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2009-10 Term

January 18, 2010

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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
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