

DISMISSAL OF JURY

Ladies and gentlemen of the jury the function you have performed is one of the most important civic duties which you will ever be called upon to fulfill. With the return of a verdict, your service in this case is complete.

Upon your discharge you are not required, except upon Order of this Court, to discuss your deliberations or verdict with anyone. Additionally, no attorney or party or person acting for them is permitted, under the Rules of Court, to examine or question you about this matter or your role in its outcome. If any of these persons approaches you and attempts to interview you, please notify me or my staff immediately.

You may also be contacted by others, including members of the media. It will be up to each of you to decide whether to speak about your service as a juror. If you agree to be interviewed, you may discuss whatever you want and in whatever manner you deem appropriate. However, keep in mind the key to your function as jurors has been the free discussion among yourselves during your deliberations, and the privacy of those deliberations is essential to the continuation of the fair administration of justice.

All jurors have the prerogative to keep confidential their communications with their fellow jurors during deliberations. It is in the public interest that there be the utmost freedom of discussion in the jury room and that each juror be permitted to express their views without concern for public reaction. Under no circumstances should you make a statement that you would not be willing to repeat under oath in open court in the presence of your fellow jurors.

On a personal note, every day I see how citizens such as you respond to the responsibility of decision-making that is jury service. It is truly remarkable witnessing that reality and it demonstrates that the criminal justice system works and it does so magnificently to preserve our constitutional right to a jury trial.

With that, I now discharge you with the sincere thanks of all of us who serve in our court system. You are now free to go.¹

¹ A judge should not interview or consult with jurors after a verdict is returned. The appellate courts have consistently condemned this practice as a violation of the Code of Judicial Conduct in both civil and criminal cases. Ertle v. Starkey, 292 N.J. Super. 1, 7 (App. Div. 1996); State v. Walkings, 388 N.J. Super. 149, 158-59 (App. Div. 1996); In re Mathesius, 188 N.J. 496, 503-04 (2006).