

COOK COUNTY  
**JURY VERDICT REPORTER**

**MEDICAL MALPR.--JURY FINDS PSYCHIATRIST NOT AT FAULT FOR PATIENT'S SUICIDE**  
(AAA 16/1) *Estate of Joanna Lowry, deceased v Dr. Charles Hillenbrand, Craig Hjorth, Ph.D.* 05L-3160 Tried Dec. 2-17, 2008 (12P)

Verdict: Not Guilty v Dr. Charles Hillenbrand after Craig Hjorth settled out for \$650,000 at start of trial.  
Judge: Donald J. O'Brien, Jr. (IL Cook-Law)  
Pltf Attys: Robert J. Kelleher and Lesley A. Melega of *Kralovec, Jambois* Demand: \$1,000,000 policy Asked: \$10,000,000  
Deft Atty: Terrence J. Madden of *BryceDowney LLC* for Hillenbrand (National Union Fire Ins.) Offer: none  
Pltf Medl: Dr. Riaz A. Baber (Psychiatrist), Dr. Andrea Pana (Sports Medicine), Maria Stewart, Ph.D. (Psychologist), Dr. Jeffery Harkey (Pathologist), Dr. Emad Amer (Psychiatrist), Dr. Mohammed Ahmed (Psychiatrist) and Katrenia Reed-Hughes, Ph.D. (Psychologist)  
Deft Medl: Craig Hjorth, Ph.D. (Psychologist) for Hillenbrand  
Pltf Expert: Dr. Alan Gelenberg, 7617 Mineral Point Rd., Madison, WI (608-827-2454) (Psychiatrist)  
Deft Expert: Dr. Philip K. McCullough (Psychiatrist) for Hillenbrand

Joanna Lowry, F-20, was a college student at Purdue University and a star player on the women's volleyball team with a full scholarship. In Jan. 2003, she became depressed at the start of the second semester of her junior year, so her parents removed her from school and had her hospitalized as an inpatient at Glen Oaks Hospital. Joanna was subsequently discharged to a day treatment program, but after seven days she was readmitted to Linden Oaks Hospital for suicidal ideation, where she remained hospitalized until Jan. 31, 2003. She was diagnosed with major depressive disorder with psychotic features. Two days after she was released, Joanna attempted suicide by drinking rubbing alcohol and orange juice, so she was readmitted to Glen Oaks from Feb. 1 to Feb. 23. Following her discharge, she saw deft psychiatrist Hillenbrand on Feb. 24, 2003. He disagreed with the prior diagnosis of major depressive disorder with psychotic features, diagnosed her condition as post-traumatic stress disorder, and began weaning her off her antidepressant and antipsychotic medications. Joanna next saw Dr. Hillenbrand on March 19, 2003, when he felt she seemed improved with no suicidal thoughts. Two days later, on March 21, 2003, Joanna left her volunteer job at Marianjoy Rehab Center in Wheaton, walked to a nearby Target store, and purchased a knife set. She then went to a nearby forest preserve where she stabbed herself in the neck with an eight-inch chef's knife, severing the subclavian artery and vein. She died of massive blood loss, survived by her parents and two siblings. The estate contended Dr. Hillenbrand was negligent in misdiagnosing Joanna with PTSD as a result of stress caused by the Purdue volleyball coach blaming her for the team's poor season and also an early January breakup with her boyfriend; Dr. Hillenbrand's diagnosis was correct and within the standard of care; she was dangerously over-medicated when she came under his care; the antidepressant and antipsychotic medications were properly reduced; the patient was still on a therapeutic dose of medications at the time of her death; and she showed no signs of depression, suicidal thoughts or psychosis while under his care. The defense further maintained Joanna's parents were contributorily negligent because they discovered she had tried to jump from the Hancock Building on March 20 (but did not do so only because she could not find a place to jump from) and they discovered a knife in her bedroom on March 21, but they failed to call Dr. Hillenbrand or Dr. Hjorth (a psychologist who was also treating Joanna at the time) and inform them of these events, which would have led to Joanna being hospitalized. The mother claimed Joanna had informed Dr. Hillenbrand that she had a knife on March 19 and he had said it was okay, which he denied. Pltf's counsel reports that as part of Dr. Hillenbrand's treatment plan, he told Joanna to keep a journal and bring it to subsequent visits, which she did, but he never read the journal himself (which was not required by the standard of care); the journal showed she was depressed, suicidal and psychotic during the last week of her life, which would contradict deft's contention that she showed no signs of recurrent depression or psychosis while her medications were being weaned down to lower levels. Judge O'Brien barred the journal as inadmissible hearsay and would not allow it to be used under Wilson v Clark.