

Kentucky Supreme Court Amends Civil Procedure

DCS MAY NOW GIVE DEPOSITIONS FROM THEIR OFFICES

Editorial Staff

Effective August 1, 1992, is a civil procedure amended by the Supreme Court of Kentucky which puts chiropractors on a par with physicians, dentists, osteopaths, podiatrists, and lawyers in regard to giving court depositions.

Previous to this amendment, DCs required to give depositions in a court case had to appear at the court house, while MDs could give their depositions in the convenience and professional setting of their own offices.

In the office setting, DCs can make use of spine models, charts, postures, graphs, adjusting tables, therapy units, and electronic equipment to properly explain treatment when video taped depositions are taken.

The cost of getting this ruling for chiropractic? "It did not cost chiropractic one cent," said Arthur Aston Jr., D.C. of Louisville. "It was not done by any chiropractic organizations, committees or groups. There were no lobbyist efforts or PAC influence. In fact," asserted Dr. Aston, "they (the chiropractic organizations in Kentucky) will be reading about it for the first time in this article."

Dr. Aston explained: "It became a reality by understanding the legal rules and having them changed. It was as simple as that. In Kentucky we have extremely good workers' compensation laws, no-fault auto laws, insurance equality laws, HMO laws, and chiropractic laws. These laws have been accomplished through our lobbyists and friendly legislators. For them, we are thankful.

"It is as simple as analyzing the objectives, finding the right buttons and pushing them. If you have properly done your homework, good results can be expected. It can also help build an alliance with attorneys and liberal medical groups.

"Kentucky did it, so can you. Just put it on your goals list, then do it. One dedicated doctor can start it all. It's a question of who wants to step forward."

All Kentucky courts must follow this civil procedure, and the ruling provides a precedent for other states.

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