

**Standards of Conduct for Physicians and Attorneys Involved in Legal Disputes Concerning
Evidence of Medical Matters
By Lora M. Jennings**

Becoming involved in legal disputes concerning evidence of medical matters can be a time-consuming and even stressful experience. Recognizing that mutual cooperation of physicians and attorneys is essential to the orderly resolution of such disputes, the Wichita Bar Association and the Medical Society of Sedgwick County have adopted the Sedgwick County Medical-Legal Code. This Code contains a declaration of standards of conduct for both attorneys and physicians involved in such matters.

The Code provides standards of conduct pertaining to the protection of privileged information, the production of medical records, and participation in depositions and court appearances. For example, the Code provides that attorneys and physicians have a mutual obligation to cooperate in scheduling examinations and conferences in order to minimize interference with the physician's other obligations, the attorney's commitments to the judicial process, and the court's mandatory schedules. Also, no physician should be called as a witness to testify by deposition or at trial on behalf of his or her patient without a prior conference with the scheduling attorney concerning the matters about which the physician is to be questioned.

Disputes arising between individual physicians and individual attorneys in the areas covered by the Code can be submitted for evaluation and mediation to the joint Medical-Legal Committee established by the Wichita Bar Association and the Medical Society of Sedgwick County. Ultimately, this Code serves as a useful resource for physicians and can be obtained at <http://www.wichitabar.org/Medical%20Legal%20Code%200605.pdf>.