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Via Email 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, New Jersey 08625-0037

Re: Comments on the Future of Court Operations

Dear Judge Grant:

I write in my capacity as Municipal Court Judge for the municipalities of the Borough of Bound Brook and the Township of Green Brook, both in Somerset County. I have served in each of these towns for approximately five years. I am responding to your Notice entitled "Future of Court Operations – Remote and In-Person Proceedings," dated July 16, 2021.

I wish to offer my perspective regarding remote proceedings in municipal court. While I certainly see some user advantages to remote proceedings, including ease of access, reduced need to miss work and school, and reduced costs for attorney travel and waiting time, I see many disadvantages regarding the overall effectiveness of the municipal court process.

The lack of decorum and solemnity with remote proceedings greatly detracts from the court's ability to effectively do its job. I frequently have defendants, and yes, attorneys, dressed in tee shirts and shorts while addressing the court, often while in their automobile. I have had defendants charged for cell phone violations appear for court on their cell phones while driving. Defendants often appear while doing other things, like cooking, walking down the street, or eating and drinking. I recently had a defendant appear while he was driving a tractor trailer truck. When I pointed out that his doing so was in violation of the law, he told me that he was simply not going to miss any work to address a ticket.

When people are appearing from the comfort of their living room, they lose the importance of the event. It is often said that, for most people, their only lifetime interaction with the judicial system is with the municipal court. There is something to be said for having to take time from work, or having to bring children in tow to a court session, to mark the seriousness and solemnity of the event. In other words, there is some value in having to undergo effort to address an accusation of having violated the law. Just because something is easier, it may not be better.

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The ease of appearing remotely has not increased the likelihood of appearing. I believe the stats show that Failures to Appear have increased dramatically, in that I heard that they are at something like 53% statewide, down from what was previously in the mid-eighty's percent. That is certainly the case in my two courts.

I recognize that some form of remote access is here to stay. I just wanted you to have this perspective, one that I share with other municipal judges. In short, the use of remote access is seriously diminishing the effectiveness of our municipal courts, which, obviously, is not desirable.

Perhaps the solution might be to allow Municipal Court Judges greater leeway in deciding which of their matters will be in person. Another approach may be to spell out in the Court Notices exactly what is to be expected with dress and decorum regarding virtual events.

Thank you for your time.

Respectfully submitted,

A handwritten signature in black ink, appearing to be 'M Fedun', written in a cursive style.

Michael Fedun, J.M.C.

MF/r