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## TRIAL

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## Turn the Web into a research associate

*Dennis M. Donnelly*

Anyone who regularly handles complex medical negligence cases knows that self-education is necessary to deal with your own experts intelligently and depose and cross-examine adverse witnesses effectively. The Internet can be a valuable research tool. With a fair amount of patience and a willingness to make mistakes and learn, you can use the Web to supplement—not replace—traditional library research.

With even a rudimentary understanding of general search engines like Yahoo! and AltaVista, you can search hundreds of thousands of medical postings on the Web for focused information posted by experts in a field. I recently considered a case involving drug-induced thrombocytopenia, and with a Yahoo! search, within five minutes I had the name, phone number, and article citations for one of the leading authorities in the field. Search engines like [www.northernlight.com](http://www.northernlight.com) scour multiple search engines at once for the information you seek.

Wherever and whenever you have a few minutes to use your computer, your modem, and your Internet service provider—say, when you are passing time in court or waiting for a deposition or trial to begin—you have access to excellent general medical education sites, including the home page of the Mayo Clinic Foundation for Medical Education and Research ( [www.mayo.edu](http://www.mayo.edu)).

By pointing and clicking on hyperlinks, you can cross-reference general citations to specific citations and access a vast medical library network. When you find an informative page that discusses the topic your case involves, like the Colorectal Cancer Links for Health Professionals page at [home.swipnet.se/crc/links.aspx](http://home.swipnet.se/crc/links.aspx), you stand on the shoulders of a knowledgeable medical expert who has already scoured the Web and electronically hyperlinked or cross-referenced a large volume of important, pertinent information.

General medical sites can be invaluable resources when you are trying to decide whether to accept a new case. For

example, at [www.merck.com](http://www.merck.com), you can access online versions of the most recent editions of *The Merck Manual of Medical Information*, *The Merck Manual of Geriatrics*, and *The Merck Manual of Diagnosis and Therapy*. At [www.medmedia.com](http://www.medmedia.com), you can access Wheeless' Textbook of Orthopaedics. Specialized research sites—like the colorectal cancer page, and especially its links page, which connects to hundreds of other Web pages—are also useful in case evaluation.

Without leaving your computer, you can get basic information about the medical facts underlying a potential medical negligence case in 20 minutes or less. For example, I have used the Web to find out the basic tests that are part of the cancer-screening standard of care, the impact that delay of diagnosis has on cancer patients' survival rates, and the psychological and physical effects of cancer's spread.

Once you have found a good source of information related to your case on the Web, you can use it in a variety of ways:

- The information can be downloaded to your computer's hard drive or to Zip- or Jaz-drive disks and easily stored and retrieved.
- However extensive the information you compile, it can be electronically searched: Information that might take a researcher hours to locate on paper can pop up on your screen in seconds.
- With graphics software and an inexpensive large monitor, the information you have found can be modified and displayed to suit the needs of the case.
- With a laptop and portable printer at a deposition or in court, relevant text or illustrations that you find online can be printed immediately for use as an exhibit.

### **Strengthen your case**

As long as your jurisdiction liberally permits the use of learned treatises, your medical education via the Web will give you admissible authorities for your own medical experts to reference and for you to use in cross-examination.

With rare exceptions, it can be difficult to find articulate, well-qualified expert witnesses who are willing to carefully review and analyze complex medical charts that set forth the facts in a medical negligence case. After all, testifying is just a sideline to experts' other professional obligations. If you sit back and expect your expert, on his or her own, also to review the appropriate, specialized medical literature on the topics in your case, you may be disappointed.

You will rarely, if ever, find an expert who does not appreciate your reviewing the medical literature, discussing helpful authorities, and supplying copies or citations of articles to incorporate as support for his or her opinion.

Most hospitals your opposing expert lists on his or her

curriculum vitae have searchable faculty home pages. Look at these sites to find out whether an expert has misrepresented his or her credentials or hospital affiliations.

For a fee, a service called SearchPointe offers background reports, including state medical disciplinary actions, on any medical doctor licensed to practice in the United States. When I searched the site for a defendant doctor, I received a more comprehensive report with more details concerning disciplinary actions than I did from the state medical examiners board.

It would be unrealistic to expect Web research to make lawyers as knowledgeable about medicine as doctors, or to replace reference librarians' detailed research and experts' reviews of medical charts. And unless you are willing to devote time to learning the basics of computing in general and Web-browsing in particular—and unless you cope well with periods of utter confusion and, sometimes, delay—the Web will not benefit you. It will only frustrate you.

I define wisdom as the knowledge of what to do with knowledge. Using the Internet effectively for medical negligence research requires a fair amount of practical wisdom and an equal amount of patience. It is worth the effort.

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### **Where to search in cyberspace**

With a few keystrokes, you can access vast medical resources on the Internet. The following sites are good places to start your search.

<http://www.MayoClinic.com>—The Web site of the Mayo Clinic contains information on health and medical topics, including articles on diseases and conditions, health news, drug information, and first-aid and self-care guides.

<http://www.medicineNet.com>—This site, created by a network of board-certified physicians, features descriptions of diseases and conditions as well as medical tests and procedures. Also available: medical and health news; prevention guidelines; and a concise, readable medical dictionary.

<http://www.medmedia.com>—This site contains information on topics in orthopedic medicine. It provides access to *Wheeless' Textbook of Orthopaedics*, orthopedic journals, current medical news, and commercial Web sites related to orthopedic products. A search feature allows users to access multiple related sites, including MEDLINE (a database of medical literature) and Medhunt (a guide to online medical resources).

<http://www.medscape.com>—Targeted to both consumers and medical professionals, this site provides medical and health care news, treatment updates, medical specialty resources, professional practice guidelines, medical conference coverage and schedules, and access to MEDLINE.

<http://www.merck.com>—The Web site of pharmaceutical giant Merck & Co. contains access to Merck publications, including the 17th edition of the Merck Manual; product information; and corporate material.

<http://www.nlm.nih.gov>—The National Library of Medicine, part of the National Institutes of Health, provides online access to multiple medical and health care databases. These include MEDLINE, OLDMEDLINE, PubMed (which accesses more than 11 million citations from MEDLINE and life science journals), and MEDLINE*plus* (which accesses a medical encyclopedia; medical dictionaries; drug information; health care organizations; consumer health libraries; international sites; and locations and credentials of physicians, dentists, and hospitals). Users also can search the National Library of Medicine database.

<http://www.searchpointe.com>—Internet surfers who visit this site can access background information and verify credentials of physicians, osteopaths, and chiropractors. They can review a health care provider's education, qualifications, and record of disciplinary action.

<http://WebMD.com>—This site offers health care information for both consumers and professionals, drug and product recall data, and health education material.

—Kathleen Maguire, TRIAL legal researcher

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