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## On the Job with Robert 'Cal' Martin Jr.

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For Robert "Cal" Martin Jr., medical malpractice defense is a type of civil litigation in which he believes he can make a real difference.

Martin, who's a partner at Hatcher, Stubbs, Land, Hollis & Rothschild LLP, has been practicing law for the past 29 years in Columbus. He typically defends physicians in the west central Georgia area who have been accused of medical malpractice.

Martin recently was inducted into the American College of Trial Lawyers, a legal association comprised of the best trial lawyers in the United States and Canada. Membership in the college cannot exceed 1 percent of the total lawyer population of any state. There are currently about 5,729 members.

Martin took some time out to speak with the Ledger-Enquirer about why he gravitated toward medical malpractice, what changes he's seen in the legal arena since 1980, and how he handled his first-ever medical malpractice case.

This interview has been edited for length and clarity.

You were inducted into the American College of Trial Lawyers recently. How does it feel to receive that honor? Only a few lawyers in each state are allowed to be inducted.

Yes. I don't want to sound snooty. ... I know it's a select group of people. If you look at the people you know who are in the organization, you recognize it's made up of people who are good trial lawyers. ... I think there are six or seven people in Columbus. There are about 150 in the state of Georgia.

It's an honor. It feels like a sense of accomplishment. I feel like I've worked hard for a lot of years.

You practice in the area of civil litigation — mostly medical malpractice. How did you gravitate toward that?

Because it was interesting. I've been practicing law almost 30 years. When I walked in the door in 1980, I did whatever they handed me to do. Over a period of time, having done other types of litigation, some were more interesting than others.

It was no conscious choice 15 or 20 years ago to say, "In 20 years, I'll be doing 90 percent medical malpractice defense." But it's the sort of litigation where you feel like the lawyers can make a difference in the outcome.

For example, if you were defending a trucking company where they had a truck driver who had a suspended drivers' license and was driving under the influence of marijuana, you're going to lose.

It's just a question of how bad it's going to be. In most of these (medical malpractice) cases, I'm representing people who I know, often times people who are my friends.

Almost without exception, whether there was a bad outcome or not, these are people who work very hard to try to take care of others. Somebody may have lost a life. but it isn't through some fault of a physician. You just feel like you can really help and make a difference.

What are some of the major changes you've seen in the legal arena since you entered 29 years ago?

One thing is there are very few cases that go to trial compared to 30 years ago.

Most cases are settled, dismissed or resolved through arbitration or mediation. When I first started practicing law, I would go down and try simple road wreck cases where no one was severely injured. You'd try the case in one or two days. You just got a lot of trial experience that way. That doesn't happen as much anymore.

So does that make it easier for you — not having to be in the courtroom as much?

No. You know, you like to try cases. It's fun to do. But that's the most stressful part, obviously — being in the courtroom. It varies. There are years when I try two or three malpractice cases a year. Some years, maybe it's just one. Back when I was trying cases on road wrecks, I tried a case or two a month... (A malpractice case) is more intense. It normally takes between a week and two weeks to try...

Plus, when I'm defending doctors, I know a lot of them. A lot of them are friends. So that makes it even more stressful if someone's been accused of doing something wrong and causing somebody's death. You're defending them and in addition to them being your client, they're also your friend. Your children are friends with their children. You become more personally invested in the outcome.

What have been some of the highlights in your career? Any particular cases stand out?

The first malpractice case I tried many years ago stands out, just because it's the first case I tried. ... It was a case involving a birth injury and I was representing a local obstetrician, someone I had known all my life.

We prevailed. I enjoyed it. I felt good about what I had done and I was happy for him, that he was exonerated by the jury. It sort of encouraged me to continue to do more of that kind of work.