



ADMINISTRATIVE OFFICE of PENNSYLVANIA COURTS

NEWS RELEASE

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Supreme Court of Pennsylvania
**Medical malpractice rule amended
to clarify certificate of merit requirement**

HARRISBURG, February 11, 2005 — Chief Justice of Pennsylvania Ralph J. Cappy today announced that a court rule governing certain aspects of medical malpractice litigation was amended to better explain requirements for certificates of merit.

“Today’s amendment addresses the misconception that the rule imposes a significant burden on a plaintiff, while keeping in place the requirement that a claim against a defendant be supported by a statement of a licensed professional,” the chief justice said. “The amendment enhances the trial court’s ability to efficiently resolve medical liability cases in a timely fashion.”

Rule of Civil Procedure 1042.3(a)(2) applies to medical malpractice claims that licensed professionals deviated from acceptable professional standards. In such cases, the state’s Rules of Civil Procedure require a plaintiff to file a certificate of merit attesting that a licensed professional believes the actions fell outside acceptable standards.

The change addresses 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 revised rule clarifies 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.

*(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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