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From: Krauss, Kurt W. <Kurt.Krauss@wilsonelser.com>
Sent: Wednesday, December 16, 2020 2:30 PM
To: Comments Mailbox
Subject: [External]Proposal on Virtual Civil Jury Trials

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Hon. Glenn A. Grant, J.A.D.
Acting Administrative Director of the Courts

Dear Judge Grant:

I am writing as a civil litigator of 32 years who is a member in good standing of the New Jersey State Bar, a former Chair of the District X Ethics Committee and in my present capacity as Chair of the Morris County Bar Association Committee on Professionalism after polling the Committee. I thank the Court for the opportunity to comment on a proposal for virtual civil jury trials.

Respectfully, I am unequivocally opposed to virtual jury trials. I am deeply concerned about the susceptibility of jurors and witnesses to be influenced by outside influences, including, but not limited to, the internet and third parties who may be in the room with them without the knowledge of the trial judge or attorneys who are trying a case. Certainly, jurors may not be fully engaged in the trial if they are at home, subject to distractions of their families and other personal obligations. Moreover, the right to fully confront adverse witnesses without influence of third parties is severely limited by virtual appearances. I am also deeply concerned about the fact that technology limitations may eliminate a significant percentage of jurors from the jury pool. These concerns in my opinion far outweigh any benefit of virtual civil jury trials.

In the event that the Supreme Court mandates virtual civil jury trials in New Jersey, no virtual jury trial should be permitted unless all counsel and all clients agree in writing to waive their right to a trial by jury in person of their peers.

Respectfully submitted,
Kurt W. Krauss

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Thank you.