

AFCC Conference Chicago 2012

Handout for Session 15

Juridogenic Damage to Children and Ways to Limit It

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Note to participants: Please feel free to add in your comments, and in particular your suggested solutions.

Factor	Predisposers	Iatrogenic	Juridogenic	Solution
Professional (Doctor, Judge)	Time Training External services (time, unavailability) Cognitive set	Urgency Overload Burnout Generalization/rotation Tests (lab, imaging) Social services O.R. Pharmacy Not considering all diagnostic and treatment possibilities	Urgency Overload Burnout Generalization/rotation Social Services, psychologist Particular social world view or judicial philosophy	

Patient, litigant	<p>Lack of or inaccurate information</p> <p>History</p> <p>Personality</p> <p>Possible Gain</p>	<p>Incapable (unconscious, cognitive or developmental disorder, child, elderly)</p> <p>Language</p> <p>Lies/distortions</p> <p>Mental Illness, Personality Disorder (diagnosis)</p> <p>Secondary gain of illness/non-illness</p>	<p>Poor legal representation</p> <p>Language</p> <p>Lies/distortions (1 or 2 sides)</p> <p>Mental Illness, Personality Disorder (diagnosis)</p> <p>Secondary gain from particular action</p>	
Outsiders' involvement	<p>Consultation</p> <p>Internet</p> <p>Lawyers</p>	<p>Unavailability of specialists</p> <p>Wrong/slanted/misunderstood information</p>	<p>Unavailability of specialists</p> <p>Wrong/slanted/misunderstood information</p> <p>Adversarial approach</p> <p>Non compliance as per lawyers instructions</p>	
Instructions	<p>Communication</p> <p>Non-compliance or partial compliance</p>	<p>Miswritten/misunderstood instructions</p> <p>By patient/relative/ nurse/ pharmacist</p>	<p>Poorly framed orders</p> <p>By litigant/child/social services</p>	

Direct victims of error		Patient (may be a child) Public (infectious diseases)	Litigant (may be a child) Child Other family members Future litigants (bad decision may set poor precedent)	
Indirect victims of error		Family members	Child of litigant/s Family members	
Result		Death Chronic injury Spread of infectious disease Reparable injury Reduced confidence in Medical System Increased Cost	Irreparable psychological/social damage to child and/or family (damaged attachment, contact refusal, instability) Reparable damage Reduced confidence in Judicial system Increased Cost	