

## **Backlogs mean dying plaintiffs can't get to trial in time, lawmaker says**

**Assembly Judiciary Committee chair Mark Stone, D-Scotts Valley, says he is planning hearings for next year to address backlogs that have plaintiffs dying before they get their day in court.**

Dying plaintiffs have been confronting yet another harsh reality this year: Jumping to the front of a line doesn't mean much when the line isn't moving.

Now Assembly Judiciary Committee chair Mark Stone, D-Scotts Valley, says he is planning hearings for next year to address backlogs that have plaintiffs dying before they get their day in court.

"I am very concerned that civil litigants are being denied their day in court and especially the terminally ill," Stone said in an email Monday. "The courts should be prioritizing terminally ill patients' claims, even during this pandemic. As chair of the Judiciary Committee I have formally requested the Judicial Council to provide us with data from the courts. That will allow us to determine the scope of the problem and how the Legislature should address it."

Stone's office has asked the council to survey the state's 58 county superior courts to find out how often they are missing a 120-day deadline to hold an initial hearing for cases filed by a terminally ill plaintiff. He is also planning investigative hearings for next year on how COVID-19 has affected the court system.

His staff declined to give further details on what Stone might do in the coming year. But one potential legislative change would be to create "survival laws" for at least some types of claims.