



CSU
College of Law Library

1970

Book Review

Thomas Parker Hayes

Follow this and additional works at: <https://engagedscholarship.csuohio.edu/clevstlrev>



Part of the [Evidence Commons](#)

[How does access to this work benefit you? Let us know!](#)

Recommended Citation

Thomas Parker Hayes, *Book Review*, 19 Clev. St. L. Rev. 637 (1970)
available at <https://engagedscholarship.csuohio.edu/clevstlrev/vol19/iss3/24>

This Book Review is brought to you for free and open access by the Journals at EngagedScholarship@CSU. It has been accepted for inclusion in Cleveland State Law Review by an authorized editor of EngagedScholarship@CSU. For more information, please contact library.es@csuohio.edu.

the personal interaction of people, which creates people problems that cry for solution. They have chosen the practice of law as their vehicle to aid in this effort. Some are extremely active in their home communities; most have a tie to the legal profession through others in their families. None are bored in the least by what they do.

Both women are engaged in criminal law practice, one as an Assistant District Attorney, the other as a defense counsel. The men do present a variety of practices—though again in the context of their Eastern locale: general practice, Wall Street firm, house counsel for an industrial giant, former director of a Legal Services office established under the poverty program.

What Lawyers Really Do may accomplish what the author set out to do, but I wish someone had told him that law is also practiced in the other 47 states, most of which lie west of the Hudson.

*Reviewed by Thomas Parker Hayes**

EXAMINING THE MEDICAL EXPERT: LECTURES AND TRIAL DEMONSTRATIONS, Edited by Albert G. Sugarman, Institute of Continuing Legal Education, Ann Arbor, Michigan (1969) 330 pp.

In an attempt to improve the understanding and the utilization of medical testimony at trial, the Institute of Continuing Legal Education, Ann Arbor, Michigan, made this topic the subject of its Nineteenth Annual Advocacy Institute. This book is a transcript of the lectures, exhibits, demonstrations and panel discussions presented at the Institute.

Professor William Curran, a Lecturer in Legal Medicine at Harvard Law School, one of the contributors to the book, stated that it has been estimated that sixty to eighty per cent of all trial level cases involve medical testimony. Thus, the subject matter of this book should be of vital interest to every trial attorney.

The book is divided into three parts. The first part consists of lectures given by doctors and lawyers who explained the problems of presenting the testimony of a psychiatrist, a pharmacologist, a physical medicine specialist, a psychologist, and a pathologist. The lectures are organized so as to give the reader the opportunity to compare and contrast the opinions of the doctors with those of the lawyers and, in each case, learn how to obtain the maximum benefit from his medical expert, and to minimize the effect of the opposition's expert.

The second part of the book deals with facts and exhibits of the sample malpractice case presented at the Institute. It pictures the

* B.A., Denison Univ.; D. C., Palmer College of Chiropractic; Third-year student at Cleveland State University, Cleveland Marshall College of Law.

medical reports and various records of the doctors who appeared as the expert witnesses in the actual trial demonstrations that comprised part three of the book. Included among the reports were those of the attending doctor, pharmacologist, physical medicine specialist, pathologist, and psychiatrist.

A transcript of the trial demonstrations at the Institute comprises part three of the book. Actual direct and cross examination of each medical expert witness involved in the sample malpractice case is given. Each trial demonstration is followed by a panel discussion and evaluation of the particular witness just examined.

A very well-organized and practical transcript of what must have been a successful and stimulating and educational adventure, this book enables those not in attendance to benefit from the opinions and the techniques of the many noted medical and legal experts involved in the preparation and presentation of this program. This book should be included in the library of any attorney who anticipates being involved with medical testimony in court.

*Reviewed by Forrest A. Norman**

HOSPITAL LIABILITY LAW: LECTURES AND TRIAL DEMONSTRATIONS, by Nordin, Sugarman, Rice & Lemon (eds.), (Institute of Continuing Legal Education, Ann Arbor, Mich., 1968) 389 pp.

A Quaker saying states that "A hospital is a bettering place." Any institution that can be a home, a store, a factory, a school, a laundry, a restaurant, a laboratory, an employment agency, a training ground and a bettering place, can also be a *defendant* in a personal injury lawsuit. Indeed, as every lawyer knows, and as attendant publicity has made manifest, hospitals, with increasing frequency, find themselves cast in this role.

It is this role that receives the attention of *Hospital Liability Law: Lectures and Trial Demonstrations*. This unusually readable book is a transcript of the highly successful Hospital Liability Law Program held in Ann Arbor, Michigan, in 1967, under the auspices of the Institute of Continuing Legal Education. The first part of the book contains lectures on many important aspects of hospital litigation, by some of the foremost educators, attorneys and doctors in this area of law. The book is quite valuable for lawyers involved in the field of hospital liability law, and the first part is to a certain extent a "do-it-yourself-kit" for such lawyers. It starts out by reviewing the historical concepts of hospital li-

* Of the Cleveland, Ohio, Bar.