# NOTICE TO THE BAR

## COVID-19 – CRIMINAL AND CIVIL JURY TRIALS TO RESUME INCREMENTALLY USING A HYBRID PROCESS WITH VIRTUAL (VIDEO) JURY SELECTION AND SOCIALLY DISTANCED IN-PERSON TRIALS

The Supreme Court has authorized the incremental resumption of new Civil and Criminal jury trials, which have been suspended for more than four months because of the ongoing COVID-19 pandemic. Attached to this notice are the Court's July 22, 2020 Order and the Report on Resuming Jury Trials.

Atlantic/Cape May, Bergen, and Cumberland/Gloucester/Salem will be the first Vicinages to resume certain jury trials, beginning with Criminal trials involving a single detained defendant. Over the coming months, trials will gradually resume in all counties and will expand to include Civil as well as Criminal cases.

### Overview

The Court-approved plan for resuming jury trials replicates to the greatest extent possible standard pre-COVID-19 processes, including as to the issuance of summonses to prospective jurors; availability of online and hard copy options for qualification; resolution by staff of certain statutory pre-reporting excuses (e.g., disqualification of jurors who have relocated outside of the summoning county); and general prescreening of qualified jurors for availability for the trial schedule.

### Virtual *Voir Dire* – Including Distribution of Technology

All case-specific questioning of jurors will be conducted by a judge in the presence of the attorneys and parties, with the difference being that most *voir dire* will be conducted virtually rather than in physical courtrooms. As with the ongoing virtual grand jury pilot program, the Judiciary will in all cases provide technology to jurors where it is necessary to support their participation in virtual proceedings.

### In-Person Reporting

Following virtual questioning and for-cause excusals, a small group of jurors will be directed to report in person to the courthouse for the final phase of selection, including the exercise of peremptory challenges. That in-person phase of the selection process will be conducted observing social distancing requirements and with jurors and others generally required to wear masks. Once that phase of the selection process has been completed, selected jurors will be empaneled for a socially distanced in-person

trial, which will be conducted in accordance with public health guidance issued by the Centers for Disease Control and Prevention (CDC) and the New Jersey Department of Health (NJ DOH). Empaneled jurors will be required to wear masks, which the Judiciary can provide, as needed. Throughout the trial the Judiciary will enforce social distancing to avoid close contact between trial participants. We will provide designated restrooms and break areas, and, in coordination with building owners, we will arrange for additional cleaning and sanitizing.

Selection of Cases for Trial

During this beginning phase of the resumption of jury trials, total trial activity will be substantially less than during normal pre-COVID-19 operations, with the goal being to be conducting at least one Civil trial and one Criminal trial at any particular moment in each county in the coming months. Assignment Judges and Presiding Judges will work closely with attorneys to identify the cases that will proceed, taking into account standard factors (e.g., the length of time a criminal defendant has been detained) as well as factors relevant to social distancing (e.g., the occupancy challenges associated with cases involving multiple parties). Attorneys and parties will be invited to walk through the physical layout of courtrooms in advance and to review any proposed technological supports (e.g., large-screen monitors to display evidence) or health precautions (e.g., plexiglass barriers for witnesses).

Critical Areas of Focus

- Preventing and Responding to COVID-19 Risks

  The Court's plan for resuming jury trials depends on strict adherence to public health guidelines for all persons in court facilities, especially trial participants. Judges will exercise primary responsibility for ensuring that courtroom occupants avoid close contact, which the CDC defines as being closer than 6 feet for more than 10-15 minutes or coming into direct contact with bodily fluids (e.g., being coughed on). If a juror or other trial participant during any portion of the in-person proceedings is diagnosed with COVID-19 or develops symptoms consistent with the virus, the Judiciary will notify those persons who are or may be at risk. More detailed information on the Judiciary's COVID-19 exposure notification protocols will be provided before the first jurors report for selection.

- Safeguarding Constitutionality

  The processes authorized by the Court in support of the incremental resumption of jury trials uphold the constitutional rights of parties, including criminal defendants. As in standard in-person operations, attorneys and parties will participate during all case-specific questioning of jurors. By reconfiguring

courtrooms and making effective use of technology, trial participants will be able to see jurors both during the virtual selection process and during socially distanced in-person trials.

Attorneys will be supported in communicating with their clients during the virtual jury selection and the socially distanced in-person trial. Options for supporting safe direct attorney-client communications include installation of partial plexiglass dividers, exchange of private notes, and/or use of earbuds similar to those used by interpreters. Appropriate measures also will be implemented to ensure that witnesses are visible when testifying, whether protected by a plexiglass barrier or wearing a transparent face shield.

- Supporting Representative Juries

  The Judiciary will enable all qualified and available jurors to participate in virtual jury selection, whether by using their individual personal technology (e.g., laptop or smartphone with camera functionality) or by using devices supplied by the Judiciary (e.g., tablet with broadband capability). In additional to ensuring inclusive jury panels, the Judiciary will support juror service for in-person trials by enforcing public health precautions, including wearing masks; maintaining social distancing; and frequently cleaning and disinfecting shared areas.

Development and Ongoing Improvements

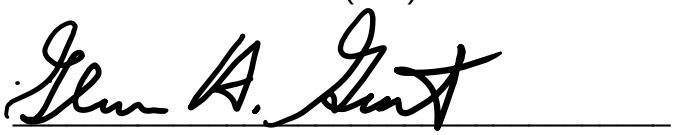
The Court-approved plan incorporates many of the recommendations of the Judiciary's Post-Pandemic Planning Committee on Resuming Jury Trials. Assignment Judge Bonnie J. Mizdol (Bergen) serves as chair of that Committee, with Trial Court Administrator Jason Corter (Cumberland/Gloucester/Salem) as vice-chair. The Committee's initial recommendations were refined and supplemented by the Judiciary's Post-Pandemic Stakeholder Coordinating Committee, which includes representatives of the Attorney General's Office, the Office of the Public Defender, the County Prosecutors Association of New Jersey, the New Jersey State Bar Association, the New Jersey Department of Health (NJ DOH), and others.

The Court appreciates comments and suggestions provided over the past few weeks by Criminal and Civil practitioners, including leadership of the New Jersey State Bar Association, the Association of Criminal Defense Lawyers of New Jersey, the New Jersey Association for Justice, and the American Civil Liberties Union (New Jersey). As Criminal and Civil jury trials resume in the coming months, we welcome ongoing input from judges, attorneys, jurors, and the public.

Conclusion and Questions

Resuming jury trials is critical to supporting comprehensive court operations during the evolving COVID-19 public health crisis. This is a temporary solution to unprecedented circumstances. We will return to normal in-person jury operations as soon as it is safe to do so. In the interim, the New Jersey courts will continue to provide information about jury trials and all upcoming court operations, including on our public webpage, njcourts.gov.

Questions on this notice and the Supreme Court Plan for Resuming Jury Trials should be directed to the Office of the Administrative Director at (609) 376-3000.



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

Dated: July 22, 2020

**SUPREME COURT OF NEW JERSEY**

In response to the COVID-19 pandemic, the Supreme Court on March 12, 2020 suspended new jury selections and new jury trials. For more than four months, the courts have been operating almost exclusively via remote (video and phone) technologies for matters not including jury trials. With the transition to Phase 2 of the Judiciary's Post-Pandemic Plan, the New Jersey courts are gradually resuming limited on-site presence and in-person proceedings, including for matters that cannot be conducted in a remote format.

In light of public health approval for limited on-site presence (with appropriate precautions), and technological resources that support virtual operations, a limited number of jury trials can be resumed at this time. To that end, the Court has authorized a comprehensive plan for conducting new Criminal and Civil jury selections and trials using a hybrid format that includes both virtual (video) and in-person elements for jury selection, and the presentation of evidence at trial in court.

The plan is based on the recommendations of the Judiciary's Post-Pandemic Planning Committee on Resuming Jury Trials, as refined and supplemented by the Judiciary's Post-Pandemic Stakeholder Coordinating Committee. This is an interim solution to the ongoing COVID-19 crisis. The New Jersey courts will resume standard in-person jury operations when it is safe to do so.

The Court's plan maintains the core components of pre-pandemic jury operations, as modified to protect the health and safety of jurors, attorneys, parties, and all court users. The plan reduces to a minimum the number of jurors who report to courthouses and requires that health precautions – including wearing face masks; maintaining social distancing; and enhancing cleaning protocols – are enforced during jury selection and jury trials. Those interim adjustments will be implemented so as to uphold the fundamental rights established by the United States Constitution and the New Jersey State Constitution, including meaningful participation by attorneys and parties in the jury selection process, and confidential communication between attorneys and clients during jury selection and trial. Steps will be taken to ensure that jurors can hear and observe the presentation of witness testimony and other evidence (including but not limited to documents and videos) in court.

Accordingly, it is ORDERED that effective immediately, for the duration of the COVID-19 public health emergency and under further order:

1. The Administrative Director of the Courts ("Director") and Assignment Judges shall take steps to implement jury selection in a primarily virtual (video) format, as follows:

    a. Qualified jurors will be prescreened by Judiciary staff for technological capacity to participate in virtual selection;

b. Jurors can participate in virtual selection using a laptop, tablet, smartphone, or other comparable device with a reliable Internet connection and a functioning web camera;

c. When a juror is otherwise able to participate in virtual selection but requires technological support, the Judiciary shall provide restricted-use devices (laptops or tablets) and related supports (including, as necessary, broadband capacity), which shall be configured and administered solely by the Judiciary; and

d. Before starting virtual jury selection, Judiciary staff will provide initial Zoom testing and onboarding for qualified jurors.

2. The Director and Assignment Judges shall take steps to implement limited in-person jury selection and socially distanced jury trials, as follows:

a. Limited numbers of jurors will report to the courthouse for a final phase of selection;

b. Jurors will report on staggered schedules and will adhere to public health protocols while in public areas and in courtrooms, including during breaks and deliberations;

c. Trial judges will exercise primary responsibility for enforcing public health requirements, including preventing close contact between trial

participants by maintaining six feet of social distance between people; and

d. Consistent with the Court's June 9, 2020 Order, court users including judges, court staff, attorneys, parties, witnesses, and jurors will be required to wear face masks, except that judges will have discretion to remove their own face mask or to direct others to remove face masks when other public health safeguards can be implemented (e.g., a witness testifying behind a clear plexiglass barrier).

3. Jurors will be summoned consistent with standard practices, except that the initial summons notice and the follow-up questionnaire will notify them of the interim hybrid process that includes virtual selection and socially distanced in-person trials.
4. In coordination with Assignment Judges, Judiciary staff will address juror requests to be disqualified or excused before reporting (e.g., based on relocation outside of the summoning county) in accordance with statutory criteria.
5. Judiciary staff will follow standard statewide protocols for juror requests to be excused based on medical inability to serve, including but not limited to reasons related to the COVID-19 virus.

6. Jurors who request to be excused based on COVID-19 concerns not related to substantiated medical inability will be scheduled for questioning by a judge.
7. Judiciary staff will prescreen jurors as authorized by the Supreme Court Guidelines on Screening Jurors Prior to *Voir Dire*, including as to availability for the anticipated trial schedule.
8. All case-specific questioning of jurors will be conducted during the virtual *voir dire* process in the presence of the judge, attorneys, and parties. Jurors will be excused for cause based on that questioning.
9. Following virtual questioning and for-cause excusals, the remaining small group of jurors will be directed to report in person to the courthouse for the final phase of selection, including the exercise of peremptory challenges.
10. Judges will schedule virtual and/or in-person visits by attorneys and clients before starting jury selection begins to address courtroom configuration, including seating arrangements for all trial participants.
11. Public access will be provided for the virtual and in-person phases of jury selection.
12. Socially distanced in-person jury trials will be livestreamed to the public.
13. Confidential attorney-client communications will be supported during virtual and in-person jury selection and socially distanced jury trials.

14. If a juror or other trial participant during any portion of the in-person proceedings is diagnosed with COVID-19 or develops symptoms consistent with that virus, the Judiciary will notify those persons who are or may be at risk and will take appropriate next steps.

15. The first jury selections and trials will begin in the following three Vicinages: Atlantic/Cape May, Bergen, and Cumberland/Gloucester/Salem. The first new jury trials will be Criminal cases involving a single detained defendant. Informed by those initial experiences, jury trials will expand statewide and will include both Criminal and Civil cases.

16. Depending on the duration of the COVID-19 pandemic and further developments in the months ahead, the Court may reconsider and revise the provisions of this order.

For the Court

Chief Justice

Dated: July 22, 2020

New Jersey Courts

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## New Jersey Supreme Court

# Plan for Resuming Jury Trials

**August 14, 2020**

**[Updated from July 22, 2020]**

# Starting Premises

Chief Justice Stuart Rabner and the New Jersey Supreme Court are committed to providing comprehensive court services, even during the COVID-19 pandemic.

To that end, the New Jersey courts are preparing to resume Civil and Criminal jury trials in or around September 2020.

We will mail juror summonses in July/August 2020 and empanel juries and start trials in September.

# Starting Premises

Jury trials during the COVID-19 period will require adjustments based on public health requirements and other factors.

We face severe space restrictions.  We will need multiple courtrooms for individual trials and will be unable in some counties to conduct multiple trials simultaneously for the foreseeable future.

# Starting Premises

Our immediate focus is to develop the capacity to support jury trials statewide using a hybrid model with some virtual (video) and some in-person elements.

This is a **temporary** solution to an unprecedented situation. We will resume standard in-person jury operations when it is safe to do so.

# Starting Premises

Resuming jury trials is necessary – and it is urgent.

- The suspension of new jury trials for nearly four months jeopardizes the rights of criminal defendants, including those who are detained, as well as victims seeking to complete a critical event in their recovery process.

- Civil litigants also must not be made to wait indefinitely for their day in court.

# **Waiting** is not an option

We cannot predict if or when jury trials will be able to resume in a pre-COVID-19 format.

That time may be months or more than a year from now.

The Judiciary is responsible to ensure the fair and timely administration of justice.  Resuming jury trials is a key part of fulfilling that responsibility.

# Hybrid Approach: Virtual and In-Person

# Starting Premises

The plan is based on the recommendations of the Judiciary's Post-Pandemic Planning Committee on Resuming Jury Trials, which considered national best practices and models introduced in other jurisdictions, including the federal courts.

The Committee – including representatives of the County Prosecutors Association and Public Defender's Office as well as Civil and Criminal judges – evaluated various options and recommended that a hybrid approach would be the best way to resume jury trials in New Jersey.

# Starting Premises

The draft proposal was shared with Civil and Criminal attorneys who posed a number of questions and suggested certain refinements that are incorporated in this final report.

The Judiciary Stakeholder Coordinating Committee – which includes Attorney General, Public Defender, and New Jersey State Bar Association members – also reviewed and assisted in finalizing the report.

# Starting Premises

Virtual jury selection is necessary.  Based on public health guidance, we cannot support an entirely in-person jury **selection** process.

- The Judiciary annually summons 1.4 million jurors, with about 250,000 jurors reporting in person to courthouses.

- The pre-COVID-19 model of packed jury assembly rooms is simply not an option.

# Starting Premises

- We cannot bring significant numbers of jurors into courthouses at one time.

- We cannot require jurors to report to court facilities without actually coming into the courthouse (especially considering jurors who travel by public transit).

# Starting Premises

The Virtual Grand Jury Pilot Program currently is operating in Bergen and Mercer Counties and will be expanding to include State Grand Jury.

Through that pilot program, we have worked through the technical components of a virtual jury process – and we are ready to build on that foundation for virtual selections of trial juries.

# Starting Premises

Only a few courtrooms in each county are large enough to accommodate jury trials with social distancing.

- To support at least 1 Criminal trial and 1 Civil trial in each county at one time (which will be the maximum capacity in many counties), selection must be done in a primarily virtual format.

# Starting Premises

High-volume counties (Essex, Camden) should be able to accommodate 3-4 trials at one time – but only if courtroom space is reserved for trial and deliberations.

There is no space to bring in more than 30 jurors at one time for the very final phase of selection.

# Starting Premises

Jury trials will be conducted with all jurors in the courtroom with the judge.  Depending on occupancy limits, observers (family, friends, media, public) may be accommodated in a second courtroom with a video feed.

We will engage attorneys and parties in a walk-through in advance of any trial, so that all participants have accurate expectations.

# Overview – Virtual Selections & In-Person Trials

The Judiciary will be implementing a hybrid model for jury selection and jury trials, including:

- Video and other public information for jurors
- Modified summoning and qualification
- Enhanced prescreening for additional statutory excusals, deferments, and COVID-19 issues
- Virtual (or mostly virtual) jury selection
- In-person jury trials

# Tentative Timeline

- July/August 2020 – summonses mailed to jurors in first counties
- August 2020 – jurors qualify online and on paper; Jury staff prescreen jurors; Judiciary distributes technology as needed
- Mid-September 2020 – jurors report for virtual selection, followed by the final in-person phase of selection
- Late September – jurors report for socially distanced in-person trials (Criminal involving detained defendant)

# Overview – Jury Selection Process

- Summoning prospective jurors
- Qualification and pre-reporting excuses
- Prescreening by Jury Management
- Virtual (video) jury selection
- In-person final phase of selection
- Socially distanced jury trials
- Next steps

# Summoning Prospective Jurors

To test the process, we will begin with a straightforward Criminal trial (single defendant; less than 2 weeks for the trial itself (possible total of 4+ weeks with selection)).

- The Judiciary will mail initial notices, which direct jurors to go online to complete a qualification questionnaire.

- Jurors who do not respond to the online questionnaire will be mailed a follow-up customized hard copy qualification questionnaire.

# Prescreening by Jury staff

In addition to standard pre-reporting excuses, during COVID-19 Jury staff also will contact all confirmed jurors to review:

- Ability to participate in a virtual selection process;
- Ability to participate in an in-person trial; and
- Factors related to COVID-19.

# Prescreening – COVID-19 Questions

Jury staff will defer (reschedule to a future date) prospective jurors who substantiate that they should avoid in-person gatherings based on current CDC guidance.

As of mid-July 2020, this includes:

- Persons who are 65+ years of age; and
- Persons with specific underlying medical conditions (chronic kidney disease; COPD; immunocompromised state from solid organ transplant; obesity; serious heart conditions; sickle cell disease; Type 2 diabetes).

Medical excuses will require a doctor's note (without confidential medical information) as in non-COVID-19 cases.

# Prescreening – COVID-19 Questions

Jury staff will speak with jurors who express general health/safety concerns about reporting and explain how the Judiciary is ensuring clean and safe facilities.

Jury staff also will speak with jurors who indicate non-health related concerns or views about COVID-19.

Those jurors will not be excused by staff and will instead be scheduled to report in a virtual setting to speak with a judge.

# Prescreening by Jury staff

Prescreening serves two main purposes:

(1) Identifying jurors who need technology to participate in virtual selection (which technology will be provided by the Judiciary); and

(2) Eliminating from the pool jurors who could not report in person for the trial dates (including for COVID-19 reasons).

# Prescreening by Jury staff – Complex Trials

For complex Civil trials or multi-defendant* or high-profile Criminal trials, Jury staff also may distribute case-specific questionnaires as approved by the attorneys and the judge.

* Multi-defendant trials will be especially difficult in many counties due to space limitations.

# Prescreening by Jury staff – Complex Trials

The plan is to start with simple, shorter trials that will not involve case-specific questionnaires, which will be added as the types of jury trials expand.

We will expand to complex Civil trials as promptly as practicable, leveraging the technology we have employed during remote operations to facilitate presentation of evidence to jurors.

# Supporting Participation in Virtual Selection

The Supreme Court is committed to ensuring representative and inclusive juries at every stage of the selection process.

As in the Virtual Grand Jury Pilot Program, the Judiciary will provide technology to jurors without a smartphone, tablet, or laptop with functioning web camera.

Judiciary IT staff will facilitate a virtual selection process using Zoom, essentially like a virtual court proceeding.

IT staff will provide assistance to jurors as needed.

# Jury Selection Process – Virtual Phase

The Judge will pose questions to the jurors as a group and then individually as needed, asking all of the Model Voir Dire Questions.

The sequence of the Model Voir Dire Questions can be adjusted for remote selection.

Jurors will be excused for cause and may be peremptorily challenged.

# Size of the Virtual Panel

Virtual selection will start with a panel of 30 jurors (so that all jurors are visible in the Zoom courtroom).

Those 30 jurors will have qualified and confirmed availability and further confirmed capacity to participate virtually and in person.

# Virtual Selection

The virtual selection process will be substantive, with the following expectations:

- The attorneys and parties can be present in the courtroom with the judge or can participate remotely upon request.
- The judge will ask all model questions, the biographical questions, the omnibus questions, and open-ended questions.
- The judge will dismiss jurors for cause.
- Jurors requiring individualized questioning will have 1:1 follow-up virtual sessions.

# Overview – Virtual and In-Person Selection; Trial

Step 1 – General Virtual Questioning

Step 2 – Individualized Virtual Questioning

Step 3 – In-Person Final Phase of Selection

Step 4 – In-Person Trial

# Virtual Selection – Step 1

Step 1 – The judge will hold two Zoom sessions (morning and afternoon) with 30 jurors at each session. The judge will provide the basic information about the trial and excuse jurors for cause. Jurors not excused but requiring further questioning will be individually questioned – either during that session or later.

For a Criminal selection, with 30 jurors each morning and 30 jurors each afternoon, this might take up to a week.

# Virtual Selection – Step 2

Step 2 – Jurors not excused for cause but requiring additional questioning (e.g., those who answer that they are more or less likely to believe police testimony) will be individually questioned by the judge in the presence of the attorneys, either during their initial session or on a future date.

The virtual phase will be similar to the process used in a "struck jury" and will yield a small group of pre-questioned jurors who actually report in person.

# In-Person Selection – Step 3

For social distancing purposes, limited numbers of jurors will report at one time for the final phase of in-person questioning/challenges.

- The question "do you know any of the other jurors in the box?" will need to be asked in person.

Following general and individualized questioning, the starting group of 210 jurors will be reduced to about 60-70 jurors who will be scheduled to report in person on consecutive days.

Attorneys will exercise peremptory challenges, and the judge will dismiss additional jurors for cause as necessary.

# In-Person Selection – Step 3

Some degree of in-person questioning (including as to anything that has changed) will be conducted.

During in-person questioning, to the extent possible, the judge and attorneys in the main courtroom will be provided a live feed view of the other jurors in a separate courtroom (e.g., 14 jurors in the main in-person courtroom and another 15-20 in a separate in-person room or rooms with video feed).

# In-Person Selection – Step 3

Several options might be used for sidebar discussions with jurors.

- For brief conversations, jurors can be brought up closer than 6’ from the judge, with plexiglass and/or face shield barriers, for questioning.
- For longer conversations, it may be necessary to provide a separate room for the judge, attorneys, and juror to relocate to for a sidebar discussion.
- Courtroom facilities will affect the best options.

# In-Person Trial – Step 4

After selection, jurors will be directed to report in person to a courthouse.

- Jurors will receive a text message with COVID-19 screening questions reminding them not to report if sick.

Jurors will report on staggered schedules (to avoid crowding) and undergo point-of-entry screening, including COVID-19 symptoms, and, in some counties, thermal scanning.

All jurors will wear face masks (which will be provided if necessary).

# In-Person Trials

Jurors and all trial participants will follow specific routes to get to courtrooms, taking into account elevator limits (1 or 2/elevator).

Once in the courtroom, jurors will be seated with 6 feet of social distance between them, typically in the gallery.

Jurors will receive personal materials (sanitizer; notepads/pens if applicable) and have access to designated restrooms and eating areas.

# In-Person Trials

Courtroom setup will be modified to maintain social distancing, including by turning or moving counsel tables.

Confidential attorney-client communications will be supported through various options, including partial plexiglass dividers (that would enable seating closer than 6 feet apart) and earbuds.

# In-Person Jury Trials

Only a few courtrooms in each county are large enough to accommodate the number of jurors and other participants in a criminal trial.

The Judiciary has an obligation to reduce foot traffic in the courthouse and mitigate logistical challenges with court facilities to provide social distancing.

- At maximum capacity, a handful of trials (with social distancing) can be conducted in any vicinage.

Total in-person trial activity will be limited.

# Socially Distanced Jury Trials

# In-Person Jury Trials

While all jurors will be in the courtroom with the judge and attorneys, trial proceedings might be broadcast into a second courtroom so that observers (family, media) can view the trial in real-time.

- This will be planned with input from attorneys.

Jurors will deliberate in person in a designated courtroom or the assembly room, but not in smaller deliberation rooms.

# Potential Exposures

Jurors will not be in close contact with each other or others.

- In the event that a juror develops symptoms of COVID-19, that juror will not report for service.
- If there is any risk of exposure as defined by the CDC or NJ DOH, then the Judiciary will provide notice.
- The Court will publish and post our COVID-19 notification policy before any jurors report in person.

# Next Steps

The Judiciary must resume jury trials in order to provide access and justice for the people of New Jersey.

Our experience during remote operations – including 50,000+ virtual events involving almost 500,000 participants and an ongoing productive virtual grand jury pilot program – demonstrates that virtual processes are successful.

# Next Steps

By early fall, jury trials will start in a few counties, which will help in getting baseline data (e.g., percentage of jurors who require technology) and refining the process.

The first cases will be straightforward Criminal matters expected to take less than 2 weeks for the trial itself (4-5 weeks overall).

# Next Steps

As soon as capacity is established, trial activity will expand subject to local resources, including the number of courtrooms that can accommodate socially distanced trials.

Selection of cases will depend on a variety of factors – Assignment Judges will work closely with Civil and Criminal Presiding Judges to identify appropriate cases for the first trials and later expansion.

# Next Steps

As Criminal and Civil jury trials resume in New Jersey, with virtual selection and in-person trials, procedures will be refined based on input from judges, attorneys, jurors, and the public.

The New Jersey courts will continue to provide information about jury trials and all current and upcoming court operations, including on our public webpage, njcourts.gov.