Medical responsibility — the real lesson behind the trial of Dr. Conrad Murray

On a legal level, the criminal trial charging Dr. Conrad Murray with involuntary manslaughter in the death of Michael Jackson is much closer to a medical malpractice case than to a typical criminal case. From this trial, the public will learn about the meaning of terms like "standard of care," "causation," and "battle of the experts," which are basic to every medical malpractice case. While most of the public and much of the press have already decided that Murray is responsible for Jackson’s death, this appears to be based more on the belief that someone must be held responsible. A defense verdict is likely to create an outcry not heard since the O.J. Simpson case.

What is unique about this case, beyond the fact that Jackson was the biggest celebrity to die from drugs since Elvis Presley, is that the defendant is a physician. The prosecution must follow very specific legal requirements to prove involuntary manslaughter, and must ultimately prove that Murray’s actions represented an extreme departure from the standard of care, such that it meets the legal definition of a "conscious disregard for the health or safety of the patient," and that such actions caused Jackson’s death.

Based on the opening statements, it is clear that the prosecution will focus on Murray’s actions: his failure to immediately call 911; that he had to ask for help in performing CPR; and that he failed to tell either the paramedics or UCLA physicians that he had administered Propofol. The prosecution will also focus on how Murray

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