

New Jersey Supreme Court Decides 911 Operators Entitled to Immunity

by Robert Levy on March 9, 2012

In deciding an appeal filed by the Scarinci Hollenbeck Litigation Group on behalf of two 911 operators, the New Jersey Supreme Court released a decision in *Paris Wilson v. City of Jersey City* yesterday morning (Thursday, March 8, 2012) that granted 911 operators immunity from negligence claims.

The precise issue in this appeal was whether the 911 immunity statute, N.J.S.A. 52:17C-10 provides immunity to 911 operators and their public-entity employers from civil liability for the negligent mishandling of emergency calls. The case concerned the handling of an emergency call reporting a disturbance that, in fact, turned out to be a horrific multiple homicide involving a mother and her children. In the first New Jersey Supreme Court interpretation of this statute, the court overruled two previously decided Appellate Decision cases and disapproved of a federal court case when it concluded that 911 operators in public entities had immunity from negligence in connection with the delivery of 911 services, including the mishandling of 911 calls. Arguing the case on behalf of the two Jersey City 911 call takers was Robert E. Levy, Chair of the Scarinci Hollenbeck Litigation Group. Also working on the case were Michael Cifelli, CJ Griffin and Christina Michelson.

This is a significant victory because it provides protection to 911 call takers who are placed in stressful situations while handling emergency telephone calls. It insures that financially strapped municipalities and counties will avoid the expense of future lawsuits or the potential that insurance companies would not provide coverage for 911 operators. The decision is also likely to be followed throughout the United States, as many states have similar 911 immunity statutes.

Media coverage on the decision is available on the New Jersey Law Journal and the New Jersey Journal. For more information about the legal issues involved in this case, please contact Robert E. Levy.