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Sent: Tuesday, December 15, 2020 1:18 PM
To: Comments Mailbox
Subject: [External]Proposal for Virtual Civil Jury Trials Comments

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Dear Judge Grant,

I am writing to your Honor to submit comments in favor of the Virtual Civil Jury Trial.

I have been trying cases for over 35 years. I am certified by the Supreme Court of New Jersey and am a member of the American Board of Trial Advocates. I am the president-elect of the New Jersey Association for Justice. I also presently serve as a member of its Board of Governors and Executive Committee. I am a Trustee of the Hudson County Bar Association.

We all recognize the risks attendant to attempt live jury trials in the county Courthouses. I primarily practice in Hudson and Essex Counties. Neither of these facilities are ideal to attempt to conduct any volume of in person, socially distanced jury trials. Our jurors need to travel on public transportation. Jurors, Judges, lawyers and court personnel would be needlessly exposed in an effort to conduct a very limited number of jury trials. The alternative, Virtual Jury Trials, utilizing the vast array of technology currently available could enable all county courts to conduct trials so as to address the overwhelming backlog caused by the global pandemic.

Never did I imagine that I would be conducting 5-7 depositions in any given week via Zoom. Arbitrations are now routinely, successfully being managed on the Zoom platform. I find it to be remarkably efficient and equally convenient to attend proceedings using this technology. I believe my colleagues are also becoming increasingly proficient in the use of this technology to continue our practice of law.

My client base is diverse and on the lower end of the socioeconomic scale. That being said, I have found that everyone has the capability to join a Zoom deposition, preceded by a Zoom deposition preparation session. Whether they use their computers, tablets or smartphones, each home has some form of technology available to assist the client in participating in their case.

Importantly, I think it important that if the Court is to consider moving toward Virtual Jury Trials, such trials must encompass all types of cases. The system must be available to all litigants, not just to verbal threshold plaintiffs. We have no ability to compel the defense to resolve cases which have no foreseeable trial date on the horizon. As a leader of the New Jersey Association for Justice, our members around the state are finding themselves left with no ability to move their cases forward. If a Virtual Jury Trial system is put in place, I urge you to mandate such a system. A mandate would require the participation of all parties and create an effective tool to enable our system of justice to once again provide litigants with a forum to seek resolution of their cases.

Respectfully,

Kathleen M. Reilly, Esq.

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