

A TEACHING RESOURCE FOR PSYCHIATRY RESIDENTS

VIEW FROM THE JURY BOX:

Clark v. Stover

A Psychiatric Malpractice Mock Trial

MOCK TRIAL COMMENTARY

DIRECT AND CROSS-EXAMINATION OF THE DEFENDANT'S EXPERT

Attorney Hammer built up Dr. Jones' testimony by presenting the fact that he actually treats patients. Judges and juries perceive that expert witnesses who are not "hired guns" are more reliable. He also steals plaintiff's thunder on the fee issue by asking his own witness about his fee for testifying. He then jumped right into supporting Dr. Stover's exercise of clinical judgment.

Dr. Jones testified as he needed to on Dr. Stover meeting standard of care. His testimony on how suicide risk assessment works is particularly appropriate for a jury to hear and could be easily digested.

The Plaintiff brought up bipolar again, and other non-relevant risk factors, but Dr. Jones called Attorney on it.

