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To: ADMcomment
Subject: ADM file #2014-13

I am writing to comment on the proposed rule to shorten the accept/reject time under the case evaluation rule to 14 days. While it may be advantageous and practical to shorten the response time from the current 28 days, 14 days is far too short. As a Plaintiff's lawyer representing primarily individuals the sanctions under the rule can be very significant when my client is collectible. From a practical matter, acceptance of the award is also very significant even if the Defendant rejects because it has an impact on your negotiating position. As a result of the significant consequences of an acceptance or rejection, I try to not file an acceptance or rejection of case evaluation without both discussing the rule with my client and sending the client a letter explaining the rule and asking them to sign and return the letter indicating their desire to accept or reject. 14 days is not enough time to guarantee that I can reach the client on the phone, get the letter out in the mail, and receive the signed letter back from the client in enough time to file an acceptance or rejection of the award. For example, let's say a case evaluation was held on a Friday and I don't reach the client on the phone until Monday. My letter may not go out in the mail until Tuesday or Wednesday and may not even reach the client until Friday. If the client does not sign the letter and put it in the mail until Monday or Tuesday, I may not even receive the signed letter in my office until Friday the day the response is due.

The bottom line is that this time frame is too short to be safe for all the parties involved. I would request that the court not adopt the change as proposed. Thank you for your consideration.

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