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December 15, 2020

Glenn A. Grant, J.A.D.
Acting Administrative Director of the Courts
Comments on Proposal for Virtual Civil Jury Trials
Hughes Justice Complex
P.O. Box 037
Trenton, NJ 08625

Dear Judge Grant:

Thank you for taking the time to review submissions concerning mandatory virtual jury trials during these unprecedented times.

I echo the sentiments of numerous colleagues who describe the insurance companies' exploitation of the COVID-19 crisis to attempt to resolve claims for far below their worth. I am experiencing such exploitation of the crisis on numerous files, both in the sense that fewer offers are being made, and also that the offers are being made for lower amounts. Cases that would otherwise have resolved for significant sums are now being classified as no-pays by multiple carriers. This can only be attributed to the delays caused by COVID-19. The only way, it seems, to remedy this situation, which is causing tremendous harm to litigants throughout our state, is to impose mandatory virtual jury trials. While not ideal, this will at least keep cases moving and force carriers to evaluate a claim under the threat of trial. Without trial, there is little ability to challenge a carrier's bad faith choice to refuse to make a reasonable settlement offer.

Thank you for your consideration.

Respectfully submitted,
THE HADDAD LAW FIRM, P.C.

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CJM/jp