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From: R Goldstein <rgoldstein@drescher-cheslow.com>
Sent: Monday, July 26, 2021 3:07 PM
To: Comments Mailbox
Subject: [External]Future remote and in-person court operations

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Dear Judge Grant:

I am chair of the Middlesex County Bar Association Family Law Section and a co-chair of the New Jersey Association for Justice Matrimonial Law Section. I was admitted to the NJ Bar in 1974 and have been in active private practice since September, 1975.

I am taking this opportunity to comment on the report on the Future of Court operations. I will limit my comments to the Family Division as I rarely appear in jury trials at this stage of my career.

I believe it is easier for attorneys to appear on motions for oral argument by Zoom or on the phone when both attorneys consent. I agree with the proposal that uncontested adoptions; uncontested or settled divorce actions; hearing officer hearings for DV TROs and for the establishment of initial support orders can continue to be handled remotely if all parties have access to the technology that is required and have familiarity with screen sharing documents, photos, etc. As for early Settlement Panels, I have been conducting them remotely but have some issues with that as when all counsel and parties are together in the court house, they often take the opportunity while there to discuss and settle or narrow the issues before and after getting ESP panel recommendations. This opportunity is lost on Zoom or Teams. Therefore, unless the attorneys/parties agree to have their ESPs done remotely, I urge them to be resumed at the court houses.

I also find in person mediations to be much more effective than mediations done remotely. People are much more motivated to reach agreement when there is personal interaction, in my experience.

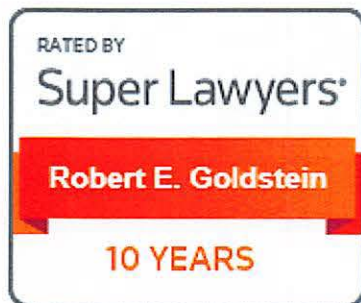
Lastly, although I have tried cases on Zoom in the family division and besides the technology glitches which cause delays, I have found that confronting witnesses on cross-examination and the ability for the trial judge to observe the witnesses in person militates for in person contested trials and plenary hearings unless the lawyers and parties agree otherwise.

Thank you for your consideration of these opinions. I would be happy to answer any questions you may have.

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