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Sent: Monday, July 19, 2021 3:02 PM
To: Comments Mailbox
Subject: [External]Comment re: July 16, 2021 Public Notice for "Future of Court Operations - Remote and In-Person Proceedings"

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Good Afternoon:

I submit the comment herein regarding the July 16, 2021 Public Notice for "Future of Court Operations - Remote and In-Person Proceedings" published on the Court's website for consideration by the Supreme Court in support of continuing remote proceedings along the guidelines provided in the Notice for the following reasons.

The use of remote proceedings in civil cases proceeding in the trial divisions for case management conferences, motion arguments, mediations, depositions and other non-trial events has greatly increased the efficiency with which litigants, and the Court, can advance cases through the litigation process, as well as significantly reduced the costs associated with these events. With respect to efficiency, parties and counsel are able to schedule events far more easily, where they are able to attend any video conference from any location with a stable internet connection and working web camera, and even more easily when the event requires only dialing in by telephone. This convenience has increased parties' abilities to find workable dates and times within their own schedules, as well as in juggling schedules of counsel, insurance carriers and mediators, without the additional difficulty of factoring in travel, thereby allowing multiple events to be scheduled within the same day. With respect to cost reduction, litigants are spared the additional expense of travel costs (transportation/mileage, tolls, parking, etc.) for both themselves and their counsel, as well as mediators depending on the case, as well as the additional expense that many of these events cause when held in-person due to the need for litigants to miss entire days of work, or more significant parts of the work day, when the event must include travel to and from the event.

I do believe that jury trials, including jury selection, should return to in-person proceedings as soon as practicable and safe, to afford litigants and their counsel the best opportunity to assess juror issues (including determining whether jurors are paying attention to the proceedings) and for jurors to have unfettered hearing and viewing of witness testimony in making credibility determinations and to view evidence put forward without any concern over delays or other issues with technology that may occur from time to time. While such delays represent an inconvenience when they occur during depositions or mediations, during a trial, such delays can result in great confusion for jurors, counsel and the Court in ensuring that the jury has had meaningful access to the evidence and arguments presented such that the danger of undue prejudice to the parties outweighs any benefits that the convenience of remote proceedings might provide.

Thank you for consideration of my comment above.

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