

Med mal cases: What a Harvard study found

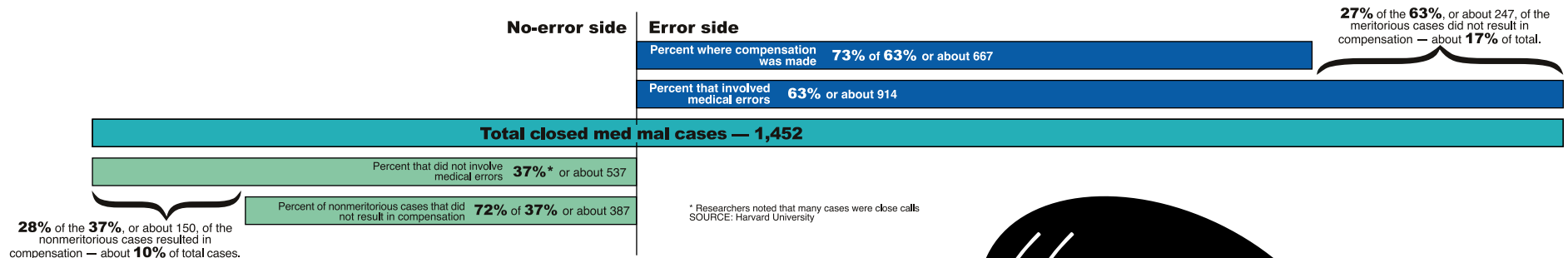
The authors of a Harvard study reviewed 1,452 closed claims from five malpractice insurance companies across the U.S. While about a third were nonmeritorious, most of these did not result in a payment, whereas many meritorious claims went without a payment. David Studdert, associate professor of law and public health at Harvard, said, "Overall, the malpractice system appears to be getting it right about three quarters of the time. That's far from a perfect record, but it's not bad, especially considering that questions of error and negligence can be complex."

The GIST

• In this study it was found that the court system usually does it right, and injured victims were more likely to go uncompensated than were baseless claims likely to collect. If the nonmeritorious cases were removed from litigation, only a savings of about 13 to 16 percent would occur in the malpractice payout system.

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— Dan Clifford



“The jury is the lie detector.”
Clarence Thomas
 via NPR