
David M. Saperstein's Attorney Judgment Rule from A to Z Published in Michigan Defense Quarterly

Michigan Defense Quarterly recently published [David M. Saperstein's](#) article, *Attorney Judgment Rule from A to Z*.

Below is an excerpt of the original article:

On those cold, winter days growing up in Los Angeles, nothing was tastier than a warm bowl of Campbell's Alphabet Soup. This week, the alphabet is back in the news. Alphabet, Inc. (GOOGL) has overtaken Apple, Inc. (AAPL) as the world's most valuable company. So, in honor of this news, this is a summary of Michigan's attorney judgment rule from A to Z.

Michigan, like most states in this country, protects lawyers from malpractice liability for many of their discretionary decisions. The seminal Michigan decision on the attorney judgment rule, sometimes known as judgmental immunity, continues to be *Simko v Blake*, 448 Mich 648; 532 NW2d 842 (1995). In *Simko, id.* at 656, the Michigan Supreme Court established the general rule by which the standard of care for attorneys is measured: all attorneys have a duty to act as an attorney of ordinary learning, judgment, or skill would act under the same or similar circumstances. The Court continued that a lawyer is not a guarantor of the most favorable possible outcome for his client. *Id.* at 655-656. Rather, an attorney is not required to exercise extraordinary diligence or act beyond the knowledge, skill, and ability ordinarily possessed by members of the legal profession. *Id.*

Michigan Defense Quarterly is a publication of the Michigan Defense Trial Counsel (MDTC), an association of the leading lawyers in the State of Michigan dedicated to representing individuals and corporations in civil litigation.

Read the article in Michigan Defense Quarterly

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