



ADMINISTRATIVE OFFICE of PENNSYLVANIA COURTS

NEWS RELEASE

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Supreme Court of Pennsylvania
**Medical Malpractice Rules Amended
to Clarify Certificate of Merit Requirements**

HARRISBURG, December 5, 2005 — Chief Justice of Pennsylvania Ralph J. Cappy announced that a court rule governing certain aspects of medical malpractice litigation was amended today to clarify the requirements for certificates of merit.

“The intent of today’s order is to clarify, not change, the rules requiring that a claim against a defendant be supported by a statement of a licensed professional,” the chief justice said.

Rules of Civil Procedure 1042.3(b) and 1042.8 were amended today by Supreme Court order to clarify their application in medical malpractice cases in which multiple claims are asserted against the same defendant. The changes better define when separate or single certificates of merit are required.

The rules require a plaintiff to file a certificate of merit attesting that a licensed professional believes the actions fell outside acceptable standards when filing medical malpractice claims.

Today’s order marks the second time this year the rules related to certificates of merit were clarified to help judges, lawyers and litigants better understand the process. A change made earlier this year addressed questions raised by some attorneys who have interpreted the rule to mean that a certificate of merit was required for *each* licensed professional involved in the alleged misconduct. The revision earlier this year clarified that the statement that serves as the basis for the certificate of merit need not specifically identify the licensed professionals who deviated from an acceptable professional standard.

Over the last two years Pennsylvania’s Judiciary has taken a lead role in developing statewide procedural rules changes, promoting voluntary alternatives to litigation and building a systematic database of meaningful information to deal with the challenges presented by medical malpractice litigation.

*(The court order and the newly amended rule are available on the Pennsylvania Judiciary
Web site at: www.courts.state.pa.us)*

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