

NEWS RELEASE

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Pennsylvania Supreme Court

Updated Medical Malpractice Data Shows Continued Decline in Case Filings

HARRISBURG, April 11, 2005 — Chief Justice of Pennsylvania Ralph J. Cappy today released data on medical malpractice case filings and verdicts for 2004, and an updated listing of previously disclosed statistics for the last four years.

“This systematic gathering of case data continues to provide important building blocks for dealing with the challenges presented by medical malpractice litigation,” the chief justice said. “Though data collected to date has proved valuable, ongoing refinements in the collection and analysis of this information can be expected to boost the quality of such data over time. I want to commend Pennsylvania’s prothonotaries, president judges and court administrators for supporting this effort.”

Information contained in the attached tables shows the number of medical malpractice filings in 2004 by county, and the percentage drop from the 2000–2002 period. Two key Supreme Court reforms – the certificate of merit and new venue rule – were initiated in early 2003.

The 2004 data show the number of filings last year declined statewide by 34 percent compared to 2000–2002 period. In Philadelphia, the decline exceeded 50 percent.

In addition, there were significantly fewer filings in 2003 — when compared with the three previous years — than was indicated in the preliminary figures released in March 2004. Those figures showed a 28.6 percent decline in statewide filings in 2003 when compared with 2000-2002. The updated figures disclose the actual decline was 37.8 percent.

The difference: The preliminary filing figures were revised to eliminate any double counting of lawsuits. For example, preliminary figures showed that some suits originally filed in county ‘A’ were counted once, and then counted again when transferred to county ‘B.’ To enhance the data collection and analysis, the Supreme Court recently promulgated new civil procedure and judicial administration rules to assist in the collection of more precise and accurate malpractice statistics.

(MORE)

Also attached are separate tables showing med-mal jury, and non-jury, verdicts from July 2003 through December 31, 2004. The county-by-county figures do not reflect post-trial settlements or actions of an appellate court, and are not a report of actual payouts.

Judicial districts last year were asked to create a convenient means of tracking medical malpractice cases and to file an annual report that lists filings and verdict amounts. An accompanying Rule of Judicial Administration to codify the reporting requirements was issued — Pa.R.J.A. 1904. Statistical collection and analysis methods will continue to be refined to enhance the precision and accuracy of med-mal data.

“Under the leadership of the chief justice and the Supreme Court, Pennsylvania’s Judiciary has made significant strides in developing and implementing a collaborative approach toward resolving the challenges faced by medical malpractice litigation issues,” said Court Administrator of Pennsylvania Zygmunt A. Pines.

By way of example, Pines noted how the state court system during the last two years has enhanced the collection and publication of meaningful data through its Web site (www.courts.state.pa.us) and amended procedural rules to equitably address concerns raised by lawyers, litigants and others.

(tables attached)

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