INSERT CAPTION

The Supreme Court in its July 12, 2022 Order has approved the Attorney-Conducted Voir Dire (“ACVD”) Pilot Program (“ACVD Pilot”). In ACVD, the attorneys (rather than the judge) take the lead in questioning jurors, without the use of mandatory voir dire questions.

In the above-captioned matter, the State, represented by PROSECUTOR, and the defendant, NAME, represented by DEFENSE ATTY, (collectively “the parties”) consent to participate in the ACVD Pilot. Participation in the ACVD Pilot requires the parties’ knowing consent to waive a certain number of peremptory challenges, as detailed below.

The defendant, NAME, has been indicted and charged with the following:

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_.

The parties acknowledge and understand the following:

* The ACVD Pilot program will give the parties a greater role in questioning prospective jurors directly.
* The parties may participate in the selection of jurors and use of peremptory challenges in this matter.
* A peremptory challenge allows the parties to excuse a potential juror without giving any explanation or reason for doing so, although a reason may be required in the event of a challenge.
* Under N.J.S.A. 2B:23-13 and the Rule 1:8-3(d), in cases of this type the State is entitled to [12/10] peremptory challenges and the Defendant is entitled to [20/10] peremptory challenges based upon the indictment in this matter.
* Participation in the ACVD Pilot will reduce the number of peremptory challenges otherwise allotted to each party.
* The State may exercise [6/5] peremptory challenges in the ACVD Pilot.
* The Defendant may exercise [8/5] peremptory challenges in the ACVD Pilot.

Having had an opportunity to consult with counsel, the parties knowingly and voluntarily waive their right to the full number of peremptory challenges provided by law and request to participate in the ACVD Pilot. The parties and their attorneys have discussed the advantages and disadvantages of participation in the ACVD Pilot and agree to a reduced number of peremptory challenges in this matter.

The parties understand that a jury verdict in this case in the ACVD Pilot will have the same force and effect as a jury verdict in a case not in the pilot program.

The parties acknowledge that the participation in ACVD without use of mandatory voir dire questions, as well as consent and waiver of a certain number of peremptory challenges, is being made freely and voluntarily and that they have not been subject to any threats, pressure or coercion to induce their participation nor have they been assured of any leniency or expectations of reward in consideration of their participation.

Dated: \_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Defendant

Dated: \_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Defense Counsel

Dated: \_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Prosecutor

Dated: \_\_\_\_\_\_\_\_\_\_\_\_\_\_

Approved by: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

, J.S.C.