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Supreme Court of Pennsylvania

Latest Medical Malpractice Data Shows Stable Decline in Number of New Cases and Verdicts

HARRISBURG, April 9, 2009 – Chief Justice of Pennsylvania Ronald D. Castille today announced the release of state court system data on medical malpractice case filings and verdicts for 2008 that show the declines of previous years in the number of lawsuits filed statewide are stable.

In 2008, there were 1,602 filings, representing a 41 percent decline from the “base years” 2000-2002 (shown in Table 1, attached). In Philadelphia, the state’s judicial district with the largest caseload, the decline has been 54 percent during the same period.

The base years are the period just prior to two significant rule changes made by the Supreme Court. The first change required attorneys to obtain from a medical professional a certificate of merit that establishes that the medical procedures in a case fell below applicable standards of care. A second change required medical malpractice actions to be brought only in the county where the cause of action took place – a move aimed at eliminating so-called “venue shopping.” Tables 2 and 3 detail medical malpractice jury and non-jury verdict amounts for 2008.

“The latest statistics provide additional evidence that the sharp drop in medical malpractice litigation, which began in 2003, was not a temporary correction, but a sustained and stable response to the procedural rule changes adopted by the Supreme Court and the statutory changes enacted by the General Assembly,” Chief Justice Castille said. “Continual evaluation of our procedures will ensure that both plaintiffs and defendants can rely on an accessible court system where professional liability actions are impartially and promptly resolved.”

The AOPC began the systematic collection of data from each of Pennsylvania’s 67 counties five years ago as part of the Judiciary’s commitment to intergovernmental collaboration in addressing medical malpractice litigation issues. 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. An extensive collection of data, rules and other information may be viewed on Medical Malpractice resource page of the Pennsylvania Judiciary’s Web site at www.pacourts.us.

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