In its Peer Review Process

If an allegation of egregious testimony is found to have merit, the committee may impose sanctions, including termination of ACOG fellowship.

Check Vitals to Evaluate Your Defense in Malpractice Case

Communicate. Expect plain speaking, clear writing, and good listening skills from your lawyer. When a complex legal issue can be explained in a way that one’s grandmother might understand, that’s clear speaking, she said. If you don’t understand something your lawyer wrote, chances are the judge and others won’t understand it, either. The lawyer should be able to listen to the client and think about the case without being distracted by calls, e-mails, or an overload of other cases.

If your lawyer isn’t communicating well, or you don’t get along, demand a new lawyer from the firm’s associates or the in-house panel of lawyers, Mr. Sinclitico advised.

Communication is a two-way street, he added. If you see an article in the medical literature that’s pertinent to your case, send it to the lawyer. Insist on participating in selecting the medical experts whom your attorney will rely on.

Communicate some more. The legal process can drag on for years, so expect ongoing communication from your legal team, preferably from your lawyer personally, Dr. Friend said.

Request regular, periodic status reports from the lawyer, Mr. Sinclitico advised. If the flow of paper stops, or if you call several times without a response from the lawyer, that’s a red flag something’s wrong.

Manage expectations. As the lawyer continually analyzes and updates you on the pros and cons of the legal proceedings, options should be articulated in a commonsense way without exaggerating the probable success of the case and without painting an overly bleak outcome.

Explain billing. Demand an up-front, detailed accounting of billing policies. Law firms may bill for face time with the client, phone calls, conversations between firm members, time spent reviewing documents, legal research, preparation of forms or documents, revisions, document reviews, travel time and expenses, and other services. If the lawyer in charge of the case changes while the case is in progress, the client should not have to pay for the firm to bring a new lawyer up to speed on the case, Dr. Friend said.

Ask whether legal interns will bill at the same rate as senior lawyers, and be sure that you’ll get access to all legal work generated on your behalf, she added.

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