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## Décio Policastro


### Partner

 São Paulo

 Vcard

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 Download do currículo

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- **AREAS OF PRACTICE**
  - Torts and Civil Law
  - Family Law and Wills and Estates

- **EDUCATION**

- Bachelor of Laws (LL.B.) from Universidade Presbiteriana Mackenzie Law School (1963);
- Career improvement course on Civil Procedural Law at Universidade Presbiteriana Mackenzie Law School (1965).

- **LANGUAGE**

- Portuguese.



## SPECIAL FEATURES

- Recommended by the publication Latin Lawyer 250 (2007 to 2024), for his work in the Litigation segment and by Latin Lawyer National (2020);
- Recommended by Best Lawyers for his work in the Litigation area (2021 and 2024);
- Highlighted by Who's Who Legal Brazil (2009 and 2010), in the Commercial Litigation segment. He is described as a "respected and traditional team leader of Araújo e Policastro Advogados' Litigation Lawyers, being valued for their knowledge and established customer base." The British publication aims to identify lawyers recognized in their area of practice;
- Graced by the Constitution and Justice Committee of the Legislative Assembly of São Paulo for his participation in the elaboration of the Procedural Requirements Code of São Paulo (2009);
- Recognized as one of Brazil's leading Litigation lawyers by International Who's Who of Commercial Litigators (2009).



## POSITIONS

- Former Counselor and member of the São Paulo Lawyers Institute (IASP);
- Honorary Member and Coordinator of Legal Education Committee and Relations with Colleges of CESA – Center of Study of Law Firms;

- Member and former Counselor of the Commission of the Brazilian Bar Association (OAB), São Paulo Chapter (1998-2018);
- member of the Commission for Professional Ethics Studies;
- Chaired the Committee on Competition Law and International Trade of the São Paulo Lawyers Institute (IASP), 2003-2005;
- Professor of Commercial Law and Procedural Practices of the Faculdades Metropolitanas Unidas (FMU) in São Paulo, 1988-1992;
- Member of the Review Board of the Brazilian Bar Association (OAB) – São Paulo Section-for admission of new lawyers (1972-1979);
- Member of Lawyers ' Association of São Paulo – AASP.



## **PUBLICATION**

- Book "Code of Ethical-Professional Medical Procedure and its application" (in Portuguese: "Código de Processo Ético-Profissional Médico e sua aplicação") - 3rd edition, 2018, Editora Del Rey;
- Book "Trainee Booklet" (in Portuguese "Cartilha do Estagiário") - coordinator, many vários authors, 2017, Centro de Estudos das Sociedades de Advogados - CESA;
- Book Patients and Physicians - their rights and responsibilities (in Portuguese "Pacientes e Médicos - seus direitos e responsabilidades") - 1st edition, 2016 , Editora Del Rey);
- "The Disciplinary Process Against Doctors" (in Portuguese: "O Processo Disciplinar dos Médicos"), section of the Revista do Instituto dos Advogados de São Paulo - RIASP - Precedents

- > established by the Federal Court of the 5th Region, Year 15, Issue 29, Jan-Jun/2012
- > Article "Unwanted medical result from a legal point of view" (in Portuguese: "O resultado médico indesejado na visão do Direito" Migalhas online (Jul/2011); Saúde Web portal of the Federal Council of Medicine - CFM (Aug/2011), Medical Association of São Paulo - APM (Oct/2011) and the Federation of Hospitals and Health Service Establishments of the State of Rio de Janeiro - FEHERJ (Sep/2011)
- > Interview "Medical issues and the Law" (in Portuguese: "As questões médicas e o Direito"), Tribuna do Direito newspaper (abr/2011)
- > "Civil liability of anesthesiologists and surgeons" (in Portuguese: "A Responsabilidade Civil do Anestesista e do Cirurgião"), Meaning magazine, p.38, Sep/2009
- > "Family members can sue doctors and health service providers" (in Portuguese "Famíliares podem processar médicos e serviços"). Décio Policastro's opinion mentioned in an article published in Diário do Grande ABC newspaper (16/Ago/2009)
- > "Law recognizes paternity even without DNA test" (in Portuguese: "Lei reconhece paternidade mesmo sem DNA"). Décio Policastro's opinion mentioned in an article published by Folha de S. Paulo newspaper, 31/Jul/2009); • "Stepmother life" (in Portuguese: "Vida de madrasta"), article published by Elas & Lucros magazine, Jul/2009
- > Book "Medical Malpractice and its legal consequences" (in Portuguese: "Erro médico e suas consequências jurídicas") (4th edition, 2013, Editora Del Rey)
- > "Damage control - Defining the marital property system may avoid dilapidation of wealth in case of marriage dissolution" (in Portuguese: "Controle de Danos - A definição do regime de bens pode evitar a dilapidação do patrimônio em caso de separação"), Estadão Invest magazine, 09/Feb/2007

- "Air Crashes and Damages" (in Portuguese: "As Tragédias Aeronáuticas e as Indenizações") with Rogério Felipe da Silva, LLB, Valor Econômico newspaper, Law and Taxes section, p. E2, 06/Dec/2006; • "Medical Malpractice - legal consequences" (in Portuguese: "Erro Médico - consequências jurídicas", 4th edition, 2013, Frôntis Editorial)
- "Right of Heritage of the Surviving Spouse" (in Portuguese: "Direito do Cônjuge Sobrevivente à Herança"), ADCOAS newsletter, nº 66, Jan/2004
- "Descent and Distribution under the New Brazilian Civil Code" (in Portuguese: "As Sucessões e o Novo Código Civil Brasileiro", Folhamatic Bulletin, nº 14/03, Apr/2003
- "Practical Summary of Civil Code Main Innovations" (in Portuguese: "Síntese prática das principais inovações ocorridas no Código Civil"), Consultor Jurídico magazine, published by ASTA Médica Ltda., 09/Jan/2003
- "Changes to the Articles of Organization of Limited Liability Companies" (in Portuguese: "Mudanças dos Contratos Sociais das Sociedades Limitadas", Consultor Jurídico magazine, 03/Dec/2002
- "Divorce - Recognition in Brazil of Divorce Obtained Abroad" (in Portuguese: "Divórcio - Reconhecimento no Brasil do Realizado no Estrangeiro"), Revista dos Tribunais magazine 525/279, Jul/1979
- "Procedural Paper Considered to be of Obligatory Transfer in the Bill of Review, and Precedent 223 from the STJ (Superior Court of Appeals)" (in Portuguese: "Peça Processual Entendida como de Traslado Obrigatório em Agravo de Instrumento e a Súmula 223 do Supremo Tribunal de Justiça" (Revista de Processo magazine 100/127, Oct/Dec 2000) - \*The thesis supported by this work was recognized by the Fourth Bench of the STJ. Ag Rg 240702-SP, DJ of 06.06.2001 (AGRG in AG 261462-AM, DJ 12.04.2002)
- "Legal Nature of the Judicial Pronouncement that Orders

- the Preparation and Conclusion of Proceedings for an Early Judgment" (in Portuguese: "Natureza Jurídica do Pronunciamento Judicial que Manda Preparar e Concluir para o Julgamento Antecipado da Lide (Revista de Processo magazine 68/143 - Oct/Dec 1992), jointly with lawyer Cristina de Cassia Bertaco
- Jointly with lawyer Odilo Antunes de Siqueira Neto: "Paying Damages for Public Works during Execution and after Completion - the Consequences of Traffic Diversion" (in Portuguese: "A questão da indenização por obras públicas durante a execução e após a conclusão - As consequências do desvio de trânsito" (Repertório de Jurisprudência IOB Bulletin, August, 2nd Quarter, number 16, 2004, pages 594/592)
- Author of articles and commentaries published in newspapers and specialized legal magazines
- Author of legal studies published in Revista dos Tribunais and Revista de Processo (Brazilian Courts' official publications), quoted by authors of legal works
- "Legal Nature of the Judicial Pronouncement that Orders To Prepare and Conclude for the Anticipated Judgment of the Action" (RP 68/143)