

**Rule 123. Voir Dire of Jurors in Cases in Which Insurance Company Interested in Defense or Outcome of Action**

In all civil jury cases, in which an insurance company or companies are not parties, but are interested in the defense or outcome of the action, the presiding judge shall, upon the request of any party, be advised of the name of such company or companies, out of the hearing of the jury, as well as the name of the local agent of such companies. When so disclosed, no inquiry shall be permitted by counsel as to such names in the hearing of the jury, nor shall disclosure be made to the jury that such insurance company is interested in the action.

During examination of the jurors by the court, the jurors shall, upon request of any party, be asked collectively whether any of them have any interest as policyholders, stockholders, officers, agents or otherwise in the insurance company or companies interested in the defense or outcome of the action, but such question shall not be repeated to each individual juror. If none of the jurors indicate any such interest in the company or companies involved, then no further inquiry shall be permitted with reference thereto.

If any of the jurors manifest an interest in any of the companies involved, then the court shall further inquire of such juror or jurors as to any interest in such company, including any relationship or connection with the local agent of such interested company, to determine whether such interests or relationship disqualifies such juror.

**Cross Reference:** Minn. R. Civ. P. 47, Minn. Civ. Trialbook, section 6.

***Task Force Comment - 1991 Adoption***

*This rule is derived from Rule 31 of the Code of Rules for the District Courts. The rule is modified to specify that the court conducts the examination of potential jurors about their possible involvement with any interested insurers, thereby allowing the subject to be covered without the potential for introducing prejudice, rather than revealing it. The court should exercise its discretion to make certain that any affirmative answers to the court's questions be fully explored. See *Hunt v. Regents of Univ. of Minn.*, 460 N.W.2d 28, 33-34 (Minn. 1990).*