

As authorized by the New Jersey Supreme Court, the Judiciary is reforming jury processes. Through these reforms, the Court seeks to broaden participation in jury service and reduce the effects of discrimination and bias in jury selection. Many of the jury reforms apply to all civil and criminal jury trials as of Sept. 1, 2022. Certain additional reforms for now apply only to criminal matters in three counties -- Bergen, Camden, and Middlesex -- that will be testing a new approach to jury selection known as Attorney-Conducted Voir Dire (ACVD).

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## Statewide Jury Reforms

- This document highlights [statewide jury process reforms](#) effective Sept. 1, 2022. Those reforms include strategies to support jurors in recognizing and interrupting the effects of potential biases and amendments to Court Rules applicable in all jury trials

### Strategies to Interrupt Implicit Bias

- The court will show a [Juror Impartiality Video](#) to jurors to raise awareness and improve understanding of implicit bias. The video educates jurors about how to avoid the effects of bias when making decisions.
- Judges in all trials will use enhanced instructions that include additional guidance to jurors about their responsibility to decide the case based on the facts and evidence, rather than any preconceived ideas about the parties. See the [Aug. 25, 2022 notice](#) for the full text of the updated jury charges.
- Judges will ask jurors the following two new voir dire questions about implicit bias:
  - Question 1: In the juror orientation video and my introductory remarks, the concept of implicit bias was defined and discussed. In light of that information, do you think you will be able to decide the case fairly and impartially? Please explain.

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- Question 2: Some of the witnesses, parties, lawyers, jurors, or other people involved with this case may have personal characteristics (such as their race, ethnicity, or religion) or backgrounds different from yours, or they may be similar to yours. Would those differences or similarities make it difficult for you to decide this case impartially based solely on the evidence and the law? Please explain.

### Amendments to the Rules of Court

- Three Court Rules are amended effective Sept. 1, 2022. As amended:
  - Rule 1:8-3 provides for a clear and liberal standard for challenges for cause.
  - Rule 1:8-5 provides for sharing more information about prospective jurors with attorneys.
  - Rule 1:38-5 clarifies the confidentiality of certain types of juror records.

For further information, see the Court's [July 12, 2022 Order](#).

- The Court has also adopted new Rule 1:8-3A (“Reduction of Bias in the Exercise of Peremptory Challenges”), which is effective for cases in the ACVD pilot program as of September 2022 and effective statewide as of January 1, 2023.
  - This document sets out the content of [new Rule 1:8-3A](#) with additional background information and key takeaways for judges and attorneys.

## Attorney-Conducted Voir Dire (ACVD)

- The Supreme Court has authorized a pilot program to explore attorney-conducted -- rather than judge-led -- voir dire. The program is available for criminal cases in Bergen, Camden, and Middlesex counties starting Sept. 1, 2022. See the Court's [July 12, 2022 Order](#).
- For an introduction to ACVD and an overview of the pilot program, see this document that includes [video illustrations of the key phases of the ACVD process](#).
- The ACVD model proposed for New Jersey will involve the use of case-specific written questionnaires. Jurors will complete those questionnaires electronically, with their responses compiled and provided for review by counsel and the court before the start of oral questioning. This document explains the [electronic questionnaire process](#), with videos showing how questionnaires

will be customized and how attorneys will receive and review juror responses.

- This Word version of the Supreme Court–approved [consent and waiver form](#) will be entered for each case that opts into the pilot program.
- To support cases in the ACVD pilot program, the Judiciary has developed template notices and forms, which we are continuing to review and improve with input from stakeholders in the pilot counties. These optional forms are available in customizable Word format for attorneys in ACVD cases:
  - This template [notice of hearing](#) includes a copy of an [updated short-form questionnaire and guidance](#) for attorneys to develop and modify case-specific questions.
  - This model [trial order on ACVD process](#) would be customized and entered after the case conference.

## Additional Information on Jury Reforms

- The statewide jury reforms follow through on [State v. Andujar](#), 247 N.J. 275, 318 (2021) in which the Supreme Court called for a Judicial Conference to examine New Jersey’s jury selection processes and recommend improvements designed to broaden participation and representativeness and reduce the effects of purposeful discrimination and all types of bias. Information on that November 2021 Conference is available on this [webpage](#). See this [July 12, 2022 notice](#) for the Court’s Administrative Determinations on the 25 recommendations of the Judicial Conference Committee.
- The Judiciary is in the process of implementing other parts of the Court’s action, including through the collection of voluntary juror demographic information. See this [July 14, 2022 notice](#) about the first phase of that data collection.
- Nearly all COVID-19 related adjustments to jury operations have concluded as of Sept. 1, 2022. See the Court’s [Aug. 24, 2022 Order](#).
- The Supreme Court has authorized expanded availability of aggregate juror demographic information. See the [March 28, 2023 notice](#).