

Next Time Use a Corn Dog

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During the summer of 1981, I traveled to Orlando, Florida to take part in a joint seminar, approved by the Florida Trial Lawyers' Association and Florida chiropractors. The seminar's theme was personal injury. Among the many speakers was Melvin Belli.

Although Mr. Belli had much to say, it was a medical doctor who specializes in thermography and allied soft tissue evaluations that left me with the most profound illustration -- the corn dog.

The human body has a myriad of intrinsic properties. We have the outer skin, the inner tissues, the functional organs, the various systems, and skeletal frame. A working knowledge of biomechanics, mathematics, and physics may prove to a jury and your client that the forces exerted at the collision or work-related accident produced considerable soft tissue damage. But, to your client or members of the jury not versed in the complexity of this, it makes sense to reduce the complex by making it easily and visually understood.

As we all know, a soft tissue injury is quite hard to objectively prove. The patient's subjective complaints can vary in intensity depending upon a variety of factors and, if not carefully monitored, even objective tests can be subjective. To the eyes and ears of a jury, proof of soft tissue injury must be real and clear. Therefore, I present to you the corn dog.

Necessary Props

- Two regular hot dogs
- One #2 pencil
- Blank 8x10 inch x-ray film -- 8x10 inch x-ray film with view of a thin lead pencil line -- Small x-ray view box (optional -- use the light of the courtroom)

The scenario might go like this:

"Ladies and gentleman of the jury, at this point I'd like to illustrate the damage resulting to the body during an auto accident. But first, let me explain and demonstrate what's involved.

"The physical damage sustained by my client is what is known as a soft tissue injury, or injury to muscles and ligaments, as well as nerves, blood vessels, and other supporting fibers. We've heard from Dr. Smith, an orthopedist, that the x-rays he took as a result of his insurance review of my client revealed no abnormalities, and that it was his opinion that my client received only a mild injury and is fully recovered.

"Can there be only a mild soft tissue injury as a result of an auto collision?

"To illustrate this point I'd like to demonstrate what soft tissue is and how it can be injured and permanently damaged."

Hold up a regular hot dog.

"We all know this hot dog is made up of 100 percent beef. Let us assume that this is muscle, as found in our body. If I were to x-ray this hot dog, I would see this on the x-ray film (show the 8x10 inch blank, but developed, film). There is nothing on the film, because muscle will not show up on a regular x-ray, as taken by Dr. Smith.

"Now, if I were to take an x-ray of this pencil, I would see this. (Show the 8x10 film with the thin line in the center). Here we see only the thin line of the lead that is surrounded by wood. Why only the thin lead line, because the lead is visible on the x-ray, but not the wood.

(Arnetta: The picture of the pencil here.)

A corn dog with the pencil inside

(Arnetta: Pencil line diagram here)

"Now, I'd like to show you my way of making a corn dog. (Get close to the jury).

"I'll push this same pencil into this hot dog. It's not easy, but here, I have the hot dog on a stick. Now, if I were to take an x-ray of this "corn dog," what do you think I would see?"

Show the same x-ray as before with the thin lead line.

"Again, the lead is the only visible thing on this x-ray. Why? Because the muscle (the meat) is not visible on x-rays."

Now, slowly and deliberately, pull the pencil out and show the hole to the jury.

"Would you say that substantial damage has been rendered to this hot dog? I'd say so! In fact, let's x-ray this hot dog to determine if a "soft tissue" injury has resulted.

"Remember, the muscles and ligaments, the soft tissue components, will not be visible on x-rays. So, what would I see. I'd see a blank film, a film that can be used to prove that no soft tissue damage has occurred. But did it?

"Now, why do I illustrate this point to you. It's important for you to realize that we cannot only accept Dr. Smith's testimony that his x-rays were within normal limits, (show the hot dog again) and that the patient was not damaged. You can clearly see that x-rays cannot be relied upon as the only criteria for "soft tissue" injury. Muscles and ligaments cannot be viewed on x-rays. But, these same x-rays were the criteria for the lack of necessary care, or release from care prematurely."

"X-rays are a great tool to determine fractures, biomechanical instability, disease, etc., but a poor indicator of soft tissue injury."

So, there you have it, the corn dog method of proving soft tissue damage.

Why Is This So Important?

The resulting harm due to the instability of the spine and the component parts of the vertebral subluxation, can and may become permanent. The purpose of chiropractic care is to evaluate the patient biomechanically and to render a diagnosis upon the degree of instability and irritation via trauma and/or over exertion injury. This evaluation and the possible treatment is vital. Your clients should receive it.

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