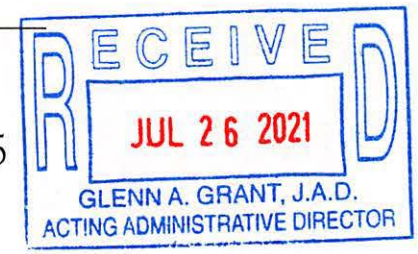


#059

Paul A. Massaro
Attorney-at-Law

149 Pinkneyville Road
Lafayette, New Jersey 07848-3635
Telephone 973.579.3312



Member N.J. and D.C. (Ret.) Bars

Facsimile 973.579.3315

July 21, 2021

Hon. Glenn Grant, J.A.D.,
Acting Administrative Director of the Courts
Richard J. Hughes Justice Complex
P.O. Box 037
Trenton, New Jersey 08625-0037

Re: July 16, 2021 Notice
concerning opening of the Courts

Dear Judge Grant:

These comments are written in response to the Court's July 16, 2021 **Notice to the Bar** advising of the gradual re-opening of the Courts. For the last year, I have been conducting virtual arbitrations for several counties and have found them to be very productive. While I am supportive of the purposes of the Notice, I wanted to make some suggestions as it pertains the virtual (telephonic or ZOOM) arbitrations.

By way of background, I have been a Member of the New Jersey Bar since 1971 and had the privilege of serving as a Member of the Supreme Court Arbitration Advisory Committee (until August 31, 2018). I am an arbitrator for a variety of forums, including the Financial Regulatory Authority (FINRA) (securities arbitrations); the New Jersey Superior Court (Commercial/ Lemon Law/auto/personal injury arbitrations); the Better Business Bureau (Auto Line/telecommunications arbitrations); and the National Arbitration Forum (now The FORUM) (Commercial credit arbitrations). For several terms I served as a Fee Arbitrator for the Essex County Fee Arbitration Committee and for the Passaic County Fee Arbitration Committee, where, at one point, I served as Committee Chair.



In conducting virtual arbitrations for several counties I utilize a conference call number for counsel, their clients and any witnesses so that each may call in and join the arbitration. The vast majority of the attorneys who have appeared at these arbitrations have indicated their strong support for these virtual arbitrations for a variety of reasons. They stressed, for example, that the virtual arbitration was not only an efficient use of technology, but also, permitted them to maintain contact with a client or a witness despite each being in separate locations. They also indicated that it allowed an attorney to remain in his office or another remote location without having to travel to another location (or possibly a second location on that day), and it enabled that attorney, opposing counsel and the arbitrator to have access to a specific document through a screen sharing when at a Zoom hearing or to have access to a specific document when at a telephonic hearing through emailing the document to all participants for each to access on his computer screen.

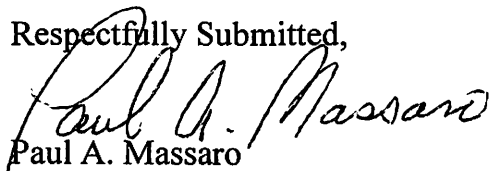
For all the previously mentioned Forums, I have conducted in-person arbitrations, telephonic arbitrations, and ZOOM arbitrations and found that I can accomplish more with the telephonic or ZOOM hearing in far less time than in-person arbitrations. Moreover, there is the opportunity to provide a specific time to the parties for their arbitration, which avoids counsel, their clients and any witnesses having to wait at the courthouse until the matter is called. In fact, FINRA has produced a Podcast for its Arbitrators concerning the ZOOM arbitration.

There is also an enormous opportunity with the virtual arbitration to take advantage of today's enhanced technology, which is available to attorneys and arbitrators. That technology would allow the effective completion of an arbitration in far less time, even though there may be a large number of individuals involved in that arbitration who may be situated in various localities.

As a result of the above, I would ask if it is possible to establish a group of arbitrators from the Court's Roster who agree to conduct telephonic or ZOOM arbitrations (I would be one such arbitrator) for those attorneys who prefer only that type of arbitration. It would permit an expeditious completion of more arbitrations with the least amount of travel for attorneys, their clients and any witnesses.

I thank you for the opportunity to express my viewpoint on the matter.

Respectfully Submitted,


Paul A. Massaro

PAM/ds

