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From: Michael Maggiano <Mmaggiano@mdltriallawyers.com>
Sent: Tuesday, December 15, 2020 8:35 AM
To: Comments Mailbox
Subject: [External]Civil - Proposal for Virtual Civil Jury Trials Comments

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Dear Judge Grant,

Please accept this email as my comments in favor the Virtual Civil Jury Trial.

I have been trying cases for over 40 years. I am certified by the Supreme Court of New Jersey and the National Board of Advocacy as a Certified Civil Trial Attorney. I am a member of the American College of Trial Lawyers and the American Board of Trial Advocates. I am a past president of the New Jersey Association for Justice. I presently serve as a member of its Board of Governors and Executive Committee.

There is no question that it is an absolute health risk to all involved to hold anything close to a Jury Trial at the Courthouse. I believe even having the lawyers and witnesses at the courthouses is placing citizens including judges and court personnel at needless risk when there is abundant and affordable technology enabling the advent of the Virtual Jury Trial in all respects from pre trial conference to post verdict motion practice and relief.

Necessity has caused us to advance materially in our use and command of technology to communicate in the legal environment remotely. Thus far all aspects of remote proceedings have worked and work well. Zoom motion hearings, case management conferences and arbitrations are now commonplace for us. The time saving and

health safety features by never having to leave our offices or homes has been a huge bonus to court and office efficiency.

We are able to safely go from one venue to another on motion day and arbitration days by moving from one zoom conference to another never having to leave the safety of home or office. How efficient and safe it would be to likewise wrap up one trial after verdict or settlement and move on to pre-trial conference and picking a jury in another case in another virtual courtroom by never leaving your office.

We have likewise become proficient in the use of “ sharing” of exhibits during zoom meetings with clients and in the deposition setting.

I have conducted over 100 depositions in a variety of personal injury matters and find the technology most accommodating. I did not feel that I lost anything as an advocate by not being in the same room with the adverse witness or my client for that matter. Now keep in mind this is all coming from an over 70 practitioner.

With the advent of large wide screen HD technology, excellent affordable microphones and cameras the quality of our presentations to jurors will be most acceptable and welcoming.

The Virtual Trial will have as its platform communication technology our jurors use every hour of every day. A fair estimate is that the majority of jurors receive their daily information and news by smartphones. They

are constant text and email communicators on these devices. In short they are most accustomed to a Virtual environment.

A large percentage of the jury pool are millennials. Their world since birth has been with the use of smart gadgets and devices. The internet came into being in 1985 and Smartphones became publicly available in 1994.

Look at our young lawyers who hold the future for our judicial process. They grew up in a virtual world and are most comfortable practicing law in a legal community that welcomes this technology format for Courthouse communication.

From a Public Safety standpoint, there are no compelling reasons to drive to a physical

courthouse. Our system of justice has always been reflective of our societal needs. It evolves and reshapes itself as does the society it serves. The AOC should be focusing on the Virtual Courthouse as much of our business world moves forward focusing on the Virtual Market Place.

It is time for the Virtual Trial at the Virtual Courthouse. Moreover Public Safety requires it.

Respectfully submitted,
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