Reviewer's report

Title: A comparison of medical litigation filed against obstetrics and gynecology, internal medicine, and surgery departments

Version: 2
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Reviewer: Shoichi Maeda

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The cases reported are limited to those within the Hanrei Jiho and Hanrei Taimuzu, a significant limitation as these two journals report many major cases, but not all.

It seems that more cases would need to be analyzed to justify that this study is valid for explaining the typical factors related to physician’s liability as the number of cases is fairly limited.

In addition, many medical malpractice litigations end with compromise (are settled out of court) in Japan. (In 2013, 398 litigations ended with compromise out of 803 medical malpractice litigations carried out at trial courts in Japan, with the number of cases ending in a court decision being only 305.)

The authors should justify how they extrapolate the factors related to physician’s liability only from the cases reported in these 2 journals.

Level of interest: An article of limited interest

Quality of written English: Needs some language corrections before being published

Statistical review: Yes, but I do not feel adequately qualified to assess the statistics.

Declaration of competing interests:

I declare that I have no competing interests.