

Mediation in Medical Malpractice Disputes

Focus: How to resolve medical negligence disputes in a way that benefits the attorney, the doctor, the patient and the protection society or insurer

*This course is registered with the Health Professions Council of South Africa and bears **12 CPD points***



2017

**Lifelong learning towards
a just society**

Legal Education and Development (L.E.A.D)

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Benefits of attending the training

Discover the potential benefits mediation, as a problem solving mechanism, has in store in a dominated litigious environment. Litigation's dark side reveals that it is costly, nasty and presents all kinds of cash flow problems to the lawyer. It also threatens the professional integrity and self-worth of the medical practitioner. To the patient, litigation may leave the patient and/or family financially ruined and emotionally charged. Unnecessary funds are also expended by the protection society or insurer of the medical profession, which funds, should rather be used to improve healthcare in our country. Instead, mediation should be embraced, for it offers a cure to all the ills that litigation bring with it. For lawyers and healthcare providers, it may save your practices.

Course content

The course will cover the following topics:

- ❖ An overview of the ADR (Alternative Dispute Resolution) system in a historical context, its development and its relationship with the Constitution and legislative measures.
- ❖ The advantages and disadvantages of certain ADR processes.
- ❖ Understanding the application and benefits of mediation in medical malpractice cases.
- ❖ The role and functions of the mediator including the challenges facing the mediator.
- ❖ The mediation process and the different stages of mediation.
- ❖ A brief discussion of case studies.
- ❖ A discussion on ways to promote mediation in medical malpractice cases in South Africa.

Who should attend

Those who will benefit from attending the course include: anyone engaged in the public and private healthcare sectors, including senior managers and administrators of hospitals and clinics; doctors and specialists; nurses; attorneys and candidate attorneys; advocates; legal advisors; members of the protection societies or insurers.

Please note

LEAD reserves the right to cancel a learning activity should the number of participants not justify the costs involved. Registered participants will be given reasonable notice of cancellation.

Expert presenter

Dr Henry Lerm is a Doctor in law, and was admitted as an attorney in 1985. He has a wide range of experience both in practice, as well as academically. He holds B. Proc. LLB, LLM and LLD (Univ. of Pretoria) degrees. He has presented lectures to practising attorneys and advocates in a variety of topics throughout South Africa. The topics include contract law; legal writing for litigation ; medical law; advanced medical law and legal interpretation . He is the first attorney who brought about a fusion in the legal and medical professions by presenting a series of seminars in medical law and ethics. He is also an accredited mediator.

Date, venue, time and fee

Date	Saturday, 27 May 2017
Time	08:30 – 16:00
Venue	Midrand
Fees (VAT incl.)	R1 980 per person

How to register

Complete the registration form and e-mail it to bettie@LSSALEAD.org.za together with a copy of your ID/passport.

If you do not receive confirmation of registration from LEAD within **five business days**, please follow-up with Bettie Lubbe on 012 441 4670.

Registration closes one week prior to commencement of the course.

About the Law Society of South Africa (LSSA)

The LSSA is the umbrella body for the attorneys' profession in South Africa. Its mission is to uphold and protect the values and principles of the Constitution, the rule of law and the independence and integrity of the attorneys' profession.

Legal Education and Development (LEAD), the educational division of the LSSA is responsible for the management of the course, in order to assist in achieving the LSSA's mission in advancing legal compliance and to protect various professionals as well as the general public.

REGISTRATION FORM (CONTINUED) PAYMENT DETAILS: MEDICAL MEDIATION

Name of applicant:

C. Payment details

BANK DETAILS FOR LEAD

Bank: First National Bank (FNB) **Account Holder:** Law Society of South Africa **Branch:** Pretoria
Branch code: 251445 **Account Number:** 62009641079 **Account Ref:** (CC Surname, Initials)

Payment by Electronic Funds Transfer (EFT): by Employer Applicant Amount: R_____

OR

CREDIT CARD:	Name of card holder :	
Card number:		Amount : R_____
<input type="checkbox"/> Master Card	<input type="checkbox"/> Visa Card	Expiry Date _____
Budget facility: <input type="checkbox"/> No <input type="checkbox"/> Yes Number of months: _____		
<i>Credit card payments must be accompanied by photocopies of both sides of the card.</i>		

TERMS AND CONDITIONS

Cancellation

1. A learner who wishes to cancel must do so at least 7 (seven) working days prior to commencement of the course.
2. Cancellations must be done in writing and e-mailed to bettie@LSSALEAD.org.za or faxed to 086 743 1942.
3. Confirmation of the cancellation will be confirmed via e-mail. Should a learner not receive a cancellation confirmation from LEAD, it means that the cancellation request was not received. Learners should follow up ASAP to avoid being held liable for the full course amount.
4. Learners who do not cancel and fail to attend the training will be held responsible for the full course amount. The only exceptions are if the reasons for cancellation are one of the following:
 - Death of a close family member (death certificate should be submitted).
 - Severe medical condition which results in the participant no longer being able to continue with the course (medical certificate should be submitted).
5. LSSA/LEAD shall have the right in its sole discretion to postpone or cancel tuition in any programme initially advertised and offered on the basis of insufficient demand. Should the LSSA/LEAD cancel the proposed training, registered learners will be given reasonable notice of the cancellation and all fees paid by the learner will be refunded.

General declaration

1. I agree that having registered for the _____ course, I am liable for the full course fee.
2. I am familiar with the outcomes of the course specified above, and fully comprehend the specifics as explained in this document.
3. I acknowledge that payment needs to be made before attendance of the course.
4. I accept that a certificate will be issued only if I comply with the attendance and payment requirements.
5. I acknowledge that I have read and understood the above, and hereby, sign as proof.

I hereby agree to abide to all the above terms and conditions.

Applicant's signature

Date