

1960

Book Review

Follow this and additional works at: <http://scholarship.law.missouri.edu/mlr>



Part of the [Law Commons](#)

Recommended Citation

Book Review, 25 MO. L. REV. (1960)

Available at: <http://scholarship.law.missouri.edu/mlr/vol25/iss3/9>

This Book Review is brought to you for free and open access by the Law Journals at University of Missouri School of Law Scholarship Repository. It has been accepted for inclusion in Missouri Law Review by an authorized administrator of University of Missouri School of Law Scholarship Repository.

Book Review

THE LAW OF MEDICAL PRACTICE. By Burke Shartel and Marcus L. Plant. Springfield, Ill.: Charles C Thomas, 1959. Pp. xxi, 445. \$12.50.

The Law of Medical Practice is the joint work-lecture product of two university of Michigan law professors—Burke Shartel and Marcus L. Plant. The authors charted a bold course “to point out all major legal problems the doctor may encounter, to state the general legal principles applicable to their solution, [and] to furnish concrete cases to show how the principles are applied.” The acknowledged “prophylactic purpose” of this book is to keep the “doc” out of trouble.

It is not the intent of this book to make the doctor his own lawyer, but to make him aware of the danger areas so he may seek advice of counsel before he gets burned. The doctor having digested *The Law of Medical Practice* is certain to have a clearer perspective of his obligations and liabilities under the law and to intelligently appreciate the delicate balance between duty and no duty and breach and no breach.

The book should prove equally valuable to the lawyer. He will not only find many legal rudiments refreshed, but if not an expert in this field, he will be introduced to new medico-legal problems. It is neither a book to suggest how to milk the most from medical malpractice nor to offer devious methods to frustrate the legitimate claim. It is a law book.

Sounding unlike doctors, lawyers or professors, the authors have succeeded in communicating intelligibly, developing a common denominator of the professions. While not legally pedantic to the doctor, it is not over-simplified to the lawyer.

The format of the book may best be illustrated by listing its chapters: I. The Physician's Professional Services; II. Compensation for Medical Care; III. The Physician's Liability for Malpractice; IV. Other Tort Liabilities Incident to Medical Practice; V. Licensure of Physicians and Other Practitioners of the Healing Arts; VI. The Physician's Business Transactions and Relationships; VII. The Physician's Public Duties and Liabilities; and VIII. Operation of the Legal System: General View. It is significant that liability for malpractice is the subject matter of but one of these eight chapters.

The text is not intended to be exhaustive of each subject. The authors have gone beyond a “restatement” of the law; they have made a valuable contribution to the researcher. Not only are numerous case citations footnoted, but extensive bibliographies have been compiled after each chapter.

The attorney will find this book a valuable addition to his library, not only for a quick reference of a specific medico-legal question, but as an invaluable start in his legal research.

M. RANDALL VANET*

*Third year law student; A.B., University of Missouri, 1951.