



Jesse Reiter | Putting Children First, Always

by Dustin J. Seibert

BLOOMFIELD HILLS — Birth injuries are an emotionally charged subject by their very nature. For Jesse M. Reiter of **Reiter & Walsh, P.C.** to have committed most of his nearly 30-year career to the area of law says something. It indicates the special place in his heart birth injury law has.

Countless cases and clients have resonated with him on an emotional level. He recounts a conversation he had about a decade ago when reviewing the case of a young girl impacted by the effects of birth trauma.

“The parents told me their little girl would look over a fence at the other kids playing, and she couldn’t participate because of what happened to her at birth,” he says. “It’s difficult enough for kids growing up to have to deal with cerebral palsy or a cognitive delay and you can’t get other kids to hang out with you. That’s just one that I can’t get out of my head...I have a soft spot for these kids.”

That soft spot resulted in the formation

of Reiter & Walsh, P.C., a birth injury firm located in a restored 1927 Tudor castle in Bloomfield Hills. The firm is preparing to celebrate its 20th anniversary.

Although running a thriving business is important to Reiter, so is immersing himself and his associates into the world of birth trauma and the lives of the children impacted by it. Reiter & Walsh takes a holistic approach to its specialty by participating in a myriad of charities, conferences and continuing education programs.

At the center of it all is a man who has earned every bit of his success, says Jane Bailey. She served as executive director of the Michigan Association for Justice for 28 years and during Reiter's term as president of the Michigan Association for Justice.

"He's been a loyal member (of the MAJ) for decades and a highly respected member

of the bar," Bailey says. "He's not only highly respected for his legal abilities and for being a top malpractice attorney in the state of Michigan, but his commitment over the long haul has given him the respect of his peers to be elected president."

Strong Work Ethic

Reiter was born and raised in Kensington, Maryland, a few miles from the District of Columbia. His father, Charles Reiter, was a labor organizer who lived and worked in California through much of Reiter's childhood; his mother, Ann Amenta, was an opera singer and then a voice teacher. Both parents were workaholics, Reiter says, influencing him and his older brother, Jacob, who currently works in Philadelphia as the president of a real estate equity fund.

"My brother and I got our work ethic

from them," Reiter says. "I'm sure they motivated me to become a lawyer. And because I grew up near the Washington, D.C., area, I also got interested in politics."

Reiter's curiosity in law was further piqued as a child by watching an episode of the news in the late 1960s. It dealt with a dead mouse found in a Coke bottle. Little did he know that would be his first introduction to personal injury law. He eventually entered the University of Michigan as a political science major knowing he would enroll in law school.

The political science major laid the foundation for the law and constitution courses he would come to enjoy in law school, where two of Reiter's favorite areas of practice were constitutional and tort law.

"I always found defective product cases very interesting," he says. "I also had a really good constitutional law professor, Jeffrey Shaman, who was fantastic in laying out the foundation of equal protection and due process of law. He breathed life into constitutional law and made it fascinating for me."

Reiter says his love for tort law eventually led him to his first summer associateship at the Chicago medical malpractice firm Johnson & Bell. From there followed basic torts and medical malpractice classes in law school and a couple more externships that "kind of locked in what I would do from then on," he says.

Reiter graduated to become one of seven hires at Kitch Drutchas Wagner Valitutti & Sherbrook, a large defense firm, where he worked for slightly over two years. Reiter realized the defense side of the practice was not for him. It hit home when he was engaged in a deposition with a mother who cared for her hearing-impaired son until his 40s when he died as a result of malpractice.

"I felt so bad talking to her that I just knew I was on the wrong side because I felt a lot more compassion for the people and the families than I did for the insurance companies," he says.

He then went to work for Lee Turner at Turner & Turner P.C. for 7½ years.

Reiter sharpened his cross-examination skills while working under the tutelage of Turner, whom he considered "one of the great cross-examiners of the state" and an early mentor.

"He is a fantastic attorney," Reiter says of Turner. "We would do extraordinary preparation for each deposition and meticulous detail work. For our cross-examinations, you'd go in working to get 10 to 15 admissions on every deposition, and you had to get them or it wasn't a success."

It was also at this firm that he was heavily



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From left: wife Susan, daughter Brooke, daughter Alyssa and Reiter in April 2017 at the Detroit Country Day School Pre-Prom at Oakland Hills Country Club



From left: Reiter, Alyssa (second base), Brooke (shortstop) and Susan after 2016 district championship win for Detroit Country Day School varsity softball team



Reiter receives Michigan Defense Trial Counsel Respected Advocate Award, with wife Susan, Sept. 18, 2013 in Lansing

involved in his first birth injury trial in 1989. The trial resulted in a \$17.9 million verdict against a major Detroit hospital.

“That case was what sold me on a career in birth injury cases,” he says.

Low Volume, High Intensity

In 1997 after having practiced for nearly 10 years, Reiter got the itch to start his own firm. He and Russ Gregory, another former Kitch attorney, struck out to start their own birth trauma firm, Gregory & Reiter.

“It was about time because I’d been ready to run my own firm and do strictly birth injury cases,” he says. “When I was at Kitch, I had a few birth injury cases but not many.”

Reiter says the firm has grown steadily over the years and now has six attorneys and 11 support staff.

“So many changes have occurred as of late, and the firm is now where I want it in terms of the staff,” Reiter says. “We have several

Millennials practicing, and all of us participate in a lot of continuing legal education.”

Reiter has intentionally built his firm to be a “low volume, high intensity” practice. He makes an effort to keep himself and his staff on the cutting edge of the birth trauma practice.

“The medicine is so fascinating, and we stay on top of it by following most major journals,” publishing and speaking on birth injury topics, he says. “We handle a small number of cases so that no stone goes unturned. We do very meticulous and detailed work; our cases are worked up at a high level, and that’s just how we practice.”

For the last 15 years, Reiter has had the added benefit of utilizing his wife’s focus group company, InFocus Research Group, on each of the firm’s cases. Susan Reiter, who married Jesse 28 years ago, earned her Ph.D. from the University of Michigan in 1993. The two met at a football game in college. Reiter has found the company to be invaluable to the firm and its cases.

“The focus groups keep us on the cutting edge of everything,” he says. “Our goal is to be extremely well prepared for everything that comes our way. We like to know how a jury sees our case well in advance of trial.”

That dedication to focus groups and continuing legal education puts Reiter above many of his peers, says Brad Prochaska, his former co-chair of the AAJ’s Birth Trauma Litigation Group.

“You look at his website and you’ll see enormous discussion about medicine. He has knowledge of the various intricacies of medicine that can cause a brain injury, which other professionals lack,” Prochaska says. “A child could have a brain injury that

no one can figure out because it could be 10,000 different things, and Jesse will know more about it than most of his peers.”

Standout Cases

By virtue of his chosen practice, Reiter has prevailed in many cases that connect with him on an emotional level. But he does have his share of standouts.

One was from 1996 when he still practiced for Lee Turner. It involved a baby born with a litany of complications as a result of two separate mistakes: A lab technician mistyped his mother’s blood type in a prior pregnancy, preventing the mom from getting a RhoGAM shot in the pregnancy at issue; and a resident who wasn’t properly trained gave him an improper blood transfusion. Avoiding either mistake would have led to a healthy baby.

“A cute boy ended up with spastic quadriplegia, which was totally avoidable,” he says. “It was a difficult case in a difficult conservative jurisdiction, but we still got \$5.9 million.”

Another was in early 2002 when a young girl suffered a stroke after a vacuum extraction delivery. The stroke left the girl with mild spasticity. Reiter says it was a challenge to convince a jury that his client had damages considering her IQ was 120.

“It was one of the first cases where we used a focus group,” he says. “The group’s position was that they had to get the baby out so they had to use a vacuum, but there should have been better communication between the doctor and nurse prior to the delivery.” That became the focus of the trial.

“When the poor communication issue came out in trial, I could see it on the juror’s faces, and I realized how incredibly helpful focus groups can be in laying out the cases. We got a \$6.2 million verdict, and that case helped me realize why I really love doing what I do.”

Reiter says every successful outcome he has received is significant in a state that is challenging for all medical malpractice cases. “Michigan has had tort reform malpractice laws three times in the last 30 years. As a result, we have some of the lowest payouts in the country — the bottom five, if not the lowest,” he says.

Staying Present and Involved

Reiter attributes much of the success he’s had in his career to staying present and active in everything related to birth trauma, not just the cases that hit his docket. That includes keeping Reiter & Walsh active in several charitable causes.

The firm is involved in numerous

charitable activities, both actively and financially. It purchases a hole every year for Mott Children's Hospital's annual golf outing, which raises money for the Charles Woodson Clinical Research Fund that funds research for illnesses that affect children, including heart disease and cancer. The firm also partners with the Special Olympics and Sterling Civic Theater's Noah's Ark program. The firm also donates to Hope for HIE, a nonprofit focused on hypoxic-ischemic encephalopathy.

Reiter & Walsh also works with the Miracle League of Michigan, a charity dedicated to providing children with disabilities a chance to play organized baseball. Reiter has assisted the Miracle League as a representative of his firm and privately with the help of his daughters and firm members. "I understand how important this is to these children, to help them participate in sports that other kids can play despite being in a wheelchair," he says.

Working with the Miracle League is particularly special to Reiter because, when he wasn't busy with his practice, he spent a lot of time coaching his daughters Brooke and Alyssa and their travel softball teams. One of his highlights was to watch them start as middle infielders in high school varsity softball last year. Brooke is now a student at the University of Michigan. "I like to think

that part of my success as a birth injury lawyer is tied to trying to be the best possible father I can be to my two daughters."

Reiter & Walsh created two annual scholarships (the "Annual Birth Injury Scholarship" and the "Achievements & Abilities Scholarship") designed to help people with birth injuries or cerebral palsy further their education. A third is in the works for students and graduates going into areas of research and education assisting those with special needs.

"I think it's really important to give back and help the people outside of our legal cases improve their lives," Reiter says. "Contributing our time and efforts to improve the lives of people with special needs is important. It's not just about making money."

Universally Recognized by Peers

Reiter stays involved in the field of birth injury and has garnered much recognition and praise from his peers. He received the Birth Trauma Litigation Group's (BTLG) Dan Cullan Memorial Award — the lifetime achievement award for birth injury attorneys — in July 2016. He has also secured numerous industry awards, including "Lawyer of the Year" in 2006 and "Leader in Law" in 2012, both from *Michigan*

Lawyers Weekly. In 2013, he was awarded the Respected Advocate Award, which is reserved for attorneys singled out for recognition by the Michigan Defense Trial Counsel, the "other side" of civil litigation.

Reiter also has been a Michigan governor of the American Association for Justice since 2015 and contributes academically to the field via research publications and speaking presentations. He has been the co-moderator of the MAJ Medical Malpractice Seminar for over 14 years and has spoken and presented at numerous continuing education events for attorneys in his field.

Norman Tucker, another of Reiter's mentors, says all the success Reiter and his firm have experienced is a testament to his character as an attorney and a human being. Tucker and Reiter both served as presidents of the Michigan Association of Justice.

"When I think of Jesse, I think of a (Ralph Waldo) Emerson quote: 'What you do screams so loudly, I can't hear what you're saying,'" Tucker says. "Birth injury is some of the most complex litigation out there, and he makes sure his clients have the best representation possible. On top of that, he gives back. Jesse doesn't talk much, but what he does is amazing." ■