



Q&A About Personal-Injury Law with Bedford Hills Attorney and Author Andy Siegel

Nancy L. Claus October 18, 2012

Art imitates life, and Bedford Hills attorney Andy Siegel's new novel about personal-injury law is no exception. And he wants to clear up some misconceptions about his chosen profession.

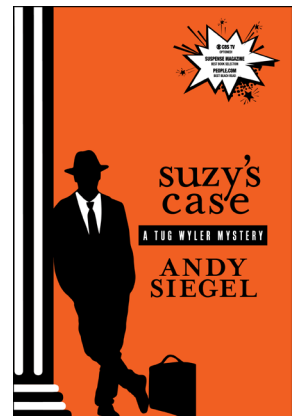
What made you choose personal-injury law, a specialty that some call ambulance chasing?

I chose personal injury because it's the only area of law where an attorney can make a difference in the quality of someone's existence after they've suffered a tragic setback through no fault of their own.

What would you like people to know about your field? I'd like them to understand that committed attorneys like myself—who've chosen this area of practice—are on the side of the little guy, the underdog. Maybe we're not buttoned-up corporate types, but is there anything wrong with being a bit of a maverick who relishes fighting righteous battles?

Isn't the high cost of malpractice insurance, which is driven up in part by personal-injury lawyers, one reason many doctors are abandoning or limiting their practices? This is a very common misconception—insurance industry propaganda. New York medical malpractice insurance premium increases over the last two decades have been moderate. According to the consumer advocacy organization Public Citizen, it's been only three and a half percent, or slightly less than half the overall US medical inflation rate, which is six and a half percent. Propaganda can be dangerous.

Who do you see as the bad guys: doctors or the insurance companies? Neither. The real problem is that too many men, women, and children are needless victims of what are completely preventable medical mistakes. This was proven in the NewYork-Presbyterian/Weill Cornell Medical Center report that came out as a result of a new comprehensive safety program in their obstetrics department. Making every effort to increase patient safety is the best solution. It's the most important truth I've learned working in this field.



We understand big awards for gross negligence—but what about honest mistakes? Negligence has a specific legal definition, with specific rules of law that apply to specific situations. New York uses the Pattern Jury Instructions, which set out these criteria. I have not seen 'honest mistakes' referenced or defined in the PJI. I imagine this is so because 'honest mistakes' are not compensable under law.

You say you have an unconventional approach in court? Can you give some examples? I have what might be called a 'large' personality, but, given that it's the personality I was born with, I just go with the flow—whenever possible. Being myself helps me enjoy what I do.

You recently have written a novel, Suzy's Case, about a personal-injury lawyer. Is the protagonist your alter ego? In certain ways, yes, he is. But I live in the real world and not a fictional one.