

MEDICAL LIABILITY

1. Within the context of its litigation practice, Lutran & Associés is involved in the area of medical liability, for the interest of individuals who suffered accidents during their stay in care structures of all sorts (hospitals, clinics...).

There is indeed an important litigation in this particular area, whether it is related to the contraction of nosocomial infections (responsible for 4000 victims per year in France), to medical hazard or to the violation by doctors of their duty of information in terms of risks taken during therapeutic acts, diagnosis, care or when treatments were not provided in conditions complying with medical rules.

2. Lutran & Associés defends the interests of its clients at all stages of proceedings (amicable or contentious phase, including during the appraisal phase), both to compensate the victims and/or their beneficiaries from the damage they suffered and to punish the people and/or institutions responsible for the damage (in view of obtaining civil, disciplinary, and or criminal sanctions against them).

Regarding the heaviness of this type of case (obtaining medical records, variety and number of actors involved, administrative gravity...), the law firm ensures an effective monitoring of its records by maintaining a direct and regular contact with its various interlocutors.

3. The team pays also a particular attention to the concerns of its clients, aware of the suffering endured during the damage and the recovery period, damage sometimes aggravated by the conditions (including human conditions) in which they have been medically taken care of.

4. Examples of representative files:

- Defence of the beneficiaries of a person who died after an undetected stroke during his stay in a hospital and assistance provided to the family during the medical expertise and the subsequent negotiations for the compensation of its injury;
- Defence of the interests of a student who nearly died because of the errors committed during a surgical operation and the subsequent contraction of a nosocomial disease;
- Defence of the interests of a person who underwent a surgery for a total knee prosthesis and who contracted a nosocomial infection, whose consequences were compounded during the treatments subsequently administered to her;
- Defence of the interests of a person injured in a ski fall and who contracted a nosocomial infection during its surgery;
- Defence of the interests of a patient against his doctor in a disciplinary dispute before the French Medical Council ("*Ordre des Médecins*") due to a diagnostic error.