

PRESS RELEASE

HealthcareLeaders: Jill Steinberg and Buckner Wellford

April 01, 2011

Few things wreak more havoc to a physician's life than having to face a medical malpractice claim. The longer a physician practices, particularly in certain specialties, the odds for escaping the likelihood of dealing with what can often seem like a demoralizing experience are small. Healthcare attorneys Jill M. Steinberg and Buckner Wellford, with Baker, Donelson, Bearman, Caldwell & Berkowitz, PC, are experts in the field of medical malpractice defense of physicians and hospitals. They were willing to share their insights, garnered through their years of experience litigating such claims in Memphis.

Steinberg landed at what was then Heiskell, Donelson, Bearman, Adams, Williams & Kirsh in a summer clerkship after her second year of law school. Beginning at that point, she had an opportunity to assist the famed Leo Bearman Jr., trial attorney extraordinaire, in the defense of medical malpractice lawsuits. She was fascinated by the practice and knew she had found her niche. Offered a permanent position upon law school graduation, she has been with the Baker Donelson firm exclusively. "Every case you work on, you learn about another aspect of medicine...and the really good medical professionals will be patient and teach you so I have learned in every case I have defended."

Wellford had the early benefit of a well respected mentor, too, having grown up in a household where his father, the Honorable Harry W. Wellford, served for many years as both a trial and appellate judge on the federal bench. "It's really all I ever wanted to do... my personality and skills are more suited to litigation than other areas of practice. I joined Thomason, Crawford & Hendrix out of law school. They handled most of the medical malpractice defense side, most of it for physicians, so I was exposed early on. I was in the right place at the right time."

Is there good news in the world of tort reform?

JS: The good news is that the tort reform that went into effect in October, 2008 did decrease the number of frivolous medical malpractice lawsuits in Tenn. They have settled down to about 40 percent less, now that an expert witness must be identified prior to filing.

BW: And the legislature is currently considering the General Tort Reform bill (SB1522/HB2008) that will likely reduce them even more, proposing a \$750,000 cap that will almost certainly reduce the number of lawsuits. There are also measures in the legislative package that are designed to address recent court rulings regarding peer review protections to keep damages from being inflated in situations where patients run up a large bill but are not personally responsible for it.