



ADMINISTRATIVE OFFICE of PENNSYLVANIA COURTS

NEWS RELEASE

CONTACT: Art Heinz (717) 795-2062
Communications Coordinator

FOR IMMEDIATE RELEASE
WWW.COURTS.STATE.PA.US

Pennsylvania Supreme Court

Rules changes promote mediation, streamline case processing

HARRISBURG, March 29, 2004 — Chief Justice of Pennsylvania Ralph J. Cappy today announced the implementation of a series of new civil procedural rules that address pretrial procedures in medical professional liability actions and further unify the handling of such cases.

The new statewide rules changes cover three specific areas: mediation, pretrial discovery, and conforming evidence – and, in those contexts, recognize the value of case management techniques as tools to maximize efficient case processing.

The mediation rule change establishes a statewide mechanism for parties to settle medical malpractice issues as an alternative to litigation, providing a quicker and less costly means to resolve disputes.

Based on experience in Allegheny and Philadelphia counties suggesting that the effective use of case management procedures can speed the medical malpractice litigation process and save time and resources of litigants and courts alike, the new rules also provide for the uniform use of such procedures in litigating medical malpractice cases in all of Pennsylvania's 60 judicial districts.

“These new civil procedural rules have the potential to reduce the number of medical malpractice trials and more effectively manage caseloads when such trials are necessary,” Chief Justice Cappy said. “We believe that litigants, the courts, and the medical and legal communities will all benefit by these changes.”

Today's announcement represents another significant step in the court's ongoing commitment for swift intergovernmental collaboration on medical malpractice liability issues. The court recently released preliminary medical malpractice case filing and verdict data and instituted new measures to facilitate the collection of similar information in the future.

Other procedural rules changes were made by the court last year in medical malpractice liability cases. One required lawyers to obtain a certificate of merit from a medical professional that establishes the medical work in a case falls outside acceptable standards. Another change requires medical malpractice actions to be brought only in the county where the cause of action takes place.

(The new rules are available on the Unified Judicial System Web site through the Supreme Court Opinions' current month's opinions and postings link.)