North Carolina
Industrial Commission
MINUTES

MEDICO LEGAL GUIDELINES

In its continuing effort to foster relations between the medical and legal professions and per
frequent discussions among Advisory Council members and the Industrial Commission in this
regard, the Commission adopts the following portion of the Medico Legal Guidelines
promulgated by a joint committee of the North Carolina Medical Society and the North Carolina
Bar Association.

The relationship between a physician and an attorney should be based upon
mutual respect, courtesy, and understanding. Medical testimony is generally
indispensable in legal cases to prove or disprove the nature or extent of injuries
or other legally relevant medical conditions. Therefore, when accepting a
patient, a physician also accepts the incidental obligation to cooperate in any
legal proceedings in which the patient may become involved. When attorneys
make inappropriate or inconsiderate demands on physicians, they cause
animosity between the professions. Without mutual cooperation by physicians
and attorneys, their patients/clients become the unfortunate victim of
professional ill will.

As a medical witness, the physician’s role is to provide information, not to
advocate a position. The attorneys serve as the advocates. The medical
witnesses, the court, and the attorneys should show mutual respect and
consideration to each other.

This the 4th day of March 2008.

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