

THE MONDAY PAGE

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An affront to our civil justice system

by Robert B. Boyers

The article that the Review published on April 16, 2007, titled "Fraud hunters" regrettably seemed to turn reality on its head by writing about our system of justice in an unjust way. Those who would plunder our system of justice should not be portrayed as its paragons. Yet, when Charles Grimsley, general counsel for United Automobile Insurance Co., is ironically and idyllically portrayed as part of a team of "fraud hunters" reality is turned upside down.



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In that article, Grimsley laments the many losses that United Automobile has faced in its effort to deny consumers what courts have found to be just payment for necessary medical treatment. Yet, rather than acknowledging that perhaps his company was wrong and needed to mend its ways, United Auto, through Grimsley, has apparently decided that any judge who has the audacity to rule against them must be corrupt. Accordingly, Grimsley states in the Review article, "I think the judges are being paid off, but I can't prove that." In making

this unfounded, ethically punishable and reprehensible allegation, United and Grimsley have ignored all tenets of decency and integrity in an apparent attempt to intimidate the judiciary. Could it be that their agenda is to weaken our judiciary's resolve in order to immunize themselves from adverse rulings?

Alleging that a judge is corrupt is the most serious allegation that a lawyer can make. In fact, such accusations call into question our entire judicial system and should only be made when there is un rebuttable evidence to support it. Such charges should never be made simply because a litigant does not like or disagrees with a judge's rulings. Unfortunately, that is precisely what Charles Grimsley of United Auto did in the article.

Grimsley's words, uttered without any evidence, slander and demean honest, hard-working public servants who are the arbiters of justice in our society. Not only do his words constitute an attack on each individual judge, they undermine our entire judicial process. Our judges, who dedicate their lives to ensuring that justice prevails, deserve our respect and gratitude — whether we are on the winning or losing side of a judicial decision.

Apparently, United believes that justice prevails only when United prevails. This frightening premise is obviously being used to justify any tactic to win its cases, including threats and false charges, to the clear detriment of Florida's consumers. However, before embarking on this most recent chapter of indefensible misconduct, marked by attacking our judicial system, United already had a long history of defense through offense.

The courts of Florida have found conclu-

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sive evidence, in numerous cases, that United frequently and deliberately violated the rights of consumers — in fact, its own insureds — by refusing to pay for medical care for which it had a legal obligation to pay. A WPLG-TV Channel 10 expose on United that aired in 2002 noted its strategy of "deny, delay, don't pay" irrespective of the law and facts governing a claim.

The laws that protect all of us are meaningless unless they are applied and enforced by a free and independent judiciary. If our judges can be falsely accused and intimidated by corporate bullies, the law and rights that we all cherish will mean nothing. Indeed, United Automobile's latest

volley of unfounded attacks on decent public servants threatens to derail our system of justice. United and Grimsley's conduct cannot be permitted to continue and must not be pursued with impunity.

Grimsley and United Automobile should be held accountable for their irresponsible slur against our civil justice system. This should be important to anyone who cares about law, justice and the preservation of our rights. ■

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