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CONTACT:

Stuart Ditzen, Assistant for Communications
215-560-6052

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Pennsylvania Supreme Court

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

HARRISBURG, April 14, 2008 - Chief Justice of Pennsylvania Ronald D. Castille today announced the release of state court system data on medical malpractice case filings and verdicts for 2007 that show a further decline in the number of lawsuits filed statewide.

In 2007, there were 1,617 filings, representing a 40.8 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 more than 50 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 fall outside acceptable standards. A second change required medical malpractice actions to be brought only in the county where the cause of action takes place - a move aimed at eliminating so-called "venue shopping." Tables 2 and 3 detail medical malpractice jury and non-jury verdict amounts for 2007. In comparison to earlier years, Tables 2 and 3 show that 2007 had the fewest number of verdicts resulting in plaintiff awards.

"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 response to the procedural rule changes adopted by the Supreme Court and the statutory changes enacted by the General Assembly," Chief Justice Castille said. "Ongoing review and enhancements to 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 four years ago as part of the Judiciary's commitment to intergovernmental collaboration in addressing medical malpractice litigation issues. Counties also began to methodically track med mal case information to enhance the focus and accuracy of 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. An extensive collection of data, rules and other information may be viewed on the Medical Malpractice resource page of the Pennsylvania Judiciary's Web site at: www.courts.state.pa.us.

Table 1: Pennsylvania Medical Malpractice Case Filings: 2000 - 2007

	Number of Filings								% Change from 2000 - 2002 Average				
	2000	2001	2002	2003	2004	2005	2006	2007	2003	2004	2005	2006	2007
Adams	6	5	4	8	2	0	1	3	60.0	-60.0	-100.0	-80.0	-40.0
Allegheny	390	372	426	272	297	324	301	262	-31.3	-25.0	-18.2	-24.0	-33.8
Armstrong	5	3	5	2	3	3	3	2	-53.8	-30.8	-30.8	-30.8	-53.8
Beaver	29	18	23	17	14	15	12	10	-27.1	-40.0	-35.7	-48.6	-57.1
Bedford	4	0	1	5	0	0	4	0	200.0	-100.0	-100.0	140.0	-100.0
Berks	41	36	30	12	13	14	27	23	-66.4	-63.6	-60.7	-24.3	-35.5
Blair	25	32	18	21	24	4	10	13	-16.0	-4.0	-84.0	-60.0	-48.0
Bradford	8	4	8	6	10	2	4	5	-10.0	50.0	-70.0	-40.0	-25.0
Bucks	74	38	44	3	43	62	51	66	-94.2	-17.3	19.2	-1.9	26.9
Butler	22	29	26	16	15	13	8	7	-37.7	-41.6	-49.4	-68.8	-72.7
Cambria	28	26	30	32	11	6	11	10	14.3	-60.7	-78.6	-60.7	-64.3
Cameron/Elk	5	3	4	2	2	4	1	3	-50.0	-50.0	0.0	-75.0	-25.0
Carbon	2	5	7	12	4	2	9	6	157.1	-14.3	-57.1	92.9	28.6
Centre	11	17	14	10	7	6	10	5	-28.6	-50.0	-57.1	-28.6	-64.3
Chester	42	34	40	39	35	41	34	35	0.9	-9.5	6.0	-12.1	-9.5
Clarion	2	1	7	5	3	7	1	5	50.0	-10.0	110.0	-70.0	50.0
Clearfield	6	14	6	4	5	7	12	4	-53.8	-42.3	-19.2	38.5	-53.8
Clinton	3	1	3	1	1	0	2	0	-57.1	-57.1	-100.0	-14.3	-100.0
Columbia/Montour	15	12	16	30	15	14	19	26	109.3	4.7	-2.3	32.6	81.4
Crawford	6	1	1	2	5	2	5	0	-25.0	87.5	-25.0	87.5	-100.0
Cumberland	22	21	23	27	12	3	2	2	22.7	-45.5	-86.4	-90.9	-90.9
Dauphin	71	83	82	43	41	44	39	51	-45.3	-47.9	-44.1	-50.4	-35.2
Delaware	66	78	71	36	75	62	66	34	-49.8	4.7	-13.5	-7.9	-52.6
Erie	46	56	59	44	34	34	40	36	-18.0	-36.6	-36.6	-25.5	-32.9
Fayette	22	16	16	13	11	13	7	11	-27.8	-38.9	-27.8	-61.1	-38.9
Forest/Warren	2	5	4	2	2	1	3	1	-45.5	-45.5	-72.7	-18.2	-72.7
Franklin/Fulton	20	10	8	9	4	1	5	5	-28.9	-68.4	-92.1	-60.5	-60.5
Greene	1	1	2	1	3	2	1	0	-25.0	125.0	50.0	-25.0	-100.0
Huntingdon	6	8	8	5	2	0	3	2	-31.8	-72.7	-100.0	-59.1	-72.7
Indiana	1	2	4	4	3	3	3	0	71.4	28.6	28.6	28.6	-100.0
Jefferson	6	3	4	4	6	3	5	3	-7.7	38.5	-30.8	15.4	-30.8
Juniata/Perry	0	0	0	0	0	1	0	0	----	----	----	----	----
Lackawanna	71	69	55	34	31	35	35	30	-47.7	-52.3	-46.2	-46.2	-53.8
Lancaster	11	2	9	5	31	31	40	34	-31.8	322.7	322.7	445.5	363.6
Lawrence	2	6	5	4	17	13	20	14	-7.7	292.3	200.0	361.5	223.1
Lebanon	9	11	6	7	7	0	3	4	-19.2	-19.2	-100.0	-65.4	-53.8
Lehigh	81	78	58	101	93	78	70	62	39.6	28.6	7.8	-3.2	-14.3

	Number of Filings								% Change from 2000 - 2002 Average				
	2000	2001	2002	2003	2004	2005	2006	2007	2003	2004	2005	2006	2007
Luzerne	43	31	28	38	79	36	41	46	11.8	132.4	5.9	20.6	35.3
Lycoming	16	23	15	15	18	9	5	4	-16.7	0.0	-50.0	-72.2	-77.8
McKean	5	1	5	0	3	1	4	1	-100.0	-18.2	-72.7	9.1	-72.7
Mercer	46	42	40	41	31	30	21	20	-3.9	-27.3	-29.7	-50.8	-53.1
Mifflin	3	3	3	4	1	1	1	3	33.3	-66.7	-66.7	-66.7	0.0
Monroe	8	14	10	5	3	7	5	7	-53.1	-71.9	-34.4	-53.1	-34.4
Montgomery	18	26	21	14	102	104	95	103	-35.4	370.8	380.0	338.5	375.4
Northampton	64	65	89	47	41	12	2	2	-35.3	-43.6	-83.5	-97.2	-97.2
Northumberland	12	11	5	4	6	2	2	2	-57.1	-35.7	-78.6	-78.6	-78.6
Philadelphia	1,085	1,162	1,365	577	559	540	569	586	-52.1	-53.6	-55.1	-52.7	-51.3
Pike	0	0	1	0	0	0	0	0	-100.0	-100.0	-100.0	-100.0	-100.0
Potter	4	1	5	6	1	2	1	1	80.0	-70.0	-40.0	-70.0	-70.0
Schuylkill	18	35	35	13	12	9	11	5	-55.7	-59.1	-69.3	-62.5	-83.0
Snyder/Union	8	4	8	6	2	2	1	4	-10.0	-70.0	-70.0	-85.0	-40.0
Somerset	6	6	11	8	5	8	3	8	4.3	-34.8	4.3	-60.9	4.3
Sullivan/Wyoming	1	8	4	2	3	1	0	2	-53.8	-30.8	-76.9	-100.0	-53.8
Susquehanna	0	0	0	0	0	1	0	3	----	----	----	----	----
Tioga	1	4	3	0	0	1	1	1	-100.0	-100.0	-62.5	-62.5	-62.5
Venango	7	6	10	5	3	4	3	2	-34.8	-60.9	-47.8	-60.9	-73.9
Washington	8	11	3	4	21	29	26	25	-45.5	186.4	295.5	254.5	240.9
Wayne	2	3	3	3	7	7	4	0	12.5	162.5	162.5	50.0	-100.0
Westmoreland	59	63	65	49	26	35	27	18	-21.4	-58.3	-43.9	-56.7	-71.1
York	57	40	48	33	13	9	4	0	-31.7	-73.1	-81.4	-91.7	-100.0
State Total	2,632	2,659	2,904	1,712	1,817	1,700	1,693	1,617	-37.3	-33.5	-37.8	-38.0	-40.8

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 from 2000 - 2002 Average" was computed as follows:
For each year (2003 - 2007) the filing figures for the three-year period 2000 to 2002 were averaged and subtracted from that year's 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.
- ▶ Liability actions brought against dental professionals may be included in some county counts.

Table 2: Medical Malpractice Jury Verdicts: January 2007 to December 2007

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	76.2	1	4.8	1	4.8	2	9.5	1	4.8	0	0.0	21
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	1	100.0	0	0.0	0	0.0	1
Bedford	1	100.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	1
Berks	1	50.0	1	50.0	0	0.0	0	0.0	0	0.0	0	0.0	2
Blair	2	100.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	2
Bradford	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0
Bucks	1	50.0	1	50.0	0	0.0	0	0.0	0	0.0	0	0.0	2
Butler	0	0.0	0	0.0	1	100.0	0	0.0	0	0.0	0	0.0	1
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	3	100.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	3
Centre	1	100.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	1
Chester	6	100.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	6
Clarion	2	100.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	2
Clearfield	1	100.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	1
Clinton	1	100.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	1
Columbia/Montour	1	100.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	1
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	5	71.4	2	28.6	0	0.0	0	0.0	0	0.0	0	0.0	7
Delaware	13	100.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	13
Erie	2	50.0	1	25.0	0	0.0	1	25.0	0	0.0	0	0.0	4
Fayette	1	100.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	1
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	1	100.0	0	0.0	0	0.0	0	0.0	0	0.0	1
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	2	100.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	2
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	7	100.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	7
Lancaster	7	100.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	7
Lawrence	2	100.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	2
Lebanon	2	66.7	0	0.0	1	33.3	0	0.0	0	0.0	0	0.0	3
Lehigh	17	89.5	1	5.3	1	5.3	0	0.0	0	0.0	0	0.0	19
Luzerne	5	71.4	0	0.0	1	14.3	1	14.3	0	0.0	0	0.0	7
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	2	100.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	2
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	12	100.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	12
Northampton	1	100.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	1
Northumberland	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0
Philadelphia	27	73.0	4	10.8	2	5.4	3	8.1	0	0.0	1	2.7	37
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	3	75.0	1	25.0	0	0.0	0	0.0	0	0.0	0	0.0	4
Wayne	1	100.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	1
Westmoreland	3	75.0	1	25.0	0	0.0	0	0.0	0	0.0	0	0.0	4
York	2	66.7	1	33.3	0	0.0	0	0.0	0	0.0	0	0.0	3
State Total	153	82.7	15	8.1	7	3.8	8	4.3	1	0.5	1	0.5	185

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 2007 to December 2007

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	100.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	1
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	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0
Butler	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0
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	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0
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	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0
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	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0
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	1	100.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	1

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.

Rule 1018. Caption

Every pleading shall contain a caption setting forth the name of the court, the number of the action and the name of the pleading. The caption of a complaint shall set forth the form of the action and the names of all the parties, but in other pleadings it is sufficient to state the name of the first party on each side in the complaint with an appropriate indication of other parties.

NOTE: Civil Actions and proceedings shall be captioned "Court of Common Pleas of _____ County -- Civil Action" or other appropriate form of action.

The caption of all legal papers filed in a medical professional liability action must contain the designation "Civil Action -- Medical Professional Liability Action." See Rule 1042.16.

Rule 1042.16. Medical Professional Liability Actions. Legal Papers. Caption.

In an action in which there is a claim for medical professional liability, the caption of all legal papers, or the cover sheet in a county that requires a cover sheet, shall contain the designation "Civil Action -- Medical Professional Liability Action."

Rules of Judicial Administration

Rule 1904. Medical Professional Liability Actions

(a) The prothonotary of each judicial district shall maintain a docket of all medical professional liability actions by separate docketing code or other appropriate means. When the docket is established by docketing code, the code shall be "Civil Action -- Medical Professional Liability Action."

(b) The prothonotary shall record on the medical professional liability action docket:

(1) the separate findings of the trier of fact, including, where applicable:

(i) past damages in lump sums for "medical and other related expenses," "loss of earnings," and "noneconomic loss,"

(ii) future damages in lump sums for "loss of earnings or earning capacity" and "noneconomic loss," and

(iii) future damages by year for "medical and other related expenses," and

NOTE: See Section 509(a) of the Mcare Act, 40 P.S. § 1303.509(a) and Pa.R.C.P. No.1042.71.

(2) all orders of the court affecting the amount of damages determined by the trier of fact. The orders shall be set forth on the docket verbatim or with specificity sufficient to determine the effect of the orders upon the damages awarded to each plaintiff.

(c) Where a jury has made the separate findings that are recorded pursuant to subdivision (b), the jury's verdict sheet and interrogatories shall be

made part of the official record and shall be maintained in the custody of the prothonotary.

(d) On or before January 20 of each calendar year, the President Judge of each judicial district shall forward to the Court Administrator of Pennsylvania a report of medical professional liability cases. The report shall be prepared in a format prescribed by the Administrative Office of Pennsylvania Courts. Among items to be included are:

(1) a list of all medical professional liability actions filed in the preceding calendar year showing the present caption of

(i) those actions initially filed in the judicial district, and

(ii) those actions transferred into the judicial district. The list of actions transferred shall also show the former caption and the county of origin, and

(2) the separate findings required by subdivision (b) to be set forth on the docket for each action in which a verdict or decision has been entered.

Unofficial Note:

The Civil Instructions Subcommittee of the Committee for Proposed Standard Jury Instructions has promulgated suggested special jury interrogatories (“verdict slip”) for medical professional liability actions under the Mcare Act. Pennsylvania Suggested Standard Civil Jury Instructions, Pennsylvania Bar Institute.