

OUTCOME
IS OPTIMIZED
IN
EXPERIENCED
HANDS



The Medical Malpractice
Defense Group



DORF & NELSON LLP

Westchester Manhattan Garden City Los Angeles



Optimizing Outcomes

As a medical provider you are constantly made aware of the range of outcomes of properly rendered medical services. Unfortunately when there is an adverse outcome, there is a tendency to search for answers which may not always be available. Lack of understanding can lead to the casting of blame.

Learning that there is a claim against you for an adverse patient outcome is an unsettling experience. The legal and medical professions do not always view adverse outcomes from the same perspective, and the tendency to judge retrospectively is difficult to prevent.

The extensive trial experience of our partners enables the Dorf & Nelson LLP team to organize the data, retain the complete array of expert witnesses, and present the defense in the best possible light for our clients. It is through this intensely technical process and our efficient approach to it that our clients are able to expect that outcome is improved in experienced hands.

The Medical Malpractice Defense Group at Dorf & Nelson LLP stands ready to guide and represent you through a difficult and complex process of contesting a medical malpractice claim or OPMC proceeding.

Gaining the Proper Perspective

Very often, the initial instinct of the medical professional faced with legal action is to seek a compromise and close the matter. This can save considerable time and effort, but the true cause of the poor result may never be determined and settlement may not be in the best interests of all participants in the treatment.

Settlements lead to reporting, and the ramifications of the reports are frequently unpredictable. Higher insurance premiums, uninsurability, professional discipline, curtailment of privileges, and restrictions or revocation of licenses are all influenced by the outcome of lawsuits and professional conduct proceedings.

At Dorf & Nelson LLP we understand that the analysis of an unfavorable outcome is a complex task which needs to be thoroughly explored before an adverse event is attributed to human error. The numerous comorbidities of the patients combined with the increasing complexity of modern medicine present a technically complicated scenario with risk gradients that span the spectrum of severity. When the treatment is within the standard of care, or the claimed injuries have no proven relationship with the treatment decisions, there is good reason to defend the case to verdict.



Developing a Meticulous Strategy

Medical Malpractice actions and professional discipline matters place the provider at a distinct disadvantage. Medical treatment was rendered and the desired outcome was not attained. Counsel for the patient will attempt a simple cause and effect analysis, but this omits consideration of the many factors which can contribute to poor outcome. Not infrequently, a particular patient may have had such limited interaction with the medical profession that any pre-existing propensity toward complications is unclear. It can be extremely difficult to resolve whether the error claimed on the part of the medical care provider was causally related to the undesired result.

The defense team at Dorf & Nelson LLP has the depth of experience and technological capability to expeditiously:

- Review the often complex and redundant electronic medical records to extract the relevant data.
- Organize the facts to outline the areas of concern, regardless of the stated claims of the adversary.
- Evaluate the emerging evidence with the assistance of carefully selected medical and other experts.
- Establish the basis for a defense which will address the issues, regardless of when they are identified by other parties.

Our work starts with developing an understanding of the full potential extent of the controversy. Your defense team will then ensure that you comprehend what the claim is likely to be when the case reaches the point of disposition, and how to assure that a cohesive defense is presented for all caregivers. We invariably prepare our clients for more probing inquiry than they encounter at their depositions. Together, we thoroughly explore the issues of liability, causation and damages in a collaborative process before deposition testimony is taken.

Engaging an Extraordinary Team

Today's increasingly complex medical malpractice and disciplinary cases demand multifaceted scientific inquiry. Each professional on the defense team at Dorf & Nelson LLP was selected for

- Knowledge of the law/medicine interface
- Strong advocacy skills
- Ability to contribute to a persuasive, team-based defense.

Our professionals are closely – often personally – allied with members of the medical and associated professions with whom we have worked as clients, expert witnesses, and family members for many years, some for their entire lives. We understand the many levels of concern generated by professional liability claims, and are dedicated to providing the individual attention each case and each client deserves to have. Throughout the process, we work to maintain the full confidence of both client and insurer as we develop a cost-effective and preemptive defense. Our deep experience in resolving malpractice issues also positions us to effectively advise clients on both risk management and claims avoidance.

Our paralegals and support staff have also been carefully selected for their depth of experience and their ability to provide strong support to the attorneys, as well as relief from tasks which do not require the direct involvement of counsel. Our entire staff is broadly supported by advanced technology to create an efficient base for a capable and complete defense effort.

Due to our team-oriented approach, every member of the Dorf & Nelson LLP staff is a contributor in developing that defense, whether or not they are directly assigned to the matter.

LEGAL REPRESENTATION IN
Medical Malpractice Cases
OMPC Proceeding Representation

RISK MANAGEMENT

**TECHNOLOGICAL
EXPERTISE IN**

Law | Medicine
Engineering | Economics

**EXPOSURE IDENTIFICATION
& CONTAINMENT**

Experienced Legal Counsel
For Ambulatory, Hospital and
Office-Based Procedures



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Defense Group



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