



# Spotlight On Justice



## “FRIVOLOUS” CASES DO NOT SETTLE

- Duke Law professor Neil Vidmar testified in the U.S. Senate, “Research on why insurers actually settle cases indicates that the driving force in most instances is whether the insurance company and their lawyers conclude, on the basis of their own internal review, that the medical provider was negligent.....
- “In interviews with liability insurers that I undertook in North Carolina and other states, the most consistent theme from them was: ‘We do not settle frivolous cases!’”
- Vidmar further testified, “Without question the threat of a jury trial is what forces parties to settle cases. The presence of the jury as an ultimate arbiter provides the incentive to settle ... the threat causes defense lawyers and the liability insurers to focus on the acts that led to the claims of negligence.



We don't settle frivolous cases!

Source:

Testimony of Neil Vidmar, Russell M. Robinson, II Professor of Law, Duke Law School before The Senate Committee on Health, Education, Labor and Pensions, “Hearing on Medical Liability: New Ideas for Making the System Work Better for Patients,” June 22, 2006 at 17.

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Democracy

90 Broad Street, Suite 401  
New York, NY 10004  
212-267-2801  
[www.centerjd.org](http://www.centerjd.org)

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