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Law Office of Michael A. Smolensky LLC

101 Route 130 S, Ste 1
Cinnaminson, NJ 08077
Phone: (856) 812-0321

July 25, 2021

Re: Comments on the Future of Court Operations

VIA EMAIL ONLY TO: Comments.Mailbox@njcourts.gov

Hon. Glenn A. Grant, J.A.D.
Acting Administrative Director of the Courts
Comments on the Future of Court Operations
Hughes Justice Complex; P.O. Box 037
Trenton, NJ 08625-0037

Dear Judge Grant,

Please accept this comment on the future of operations in criminal and municipal court.

Based on my experience since the COVID-19 pandemic began, it seems to me the virtual format for criminal and municipal court increases the likelihood that a client will opt for trial instead of resolving the conflict through negotiation. It seems to me this is a result of the reduced time and money costs for defendants who would be required to miss work, school, or other obligations if they were to appear in court. The foregoing will foreseeably lead to an increase in case backlog.

If the pre-pandemic policies and procedures to reduce backlog remain in place, then virtual proceedings will foreseeably create more problems than it hopes to solve. As such, returning to in person court proceedings would actually make more sense.

Thank you very much for considering my comment on this matter.

Sincerely,

Michael Smolensky, Esquire

cc: File