

NEWS RELEASE

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Latest Medical Malpractice Data Shows Number of Filings Reach New Low

HARRISBURG, May 18, 2011 — Chief Justice of Pennsylvania Ronald D. Castille today announced the release of state court system data on medical malpractice case filings and verdicts for 2010 that show declines in the number of lawsuits filed statewide for a sixth consecutive year.

In 2010, there were 1,491 filings, representing a 45.4 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 by nearly 70 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 2010. In comparison to earlier years, Tables 2 and 3 show that 2010 had the fewest number of jury verdicts in comparison to earlier years. The tables also show more than 80% of the verdicts were for the defense.

“Pennsylvania’s Judiciary collaboratively addressed a complex medical malpractice litigation crisis, and the latest figures show the progress made in the last seven years,” Chief Justice of Pennsylvania Ronald D. Castille said. “One of our fundamental priorities is to assure the Commonwealth’s citizens that the legal process will not be abused in malpractice cases. We’re very encouraged by these statistics. The crisis is over.”

The AOPC began the systematic collection of data from each of Pennsylvania’s 67 counties seven 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:

<http://www.pacourts.us/Links/Media/MedicalMalpractice/default.htm>