

# Severe Injuries Can Occur at Childbirth

Pregnancy and childbirth have inherent risks and can result in complications and injuries to the mother and the child. All injuries suffered during birth are devastating, but some are the result of mistakes made by health-care providers. You may have a legal claim for damages for yourself and your child if a doctor or other health-care provider:

- Fails to adequately monitor the mother's or child's condition
- Fails to choose appropriate procedures and treatment
- Fails to adequately diagnose and treat risks and complications
- Fails to consult specialists when necessary
- Fails to obtain your informed consent prior to treatment.

Birth injuries reportedly occur in 27 of 1,000 live births. One major cause is oxygen deprivation, which commonly happens when the umbilical cord is compressed or twisted during birth. Another cause is trauma that may occur when a baby moves into an unusual position during the birthing process. Common birth injuries include brachial plexus palsy, cerebral palsy, Erb's palsy, Klumpke's palsy, skin irritation, temporary paralysis, brain damage, and fractured collar bones.

Physicians and health-care providers are obligated to treat patients with reasonable competence, and they commit malpractice when they are negligent in their treatment or when they have otherwise departed from accepted standards of medical care. If that negligence injures you or your child, you may have a legal claim.

When a doctor commits malpractice, you can recover damages not only for physical injuries but also for economic damages, such as medical expenses, loss of income, and loss of value of services provided. Other kinds of noneconomic damages may be available, such as money awarded to compensate you or your child for physical injuries but also for economic damages, such as medical expenses, loss of income, and loss of value of services provided. Other kinds of noneconomic damages may be available, such as money awarded to compensate you or your child for physical or mental pain and suffering, disfigurement, or physical impairment. Of course, the amount of damages varies depending on the severity of the injury and on the circumstances of each case.

A qualified lawyer can determine whether you have a claim for medical malpractice by hiring medical experts, by studying the medical records, and by determining whether your physician or health-care provider deviated from the applicable standard of care. If you are the victim of malpractice occurring during the birth of a child, you must file your claim in a timely fashion or else you lose your right to do so. Because birth injury cases are complex, it is important to contact our firm AS SOON AS POSSIBLE to protect your rights.