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UConn's First JD-MD Grad Confronts Talk of 'Betrayal'

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Jeffrey Wisner *Regina Madwed*

It's safe to say that doctors view medical malpractice attorneys with a certain amount of skepticism. A good med mal lawyer can eviscerate a physician's reputation and decimate his or her assets.

Attorney Jeffrey Wisner, the first person to graduate from the University of Connecticut with a dual medical and law degree, is well aware of the suspicion from the medical field.

Wisner, who joined Koskoff Koskoff & Bieder in May as the firm's only physician, said even he was reluctant initially to specialize in medical malpractice.

He first worked at Koskoff in 2012 as a summer associate, but before applying was wary because, he said: "Intentional or not, medical students are indoctrinated very early in their education to believe that medical errors are rare, medical malpractice is frivolous, and a medical malpractice crisis faces the nation. Applying for this position seemed like an act of betrayal to the profession."

But with his student debt rapidly growing, he applied and accepted a summer associate position.

"My experience that summer shattered my misconceptions about medical malpractice litigation, and med mal attorneys," Wisner said. "The attorneys turned out to be incredibly kind, smart, and respectful individuals. The clients I met had their lives destroyed by undeniable medical errors."

While Koskoff has a legal team that includes nurses, Wisner is the only doctor at the medical malpractice firm.

Jim Horwitz, the firm's managing attorney, said that having Wisner on board has been extremely beneficial.

"It was clear the first minute I talked to him he was not only brilliant but a caring and sensitive young man," Horwitz said. "What he adds to the understanding of medicine is very significant and he understands cases at a higher level," Horwitz said.

Wisner said that during his 2012 summer stint at Koskoff, he discovered that the legal work was as rewarding as treating patients.

"Hence, by the end of that summer, I can say that my career course veered away from medicine and towards law," Wisner said.

The following summer, he was offered a summer associate position at a patent litigation firm in Hartford, which he accepted because he wanted to explore other legal specialties.

"I had a great experience at that firm, but realized that my background was better suited for a firm like Koskoff," Wisner said.

Wisner said the distrust between doctors and malpractice lawyers—or perhaps lawyers in general—became apparent to him in the third year of his medical school rotations, which he completed at several different hospitals across the state.

"On the rare occasions that I shared my plans to pursue a future career in law, avoiding reference to medical malpractice, I was frequently asked: 'You are going to work for the good guys, right?'"

According to Wisner, one surgeon even responded to his career plans angrily, shouting: "You know that doctors hate lawyers, right?"

"That comment, uttered in the first five minutes of the surgery, was followed by six hours of operating in silence," Wisner recalled.

After this incident, Wisner decided it probably would be best to keep his future career plans to himself.

And while he has seen a fair amount of animosity toward lawyers from physicians, Wisner doesn't believe that all doctors hate lawyers.

"I have found that my best relationships with physicians are those who are aware of the frequency of preventable medical errors ... and aware of the difficulty that exists in even filing a meritorious claim in Connecticut," he said.

For example, Connecticut law requires an attorney to have all medical malpractice cases reviewed by a physician expert, who practices in a comparable field to a potential defendant, before filing a complaint, Wisner said.

Wisner does admit that before he started work at Koskoff, he did worry what his friends would think.

"That was an issue I had when I started here, how my friends would feel," he said, adding that they turned out to be very understanding.

"They were aware there are many medical errors made on a daily basis," he said. "There needs to be compensation for people."

"I am not an ambulance chaser; the cases at Koskoff have merit," Wisner added.

While at Koskoff, Wisner works frequently with medical malpractice investigation team leader Joel Lichtenstein, whom Wisner describes as a mentor.

"Every day, we discuss interesting intakes and difficult legal issues that come up for individual cases," Wisner said.

Wisner said he grew up always wanting to be a doctor, and in high school excelled in the sciences, but in college he felt a pull toward the legal profession.

He decided to explore a career in law after working as a court-appointed special advocate while he was in college at Washington University in St. Louis. His decision to actually practice law was made following a series of experiences.

"In fact, when I started at UConn, I was not sure how I would integrate medicine and law into a future career. Early on, I recognized that it would be nearly impossible to practice both simultaneously with competence. Since I wanted to go to med school since I was in high school, I assumed that I would practice medicine primarily, and somehow use my legal background to advocate for patients," Wisner said. "But after my first year of law school, I realized that there were many more opportunities for me to integrate my knowledge of medicine in a legal career than vice versa."

The way Wisner got his degrees at UConn was a little unusual: The medical and law schools allowed him to pursue his degrees concurrently. Wisner attended UConn for seven years, between 2009 and 2016, graduating in May with both degrees.

During the seven-year program, he spent the first two years and the sixth and seventh year at the medical school campus in Farmington, and then years three, four and five at the law school campus in Hartford.

While at UConn, Wisner apparently stood out.

UConn professor Susan Schmeiser said that Wisner was an exceptional student in many ways and seemed to handle law school well compared to other students.

"After surviving the first two rigorous years of medical school, Jeff did not seem to find law school quite as stressful as many law students do," Schmeiser said. "He brought that enthusiastic engagement and careful preparation to class, where his medical training and ability to look at problems from several angles always elevated our discussions."

Schmeiser said he was a welcome collaborator on work she was undertaking on behalf of the Sandy Hook Advisory Commission, which was appointed after the school shooting in Newtown in 2012 that killed 26, including 20 elementary school students. She was a reporter for the commission, helping its members draft an analysis of the mental health system and formulate recommendations.

Coincidentally, Koskoff currently represents the Sandy Hook victims' families in *Soto v. Bushmaster Firearms*.

Schmeiser said she believes that Wisner will be able to "bridge the gulf between law and medicine—two fields that too often regard one another with mutual suspicion.

"And although lawyers tend to be generalists, we practice in an increasingly specialized world, so we need members of our profession whose understanding of other fields—of their promise and perils—extends beyond superficial deference or critique," she said.

Wisner, for his part, believes that having the medical degree makes him a better attorney. He said medical school taught him many things, including how diagnoses are supported or excluded by diagnostic tests, and how the nature of the relationship between different medical professionals shapes patient outcomes.

"My medical education has taught me how to efficiently review thousands of pages of medical records. It has provided me with the knowledge to quickly identify potential medical errors, and most critically, to research the standard of care after such potential errors are identified," he said.