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Richard C. Strand
University of Nebraska Medical Center

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The Practice Opportunities That
Exist for People with Combined
Degrees in Medicine and Law

by

Richard C. Strand

A THESIS

Presented to the Faculty of
The College of Medicine in the University of Nebraska
In Partial Fulfillment of Requirements
For the Degree of Doctor of Medicine

Under the Supervision of Paul K. Greening, M.D., LL. B.

Omaha, Nebraska
February 1, 1969

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INTRODUCTION

What practice opportunities exist for a person with combined degrees in medicine and law? This question has long been of interest to me. The topic of practice as a doctor-lawyer occasionally arises as medical students or law students discuss future opportunities after graduation. Invariably such comments come forth as; "The American Medical Association needs them and will pay your way through law school", or "They can make a fortune as a trial lawyer". Just as surely as these comments present themselves no one in the group knows a doctor-lawyer or has any basis for their statements. Because of my interest in the field of legal medicine as a potential area in which to practice, I became determined to find out what opportunities really do exist for practice with combined degrees in medicine and law.

In locating an advisor for my investigation, I was fortunate to be able to choose Dr. Paul Greening. He is a man that, in addition to being an M. D., recently graduated from law school. He shared my interest in determining opportunities for practice with the combined degrees, was able to offer several helpful suggestions, and had already done some investigation himself.

Before discussing my plan of investigation with Dr. Greening, I wanted to find out how much information on this field was available in the library. As it turned out there was none. There were several medical-legal publications on hand, but none of these dealt with the specific

problems and opportunities of practice with the combined degrees. Neither could I locate a medical-legal society that limited membership to doctor-lawyers. Like the journals, the societies were geared for the much larger field of legal medicine which includes M. D.'s, Ph. D.'s, LL. B.'s and others. Neither was a source of the specific information I needed.

After this fruitless first stage of investigation, Dr. Greening and I decided that we would have to do the investigation ourselves. To obtain the needed information we proposed to write the AMA, the ABA, several insurance companies, and finally the men and women with the combined degree. The following is a report on our findings.

THE INVESTIGATION

Similar letters were written to both the American Medical Association and the American Bar Association. The information sought included a listing of persons with the combined degrees, any knowledge of opportunities in this field, existence of any fellowships or scholarships for continued study, and referral to other sources.

The reply from Charles McCallum, Manager, Membership Department of the American Bar Association, was not very helpful. They had no record of members with combined degrees, no comments on opportunities, knew of no fellowships or scholarships, and only referred me to the American Medical Association.

The reply from George Hall, Law Branch of the American Medical Association was of more value. He did supply a list of doctor-lawyers, but stated that it may be old and incomplete. He also enclosed two general discussions on forensic medicine.

The first discussion is a two page reply to the question, "What are the opportunities for individuals trained in both medicine and law?" It was written by the American Medical Association Committee on Medico-legal Problems.

Interesting points include the following:

"One might suppose that there would be a demand for physician-lawyers in large life and accident insurance companies and in indemnity companies engaged in malpractice insurance and workman's compensation insurance. Some time ago, an AMA attorney looked into this situation. He learned that a lawyer or a doctor entering the legal or medical department of such an organization entered at the bottom. He gradually worked his way up -- if he did work himself up -- in one department or the other. A lawyer, by his contact with the medical department, acquires a sufficient knowledge of medicine to enable him to carry on. A physician, by his contacts with officers and employees in the law department, learns enough of law to serve his purpose. The idea of employing a physician-lawyer in one of the higher grades at the outset would, it was stated, tend to disrupt the morals of the organization and, therefore, was not desirable.

Perhaps the most logical place for one so trained would be in the teaching field, that is, the teaching of legal medicine in medical or law schools or both."

The second discussion is a copy of an article written by Milton Helpert, M. D., Chief Medical Examiner of the City of New York. Again it is a reply to the general

question of what future exists for practice with combined degrees in medicine and law. It includes the following comments:

"My advice to you is to stay in the field of medicine and not study law unless you want to become a lawyer. With very few and one might say rare exceptions, combination lawyer-doctors have not reflected credit on either profession.

For those who have a bent for pathology, there is an important and practical field of forensic pathology." "This is a very fascinating field but does require experience and training in basic pathology and then application to the sub-specialty of forensic pathology. Again this is the work of a doctor and not a lawyer."

Like the American Bar Association, the American Medical Association did not know of any fellowships or scholarships available to a physician to study law.

The letters to the insurance companies were written by Dr. Greening. They briefly stated his background, that is of a boarded and experienced pathologist, who recently graduated from law school, and inquired about opportunities for employment. Letters were written to the medical-legal departments of Insurance Company of North America, Philadelphia, Pennsylvania, Traveler's Insurance Companies, Hartford, Connecticut, and Medical Protective Company, Fort Wayne, Indiana. The replies received were all essentially the same. They had no need for a person with such a background.

The most desired information of all was that from the men and women who themselves possessed both medical and

law degrees. To obtain this information a short questionnaire was constructed and sent to the 130 people with combined degrees whose names and addresses had been supplied by the AMA. I was interested in determining 1) whether a pattern existed of attending law or medical school first, 2) if these people had a predominant area of medical specialization, 3) how they are now using their educational background, and 4) in what they see in the future for practice with combined degrees in medicine and law.

A copy of this questionnaire is placed at the conclusion of this report.

Presently forty-two replies have been received, including two from relatives from doctor-lawyers that are now deceased, and forty-four letters have been returned as not deliverable. This leaves forty-four letters as yet unanswered or not returned. In addition, I have found many new names of persons, with the combined degrees, in the course of this correspondence. These findings underscore the AMA's statement that the list of names was neither complete nor up-to-date. For these reasons no attempt has been made to compute the results into percentages or ratios, but only to present them as number of replies received. In addition, not everyone who replied used the questionnaire, but rather a letter, and may not have supplied all asked for information. For this reason the numbers in each category will not necessarily add up to the forty living M. D.-LL. B.'s that replied.

A corrected list of the names and addresses of the forty men and women that replied is placed at the conclusion of this report. Dr. Greening's name and address is there in addition.

The results of the questionnaire, except for the last question, will be presented in Table I.

TABLE I
RESULTS OF QUESTIONNAIRE

| | |
|---------------------------------------|----|
| Attended Law School first | 18 |
| Attended Medical School first | 18 |
| Area of Medical Specialization | |
| None | 11 |
| Dermatology | 1 |
| Industrial Medicine | 1 |
| Internal Medicine | 6 |
| Neurology | 1 |
| Ophthalmology | 1 |
| Pathology | 7 |
| Pediatrics | 2 |
| Plastic Surgery | 2 |
| Psychiatry | 2 |
| Public Health | 1 |
| Surgery | 5 |
| Present Use of educational background | |
| Primarily practice medicine | 22 |
| Residency training | 2 |
| Other | 12 |

Dr. Forgotson -- Senior scientist, Health Policy Research, Rand Corporation.

Dr. Head -- Chairman, Department of Medicine and Public Affairs, George Washington University, School of Medicine, Producer of Television films on medical and public affairs.

Dr. Kaplan -- Presiding Judge, Gary, Indiana City Court.

Dr. Lind -- Forensic Pathologist, Houston, Texas.

Dr. Mann -- Chief Medical Examiner, Richmond, Virginia.

Dr. Rubsamen -- Editor, Professional Liability Newsletter.

Dr. H. Smith -- Director, Intraprofessional Studies, College of Law, University of Oklahoma.

Dr. R. Smith -- now in U. S. Navy, M.P.H.

Dr. Steph1 -- Trial Lawyer.

Dr. Walker -- Deputy Medical Examiner, Bexar County, Texas (San Antonio).

Dr. Wecht -- Chief Forensic Pathologist, Allegheny County Coroner's Office, Pittsburgh, Pennsylvania, Professor of Law, Duquesne University School of Law.

Dr. Wheeler -- Politician, presently County Commissioner, Jackson County, Missouri (Kansas City).

The answers to the final question of the questionnaire set the tone for the conclusion of this study. Several statements have been selected that are representative of the many opinions presented on the question, "What kind of opportunities do you see in the future for practice with combined degrees in medicine and law?" They are as follows:

Dr. Rubsamen "Few! Much less than I had originally thought. Best opportunity is in trial work if M. D. has talent. Best gauge of this is 'are you an excellent lecturer?' "

Dr. Walker "Unlimited! Great need for forensic pathologists but law degree is not necessary there. Urbanology is a coming field."

Dr. Phelan "I think one must decide to be either a lawyer or an M. D. I am not using law in a practical capacity. I consider it a fine background for any field."

Judge Kaplan "An attorney with a medical background is unbeatable because of the combination of the two fields."

Dr. Mills "I can appreciate the enticement medical jurisprudence may have for you; however, unless you are prepared to become an expert trial lawyer or a law teacher, I urge you to reconsider spending three years in law school. Outside of teaching and practice of law there are no present opportunities to make meaningful use of both degrees." "Finally, unless you become a very successful lawyer, you will probably find the financial remuneration less than that of the average practicing physician."

Dr. Walker "Job opportunities are increased, however, I am unable to comment on increase in income."

Dr. Thompson "No formal field. A lawyer can learn sufficient medicine for his legal medical purposes and visa versa."

Dr. Mattingly "Very few. My only use for my legal education was to be able to avoid malpractice suits over a period of thirty years."

Dr. Gidman "The field is in its infancy. With the large number of traumatic cases there is a definite need for both degrees."

Dr. Lind "The opportunities for practice with combined degrees in law and medicine are somewhat limited at present. The total time in education is excessive. The major application of medical interest is torts which I feel most physicians find a rather tedious exercise."

Dr. Wecht "Teaching legal medicine at medical and/or law schools on a postgraduate level is a challenge and something that every person trained in medicine and law should do to some extent, even though remuneration is quite minimal."

Dr. Forgotson "No practice opportunities as such. I see it as a basis for a career in policy research, policy making, and teaching administrative medicine."

Dr. Castrogiovanni "No great advantages are apparent to me at this time."

Dr. Fairey "Several years ago as a senior medical student I sent a similar inquiry to 125 persons with the combined degree. The one theme throughout their responses was to the effect that there were no readily available opportunities with the combination M. D. - LL. B." "I have not used my combination M. D. - LL. B. and have found no practical useful outlet for it." "Forensic pathology is the only natural field available. Even here the legal background is far from necessary."

Dr. Fehling "My legal background only serves as a general education, but I practice and enjoy medicine."

CONCLUSION

It can now be said that mere possession of degrees in both medicine and law is not a key to immediate professional or financial success. Contrary to wide spread belief neither life insurance companies nor the American Medical Association has a need for such an individual. And of the forty doctor-lawyers who replied, more than half were primarily practicing medicine and making little or no use of their legal education. However, it must also be said that

some people are using this background in new and unusual ways. In addition, most of those questioned, even if they were not using their legal education in a practical capacity, felt their legal training was of great personal value. Perhaps the best summation was stated by Dr. Hamacher. He said:

"The opportunities are many and varied but it is up to the individual to determine the area he wants to go into and follow through. There are no areas that are set and readily available."

Dear Sir:

I am a senior medical student at the University of Nebraska College of Medicine. I am writing my senior thesis about the field of legal medicine. My particular interest is in determining opportunities for practice with the combined degrees of medicine and law.

I would appreciate it very much if you would help me by answering the questions below.

Thank you.

Richard Strand

Medical education _____ Dates _____

Legal education _____ Dates _____

Medical Specialization? _____ Dates _____

How are you using this educational background? _____

What kind of opportunities do you see in the future for practice with combined degrees in medicine and law? _____

Richard Behrman, M. D.
Department of Pediatrics
Johns Hopkins Hospital
Baltimore 5, Maryland

Richard Beresford, M. D.
Denver General Hospital
Denver, Colorado

Rourne Hayes Brown, M. D.
Childrens Division
Cook County Hospital
Chicago 12, Illinois

Jack Calcy Castrogiovanni, M. D.
TARA Building
4030 Canal Street
New Orleans, Louisiana

Franklin J. Evans, M. D.
147 Alhambra Circle
Coral Gables, Florida 33134

William F. Fairey, M. D.
Department of Pathology
Medical College of South Carolina
Charleston, South Carolina

Hans O. Fehling, M. D.
1449 North Gardner Street
Hollywood, California 90046

John V. Fiore, M. D.
8921 Sepulveda Boulevard
Los Angeles 45, California

Edward Forgotson, M. D.
1167 Lochman Lane
Pacific Palisades, California

Michael W. Freeman, M. D.
1810 Wellesley Drive
Detroit 3, Michigan

Louis J. Gehbauer, M. D.
6801 West End Boulevard
New Orleans, Louisiana

Francis T. Gidman, M. D.
2026 Baratavia Boulevard
Marrero, Louisiana

Ruth L. Gouge, M. D.
4769 South Lowell
Littleton, Colorado

Paul K. Greening, M. D.
Pathology Department
Fresno Community Hospital
Fresno, California

Edward Hamacher, M. D.
1575 Paulsen Medical and
Dental Building
Spokane, Washington

Murdock Head, M. D.
Arlie House
Warrenton, Virginia

Julius A. Howell, M. D.
2662 Robin Hood Road
Winston-Salem, North Carolina

Richard S. Kaplan, M. D.
Judge, Gary City Court
Gary, Indiana

C. J. Lind, M. D.
Department of Pathology
St. Luke's Episcopal Hospital
Texas Medical Center
Houston 25, Texas

Geoffrey T. Mann, M. D.
Department of Health
404-406 North 12th Street
Richmond 19, Virginia

a
Richard Mattingly, M. D.
3701 Cumberland Street, N. W.
Washington 16, D. C.

Don Harper Mills, M. D.
1210 West 4th Street
Los Angeles, California 90017

Vincent C. Moscato, M. D.
191 North Street
Buffalo 1, New York

William V. Nick, Jr., M. D.
Department of Surgery
Ohio State University School of Medicine
Columbus, Ohio

J. S. Phelan, M. D.
Medical Department
Aluminum Company of America
Alcoa, Tennessee 37701

David S. Rubsamen, M. D.
102 El Camino Real
Berkeley, California

Frederick J. Schwertley, M. D.
614 Barker Building
Omaha, Nebraska

Barlow Smith, M. D.
6600 Cahill Road
Minneapolis, Minnesota 55435

Hubert Winston Smith, M. D.
College of Law
University of Oklahoma
Norman, Oklahoma

Robert G. Smith, M. D.
Box 268
Broken Arrow, Oklahoma

Thomas L. Smith, M. D.
885 Glen Valley Drive
Birmingham, Alabama 35206

William J. Stapleton, Jr., M. D.
642-45 David Whitney Building
Detroit 26, Michigan

Kaisel Steinhardt, M. D.
2465 South Downing
Denver, Colorado

Roland J. Sternfels, M. D.
1040 Maison Blance Building
New Orleans, Louisiana

William Moore Thompson, M. D.
2342 N. W. 11th Avenue
Rochester, Minnesota 55901

Henry Toll, M. D.
750 Vine Street
Denver, Colorado

Carl Walker, M. D.
719 East Houston Street
San Antonio, Texas

Cyril H. Wecht, M. D.
1417 Frick Building
Pittsburg, Pennsylvania

Charles B. Wheeler, M. D.
820 West 57th
Kansas City, Missouri