



Judicial Conference
on
Jury Selection
Nov. 10 and 12, 2021

Day One

Wednesday, Nov. 10, 2021

Wi-Fi Information

SSID: Conference-Guest

Passcode: NJLaw2021

9 a.m. Welcome: Hon. Stuart Rabner, Chief Justice, Supreme Court of New Jersey

9:15 a.m. Opening Keynote

The opening address will examine systemic racism in the United States and ways to realize the ideals of democracy. The keynote will invite participants to recognize and confront the gaps in our justice system.

Keynote Speaker: Eddie S. Glaude, Jr., Ph.D., James S. McDonnell Distinguished University Professor and Chair, Center for African American Studies and Department of African American Studies, Princeton University

10:15 a.m. First Panel: Voir Dire in New Jersey

This session will review efforts by the New Jersey Supreme Court, in collaboration with governmental and legal stakeholders, to improve the jury selection process. It will highlight the 2005 Report of the Supreme Court Special Committee on Peremptory Challenges and Voir Dire (the Lisa Report). Panelists will discuss the current voir dire process and possible alternatives, including greater attorney involvement.

Moderator: Hon. Carmen Messano, P.J.A.D.

Panelists: Hon. Joseph F. Lisa, P.J.A.D. (ret.)
Hon. Lisa P. Thornton, A.J.S.C.
Hon. Joseph E. Krakora, Public Defender

11:20 a.m. Second Panel: Jury Representativeness

This session will trace how jury panels are created. It will highlight points at which juries may become less representative. Panelists will discuss an empirical analysis of a sample of New Jersey jury selections.

Moderator: Hon. David H. Ironson, J.S.C.

Panelists: Nina W. Chernoff, Professor of Law,
City University of New York School of Law
Mary R. Rose, Ph.D., Professor and Acting Chair of Sociology,
University of Texas at Austin

12:30 p.m. Lunch Break

1:15 p.m. Third Panel: Peremptory Challenges & the Right of Civic Engagement

This session will address how jury selection shapes public perceptions of the justice system. It will consider the experiences of qualified jurors who are excluded through

peremptory challenges. The session will also address the more than 10,000 people required to report for jury service each year who never reach the jury box for questioning.

Moderator: Howard H. Berchtold, Jr., Trial Court Administrator

Panelists: William C. Snowden, Founder, The Juror Project
Gregg L. Zeff, Legal Redress Chair, NAACP of New Jersey

2:15 p.m. Fourth Panel: Supporting Juror Impartiality

This session will introduce a new video developed to help jurors recognize and avoid judgments based on implicit biases. It will focus on new juror voir dire questions and enhancements to the model jury charges to address implicit bias.

Moderator: Hon. Hany A. Mawla, J.A.D.

Panelists: Hon. Edward J. McBride, Jr., P.J.Cr.
Hon. Camelia M. Valdes, Passaic County Prosecutor

3:15 p.m. Day One Closing Remarks

Hon. Stuart Rabner, Chief Justice

Day Two

Friday, Nov. 12, 2021

9 a.m. Introduction: Hon. Glenn A. Grant, Acting Administrative Director

9:10 a.m. Scheduled Public Testimony

- Hon. Andrew J. Bruck, Acting Attorney General
- Hon. Joseph E. Krakora, Public Defender
- Domenick Carmagnola, President, New Jersey State Bar Association
- Akil Roper, Vice President and Assistant General Counsel,
Legal Services of New Jersey
- Matthew J. Tharney, President, Trial Attorneys of New Jersey

10:15 a.m. Fifth Panel: Juror Records & Demographic Data

This session will focus on transparency about the jury selection process in general. It will review what jury records are available under the current Court Rules. The panel will also address how the Judiciary will carry out the Court's direction in State v. Dangcil that the Administrative Office of the Courts shall collect juror demographic data at the juror qualification phase.

Moderator: Hon. Lee A. Solomon, Associate Justice,
Supreme Court of New Jersey

Panelists: Hon. Andrew J. Bruck, Acting Attorney General
Hon. Glenn A. Grant, Acting Administrative Director of the Courts
Alexander Shalom, Senior Supervising Attorney, ACLU of New Jersey

11 a.m. Scheduled Public Testimony

- Hon. Esther Suarez, Hudson County Prosecutor and President, County Prosecutors Association of New Jersey
- Aidan P. O'Connor, President, Association of Criminal Defense Lawyers of New Jersey
- Karen Thompson, Senior Staff Attorney, ACLU of New Jersey
- Michele N. Siekerka, President and CEO, New Jersey Business and Industry Association
- Pastor Ronald L. Slaughter, St. James AME Church
- Ryan P. Haygood, President and CEO, New Jersey Institute for Social Justice
- Charles Loflin, Executive Director, Unitarian Universalist Faith Action NJ

12:30 p.m. Lunch Break

1 p.m. Sixth Panel: Toward Representative Juries

This panel will highlight a number of options to guard against bias in jury selection. The Chief Justices will also discuss approaches their jurisdictions have adopted to address these challenges.

Moderator: Hon. Stuart Rabner, Chief Justice

Panelists: Hon. Robert M. Brutinel, Chief Justice, Supreme Court of Arizona
Hon. Steven C. González, Chief Justice, Supreme Court of Washington
Hon. Richard A. Robinson, Chief Justice, Supreme Court of Connecticut

2:30 p.m. Scheduled Public Testimony

- Kathleen M. Reilly, President, New Jersey Association for Justice
- Ryan Richman, President, New Jersey Defense Association
- Gregg L. Zeff, Legal Redress Chair, NAACP of New Jersey
- Henal Patel, Board Director, New Jersey League of Women Voters
- The Reverend Dr. Charles Franklin Boyer, Founding Director, Salvation and Social Justice

3:10 p.m. Endnote: Peremptory Challenges - A Judge's Perspective

This presentation will review the history of peremptory challenges. The address will explore how a reduction in peremptory challenges could reduce discrimination and make the jury selection process more equitable.

Endnote Speaker: Hon. Morris Hoffman (ret. Colorado State District Court Judge)

3:40 p.m. Closing Remarks:

Hon. Stuart Rabner, Chief Justice