

# Study Shows Doctors Lack Legal 'Know How'

The United States today is not producing any physicians trained in medico-legal work, even though 80 to 85 per cent of all trial-level cases in this nation's courts and administrative agencies involve medical evidence.

Prof. William J. Curran of the Harvard Medical School ex-

posed and explored this current dilemma in his keynote address delivered before the 19th Annual Advocacy Institute at The University of Michigan.

"Unlike Europe, where medico-legal institutes are attached to university medical schools," Curran said, "There are no major programs in the U.S.

for training physicians in medico-legal trial work.

"There is only one subspecialty of our American specialty boards which purports to certify physicians for work at all related to a legal setting and courtroom testimony—forensic pathology."

The adoption of a system like

that employed in Europe would be difficult in the United States, Curran said, because the respective legal systems are different.

"A great deal of the work in these medico-legal institutes is done by deposition, and other legal reports, without extensive courtroom appearances. Also,

the adversary system is just not so much in Europe as it is here."

THE HARVARD professor also said that few U.S. courts and lawyers "would be satisfied with the clinical backgrounds" of the European medico-legal specialists.

Noting that he would not "want to exchange our admittedly imperfect system for the European model," Curran suggested some remedies.

"There are large numbers of physicians who totally refuse to cooperate in medico-legal cases," Curran said, often because of a "personal

distaste for the adversary system," or the inconvenience of great amounts of paper work and time expenditures.

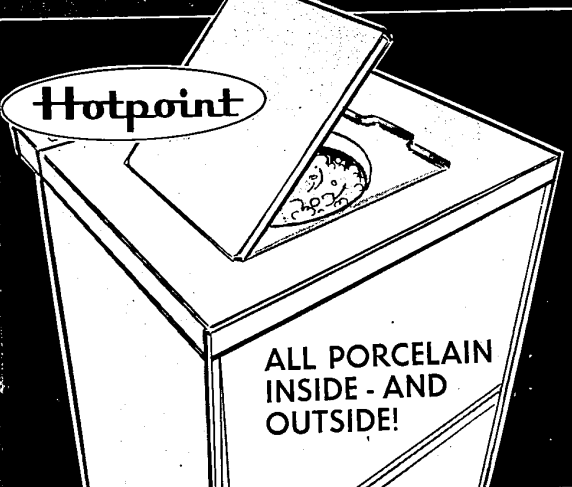
"We can improve things for our medical witnesses," Curran maintained. "By trying to reduce time loss and paper work, by paying witness fees on time," and by showing these

doctors "the value of participating in the administration of American justice."

At the university level, he said, we "must do a better job of teaching future doctors about law and legal systems, and social values." We have years of "badly taught legal medicine to overcome."



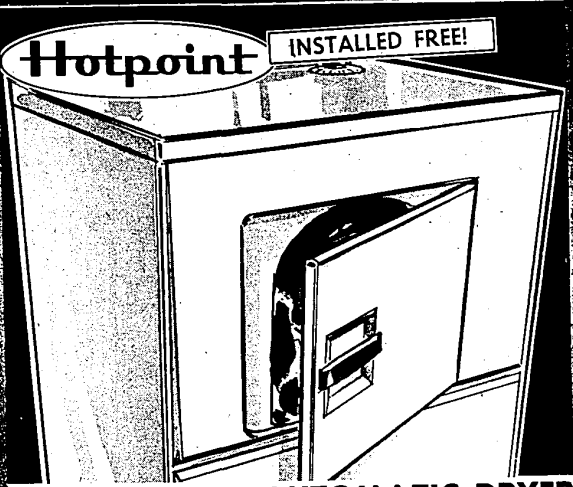
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