or show strong reactions. The best follow-up is short and focused on capability, not preference. Can you set aside that view and follow the judge's instruction even if you disagree with it? That sentence appears in my notes for every trial.

I also pre-select language for rehabilitation, because I know it will come up after I have moved to strike for cause and the court invites further questioning. Some jurors can be rehabilitated if the concern is mild. Others cannot. If a juror has declared a firm inability, more questions risk muddying the record. Judgment here comes from experience, and from candid listening.

Cause challenges that stick

Cause challenges require a clear record that the juror cannot be fair or cannot follow the law. Vague discomfort is not enough. Neither is the attorney's sense that a juror looks hostile. I build the record with the juror's own words and avoid summarizing for them. If a juror agrees with both "I would try" and "I am not sure I could follow that instruction," I ask which statement is more accurate. Ambivalence rarely survives a polite, patient follow-up.

Here is the simple, repeatable path I rely on when asking the court to excuse for cause:

- Identify the specific legal instruction or duty that conflicts with the juror's stated belief or experience.
- Quote the juror's exact words that show inability, not just reluctance, to follow that instruction.
- Offer a brief, neutral follow-up that confirmed the inability after the initial statement.
- Tie the inability to a material issue in the case, such as causation or damages.
- Ask the court to excuse for cause, referencing the rule and the juror's statements, and stop talking.

The last step matters. Over-arguing a cause challenge invites rehabilitation by the other side or the court. A clean request, anchored in the juror's words, respects the process and protects the record.

Peremptories are not a safety net, they are strategy

Because peremptory strikes are limited, I rank the panel in real time. Who poses the greatest uncorrectable risk to my client's fair hearing? That person goes first. I do not spend a peremptory on a juror who likely could have been excused for cause with two more questions. Conversely, I do not gamble that a borderline cause challenge will be granted if a peremptory is available and the risk is high.

I also watch interactions among jurors. In a six-person jury, a single strong voice can shape deliberations. If one panelist frames every answer with "As a manager, here's how I decide claims," and others nod along, I factor that leadership role into my strikes. Leadership cuts both ways. A thoughtful, rules-focused juror who explains how they set aside personal views at work can steady a room. I will fight to keep that person.

Denver patterns that deserve attention

Every venue has rhythms. In Denver PI trials, I see recurring themes.

First, sidewalk and bike lane cases bring out strong views about personal responsibility and the role of city planning. Jurors who cycle or commute downtown often have lived experience with drivers missing shoulder checks or dooring hazards on narrow streets. Those jurors can understand time-distance problems for a driver or

a cyclist in a way diagrams sometimes do not convey. Others feel that riders accept heightened risk and should bear most of the responsibility. I ask for stories rather than positions, and I listen for rigidity.

Second, jurors have evolving views on cannabis impairment. Some equate any THC level with impairment; others assume tolerance negates it. The law and the science are more nuanced. I ask whether jurors would follow an instruction about what evidence counts for impairment, and whether they can evaluate expert testimony compared with assumptions. I do not try to preview toxicology arguments in voir dire. I try to map where disbelief will block fair hearing.

Third, economic damages feel safer to many jurors than pain and suffering. A pay stub, a billing statement, a surgical invoice, those are tangible. The non-economic side of a whiplash injury is less tangible even when it is life-altering. I ask who has missed a season of running after a back injury, or who has lost sleep for months because of nerve pain. Personal connections move jurors from skepticism to openness more effectively than any speech I could give.

Respect is part of persuasion

Jurors are not obstacles. They are the only people allowed to decide the facts. If they feel respected during voir dire, they are more likely to stay present with the case during trial. Respect shows up in small decisions.

I avoid jargon. I avoid long hypotheticals that sound like closing argument. I learn how each juror prefers to be addressed. I watch for the person who has not spoken and ask a low-stakes question to invite them in. I accept hardship answers with grace. Denver is expensive. Missing a week of hourly work is not a minor thing. If the judge asks for my input on a hardship request, I weigh the burden honestly. No verdict is worth punishing someone for serving.

Preparing clients for what they will see

Clients often expect me to remove every skeptical juror. That is not possible or even desirable. Juries should include a mix of perspectives. I explain that selection is mostly about deselection. We are looking for deal-breakers, not perfect alignment. I ask clients to watch faces, not to guess outcomes. If a juror frowns during my questions, it might mean they disagree with me. It might also mean the lights are too bright or they are concentrating. Interpreting expressions is a poor use of energy. I want my client present, composed, and human. That demeanor matters during voir dire because jurors are already forming impressions of everyone in the courtroom.

A brief, true story from the box

Years ago, in a case involving a labral tear after a moderate-speed crash in the Golden Triangle, a prospective juror volunteered that he ran a small roofing crew. He said he was tired of what he called “fake injuries” on job sites. I thanked him and asked for examples. He told a story about a worker who milked a back strain for weeks. Then I asked whether he had ever had a shoulder injury. He said he had, from lifting bundles, and described months of night pain. I asked the scale question: on a one to ten, how comfortable are you with awarding money for pain if the evidence supports it? He paused a long time and said five, maybe six. I asked if he could follow instructions on non-economic damages even if they differ from how he runs his crew. He said yes, because rules are rules. He served. He was quiet during trial. When the verdict came back, he joined a five-to-one consensus on causation and fair compensation. The holdout, ironically, was a healthcare administrator who distrusted chiropractic notes. You do not know where fairness will come from until you ask the right questions with patience.

Coordinating with experts and exhibits before voir dire

If I know a biomechanical engineer will testify, I tailor voir dire to attitudes about expert testimony. Some jurors find equations reassuring. Others assume experts are hired guns. Rather than ask, “Do you think experts are biased,” I ask, “How do you evaluate an expert whose conclusion differs from your intuition about a crash?” That grants permission to admit skepticism and opens a discussion about criteria for credibility: data quality, methodology, and consistency with physical evidence.

Similarly, when medical records show a gap in treatment due to childcare or job loss, I bring up obstacles to care without disclosing facts. I ask whether anyone has delayed or stopped treatment because of cost, insurance issues, or caretaking. Many hands go up. That conversation normalizes the idea that good people make imperfect medical timelines, which prepares the ground for testimony on causation and damages.

The craft in suburban and mountain counties

Although this perspective centers on Denver, a personal injury attorney who tries cases up and down the Front Range will adapt voir dire for neighboring venues. Arapahoe County panels often include more corporate and government employees with HR or risk experience. Jefferson County has a strong population of tradespeople and engineers. Boulder juries may bring distinct views on cycling and pedestrian safety. In mountain counties, jurors tend to have personal relationships with EMTs, ski **Personal Injury Lawyer** patrol, and small-town medical providers. The core method is the same: ask about lived experience that tracks your issues, then listen without judgment. What changes is the likely resonance of each topic.

Professional boundaries and the line you should not cross

Ethical lines in jury selection are bright. Do not argue the case in voir dire. Do not fish for promises to award money or to find fault. Do not stereotype based on job title, zip code, or last name. If you sense hostility, that is not license to embarrass a juror into a cause strike. In my experience, guarded jurors open up when they feel safe to disagree. If you create that safety, you will get ***Law Offices of Miguel Martínez, P.C. personal injury attorney*** honest answers, and honest answers help both sides.

A realistic way to measure success

I never assume that a favorable panel guarantees a win, or that a tough panel spells defeat. Success in jury selection looks like this: the people who cannot follow key instructions are excused for cause, my peremptories remove the next most problematic panelists, and the remaining jurors have shown they will listen. If I leave the room knowing why I kept each person and why I struck each person, I have done my job.

Clients rarely see the full value of this step until they watch deliberations reflected in a verdict form. Every fair juror you saved with a cause challenge, every leader you removed with a peremptory, shows up in how the jury applies the law to the facts. A seasoned Denver personal injury lawyer lives with that cause-and-effect and treats jury selection as the first test of trial judgment.

One more practical sequence for the record

Lawyers sometimes ask what to do in the short minutes after a juror reveals a major bias. The rhythm that follows keeps things clean.

- Reflect the juror’s statement back to them neutrally to confirm accuracy.

- Ask a concise capability question focused on following a specific instruction.
- Invite clarification once, not three times, to avoid coaching.
- Signal to the court that you will seek a cause challenge at the appropriate time.
- Move on, preserving goodwill with the rest of the panel and keeping your time for other issues.

This approach prevents overworking a single panelist and shows the judge you understand efficiency. It also reassures the rest of the panel that you respect boundaries and will not turn anyone into a spectacle.

Why this craft matters to injured people

For someone hurt in a crash or fall, jury selection can feel abstract compared to imaging scans, surgical reports, and lost wages. Yet the jurors decide whether the law fairly compensates them for what they lost and what they still face. An injury attorney who knows how to ask the right questions in Denver's courts protects that promise. That protection looks like open conversations about hard topics, a careful record on cause challenges, thoughtful use of peremptories, and a steady respect for the citizens who show up to do a difficult job.

A good accident attorney does not try to game the system in the first hour of trial. We try to build a fair room. From there, evidence and law do what they are designed to do.

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FAQ About Personal Injury Lawyer

Is it worth suing for personal injury?

Suing for a personal injury is generally worth it if you have severe injuries, mounting medical bills, and lost wages. However, it is rarely worth the time and effort for minor bumps and bruises where you recover quickly.

What not to say to a personal injury lawyer?

Never hide details, lie, or downplay your symptoms when speaking to a personal injury lawyer. Withholding information or fabricating details destroys your credibility, provides insurance companies an excuse to deny your claim, and makes it impossible for your attorney to properly advocate on your behalf.

How much do most personal injury lawyers charge?

Most personal injury lawyers charge a contingency fee, meaning you pay nothing upfront. They take a percentage of your final settlement or jury verdict—typically ranging from 33% to 40%—and only get paid if you win your case.