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Latest Medical Malpractice Data Shows Sustained Decline in Case Filings

HARRISBURG, April 25, 2006 — Chief Justice of Pennsylvania Ralph J. Cappy today announced the release of state court system data on medical malpractice case filings and verdicts for 2005 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.

“These figures, which are improving in accuracy each year, continue to provide critical information that previously was unavailable to the Commonwealth's citizens in such a comprehensive format,” Chief Justice Cappy said. “As the data is examined in greater detail and evaluated over time, it is anticipated that the numbers will provide a foundation for more informed decision making by all three branches of state government.”

The 2005 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 1,698 filings in 2005. This represents a 37.8 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. Also attached are Tables 2 and 3 detailing medical malpractice jury and non-jury verdict amounts for the calendar year 2005.

In comparison to earlier years, Table 2 reports that calendar year 2005 had the fewest number of jury verdicts and the fewest number of verdicts exceeding \$1 million.

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)

Table 1: Pennsylvania Medical Malpractice Case Filings: 2000 - 2005

	Number of Filings						% Change from 2000 - 2002 Average		
	2000	2001	2002	2003	2004	2005	2003	2004	2005
Adams	6	5	4	8	2	0	60.0	-60.0	-100.0
Allegheny	390	372	426	272	297	324	-31.3	-25.0	-18.2
Armstrong	5	3	5	2	3	3	-53.8	-30.8	-30.8
Beaver	29	18	23	17	14	15	-27.1	-40.0	-35.7
Bedford	4	0	1	5	0	0	200.0	-100.0	-100.0
Berks	41	36	30	12	13	14	-66.4	-63.6	-60.7
Blair	25	32	18	21	24	4	-16.0	-4.0	-84.0
Bradford	8	4	8	6	10	2	-10.0	50.0	-70.0
Bucks	74	38	44	3	43	62	-94.2	-17.3	19.2
Butler	22	29	26	16	15	13	-37.7	-41.6	-49.4
Cambria	28	26	30	32	11	6	14.3	-60.7	-78.6
Cameron/Elk	5	3	4	2	2	4	-50.0	-50.0	0.0
Carbon	2	5	7	12	4	2	157.1	-14.3	-57.1
Centre	11	17	14	10	7	6	-28.6	-50.0	-57.1
Chester	42	34	40	39	35	41	0.9	-9.5	6.0
Clarion	2	1	7	5	3	7	50.0	-10.0	110.0
Clearfield	6	14	6	4	5	7	-53.8	-42.3	-19.2
Clinton	3	1	3	1	1	0	-57.1	-57.1	-100.0
Columbia/Montour	15	12	16	30	15	14	109.3	4.7	-2.3
Crawford	6	1	1	2	5	2	-25.0	87.5	-25.0
Cumberland	22	21	23	27	12	3	22.7	-45.5	-86.4
Dauphin	71	83	82	43	41	44	-45.3	-47.9	-44.1
Delaware	66	78	71	36	75	62	-49.8	4.7	-13.5
Erie	46	56	58	44	33	32	-17.5	-38.1	-40.0
Fayette	22	16	16	13	11	13	-27.8	-38.9	-27.8
Forest/Warren	2	5	4	2	2	1	-45.5	-45.5	-72.7
Franklin/Fulton	20	10	8	9	4	1	-28.9	-68.4	-92.1
Greene	1	1	2	1	3	2	-25.0	125.0	50.0
Huntingdon	6	8	8	5	2	0	-31.8	-72.7	-100.0
Indiana	1	2	4	4	3	3	71.4	28.6	28.6
Jefferson	6	3	4	4	6	3	-7.7	38.5	-30.8
Juniata/Perry	0	0	0	0	0	1	----	----	----
Lackawanna	71	69	55	34	31	35	-47.7	-52.3	-46.2
Lancaster	11	2	9	5	31	31	-31.8	322.7	322.7
Lawrence	2	6	5	4	17	13	-7.7	292.3	200.0
Lebanon	9	11	6	7	7	0	-19.2	-19.2	-100.0
Lehigh	81	78	58	101	93	78	39.6	28.6	7.8

	Number of Filings						% Change from 2000 - 2002 Average		
	2000	2001	2002	2003	2004	2005	2003	2004	2005
Luzerne	43	31	28	38	79	36	11.8	132.4	5.9
Lycoming	16	23	15	15	18	9	-16.7	0.0	-50.0
McKean	5	1	5	0	3	1	-100.0	-18.2	-72.7
Mercer	46	42	40	41	31	30	-3.9	-27.3	-29.7
Mifflin	3	3	3	4	1	1	33.3	-66.7	-66.7
Monroe	8	14	10	5	3	7	-53.1	-71.9	-34.4
Montgomery	18	26	21	14	102	104	-35.4	370.8	380.0
Northampton	64	65	89	47	41	12	-35.3	-43.6	-83.5
Northumberland	12	11	5	4	6	2	-57.1	-35.7	-78.6
Philadelphia	1,085	1,162	1,365	577	559	540	-52.1	-53.6	-55.1
Pike	0	0	1	0	0	0	-100.0	-100.0	-100.0
Potter	4	1	5	6	1	2	80.0	-70.0	-40.0
Schuylkill	18	35	35	13	12	9	-55.7	-59.1	-69.3
Snyder/Union	8	4	8	6	2	2	-10.0	-70.0	-70.0
Somerset	6	6	11	8	5	8	4.3	-34.8	4.3
Sullivan/Wyoming	1	8	4	2	3	1	-53.8	-30.8	-76.9
Susquehanna	0	0	0	0	0	1	-----	-----	-----
Tioga	1	4	3	0	0	1	-100.0	-100.0	-62.5
Venango	7	6	10	5	3	4	-34.8	-60.9	-47.8
Washington	8	11	3	4	21	29	-45.5	186.4	295.5
Wayne	2	3	3	3	7	7	12.5	162.5	162.5
Westmoreland	59	63	65	49	26	35	-21.4	-58.3	-43.9
York	57	40	48	33	13	9	-31.7	-73.1	-81.4
State Total	2,632	2,659	2,903	1,712	1,816	1,698	-37.3	-33.5	-37.8

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.

Table 2: Medical Malpractice Jury Verdicts: January 2005 to December 2005

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	16	69.6	2	8.7	4	17.4	1	4.3	0	0.0	0	0.0	23
Armstrong	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0
Beaver	1	100.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	1
Bedford	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0
Berks	4	100.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	4
Blair	1	100.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	1
Bradford	1	100.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	1
Bucks	6	85.7	1	14.3	0	0.0	0	0.0	0	0.0	0	0.0	7
Butler	2	100.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	2
Cambria	3	100.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	3
Cameron/Elk	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0
Carbon	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0
Centre	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0
Chester	5	71.4	1	14.3	0	0.0	1	14.3	0	0.0	0	0.0	7
Clarion	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0
Clearfield	4	100.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	4
Clinton	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0
Columbia/Montour	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0
Crawford	1	100.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	1
Cumberland	3	100.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	3
Dauphin	9	81.8	1	9.1	0	0.0	1	9.1	0	0.0	0	0.0	11
Delaware	10	100.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	10
Erie	2	100.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	2
Fayette	4	100.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	4
Forest/Warren	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0
Franklin/Fulton	2	100.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	2
Greene	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0
Huntingdon	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0
Indiana	1	100.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	1
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	4	66.7	1	16.7	0	0.0	1	16.7	0	0.0	0	0.0	6
Lancaster	4	66.7	2	33.3	0	0.0	0	0.0	0	0.0	0	0.0	6
Lawrence	2	100.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	2
Lebanon	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0
Lehigh	14	100.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	14
Luzerne	6	85.7	0	0.0	0	0.0	0	0.0	1	14.3	0	0.0	7
Lycoming	1	50.0	1	50.0	0	0.0	0	0.0	0	0.0	0	0.0	2
McKean	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0
Mercer	3	100.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	3
Mifflin	1	100.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	1
Monroe	1	100.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	1
Montgomery	15	100.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	15
Northampton	3	75.0	0	0.0	1	25.0	0	0.0	0	0.0	0	0.0	4
Northumberland	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0
Philadelphia	35	62.5	6	10.7	7	12.5	6	10.7	2	3.6	0	0.0	56
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	3	100.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	3
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	1	100.0	0	0.0	0	0.0	0	0.0	0	0.0	1
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	1	100.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	1
Wayne	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0
Westmoreland	6	85.7	1	14.3	0	0.0	0	0.0	0	0.0	0	0.0	7
York	5	71.4	2	28.6	0	0.0	0	0.0	0	0.0	0	0.0	7
State Total	179	80.3	19	8.5	12	5.4	10	4.5	3	1.3	0	0.0	223

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.

Table 3: Medical Malpractice Non-Jury Verdicts: January 2005 to December 2005

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	1	50.0	1	50.0	0	0.0	0	0.0	0	0.0	0	0.0	2
Armstrong	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0
Beaver	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0
Bedford	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0
Berks	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0
Blair	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0
Bradford	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0
Bucks	2	100.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	2
Butler	5	100.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	5
Cambria	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0
Cameron/Elk	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0
Carbon	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0
Centre	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0
Chester	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0
Clarion	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0
Clearfield	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0
Clinton	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0
Columbia/Montour	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0
Crawford	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0
Cumberland	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0
Dauphin	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0
Delaware	1	100.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	1
Erie	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0
Fayette	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0
Forest/Warren	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0
Franklin/Fulton	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0
Greene	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0
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	0	0.0	1	100.0	0	0.0	0	0.0	0	0.0	0	0.0	1
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	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0
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	3	100.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	3
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	12	85.7	2	14.3	0	0.0	0	0.0	0	0.0	0	0.0	14

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.