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Supreme Court Releases Report on Peremptory Challenges and Jury Voir Dire

[The New Jersey Supreme Court has approved for publication the report of the Special Committee on Peremptory Challenges and Jury Voir Dire.](#) The report, which was submitted to the Court on May 16, can be found at njcourtsonline.com.

The committee, chaired by Appellate Division Judge Joseph F. Lisa, was appointed by the Supreme Court to make recommendations on how to improve the jury selection process in both civil and criminal cases. The Court also asked the committee to evaluate the number of peremptory challenges allowed in both civil and criminal cases.

The report sets forth 10 recommendations by the committee, including the establishment of standards for jury selection; the establishment of a standing committee on jury selection; the development of a jury selection manual; additional jury selection training for judges; additional jury selection training for attorneys; and a proposed amendment to court rule that would expand the pretrial voir dire conference to include written submission of proposed voir dire questions and require the trial judge to rule on proposed voir dire questions on the record.

In addition, the report proposes a reduction of peremptory challenges in criminal trials to eight for the defendant and six for the state in cases with a single defendant. For cases with multiple defendants, the report recommends four peremptory challenges for each defendant, with the state permitted three challenges for each defendant. In civil trials, the report recommends the reduction of peremptory challenges to four challenges per party. The report also recommends a court rule amendment 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 will be accepted by the court prior to any action. Comments may be sent by Sept. 15, 2005 to:

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

Comments also may be submitted electronically to Comments.Mailbox@judiciary.state.nj.us.

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