

prefers the second alternative (“reasons should be allowed...”) because it realistically suggests a more fact-based analytic process than the first alternative.

Regarding Section (i) Reliance on Conduct:

WDTL disfavors inclusion of this section that is intended to reflect the holdings of past appellate opinions. There is an entire body of law beyond these statements that addresses proper reasons for dismissing prospective jurors based on their conduct. Incomplete listings of legal holdings is potentially misleading. Moreover, subsequent appellate opinions can change the law, rendering the language of the rule inaccurate.

Regarding Section (j) Disallowed Challenges Preserved:

The WDTL has no comment on this section.

