

Waiver of Jury

Directive #3A-71
Issued by:

October 14, 1971
Edward B. McConnell
Administrative Director

At the Assignment Judges meeting in Cherry Hill, the question came up as to the propriety of screening criminal cases to determine in which ones it was likely the defendant would receive only a probation sentence if convicted and then advising the defendant of that fact and requesting that he or she consider waiving a jury trial. The Chief Justice has taken this matter up with the Supreme Court which sees no objections to such a program provided there is no implication that if he or she does not waive a jury trial he or she will receive a jail sentence if convicted.

EDITOR'S NOTE

The last sentence of the original directive has been deleted. That sentence referred to a Bergen County program and to one suggested for Essex County. The language has been changed to render it gender-neutral.