

## Fair Cross-Section Concerns Potentially Impacting Pandemic Jury Trials

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*The Legal Intelligencer*

1.8.21

As courts locally and nationwide cautiously begin to resume jury trials either in person, hybrid remote jury selection/live trial witnesses or full remote—all in the midst of a now worsening pandemic—litigants and commentators have raised the issue of whether the pandemic combined with necessary coronavirus mitigation court procedures may unfairly impact the demographic composition of venires and juries.

Litigation attorneys Bob Devine and Doug Weck, in their article "Fair Cross-Section Concerns Potentially Impacting Pandemic Jury Trials," argue that although "fair cross section" challenges will need to be addressed, jury trials should be able to proceed constitutionally during the pandemic so long as they can be done safely.

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