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Via email: [Comments.Mailbox@njcourts.gov](mailto:Comments.Mailbox@njcourts.gov)

Hon. Glenn A. Grant, J.A.D.

Acting Administrative Director of the Courts

Comments on Proposal for Virtual Civil Jury Trials

Hughes Justice Complex; P.O. Box 037

Trenton, New Jersey 08625-0037

Re: COVID-19 - VIRTUAL CIVIL JURY TRIALS

Dear Judge Grant:

This will serve to respond to The Supreme Court's invitation for written comments on the proposal for virtual civil jury trials during the ongoing COVID-19 pandemic.

As a practicing attorney in New Jersey for over forty-nine years and a Certified Civil Trial Attorney for thirty-seven years I certainly understand the serious impact that COVID-19 has made on our ability to effectively try cases. However, I have the following concerns about the proposal for conducting virtual jury trials in civil cases:

- Virtual jury trials will be cumbersome;
- Some attorneys may not be as technically adept as others;
- Virtual jury trials will allow for interference by non-jurors in jury deliberations;
- Virtual jury trials will allow for assisting and prompting witnesses;
- Not all prospective jurors have viable internet access;
- The process will be more difficult for jurors;
- This can provide an extra excuse to those who are not willing to serve;

- The constitutional right to have a jury of one's peers decide cases may be compromised by the virtual trial experience.
- Not all citizens have the capability and technical equipment to participate in virtual trials;
- Financially disadvantaged individuals and senior citizens may effectively be eliminated from participation in a virtual format.

I sincerely appreciate the opportunity to comment on the proposal for virtual civil jury trials during the ongoing COVID-19 pandemic.

Very truly yours,  
DWYER CONNELL & LISBONA LLP

BY:   
DONALD T. OKNER

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