

NOTICE TO THE BAR

Comments on Report of Supreme Court Special Committee on Peremptory Challenges and Jury Voir Dire

In 2004 the Supreme Court appointed the Special Committee on Peremptory Challenges and Jury Voir Dire to evaluate what steps might be taken to improve the jury selection process in both civil and criminal cases. The Court also asked the Special Committee to evaluate the number of peremptory challenges allowed in both civil and criminal cases.

The Special Committee, chaired by Appellate Division Judge Joseph A. Lisa, filed its report and recommendations with the Supreme Court on May 16, 2005. The Court has authorized publication of the Special Committee's report and recommendations for comment. **The report is published with this Notice.** It also may be reviewed on the Judiciary's Internet website (njcourtsonline.com).

As set forth in its report, the Special Committee has made a series of ten recommendations. Recommendation 1 consists of five proposed Jury Selection Standards. Recommendation 2 calls for the Court to establish a standing committee on jury selection. Recommendation 3 is for development of a jury selection manual. Recommendation 4 consists of the Special Committee's recommendation that the proposed standing committee be responsible for proposing any revisions to the standard jury selection questions included within the proposed Jury Selection Standards. Recommendation 5 calls for a comprehensive jury selection training program for judges. Recommendation 6 proposes development of a jury selection training program for attorneys. Recommendation 7 proposes a rule amendment (Rule 1:8-3(f)) to expand the pretrial voir dire conference to also include written submission of proposed voir dire questions and to require the trial judge to rule on proposed voir dire questions on the record. Recommendation 8 proposes reductions in the number of peremptory challenges in criminal trials (in cases with a single defendant, eight peremptory challenges for defendant and six for the State; in cases with multiple defendants, four challenges for each defendant, with the State permitted three challenges for each defendant). Recommendation 9 proposes the reduction of the number of peremptory challenges in civil trials to four challenges per party. Recommendation 10 proposes a rule amendment (Rule 1:8-3(c)) to authorize the trial judge in multiple-party trials to decrease or increase the number of peremptory challenges available to the parties where the judge determines such reduction or increase to be appropriate.

Comments on the Special Committee's report and recommendations are being sought by the Court for its consideration prior to taking any action. The deadline for the submission of comments is September 15, 2005. Please submit them to me at:

Hon. Philip S. Carchman, J.A.D.
Acting Administrative Director of the Courts
Administrative Office of the Courts
Hughes Justice Complex, Box 037
Trenton, New Jersey 08625-0037

Comments may also be submitted via Internet e-mail to the following address: Comments.Mailbox@njcourts.gov

The Supreme Court will not consider comments submitted anonymously. Thus, those submitting comments by

mail should include their name and address and those submitting comments by e-mail should include their name and e-mail address. Comments submitted in response to this notice will be maintained in confidence only if the author specifically requests confidentiality. In the absence of such a request, the author's identity and his or her comments may be subject to public disclosure after the Court has acted on the proposed recommendations.

Hon. Philip S. Carchman, J.A.D.

Acting Administrative Director of the Courts

Dated: June 16, 2005

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