



Meyer v. Dambro, 974 A.2d 121 (Del. 2009)

Topics Covered: Affidavit of Merit, Certificate of Merit

Outcome: Very Favorable

Issue

The issue in this case is whether, in certain instances, the Delaware affidavit of merit law requires an extension of the statute of limitations for medical malpractice lawsuits.

AMA Interest

The AMA supports the filing of a certificate of merit as a prerequisite to a medical malpractice lawsuit.

Case Summary

The Delaware Supreme Court held that, with narrow exceptions, the statute of limitations for medical malpractice suits begins at the time of the negligent act or omission, rather than at the time the injury became apparent.

Litigation Center Involvement

The Litigation Center and the Medical Society of Delaware filed an *amicus curiae* brief in the Delaware Supreme Court.

Supreme Court of Delaware brief