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Even med students need to know the legal process

SIU class gets chance to learn about being deposed as doctors

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Special to the Law Bulletin

SPRINGFIELD — When police officers walked into Michael Sinha's medical humanities lecture Monday at Southern Illinois University School of Medicine, he didn't know what to expect.

As the officers called out each fourth-year medical student's name and handed them a piece of paper, Sinha began to realize his professors probably planned the whole thing.

The officers served subpoenas to the students enrolled in the medical humanities clerkship at the school. Each subpoena contained the student's name and the time of their deposition.

The exercise kicked off the medical school's inaugural "The Physician and Society," a simulated deposition where the medical students testify about a diagnosis in a domestic violence case.

Ross Silverman, a professor and chairman of the school's medical humanities department, developed the program along with other SIU medical professionals and Margaret J. Ryan, shareholder at Sorling, Northrup, Hanna, Cullen and Cochran Ltd. in Springfield.

The department worked on developing the simulation this fall as a way to create a real-life legal situation medical students could face early in their career, said Silverman, who received his law degree from Boston University School of Law.

The simulation tested the students' ability to recall details about the case and how they each arrived at a diagnosis,

Silverman said.

"For many years, we've always had a curriculum on how the role of a physician fits into the administration of justice," Silverman said. "We used to do a mock trial and have lawyers and judges volunteer their time where the students would serve as the jury."

This simulation puts the student in more of an "expert witness" instead of functioning as an observer, Silverman said.

Sinha, currently enrolled in SIU's M.D./J.D. program, said the simulation helped the students prepare for a real-life scenario.

"Because this hasn't been done before, this is the first year, no one knew what to expect," Sinha said. "Nobody had heard from previous classes, 'this is what happens, this is what to expect.'"

The 69 students in the clerkship broke into 16 groups of four or five and one of the students in each group testified.

Ruby Hasnie learned she would testify right before the deposition began.

The defendant's lawyer asked specific questions about the case while the patient's lawyer asked more about general cases involving the same injury, Hasnie said.

Using a case the students saw in July helped with the experience, because they needed to rely on medical records and their own memory of the case to prepare, said Mallory Miller, another student in Hasnie's group.

Eight attorneys volunteered as the prosecution and defense to question the students, Silverman said.

Michael K. Goldberg, a partner at Goldberg Law Group LLC in Chicago, one of the volunteer lawyers, said he represents doctors going before the Illinois Department of Financial and Professional Regulation.

"I see a lot of the mistakes that doctors make," he said. "I admire



Chicago lawyer Michael K. Goldberg (right) and medical student Esther Khatibi started the simulated deposition exercise Wednesday at the Southern Illinois University School of Medicine. *Lane Christiansen*



Chicago lawyer Michael K. Goldberg spoke to medical students Esther Khatibi and Stephanie Suprenant before the simulated deposition exercise Wednesday at Southern Illinois University School of Medicine. *Lane Christiansen*

them for what they do and what they know, but it's amazing how they aren't really prepared for life after medical school when it comes to the outside world."

Goldberg said students can't avoid the legal side of becoming

a doctor.

"You're going to brush up with the law in some way, either in a good way or a bad way, and to be able to think about these situations and get experience is great," he said.