

NEWS RELEASE

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Supreme Court of Pennsylvania
**Latest Medical Malpractice Data
Show Stable Decline in Case Filings**

HARRISBURG, April 25, 2007 — Chief Justice of Pennsylvania Ralph J. Cappy today announced the release of state court system data on medical malpractice case filings and verdicts for 2006 that show a sustained decline in the number of med mal lawsuits filed statewide.

The AOPC began the systematic collection of data from each of Pennsylvania's 67 counties three years ago as part of the Judiciary's commitment to intergovernmental collaboration in addressing medical malpractice litigation issues. At that time, counties also began to create a means of methodically tracking medical malpractice case information to enhance the focus and accuracy of future annual data collections. New statewide rules of Civil Procedure were promulgated — Pa.R.C.P. 1018 and 1042.16 — to help identify med mal cases together with a new rule of Judicial Administration — Pa.R.J.A. 1904 — to codify the reporting requirements.

“The latest statistics provide a significant reference point as Pennsylvania's courts continue to handle complex medical malpractice litigation cases each year with the kind of efficiency and expeditiousness that the Commonwealth's citizens have come to expect,” Chief Justice Cappy said. “And ongoing enhancements to our analysis and collection techniques will ensure that interested parties can continue to have confidence in the data reporting process.”

The 2006 data show the statewide total number of med mal filings and the number and amount of jury and non-jury verdicts. The attached Table 1 shows there were 1,693 filings in 2006. This represents a 38 percent decline from the base years 2000-2002, the period just prior to the Supreme Court's initiation of the certificate of merit and venue rules. In Philadelphia, the state's largest judicial district, the decline has been over 50 percent. Also attached are Tables 2 and 3 detailing medical malpractice jury and non-jury verdict amounts for the calendar year 2006.

In comparison to earlier years, Table 2 reports that calendar year 2006 had the fewest number of jury verdicts resulting in plaintiff awards. Table 3, which includes non-jury cases, contains a total of three defense verdicts and one plaintiff verdict for 2006, a rate that is consistent with statistics in prior years.

An extensive collection of medical malpractice litigation data, court rules and other related information may be viewed in a special section of the Pennsylvania Judiciary Web site at:
www.courts.state.pa.us

(tables attached)

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Table 1: Pennsylvania Medical Malpractice Case Filings: 2000 - 2006

	Number of Filings							% Change from 2000 - 2002 Average			
	2000	2001	2002	2003	2004	2005	2006	2003	2004	2005	2006
Adams	6	5	4	8	2	0	1	60.0	-60.0	-100.0	-80.0
Allegheny	390	372	426	272	297	324	301	-31.3	-25.0	-18.2	-24.0
Armstrong	5	3	5	2	3	3	3	-53.8	-30.8	-30.8	-30.8
Beaver	29	18	23	17	14	15	12	-27.1	-40.0	-35.7	-48.6
Bedford	4	0	1	5	0	0	4	200.0	-100.0	-100.0	140.0
Berks	41	36	30	12	13	14	27	-66.4	-63.6	-60.7	-24.3
Blair	25	32	18	21	24	4	10	-16.0	-4.0	-84.0	-60.0
Bradford	8	4	8	6	10	2	4	-10.0	50.0	-70.0	-40.0
Bucks	74	38	44	3	43	62	51	-94.2	-17.3	19.2	-1.9
Butler	22	29	26	16	15	13	8	-37.7	-41.6	-49.4	-68.8
Cambria	28	26	30	32	11	6	11	14.3	-60.7	-78.6	-60.7
Cameron/Elk	5	3	4	2	2	4	1	-50.0	-50.0	0.0	-75.0
Carbon	2	5	7	12	4	2	9	157.1	-14.3	-57.1	92.9
Centre	11	17	14	10	7	6	10	-28.6	-50.0	-57.1	-28.6
Chester	42	34	40	39	35	41	34	0.9	-9.5	6.0	-12.1
Clarion	2	1	7	5	3	7	1	50.0	-10.0	110.0	-70.0
Clearfield	6	14	6	4	5	7	12	-53.8	-42.3	-19.2	38.5
Clinton	3	1	3	1	1	0	2	-57.1	-57.1	-100.0	-14.3
Columbia/Montour	15	12	16	30	15	14	19	109.3	4.7	-2.3	32.6
Crawford	6	1	1	2	5	2	5	-25.0	87.5	-25.0	87.5
Cumberland	22	21	23	27	12	3	2	22.7	-45.5	-86.4	-90.9
Dauphin	71	83	82	43	41	44	39	-45.3	-47.9	-44.1	-50.4
Delaware	66	78	71	36	75	62	66	-49.8	4.7	-13.5	-7.9
Erie	46	56	58	44	34	34	40	-17.5	-36.3	-36.3	-25.0
Fayette	22	16	16	13	11	13	7	-27.8	-38.9	-27.8	-61.1
Forest/Warren	2	5	4	2	2	1	3	-45.5	-45.5	-72.7	-18.2
Franklin/Fulton	20	10	8	9	4	1	5	-28.9	-68.4	-92.1	-60.5
Greene	1	1	2	1	3	2	1	-25.0	125.0	50.0	-25.0
Huntingdon	6	8	8	5	2	0	3	-31.8	-72.7	-100.0	-59.1
Indiana	1	2	4	4	3	3	3	71.4	28.6	28.6	28.6
Jefferson	6	3	4	4	6	3	5	-7.7	38.5	-30.8	15.4
Juniata/Perry	0	0	0	0	0	1	0	----	----	----	----
Lackawanna	71	69	55	34	31	35	35	-47.7	-52.3	-46.2	-46.2
Lancaster	11	2	9	5	31	31	40	-31.8	322.7	322.7	445.5
Lawrence	2	6	5	4	17	13	20	-7.7	292.3	200.0	361.5
Lebanon	9	11	6	7	7	0	3	-19.2	-19.2	-100.0	-65.4
Lehigh	81	78	58	101	93	78	70	39.6	28.6	7.8	-3.2

	Number of Filings							% Change from 2000 - 2002 Average			
	2000	2001	2002	2003	2004	2005	2006	2003	2004	2005	2006
Luzerne	43	31	28	38	79	36	41	11.8	132.4	5.9	20.6
Lycoming	16	23	15	15	18	9	5	-16.7	0.0	-50.0	-72.2
McKean	5	1	5	0	3	1	4	-100.0	-18.2	-72.7	9.1
Mercer	46	42	40	41	31	30	21	-3.9	-27.3	-29.7	-50.8
Mifflin	3	3	3	4	1	1	1	33.3	-66.7	-66.7	-66.7
Monroe	8	14	10	5	3	7	5	-53.1	-71.9	-34.4	-53.1
Montgomery	18	26	21	14	102	104	95	-35.4	370.8	380.0	338.5
Northampton	64	65	89	47	41	12	2	-35.3	-43.6	-83.5	-97.2
Northumberland	12	11	5	4	6	2	2	-57.1	-35.7	-78.6	-78.6
Philadelphia	1,085	1,162	1,365	577	559	540	569	-52.1	-53.6	-55.1	-52.7
Pike	0	0	1	0	0	0	0	-100.0	-100.0	-100.0	-100.0
Potter	4	1	5	6	1	2	1	80.0	-70.0	-40.0	-70.0
Schuylkill	18	35	35	13	12	9	11	-55.7	-59.1	-69.3	-62.5
Snyder/Union	8	4	8	6	2	2	1	-10.0	-70.0	-70.0	-85.0
Somerset	6	6	11	8	5	8	3	4.3	-34.8	4.3	-60.9
Sullivan/Wyoming	1	8	4	2	3	1	0	-53.8	-30.8	-76.9	-100.0
Susquehanna	0	0	0	0	0	1	0	----	----	----	----
Tioga	1	4	3	0	0	1	1	-100.0	-100.0	-62.5	-62.5
Venango	7	6	10	5	3	4	3	-34.8	-60.9	-47.8	-60.9
Washington	8	11	3	4	21	29	26	-45.5	186.4	295.5	254.5
Wayne	2	3	3	3	7	7	4	12.5	162.5	162.5	50.0
Westmoreland	59	63	65	49	26	35	27	-21.4	-58.3	-43.9	-56.7
York	57	40	48	33	13	9	4	-31.7	-73.1	-81.4	-91.7
State Total	2,632	2,659	2,903	1,712	1,817	1,700	1,693	-37.3	-33.5	-37.8	-38.0

Notes:

► Includes updates and revisions to previously published data.

► A filing refers to the commencement of a civil action by complaint or praecipe for writ of summons. To avoid double-counting, adjustments were made to the filing figures for cases transferred from one judicial district to another pursuant to Pa.R.C.P. 1006(a.1).

► "Percent change in 2003 from 2000 - 2002 average" was computed as follows: filing figures for the three-year period 2000 to 2002 were averaged and subtracted from the 2003 filing figure. The difference was then divided by the 2000 - 2002 average. The resulting proportion was multiplied by 100 to convert it to a percentage.

► "Percent change in 2004 from 2000 - 2002 average" was computed as follows: filing figures for the three-year period 2000 to 2002 were averaged and subtracted from the 2004 filing figure. The difference was then divided by the 2000 - 2002 average. The resulting proportion was multiplied by 100 to convert it to a percentage.

► "Percent change in 2005 from 2000 - 2002 average" was computed as follows: filing figures for the three-year period 2000 to 2002 were averaged and subtracted from the 2005 filing figure. The difference was then divided by the 2000 - 2002 average. The resulting proportion was multiplied by 100 to convert it to a percentage.

► "Percent change in 2006 from 2000 - 2002 average" was computed as follows: filing figures for the three-year period 2000 to 2002 were averaged and subtracted from the 2006 filing figure. The difference was then divided by the 2000 - 2002 average. The resulting proportion was multiplied by 100 to convert it to a percentage.

Table 2: Medical Malpractice Jury Verdicts: January 2006 to December 2006

Judicial District	Defense Verdicts		\$500,000 or Less		More than \$500,000 to \$1 Million		More than \$1 Million to \$5 Million		More than \$5 Million to \$10 Million		Over \$10 Million		TOTAL
	No. of Cases	%	No. of Cases	%	No. of Cases	%	No. of Cases	%	No. of Cases	%	No. of Cases	%	No. of Cases
Adams	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0
Allegheny	19	86.4	1	4.5	1	4.5	1	4.5	0	0.0	0	0.0	22
Armstrong	1	100.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	1
Beaver	4	100.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	4
Bedford	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0
Berks	1	33.3	1	33.3	0	0.0	1	33.3	0	0.0	0	0.0	3
Blair	1	33.3	0	0.0	1	33.3	1	33.3	0	0.0	0	0.0	3
Bradford	0	0.0	0	0.0	0	0.0	1	100.0	0	0.0	0	0.0	1
Bucks	4	80.0	0	0.0	1	20.0	0	0.0	0	0.0	0	0.0	5
Butler	3	100.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	3
Cambria	2	100.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	2
Cameron/Elk	1	100.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	1
Carbon	2	100.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	2
Centre	3	100.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	3
Chester	9	100.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	9
Clarion	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0
Clearfield	2	100.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	2
Clinton	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0
Columbia/Montour	1	100.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	1
Crawford	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0
Cumberland	0	0.0	1	100.0	0	0.0	0	0.0	0	0.0	0	0.0	1
Dauphin	6	100.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	6
Delaware	17	94.4	0	0.0	1	5.6	0	0.0	0	0.0	0	0.0	18
Erie	5	71.4	2	28.6	0	0.0	0	0.0	0	0.0	0	0.0	7
Fayette	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0
Forest/Warren	1	100.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	1
Franklin/Fulton	2	66.7	0	0.0	0	0.0	1	33.3	0	0.0	0	0.0	3
Greene	1	100.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	1
Huntingdon	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0
Indiana	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0
Jefferson	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0
Juniata/Perry	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0

Judicial District	Defense Verdicts		\$500,000 or Less		More than \$500,000 to \$1 Million		More than \$1 Million to \$5 Million		More than \$5 Million to \$10 Million		Over \$10 Million		TOTAL
	No. of Cases	%	No. of Cases	%	No. of Cases	%	No. of Cases	%	No. of Cases	%	No. of Cases	%	No. of Cases
Lackawanna	8	80.0	1	10.0	0	0.0	1	10.0	0	0.0	0	0.0	10
Lancaster	5	83.3	0	0.0	1	16.7	0	0.0	0	0.0	0	0.0	6
Lawrence	5	83.3	0	0.0	0	0.0	1	16.7	0	0.0	0	0.0	6
Lebanon	2	100.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	2
Lehigh	7	87.5	0	0.0	1	12.5	0	0.0	0	0.0	0	0.0	8
Luzerne	5	100.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	5
Lycoming	2	100.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	2
McKean	1	100.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	1
Mercer	4	100.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	4
Mifflin	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0
Monroe	1	100.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	1
Montgomery	13	81.3	2	12.5	0	0.0	0	0.0	0	0.0	1	6.3	16
Northampton	5	100.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	5
Northumberland	1	100.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	1
Philadelphia	33	71.7	4	8.7	3	6.5	3	6.5	2	4.3	1	2.2	46
Pike	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0
Potter	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0
Schuylkill	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0
Snyder/Union	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0
Somerset	2	66.7	1	33.3	0	0.0	0	0.0	0	0.0	0	0.0	3
Sullivan/Wyoming	1	100.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	1
Susquehanna	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0
Tioga	0	0.0	1	100.0	0	0.0	0	0.0	0	0.0	0	0.0	1
Venango	3	100.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	3
Washington	3	100.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	3
Wayne	2	66.7	1	33.3	0	0.0	0	0.0	0	0.0	0	0.0	3
Westmoreland	3	100.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	3
York	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0
State Total	191	83.4	15	6.6	9	3.9	10	4.4	2	0.9	2	0.9	229

Note: verdict amounts are compensatory damages, but in a few instances may include punitive and delay damages as well as judicial offsets and adjustments. They do not reflect post-trial settlements or actions of an appellate court. They are not a report of actual payouts. Percentages may include rounding.

Judicial District	Defense Verdicts		\$500,000 or Less		More than \$500,000 to \$1 Million		More than \$1 Million to \$5 Million		More than \$5 Million to \$10 Million		Over \$10 Million		TOTAL
	No. of Cases	%	No. of Cases	%	No. of Cases	%	No. of Cases	%	No. of Cases	%	No. of Cases	%	No. of Cases
Lackawanna	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0
Lancaster	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0
Lawrence	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0
Lebanon	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0
Lehigh	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0
Luzerne	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0
Lycoming	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0
McKean	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0
Mercer	1	100.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	1
Mifflin	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0
Monroe	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0
Montgomery	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0
Northampton	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0
Northumberland	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0
Philadelphia	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0
Pike	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0
Potter	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0
Schuylkill	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0
Snyder/Union	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0
Somerset	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0
Sullivan/Wyoming	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0
Susquehanna	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0
Tioga	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0
Venango	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0
Washington	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0
Wayne	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0
Westmoreland	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0
York	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0
State Total	3	75.0	0	0.0	0	0.0	1	25.0	0	0.0	0	0.0	4

Note: verdict amounts are compensatory damages, but in a few instances may include punitive and delay damages as well as judicial offsets and adjustments. They do not reflect post-trial settlements or actions of an appellate court. They are not a report of actual payouts.

