ARIZONA SUPREME COURT

DAVID MORGAN, *Petitioner*, v. **HON. TIMOTHY DICKERSON** and **HON. LAURA CARDINAL**, Judges of the Superior Court of the State of Arizona, in and for the County of Cochise, *Respondents*, and **STATE OF ARIZONA**, *Real Party in Interest*.	No. CV-21-0198-PR Ct. of Appeals Nos. 2SA-CV-2021- 0007 2SA-CV-2021-0019 (Consolidated) Cochise County Superior Ct. Nos. CR-2017-00516 CR2018-00156

BRIEF OF AMICUS CURIAE THE REPORTERS COMMITTEE FOR FREEDOM OF THE PRESS IN SUPPORT OF PETITIONER

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INTEREST OF AMICUS CURIAE[1]

The Reporters Committee for Freedom of the Press (the "Reporters Committee") is an unincorporated non-profit association founded by leading journalists and media lawyers in 1970 when the nation's news media faced an unprecedented wave of government subpoenas forcing reporters to name confidential sources. Today, its attorneys provide pro bono legal representation, amicus curiae support, and other legal resources to protect First Amendment freedoms and the newsgathering rights of journalists.

The Supreme Court has long recognized the essential role that members of the news media play in gathering and disseminating information about court cases to the public. *Richmond Newspapers, Inc. v. Virginia*, 448 U.S. 555, 573 (1980) (noting that the news media act as "surrogates for the public" in reporting on judicial proceedings). As surrogates for the public, the news media have a responsibility to provide accurate and thorough accounts of judicial events, including the fairness and efficacy of the jury selection process. Because access to juror names enables the press to perform this critical function, the Reporters

[1] The Reporters Committee files this amicus curiae brief pursuant to the Court's order permitting the submission of amicus briefs no later than March 15, 2022. Dkt. No. 13 (Feb. 8, 2022). The Reporters Committee contacted the parties in this matter to seek their position on the filing of the brief. Petitioner consents to the filing of this brief. Respondents do not object to its filing. Real Party in Interest the State of Arizona takes no position on the filing of the brief.

Committee has a strong interest in ensuring that the presumptive First Amendment right of access to criminal proceedings and related records in Arizona, including juror names, is not diminished. Thus, it has a strong interest in supporting Petitioner's position urging reversal of the Court of Appeals' ruling.

INTRODUCTION

Predating even the Constitution itself, the public's right of access to criminal proceedings and records is deeply rooted in American history and "an indispensable attribute" of our criminal justice system. *Richmond Newspapers, Inc.*, 448 U.S. at 564–69. Based on an "unbroken, uncontradicted history, supported by reasons as valid today as in centuries past," the Supreme Court has recognized "that a presumption of openness inheres in the very nature of a criminal trial under our system of justice." *Id.* at 573.

This right of access serves critically important values. It "enhances . . . the basic fairness of the criminal trial," *Press-Enterprise Co. v. Superior Court*, 464 U.S. 501, 508 (1984) ("*Press-Enterprise I*"), by discouraging "decisions based on secret bias or partiality," *Richmond Newspapers, Inc.*, 448 U.S. at 569. Openness also promotes "the appearance of fairness so essential to public confidence in the system." *Press–Enterprise I*, 464 U.S. at 508. For these reasons, the First Amendment guarantees the press and the public a presumptive right of access to records and proceedings in criminal cases, including during the voir dire process.

See Press-Enterprise I at 510–11. Applying the "complementary" and "related" considerations of "experience" and "logic," *Press-Enterprise Co. v. Superior Court*, 478 U.S. 1, 8 (1986) ("*Press-Enterprise II*"), federal and state courts alike have recognized that this presumptive First Amendment right of access encompasses access to juror names. *See, e.g., See e.g.*, *United States v. Wecht*, 537 F.3d 222, 235 (3d Cir. 2008); *Com. v. Long*, 922 A.2d 892, 901 (Pa. 2007).

But the Court of Appeals concluded otherwise. It held that A.R.S. § 21-312(A)-(B) and Ariz. R. Sup. Ct. 123(e)(10) make juror names "confidential information held by the court itself" and not "part of the public proceeding," thus, taking juror names "outside the First Amendment's right of access." *Morgan v. Dickerson*, 252 Ariz. 14, ___ ¶ 12 (App. 2021). The court's reasoning is fundamentally flawed. A legislature or court may not—by statute or otherwise—remove a proceeding or record from the ambit of the First Amendment by merely labeling it "confidential." Indeed, when the presumptive right of access applies to a proceeding or record, it may be overcome only by "specific, on the record findings" demonstrating that closure or sealing is "essential" and "narrowly tailored" to serve a compelling government interest. *Press-Enterprise II*, 478 U.S. at 13–14 (quoting *Press- Enterprise I*, 464 U.S. at 510). And while, in certain circumstances, compelling interests in juror privacy or safety may present a sufficiently compelling interest to overcome the presumptive right of public access,

such findings must be made on a case-by-case basis. *Id*. Interpreting Arizona law to require the wholesale sealing of juror names absent specific, individualized findings, undermines the important benefits and safeguards of openness that have long been a bedrock feature of our criminal justice system. Nor, as Petitioner explains, do A.R.S. § 21-312(A)-(B) and Ariz. R. Sup. Ct. 123(e)(10) mandate such a reading. Pet. Supp. Br. 4–7.

This Court should also reject the Court of Appeals' holding that "experience" and "logic" do not support a presumptive right of access to juror names. *Morgan*, 252 Ariz. at ___ ¶ 14. The right of access to the juror selection process, including juror names, is firmly rooted in American history. *See, e.g., Press-Enterprise I*, 464 U.S. at 505; *United States v. Wecht*, 537 F.3d 222, 235-36 (3d Cir. 2008) ("[P]ublic knowledge of jurors' names is a well-established part of American judicial tradition."). After all, the benefits of an open and transparent court system—guarding against the miscarriage of justice, assuring that proceedings are fair and discouraging decisions based on bias—are undermined when the public cannot tell who exercises the jury power. Withholding juror names denies the press and the public access to critical information, limiting the public's ability to scrutinize the judicial process.

Accordingly, for the reasons stated herein, the Reporters Committee urges this Court to reverse the Court of Appeals' ruling and hold instead that the First

Amendment affords a presumptive public right of access to the names of jurors and prospective jurors in the voir dire process.

ARGUMENT

I. The Court of Appeals erred in concluding that juror names fall outside of the presumptive First Amendment right of access to criminal proceedings and related records.

It is well established that the First Amendment affords the public a presumptive right of access to criminal proceedings and related documents. *Press-Enterprise II*, 478 U.S. at 9; *Press-Enterprise I*, 464 U.S. at 508; *Globe Newspaper Co. v. Superior Court*, 457 U.S. 596, 603 (1982); *Richmond Newspapers, Inc.*, 448 U.S. at 580 (recognizing that "the right to attend criminal trials is implicit in the guarantees of the First Amendment," and, accordingly, the government may not "limit[] the stock of information from which members of the public may draw.") (quoting *First National Bank of Boston v. Bellotti*, 435 U.S. 765, 783 (1978)). Voir dire is an essential element of any criminal proceeding, and the public interest in favor of access to voir dire is weighty. *United States v. Shkreli*, 260 F. Supp. 3d 257, 259–60 (E.D.N.Y. 2017) ("Press coverage of voir dire, no less than coverage of opening statements or the cross examination of a key witness, contributes to the fairness of trials."). Recognizing this interest, the United States Supreme Court has made clear that the public's presumptive right of access to criminal proceedings is not limited to trials, and applies to the pre-trial process of voir dire. *Press-*

Enterprise I, 464 U.S. at 509–10 (finding that the First Amendment requires that voir dire be presumptively open to the press and public).

To determine whether the presumptive right of access applies to a particular proceeding or judicial record, courts look to the "complementary" and "related" considerations of "experience and logic," considering "whether the place and process have historically been open to the press and general public," and "whether public access plays a significant positive role in the functioning of the particular process in question." *Press–Enterprise II*, 478 U.S. at 8. Applying this framework—as described further in Section II, *infra*—federal and state courts around the country have recognized a presumptive right of access to juror names during voir dire. *See e.g.*, *Wecht*, 537 F.3d at 235; *Long*, 922 A.2d at 901; *State ex rel. Beacon J. Publ'g Co. v. Bond*, 781 N.E.2d 180, 192–93 (Ohio 2002) ("*Beacon*"); *see also Shkreli*, 260 F. Supp. 3d at 261 (recognizing that concealing names of prospective jurors during voir dire implicated the public's presumptive right of access to criminal proceedings). So too should be the case here.

But the Court of Appeals erroneously concluded that the First Amendment right of access applies to only "courtroom proceedings, not to the disclosure of certain confidential information held by the court itself." *Morgan*, 252 Ariz. at ___ ¶ 12. Finding that A.R.S. § 21-312(A)-(B) and Ariz. R. Sup. Ct. 123(e)(10) "generally require a trial court to keep juror records and biographical information

private," *id.* at ___ ¶ 9, the panel held that juror names—to the extent they are not presented as evidence or disclosed in the proceeding—are not "necessarily part of the public proceeding," *id*. at ___ ¶ 12, and thus, the "identity of jurors falls outside the First Amendment's right of access," *id*.

This analysis is unsound. If a court or legislature could place information outside the compass of the First Amendment merely by designating it as confidential, then the right of access would be meaningless. The right would not, for instance, prevent a state legislature from passing a law providing that the names of criminal defendants are presumptively confidential and, therefore, may not be used in open court or appear in public filings. Such a result would be absurd.[2] As the United States Supreme Court has stated, "[w]hat transpires in the court room is

[2] With scant legal authority to support its holding, the Court of Appeals relies principally on *Houchins v. KQED, Inc.*, 438 U.S. 1, 3 (1978). *Morgan*, 252 Ariz. at ___ ¶ 12. But *Houchins* is inapposite in at least two ways. First, *Houchins* predates *Press-Enterprise II*; indeed, it predates *Richmond Newspapers.* Second, *Houchins* did not involve public access to a criminal proceeding of any kind; rather, it addressed "whether the news media have a constitutional right of access *to a county jail*, over and above that of other persons . . . ." *Houchins*, 438 U.S. at 3 (emphasis added). The court's other citations are similarly unavailing. *See L.A. Police Dep't v. United Reporting Pub. Corp.*, 528 U.S. 32, 40 (1999) (disposing of First Amendment challenge unrelated to public's right of access to criminal proceedings); *Fusaro v. Cogan*, 930 F.3d 241, 249 (4th Cir. 2019) (same). Indeed, the Court of Appeals relied on one case that is directly inconsistent with its holding. *See In re Boston Herald, Inc.*, 321 F.3d 174, 182 (1st Cir. 2003) (applying *Press-Enterprise II* to determine whether the First Amendment grants the public a presumptive right of access to documents submitted by a defendant pursuant to an application for funds under the Criminal Justice Act).

public property. . . . There is no special perquisite of the judiciary which enables it, as distinguished from other institutions of democratic government, to suppress, edit, or censor events which transpire in proceedings before it." *Craig v. Harney*, 331 U.S. 367, 374 (1947). In short, juror names are part of voir dire, and the presumptive right of access to voir dire encompasses a right of access to the names of jurors and prospective jurors. *See Wecht*, 537 F.3d at 238 ("We cannot reconcile the Supreme Court's conclusion that the public has the right to see . . . the process that selects those who will exercise the [jury] power (*Press–Enterprise I*), with the conclusion that the public has no right to know who ultimately exercises this power.").

Moreover, when, as here, both experience and logic support a presumptive right of access to information, *see* Section II, *infra*, that presumption may be overcome only if "closure is essential to preserve higher values and is narrowly tailored to serve that interest." *Press–Enterprise I*, 464 U.S. at 510. Such closure must be supported in individual cases by "specific, on the record findings" demonstrating that sealing is "essential" and that it is "narrowly tailored" to serve such a compelling interest. *Press-Enterprise II*, 478 U.S. at 13–14 (quoting *Press-Enterprise I*, 464 U.S. at 510); *see also In re N.Y. Times Co.*, 828 F.2d 110, 116 (2d Cir. 1987) (explaining that "[b]road and general findings" are "not sufficient"). The more extensive the closure of court proceedings or sealing of judicial

documents, "the greater must be the gravity of the required interest and the likelihood of risk to that interest" to justify such closure or sealing. *Ayala v. Speckard*, 131 F.3d 62, 70 (2d Cir. 1997) (*en banc*). As this precedent makes clear, whether the qualified First Amendment right of access to juror names in any given case is overcome requires an individualized determination. *See Globe Newspaper Co.*, 457 U.S. at 609.

The Court of Appeals' interpretation of A.R.S. § 21-312(A) as mandating that juror names be "presumptively private unless release is 'required by law or ordered by the court,'" *Morgan*, 252 Ariz. at ___ ¶ 9 (quoting A.R.S. § 21-312(A)), flips the presumption of access on its head. To be sure, in certain cases, a compelling countervailing interest in juror privacy or the accused's right to a fair trial may be sufficient to overcome the presumptive right of access to juror names. But interpreting A.R.S. § 21-312(A) as requiring wholesale sealing of juror names in all cases disregards trial courts' constitutional obligations to make specific, on-the-record findings in individual cases as to whether sealing is essential and narrowly tailored to serve a compelling interest. *Press- Enterprise II*, 478 U.S. at 13–14. Indeed, as the United States Supreme Court held in *Globe Newspaper Co.*, even where a compelling government interest in protecting the privacy of minor victims of sex crimes testifying in court could be shown to exist, it could not justify a mandatory, categorical courtroom closure rule, as "the circumstances of

the particular case may affect the significance of the interest." 457 U.S. at 609. Trial courts are well-equipped to make case-specific determinations about whether closure is warranted, and the First Amendment mandates that they make such individualized, case-specific factual findings. *Press-Enterprise II*, 478 U.S. at 13–14. The Court of Appeals' holding that A.R.S. § 21-312(A) requires juror names to be presumptively private is inconsistent with the presumptive right of access. This Court should therefore reverse the Court of Appeals' ruling.

II. Experience and logic support a presumptive First Amendment right of access to jurors' names during voir dire.

The Court of Appeals further erred in concluding that, even if the *Press-Enterprise II* framework applied, experience and logic do not support a presumptive right of access to jurors' names during voir dire. *Morgan*, 252 Ariz. at ___ ¶ 14. To the contrary, however, both considerations weigh heavily in favor of a presumptive right of public access.

A. The names of jurors and prospective jurors have historically been open to the press and public during voir dire.

As Petitioner explains in his supplemental brief, Pet. Supp. Br. 8–13, the names of jurors and prospective jurors "have historically been open to the press and general public," *Press-Enterprise II*, 478 U.S. at 8, including during the jury-

selection process.[3] Indeed, the names of jurors and prospective jurors have been presumed public at the jury-selection stage for centuries, beginning with the earliest days of the jury as an institution. *See Press-Enterprise I*, 464 U.S. at 505 ("[S]ince the development of trial by jury, the process of selection of jurors has presumptively been a public process with exceptions only for good cause shown."). For this reason, as numerous courts have recognized, "public knowledge of jurors' names is a well-established part of American judicial tradition." *Wecht*, 537 F.3d at 235-36 (collecting cases and scholarship and recognizing that "[b]ecause juries have historically been selected from local populations in which most people have known each other . . . the traditional public nature of voir dire strongly suggests that jurors' identities were public as well."); *see also Beacon*, 781 N.E.2d at 193 ("[T]he long tradition of access to juror names and addresses favors disclosure under the 'experience' analysis of the *Press-Enterprise* test."); *Long*, 922 A.2d at 902 (stating that "[t]he historical practice . . . support[s] a conclusion that jurors' names," if not their addresses, "were generally available to the public" during the jury-selection phase"); *In re Baltimore Sun Co.*, 841 F.2d 74, 75 (4th Cir. 1988) (footnote omitted) ("When the jury system grew up with juries of the vicinage, everybody knew everybody on the jury and we may take judicial notice that this is

[3] The Court of Appeals independently reached the same conclusion. *Morgan*, 252 Ariz. at ___ ¶ 13, n.4.

yet so in many rural communities throughout the country."); Christopher Keheler, *The Repercussions of Anonymous Juries*, 44 U.S.F. L. Rev. 531, 533 (2010) (footnotes omitted) ("English jurors were publicly selected, and this ensured that jurors came from the village in which the dispute arose. The intimacy of such communities guaranteed litigants could identify the jurors.").[4]

B. Public access to the names of jurors and prospective jurors plays a significant positive role in the functioning of voir dire—and, more generally, criminal trials.

"Logic," too, supports a presumptive right of access to juror names. The United States Supreme Court knew well the history of jury selection when it extended the First Amendment right of access to voir dire. *Press-Enterprise I*, 501 U.S. at 505–08. It understood that the voir dire process involved, by default, public

[4] Amicus curiae is aware of two opinions to the contrary. *Gannett Co. v. State*, 571 A.2d 735, 748 (Del. 1989) (finding no "historical tradition of constitutional dimension regarding public access to jurors' names" during voir dire); *United States v. Black*, 483 F. Supp. 2d 618, 626 (N.D. Ill. 2007) (same). Both opinions rely on the following predicate: if state or federal law historically vested trial courts with the discretion to release or hold confidential the names of jurors, then it cannot be said that the public traditionally had access to jurors' names at voir dire. *See, e.g.*, *Gannet Co.*, 571 A.2d at 746 ("Paramount in any historical analysis is the fact that trial courts in Delaware and other states have long had specific statutory discretion over the release of jurors' names."). That predicate is flawed. Even if some courts were historically authorized by statute to withhold the names of jurors at their discretion, it would not follow that they traditionally did so—the "tradition" inquiry looks to not only what courts have been *authorized* to do, but what they have *actually done*. *See Wecht*, 537 F.3d at 237 ("We do not dispute that a trial judge has historically had the power to issue such an order in special cases. We conclude only that a tradition of openness exists and that anonymous juries have been the rare exception rather than the norm.").

disclosure of jurors' (and prospective jurors') names. *See id.* at 512 (stating that when a prospective juror affirmatively raises a compelling privacy interest, a judge may protect that interest by withholding the juror's name); *Beacon*, 781 N.E.2d at 192 ("[W]e read *Press-Enterprise I* to explicitly include juror identity as part of the voir dire proceedings that should be analyzed under the First Amendment."). Against this backdrop, the Court found that "public access to criminal trials and the selection of jurors is essential to the proper functioning of the criminal justice system." *Press-Enterprise II*, 478 U.S. at 12. The import is clear: public access to the names of jurors and prospective jurors "plays a significant positive role in the functioning" of the jury-selection process. *Press-Enterprise II*, 478 U.S. at 9.

State and federal courts around the country have also embraced this conclusion. The Third Circuit, for instance, has recognized that "the purposes served by the openness of trials and voir dire generally are also served by public access to the jurors' names," explaining:

> Knowledge of juror identities allows the public to verify the impartiality of key participants in the administration of justice, and thereby ensures fairness, the appearance of fairness and public confidence in that system. It is possible, for example, that suspicions might arise in a particular trial (or in a series of trials) that jurors were selected from only a narrow social group, or from persons with certain political affiliations, or from persons associated with organized crime groups. It would be more difficult to inquire into such matters, and those suspicions would seem in any event more real to the public, if names and addresses were kept secret. Furthermore, information about jurors, obtained from the jurors themselves or otherwise, serves to

> educate the public regarding the judicial system and can be important to public debate about its strengths, flaws and means to improve it. . . . Juror bias or confusion might be uncovered, and jurors' understanding and response to judicial proceedings could be investigated. Public knowledge of juror identities could also deter intentional misrepresentation at voir dire.

Wecht, 537 F.3d at 238 (quoting *In re Globe Newspaper Co.*, 920 F.2d at 94); *see also, e.g.*, *Long*, 922 A.2d at 905 (holding First Amendment presumption of access extends to jurors' names during voir dire because, *inter alia*, "[d]isclosing jurors' names furthers the objective of a fair trial to the defendant and gives assurances of fairness to society as a whole"); *Beacon*, 781 N.E.2d at 194 (holding First Amendment presumption of access extends to jurors' names during voir dire "[g]iven the significant roles that information concerning juror identity plays in the enhancement of the judicial system"); *Shkreli*, 260 F. Supp. 3d at 259–60.

The news media plays an essential role in effectuating these long-recognized benefits of openness. *Richmond Newspapers*, *Inc.*, 448 U.S. at 572–73 ("Instead of acquiring information about trials by firsthand observation or by word of mouth from those who attended, people now acquire it chiefly through the print and electronic media."); *In re Jury Questionnaires*, 37 A.3d 879, 885 (D.C. 2012) "[T]he public relies on the press for firsthand accounts of the justice system at work."). By reporting on criminal proceedings, the news media enable informed public discussion of the functioning of the judiciary, and help "the public to participate in and serve as a check upon the judicial process—an essential

component in our structure of self-government." *Globe Newspaper Co.*, 457 U.S. at 606; *see also In re Oliver*, 333 U.S. 257, 271 (1948) ("Without publicity, all other checks are insufficient." (citation omitted)). Such public scrutiny fosters fairness, as well as the appearance of fairness, and protects the integrity of the criminal proceedings, generally. *See Globe Newspaper Co.*, 457 U.S. at 606.

Access to juror names allows the press to perform the close observation and searching inquiry necessary to ensure fairness and the appearance of fairness. The news media can, for instance, publicly verify that jurors and prospective jurors have truthfully answered the questions put to them during voir dire. *See, e.g.*, *United States v. Warner*, 498 F.3d 666, 705 (7th Cir. 2007) (Kanne, J., dissenting) (noting that the *Chicago Tribune* had discovered "major inconsistencies between answers in a jury questionnaire and public records" in criminal prosecution of former Illinois governor); Annie Sweeney and Jason Meisner, *Juror in Cellini trial appears to have hidden two felony convictions, Tribune finds*, Chicago Tribune (Nov. 11, 2011), https://perma.cc/LP2U-3EX4 (reporting "that a member of the federal jury that convicted Springfield power broker William Cellini concealed two felony convictions").

Similarly, news reporting made possible by access to juror names can raise public awareness about patterns and practices in the jury selection process, including implicit bias or potential discrimination. *See, e.g.*, Emmanuel Felton,

Many juries in America remain mostly White, prompting states to take action to eliminate racial discrimination in their selection, Wash. Post (Dec. 23, 2021), https://perma.cc/22WR-D6ZP. When the news media has access to the names of jurors and prospective jurors, it can look to publicly available information to determine whether the identities of persons participating in *venire*, and the persons either stricken from or empaneled on a jury, reveal trends with respect to race, religion, or political affiliation, thus helping the public to carry out its essential oversight function and identify areas for reform.

Even though access to juror names plays a "significant positive role" in the jury selection process and in the fair administration of criminal proceedings, *Press–Enterprise II*, 478 U.S. at 8, the Court of Appeals erroneously concluded that logic could not support a presumptive right of access to juror names, warning of potential privacy concerns should juror names become public. *Morgan*, 252 Ariz. at ___ ¶ 19. To be sure, "the privacy concerns of citizens being asked to serve as jurors are real and legitimate." *Long*, 922 A.2d at 904. However, these concerns do not place juror names beyond the First Amendment right of access. As set forth in Section I *supra*, while sufficiently compelling interests in juror privacy or the accused's right to a fair trial may, in certain circumstances, militate against the disclosure of juror names in specific cases, they do not militate against the recognition of a qualified First Amendment right of access to juror names. If that

were the case, the holding in *Globe Newspaper*—that the public possesses a right of access to the testimony of alleged minor victims of sexual assault, except when "necessary to protect [the victims'] welfare"—would not stand. *Globe Newspaper Co.*, 457 U.S. at 607. The proper means to vindicate such compelling interests is not to reject wholesale the applicability of the First Amendment right of access, but to balance the right against countervailing interests as they arise, through narrowly tailored measures supported by specific, on-the-record findings. *See Press-Enterprise I*, 464 U.S. at 512 (explaining that when a prospective juror affirmatively raises a privacy concern, the trial judge should "ensure that there is in fact a valid basis for a belief that disclosure infringes a significant interest in privacy," in order to "minimize the risk of unnecessary closure"); *Press-Enterprise II*, 478 U.S. at 15 ("The First Amendment right of access cannot be overcome by the conclusory assertion that publicity might deprive the defendant of [the right to a fair trial]."); *Beacon*, 781 N.E.2d at 189 ("*Press-Enterprise I* . . . teaches that an individualized examination of each prospective juror's circumstances is appropriate in considering the privacy interests of such jurors."); *In re Washington Post*, 1992 WL 233354, at *6 n.2 (D.D.C. July 23, 1992) (releasing completed juror questionnaires, including identifying information, with only narrow redactions to protect deeply personal information).

CONCLUSION

For all of these reasons, the Reporters Committee respectfully urges this Court to reverse the Court of Appeals' ruling and hold that the First Amendment affords a presumptive right of public access to the names of jurors and prospective jurors at voir dire.

RESPECTFULLY SUBMITTED: March 15, 2022.

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