

Dentistry in Court - the importance of the dental expert witness: malpractice litigance case report series

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Ricardo Henrique Alves
da Silva ¹

*¹ Forensic Odontology, University
of São Paulo, School of Dentistry of
Ribeirão Preto - Brazil*

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Corresponding author:
ricardohenrique@usp.br

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POSTER PRESENTATION
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ABSTRACT

Background: in Brazil, Forensic Odontology is a recognized dental speciality and the Forensic Odontologist is the professional with a mandatory degree in Dentistry and the expertise field is regulated by Federal Law 5081/1966 and by the Brazilian Federal Council of Dentistry, guaranteeing the right to work in the criminal, civil, labour and administrative/ethics areas. Hence, in cases involving dental malpractice litigance, the Judge will nominate a dentist to act as Expert Witness, and due to the judicialization of health, many cases in different dental fields reach Courts in recent years.

Objective: present, through a case report series, the dental specialties involved and the important of the Dental Expert Witness.

Methods: The cases were selected from the exams performed in the Forensic Odontology Expert Witness Service (USP, Faculty of Dentistry, Ribeirão Preto, Brazil) in the last three years. **Results:** the cases studied involve Dental Surgery, Orthodontics, Dental Implants, Endodontics and Prosthodontics, and all of them had an expert report requested by the Court, which showed information as the causal link, damage and technical aspects involved.

Conclusion: It can be concluded that the Court decision related to malpractice litigance cases in Dentistry is grounded in the report presented by the Dental Expert Witness and it is extremely important that Forensic Odontologists hold this position in the Courts.