

LAW WEEK COLORADO

‘Dissecting the Law’

Doctors who are also attorneys discuss the balance of practicing both law and medicine

BY SARAH GREEN
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When it comes to operating a personal injury or medical malpractice law practice, it may be obvious that knowledge is key. Extensive comprehension of medical issues and tort law greatly profits both the firm and client, and many firms, both large and small, know that a high level of expertise can be a powerful strategy in defending clients. However, for some attorneys, obtaining both a medical and a law degree is the most beneficial combination for success—not just for firm and their client—but for everyone who is involved in the process.

“A big part of personal injury law is understanding the medicine,” said Dr. Joseph Ramos, founding partner and owner of Denver’s Ramos Law. Ramos is an attorney and a medical doctor and has woven his medical background into his law practice.

Like Ramos, many physicians pursue a law degree because they see practical ways in which legal knowledge can help patients. But it’s a lot of work.

In addition to his law practice, Ramos still works as a physician a couple days a week. He also has established outpatient clinics around the Denver-metro area including Fit MD, an integrated medicine practice that uses preventive medicine such as hormone balancing and nutrition in order to “balance out the body.”

The “doctor-lawyer” decided to get a law degree after serving in more than 100 legal cases as a medical expert and “frequently found that the attorneys didn’t understand the medicine” in personal injury cases.

“I just felt like as we were going along in these cases, the attorneys would get out to deep water, but they couldn’t swim,” he said about a case where he served as an expert medical witness. “I thought, if I were an attorney, they could run but they couldn’t hide.”

And so, he went to law school, and decided to incorporate his experience as an emergency room physician into his legal practice.

“I saw injuries as an E.R. (doctor), I treated injuries as an E.R. (doctor) and saw all phases of injury. Now (when) I’m talking to an insurance adjuster, I can explain what these injuries are like and what it means to the (client’s) future,” he said. “And that is the very essence of a personal injury case.”

Other attorneys who hold a medical degree in addition to their law degree agree that the dual experience in personal injury and medical malpractice cases can be a powerful combination.

Paul Scott, a medical doctor and of counsel at Childs McCune, said understanding how medicine works applies a certain level of expertise and that it’s important for attorneys to evaluate the case and understand it from day one.

“Many general personal injury lawyers hop on the case, but they don’t understand the medicine,” he said. “If you know the medicine, you can teach jurors — and trials are all about teaching.”

Scott, whose practice focuses on medical liability defense and risk management also added that with knowledge comes valid confidence.

“Having that knowledge and understanding allows you to go forward as an effective advocate,” he said about representing clients in medical malpractice cases.

“Understanding the medicine is important both in the decision whether a case has merit and in how to teach jurors so they understand, also,” he said. “They sure appreciate that.”

There is a common theme between the fields of medicine and law, Ramos said: helping people. In medicine, a doctor can examine, fix and treat a patient in both long- and short-term timeframes, which is especially true in any emergency

“When you start talking to these adjusters and educate people on what the person is going through, they stop treating them like numbers and start treating them like people.”

He then added teaching can provide a welcomed insight into every individual case, which can be also helpful for juries — a key element, that many personal injury attorneys are aware of.

“The defense knows that if the jury understands something clearly, they’re more likely to result in an adverse result for (the defense). A lot of people just need answers.”

Ramos said when he has the opportunity to teach the details of a case to the jury, it quickly clarifies the often complicated nature of medicine and that defense attorneys are well aware of how powerful a knowledgeable jury can be.

This year his firm “had multiple seven figure settlements pretrial,” he said, crediting his firm as a team.

The doctor-lawyer added that it takes an equal amount of passion for both the law and medicine.

“I think you have to have a passion to continue to practice both (law and medicine),” he said. “I also really, really love spending my days as an expert explaining medicine to people. And I really, really love my days in the law firm. I love looking at depositions with people and looking at a report and trying to figure out how we can dissect it.”

He added that in medicine, a doctor helps people by diagnosing them and fixing them, but in law, cases can take years to reach an outcome. “The help I’m able to give people in law is a whole different type of reward for me.” •

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JOSEPH RAMOS

room. And in law, attorneys can examine, prepare and argue for a patient who needs help in the courtroom.

Ramos said that everyone involved in these cases appreciates in-depth medical explanations. Insurance companies who might or might not understand the extent of a client’s pain and suffering greatly benefit from being taught about the medicine behind the injury.