



Delekta v. Bischoff (5th Dist. Ct., Mont.)

Topics Covered: Professional Liability, Tort Reform

Outcome: Unfavorable

Issue

The issue in this case was whether Montana's statutory cap on non-economic damages in medical liability lawsuits was constitutional.

AMA Interest

Medical liability reform is the AMA's top legislative priority.

Litigation Center Involvement

The Litigation Center, along with the Montana Medical Association asked a Montana trial court for leave to file a brief as amici curiae in support of the Montana medical malpractice liability reform statute, which caps non-economic damages at \$250,000. The plaintiffs opposed the request. On October 24, 2005, the court denied the AMA/MMA motion.