
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE RESOLUTION

No. 283 Session of
2013

INTRODUCED BY CUTLER, BLOOM, AUMENT, GINGRICH, SWANGER, DUNBAR,
MACKENZIE, SAYLOR, KAUFFMAN, C. HARRIS, GROVE, FLECK, REESE,
MURT, LAWRENCE, EVANKOVICH, HESS, MOUL, GILLEN, SIMMONS AND
MILNE, MAY 1, 2013

REFERRED TO COMMITTEE ON JUDICIARY, MAY 1, 2013

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

1 County of Philadelphia has declined by more than 40%; and

2 WHEREAS, National studies have repeatedly cited Pennsylvania
3 and specifically the County of Philadelphia as examples for
4 abuse of the Pennsylvania Rules of Civil Procedure providing for
5 venue in civil cases; and

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

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

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

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

30 RESOLVED, That a copy of this resolution be transmitted to

1 the Honorable Ronald Castille, the Chief Justice of the
2 Pennsylvania Supreme Court and to every Justice of the Supreme
3 Court and to the Supreme Court's officers and administrators.