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## **WHY DO I NEED TO SHOW HOSPITAL RECORDS TO OPPOSING ATTORNEY AT TRIAL**

I want to admit hospital records into evidence during this medical malpractice trial. Why do I have to show those hospital records to my opponent before the judge will allow me to go ahead and admit those records into evidence? You want to know the answer? Come join me for a moment as I share with you some great information.

Hi I'm Gerry Oginski, I'm a New York medical malpractice and personal injury attorney practicing law here in the state of New York. So now, in any law suit, civil lawsuit involving an accident matter or medical malpractice or wrongful death, where I now have to get those hospital records into evidence so that our doctors, who are coming in to testify, can now use the information in those records in order to talk to the jury and to explain what's contained in those records.

One of the things that I am obligated to do is to take those records that I want to have admitted, to now show them to my adversary. "Hey counselor, I want you to see the hospital records I'm going to be admitting into evidence." Now why is that done? It's done to give my opponent the opportunity to look through them to make sure that those records are the same ones that we have in our file. To make sure that those records correlate exactly with the copies that have been provided to us before trial.

The defense wants to make sure that we haven't put in certain additional records. He wants to make sure that certain records were not taken out or omitted. So now he's going to look through those records. Typically it's done before we get in front of the jury and now I'm asking questions because I will tell him before hand, I'll say, "Lis-

ten I'm going to be admitting these records. They are certified already from the hospital that they are full, complete, accurate set of records." And now he will go through his set of records to make sure, page by page, that they are accurate.

Once the defense attorney acknowledges that he's got no problem with them, and now he no longer objects to me admitting them into evidence, the judge will allow me to go ahead and have these medical records admitted into evidence and now I can have every one of my witnesses look and comment upon these records. And there's one other thing that's really important. By getting these medical records into evidence, now at the end of the trial when the jury goes back to determine whether we are more likely right than wrong, as part of their deliberation process, they will have the opportunity to look at and review every single document that has been admitted into evidence. They can literally ask for that hospital record and they could go through, page by page, to read whatever is in that record.

Why do I share this quick information with you? I share it with you just to give you an insight and an understanding into what goes on in a civil lawsuit in the state New York concerning hospital records that I need to get admitted into evidence. I realize you're watching this video because you likely have questions or concerns about your own particular matter. Well if your matter did happen here in New York and you're thinking about bringing a lawsuit but you have questions that need to be answered, what I invite you to do is to pick up the phone and call me. I can answer your legal questions. It's something I do every single day and I'd love to chat with you. You can reach me at 516-487-8207 or by email at [Gerry@Oginski.law.com](mailto:Gerry@Oginski.law.com)

That's it for today's video. I'm Gerry Oginski. Have a fantastic day.