

Remote juries bring problems of fairness, attorneys warn

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Can juries decide cases remotely? Technically, yes. But some attorneys aren't enthusiastic about the idea.

"I confess I'm a great skeptic," said San Diego-based Michael A. Attanasio, who chairs Cooley LLP's litigation department.

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"You're basically excluding from jury service jurors who don't have an adequate internet connection, or adequate computer technology in their home," Attanasio said. "It's a pretty short step to imagine that outcome is one that brings with it socio-economic implications with it as well, not unlike what is going on in education today."

This is a reference to the virtual school year millions of children are experiencing. Even after school districts spent millions of dollars on laptops and other gear, many students are now occupying their family's only internet connected device for hours each day. Many students are still falling behind.

Any factor that limits jury pools could lead to constitutional challenges. Attanasio is one of scores of attorneys around the nation who have warned of this potential problem.

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