

A Victory in California

A. Norman Cranin, DDS, DEng

California has much to boast about: its grapes, its beaches, its universities and colleges, and its broad spectrum of citizens, representing every stratum of political, social, artistic, economic, and religious beliefs. However, despite its fabled tolerance, it is also the state that attempted to limit the ability of the professionals accredited by the American Academy of Implant Dentistry (AAID) to publicize their earned credentials. In 2000, the counsel to the Academy, Frank Recker, DDS, JD, ventured there with the determination of a gold prospector to begin a series of legal encounters that were sufficiently dramatic to have justified their appearance on *Law and Order* (or at least *Judge Judy*).

Dr Recker is not a tall man. He is well built and has a winsome smile, sparkling eyes, and an agreeable face. On first impression, it would be easy to understand why a judge or an opposing lawyer might think that he lacked aggressiveness and legal skills. The legal confrontations that followed from the lawsuit he initially filed on behalf of the AAID could be reasonably likened to a David vs Goliath contest. Those members of the AAID and many other interested parties watched with profound interest. Would Dr Recker hold in his portfolio a legal slingshot? And if so, could he aim? Could he shoot?

The proceedings continued until September 8, 2004. On that date, a US district judge, after a thorough review of the encounters, granted

Frank Recker and the AAID, his client, a summary judgment. Dr Recker, representing the little man, had emerged successfully!

He probably didn't stick around long enough for the governor to give him the key to the Golden Gate Bridge or to permit his hands and feet to become impressed in the soft cement at Grauman's Chinese Theater, but rather he moved on to more missions impossible. Some of the members of his fan club think that if he stops, he'll drop. Dr Recker maintains offices in Florida and Ohio, has licenses to practice law and dentistry in 3 states, and is a highly successful malpractice defense litigator. He conducts seminars on risk management, offers support in cases of health care law, assists professional practitioners who wish to advertise their skills, and represents them before state licensing boards. We, the members of the AAID, are bursting with pride because of our association with him.

If any of the doctors who read this would like information about informed consents, record keeping, interpretation of insurance benefits, or myriad other related subjects, Dr Recker can be contacted via his Web site, www.ddslaw.com. He has also graciously agreed to author a column for these pages, "Dentistry and the Law," which will be filled with useful, practical advice for clinicians. See page 213 for his excellent take on "Terminating Relationships with Patients." More to the point, greet him at the next annual meeting, introduce yourself, and see what a superhero looks like out of uniform.

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