



87 Bayard Street, New Brunswick, NJ 08901  
Telephone: (732) 828-3433  
Fax: (732) 828-5862  
Website: www.mcbalaw.com  
Email: info@mcbalaw.com

2009-10 Term

January 18, 2010

**OFFICERS**

Edward J. Rebenack  
*President*  
Thomas J. Denitzio, Jr.  
*President-Elect*  
John P. Paone, Jr.  
*First Vice President*  
Renee Anthony  
*Second Vice President*  
Tara Auciello  
*Treasurer*  
Ellen F. Schwartz  
*Secretary*  
Mary P. Nelson  
*Immediate Past President*

Honorable Thomas H. Kean, Jr.  
425 North Avenue East  
Westfield, NJ 07090

Honorable David C. Russo  
22 Paterson Avenue  
Midland Park, NJ 07432

Re: Senate Bill 524 / Assembly Bill 260 – Establishes a Special Medical Malpractice Part in the Superior Court.

Dear Senator Kean and Assemblyman Russo:

I write this letter in my capacity as president of the Middlesex County Bar Association in reference to S-524 and A-260. Our Board of Trustees has reviewed these bills and wishes to express its opposition to their passage.

Of paramount concern is the proposal in these bills that takes away an aggrieved party's right to jury trial. The right to jury trial in the case of disputes between citizens is a fundamental cornerstone of our civil and criminal justice systems. To restrict a citizen's right to have their dispute resolved by a jury of their peers is to restrict one of the most basic rights that all Americans enjoy. Certainly such a fundamental right should not be compromised for the sake of judicial economy.

Respectfully,

*Edward J. Rebenack*

EDWARD J. REBENACK  
President

EJR/jpc

Cc: All Middlesex County Legislators  
New Jersey State Bar Association  
All New Jersey County Bar Associations  
New Jersey Law Journal

**TRUSTEES 2010**

Nicole Albert  
Darren M. Gelber  
Richard P. Klein  
Joseph V. Leone  
Andrea J. Sullivan

**TRUSTEES 2011**

Daniel N. Epstein  
Colleen M. Flynn  
Louis J.R. Kady  
Bruce J. Kaplan  
Robert R. Levinson

**TRUSTEES 2012**

Joshua Altman  
Craig M. Aronow  
Angela Foster  
William Isele  
Peter Tu

**NJSBA TRUSTEE**

John S. Sawicki

**EXECUTIVE DIRECTOR**

Jonathan P. Cowles

**ASSISTANT DIRECTOR**

Elaine Miller