

# Doroshow begins DTLA presidency

By JILL HENEGBRY

The Delaware Trial Lawyer's Association (DTLA) announced that Eric M. Doroshow has been elected as their new president. DTLA currently has a membership of 550 lawyers throughout Delaware.

These lawyers are all dedicated to preserving the rights of the consumers access to the courts. They also support the efforts of prosecutors to make sure that someone who has committed a crime is brought to justice.

According to Mr. Doroshow, the DTLA believes in the right to a trial by jury, keeping the courts open for all people, and helping with the administration of justice.

DTLA is also heavily involved with continuing legal education programs. The main one being the People's Law School, which is chaired by Melanie Sharp. This is a program which is open to the general public, and provides them with the legal information that they should know about. Mr. Doroshow said that this seminar is very well attended, "it's important for people to know what their legal rights are."

Another education program that the DTLA is involved with is the Delaware/Lawyers Team Partnership Against Drug and Alcohol Abuse, which is chaired by Gary Nitsche. In this program, doctors and lawyers travel to high schools to inform students about the dangers of using drugs and alcohol from both the medical viewpoint and the legal viewpoint.

During law day in the spring, trial lawyers go to the area schools to talk with kids of all ages about the legal system. "It's important to us to get the word out to kids," said Mr. Doroshow. There is too much misinformation and miscommunication about the

rights that the public has, he added.

DTLA is also concerned with what happens in Dover and in Washington D.C., the members become involved in the issues that could affect their current and future clients.

In protecting the consumer, DTLA is now involving themselves with the legislation being considered for health care reform. DTLA wants to make sure that this legislation won't take away the fundamental rights of the consumer.

What is it that DTLA is trying to do? They want to make it so that the injured consumer knows that they can file a claim and see results.

According to Mr. Doroshow, statistics show that only one percent of health care dollars are spent on medical malpractice premiums. This small percentage is unfair to the injured consumer making the claim.

However, another problem arises is that only one in eight patients who are victims of malpractice file a claim; of those filed only one in 16 result in any type of payment to the the client.

Mr. Doroshow said that they did a study over a period of 10 years on medical malpractice cases. They found that there were an average of nine cases per year being tried over those 10 years. The results of those cases were three in nine were decided in favor of the client the other two thirds went in favor of the doctors.

This is probably because Delaware has the strictest malpractice laws in the country; Indiana comes in a close second as far as being strict with their malpractice laws.

Some of the laws in Delaware

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include the limitation of the amount of money an attorney can collect from a malpractice case. These laws also limit the locality of the witnesses a lawyer can choose for the case. These types of laws alone can make it difficult for injured consumers to make a claim. According to Mr. Doroshow, the new agenda would make the process even more difficult.

This could be why medical malpractice is called the hidden epidemic, said Mr. Doroshow. "1.3 million people are injured annually by malpractice. So there's a real need out there. The laws should be made more liberal," he added.

Another aspect of health care is defensive medicine, said Mr. Doroshow. In a study done last month, defensive medicine was proven to be less pervasive than doctors say it is. The study also said that a lot of good comes out of defensive medicine, and that it makes sense for the patient. Also if reform measures do pass there will be no affect on the curtailing of defensive medicine. All of this can be hard to quantify though, said Mr. Doroshow, because less than eight percent of tests are done for defensive medicine purposes.

DTLA is concerned as whole on the aspect of the injured consumers right to pursue, said Mr. Doroshow. "We are fighting for the consumers right to have access to the courts," he said. "If someone is injured through someone else's negligence, then the courts should be open."

This type of work by DTLA ties in with the law practiced by Mr. Doroshow, who represents consumers injured in auto accidents or those hurt on the job. Mr. Doroshow deals with the insurance company to get payment for any bills that the injured client might have or to get lost wage payments.

After taking over as president of DTLA on July 1, Mr. Doroshow said he finds he is spending more and more time doing work for DTLA, but he said it is fun work. He added that it helps to have Mike Rost as executive director and two staff members that work for DTLA full time. In addition there are volunteer trial lawyers that make up the committees. "Sometimes I feel like a symphony conductor, and I have to make sure that everyone is playing together in the right tune," Mr. Doroshow said.

DTLA is always looking to add to their 550 members, to do so lawyers should contact the registration office at 715 King St. on the second floor, in Wilmington. Dues are based on the numbers of years in the bar.