

# Cocke named 2016 "Lawyer of the Year" in his field

BY REBEKAH M. YEAROUT  
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Local attorney John Cocke with Merkel & Cocke was recently named this year's "Lawyer of the Year" for personal injury litigation—plaintiffs in the Memphis area.

Cocke has been in practice since graduating from the University of Virginia Law School in 1975, when he moved to Clarksdale and began working with a general litigation firm. A few years later, in 1982, he and Charles Merkel left that firm and started their own law practice, and their focus grew to be medical malpractice law.

ical error in the delivery room, injury or death as the result of errors during or after surgery and premature discharge of patients following surgery. He said he got into the practice because of Merkel's work on a couple of cases, which brought their firm some referrals from other attorneys.



John Cocke

"Eventually it became my sole focus, as I enjoyed trying to figure out what really happened to my client," Cocke wrote in email interview. "It is a lot like trying to solve a mystery by deciphering the clues in the medical records and the autopsy." He said he has some great help in the office, too.

"Sherry Bishop, a nurse paralegal in our office, is a whiz at outlining and abstracting the medical records which makes finding the needed entries during depositions and trial possible at a moments notice," he wrote. Medical technology and terminology is in constant flux, and Cocke said he keeps up with the changes in medicine and in the law by reading a lot and keep up with studies, many of them available online.

"Medicine changes so fast that every investigation and every case requires a completely new look at the medical specialty involved," Cocke wrote. "Back in the day, a lot of time had to be spent in the medical school libraries, but today nearly everything ever written about any medical topic can be found online."

He said he screens about 250 cases a year, does in-depth reviews of about 50 cases a year and actually handles about 15 annually, and the same applies to his partners, Merkel and Cindy Mitchell. Only about one or two of the cases are filed in Clarksdale, he said; the rest are scattered throughout Mississippi and Tennessee.

He said the most challenging part of this type of practice is jury bias. People have a tendency to believe that doctors are incapable of errors, and Cocke said in the email that getting the jury to not buy into a sympathy defense for the doctor is just one of the toughest parts of the job.

"We will not take a case unless we know it has merit and is backed up by credible expert testimony. However, the defense lawyers are all very good and can play off of the sympathy for the doctor and/or confuse the jury," Cocke wrote. "The misinformation disseminated by the media during tort reform falsely frightened juries into thinking they might lose their medical care if they return a verdict against their local doctor when, in fact, medical malpractice premiums in Mississippi are at all-time lows."

The "Lawyer of the Year" award is given only to a single lawyer in each practice area in a metropolitan area, and is decided by peer reviews and votes, which Cocke said he especially appreciates.

"With this award coming as a result of the vote of other lawyers practicing in the same field and in the same geographic area, I consider this to be a great honor," he wrote.

Cocke was also listed in the 2016 "Best Lawyers in America" for medical malpractice law, plaintiffs; and he was also named the 2012 Lawyer of the Year in his field for the Memphis area.

"Best Lawyers in America" was first published in 1983 and has become a cornerstone for legal excellence awards.

Rebekah Yearout is the managing editor for the Press Register and can be reached at 662-627-2201 or at news@pressregister.com.