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From: Frank Rodriguez <FRodriguez@JaverbaumWurgaft.com>
Sent: Tuesday, December 15, 2020 10:03 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 25 years. I am certified by the Supreme Court of New Jersey as a Certified Civil Trial Attorney and am a member of the Civil Trial Certification Committee of the New Jersey Board on Attorney Certification, although these comments are offered in a personal capacity and not on behalf of the Committee. 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.

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. Thus far, all aspects of remote proceedings have worked and work well. Zoom motion hearings, case management conferences, mediations, depositions and arbitrations are now commonplace for us.

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 medical malpractice 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.

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.

I respectfully submitted that virtual jury trials should be made mandatory until the pandemic is over. I submit that the opposition to making it mandatory relates more to the fear and inconvenience of learning something. But the trial bar and our courts are most certainly adaptable, and adaptation is what needs to happen in order to maintain the courthouse doors open at least virtually.

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

Thank you and the judiciary for you efforts in this regard. Stay safe.

Respectfully submitted,

FRANCISCO J. RODRIGUEZ

Certified by the Supreme Court of New Jersey as a Civil Trial Attorney

Javerbaum Wurgaft Hicks Kahn Wikstrom & Sinins, P.C.
15 Warren Street, PH West
Hackensack, New Jersey 07601

(201) 464-5155

frdriguez@lawjw.com

New York Springfield Newark Morristown Elizabeth Freehold Voorhees Jersey
City Union Atlanta

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