

NOTICE TO THE BAR

NEW JERSEY SUPREME COURT SPECIAL COMMITTEE ON PEREMPTORY CHALLENGES AND JURY VOIR DIRE

The Supreme Court created the Special Committee on Peremptory Challenges and Jury Voir Dire so that it could conduct a thorough review in those areas, with its efforts leading to recommendations on ways to improve current jury selection practice. The Committee membership includes attorneys representing various organizations, including attorney associations. These attorney members will provide information and input to the Committee on behalf of their constituents. The Committee also welcomes information and input from individual members of the bar.

If you wish to comment, please reply to:

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Administrative Office of the Courts
P. O. Box 988
Trenton, NJ 08625

Please identify the county or counties in which you primarily practice. Please specify whether your practice is primarily civil or criminal and whether you primarily represent plaintiffs or civil defendants or the State or criminal defendants.

The Committee is interested in learning your reactions to the way in which voir dire is most often conducted in New Jersey, which voir dire practices you believe provide sufficient information for juror selection practices, your experiences regarding the conference mandated by R.1:8-3(f), and, generally, which voir dire practices you prefer.

We invite your comments on specific voir dire practices that you have encountered. As part of your response, please comment, whether favorably or unfavorably, on the following issues or practices, as well as any others that you deem appropriate:

- 1) The use of written questionnaires;
- 2) Jurors answering questions in writing as opposed to verbally;
- 3) A trial judge permitting the attorneys to participate in initial questioning;
- 4) Initial questions that are open-ended versus those requiring a yes / no response;
- 5) Initial questions posed to jurors individually versus en banc;
- 6) The outcome when judges determine whether to permit requested supplemental questions;
- 7) Obtaining an on-the-record response to each requested supplemental question;
- 8) Posing any follow-up questions in open court as opposed to at sidebar / chambers;
- 9) Follow-up questions that are open-ended versus those requiring a yes / no response;
- 10) Attorney participation in asking follow-up questions.

Joseph F. Lisa, J.A.D., Chair