

LEGISLATIVE REFERENCE BUREAU

RESOLUTION

INTRODUCED _____, 20 _____

BY _____, District
NO. _____

BY _____, District
NO. _____

BY _____, District
NO. _____

BY _____, District
NO. _____

BY _____, District
NO. _____

See next page for additional co-sponsors.

Referred to Committee on	
Date _____	20 ____
Reported _____	20 ____
As Committed-Amended	
Recommendation	

By Hon. _____	

A RESOLUTION

1 Urging the Pennsylvania Supreme Court to study the impact on
2 certain entities caused by the Pennsylvania Rules of Civil
3 Procedure that allow broad latitude to plaintiffs in the
4 bringing of certain tort cases and to examine the efficacy
5 and justice of expanding the Supreme Court's 2002 rule on
6 venue for cases of alleged medical professional liability to
7 all civil proceedings.

8 WHEREAS, The Pennsylvania Supreme Court, pursuant to section
9 10(c) of Article V of the Constitution of Pennsylvania, has the
10 power and the responsibility to make rules of civil procedure
11 for the Unified Judicial System of Pennsylvania; and

12 WHEREAS, The Supreme Court in 2002 responded to precipitous
13 loss of medical insurance availability with amendments to the
14 Pennsylvania Rules of Civil Procedure that made venue in cases
15 of alleged medical professional liability more equitable and
16 certain, and case outcomes therefore more predictable; and

17 WHEREAS, The Supreme Court has documented annually since 2002
18 that the number of civil litigation cases with a cause of action
19 involving alleged medical professional liability filed in the
20 County of Philadelphia has declined by more than 40%; and

21 WHEREAS, National studies have repeatedly cited Pennsylvania

1 and specifically the County of Philadelphia as examples for
2 abuse of the Pennsylvania Rules of Civil Procedure providing for
3 venue in civil cases; and

4 WHEREAS, Expert witnesses have testified before the Judiciary
5 Committee of the House of Representatives of the Commonwealth of
6 Pennsylvania that Pennsylvania's venue rule for nonmedical
7 personal injury civil cases differs widely from the norm in most
8 other states and is a cause of concern for Pennsylvania's
9 competitive economic position; and

10 WHEREAS, Pennsylvania's venue rule for nonmedical personal
11 injury cases results in a disproportional burden on citizens who
12 are called to serve as jurors in litigation involving parties
13 and events unrelated to their community, at a cost to citizens'
14 time and resources and the resources of the forum jurisdiction;
15 therefore be it

16 RESOLVED, That the House of Representatives urge the
17 Pennsylvania Supreme Court to study the impact on plaintiffs,
18 defendants and the finances of the Commonwealth and its local
19 governments caused by existing Pennsylvania Rules of Civil
20 Procedure that allow broad latitude to plaintiffs to bring
21 personal injury lawsuits other than medical professional
22 liability in venues within this Commonwealth; and be it further

23 RESOLVED, That the House of Representatives respectfully
24 petition the Supreme Court to examine the efficacy and justice
25 of applying the Supreme Court's 2002 rule on venue for cases of
26 alleged medical professional liability to all proceedings
27 alleging personal injury liability; and be it further

28 RESOLVED, That a copy of this resolution be transmitted to
29 the Honorable Ronald Castille, the Chief Justice of the
30 Pennsylvania Supreme Court and to every Justice of the Supreme

1 Court and to the Supreme Court's officers and administrators.