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Hon. Glenn A. Grant, J.A.D.
Acting Administrative Director
Of The Courts
Comments on the Future of Court
Operations
R. J. Hughes Justice Complex
Trenton, New Jersey 08625-0037

Dear Judge Grant:

Please accept this writing as my response to the request for comments regarding court operations and the continued use of a remote format to conduct court proceedings. It is my view that the remote format should continue to be available for conducting a variety of court proceedings. The use of the remote format is more efficient than in court appearances for conducting various court proceedings including Case Management Conferences, Settlement conferences, Mediation and Oral Argument on Motions. The use of the remote format results in greater efficiency in addressing court matters than appearing in court as there is the ability to address a number of other court proceedings on the same day as there is no travel time. I think that the remote format should continue also in light of the continuing pandemic where there is now potential exposure of court staff, litigants and counsel to the Covid-19 Alpha Virus, the Covid-19 Delta Variant and now the Covid-19 Delta Plus Variant. The ongoing pandemic has now resulted in an increase in cases in New Jersey and throughout the United States. The risk of exposure and contracting Covid-19 with in person appearances outweighs the benefit of appearing in person in court.

When the number of new cases are counted for the past fourteen days in New Jersey, it is clear that the infectivity level is increased now and the identified infections are happening in persons who have been fully vaccinated as well as those persons who have not been vaccinated. The number of new cases identified in New Jersey per day from July 26, 2021 through to August 2, 2021 follow: 594, 792, 854, 1017, 964, 1009, 883 and 957, respectively. The number of new cases identified in New Jersey from the date of August 3, 2021 through to August 8, 2021 follow: 1,173, 1,164, 1,345, 1,249, 1,276 and 1,208 respectively. In New Jersey as of August 8, 2021, there were 651 people in the hospital and of that number 117 people were in the Intensive Care Unit (ICU). In addition, of the persons in the ICU, 59 people were on ventilators. As of the date of August 8, 2021, there were 917,349 confirmed cases of Covid-19 in New Jersey. The Covid-19 Delta Variant has been identified as the infecting virus in many of the newly confirmed cases.

The Covid-19 Delta Variant is highly contagious and experts are stating that one person with the Covid-19 Delta Variant will infect eight people. Of note, the persons with the initial Covid-19 Alpha Virus transmitted infection to two people. Experts have also addressed the air quality issue and have noted that the ability to infect persons within a building is increased in older buildings as older buildings lack a Hepa air filtration system. As a result, the air is not filtered and there is greater exposure to virus particles which remain in the air for at least three hours. This results in inhalation of air contaminated with Covid-19 Alpha Virus, Covid-19 Delta Variant and now the Covid-19 Delta Plus Variant for persons who remain in these environments for greater than fifteen minutes. While wearing masks provides some protection, it is only the National Institute of Occupational Safety and Health (NIOSH) N95 mask that affords 95% protection by

filtering out the virus. Most persons do not have N95 masks as these masks are expensive costing in the area of \$80.00 for a package of 20 masks.

In light of the ongoing pandemic and the Covid-19 Alpha Virus, the highly contagious Covid-19 Delta Variant and now the Covid-19 Delta Plus Variant which present an increased ability to transmit the virus to a large number of persons and the lack of an air filtration system in most court buildings, a continuation of use of the remote format is warranted.

Respectfully submitted,

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