



Kim Kocher Discusses PA Supreme Court's Proposed Rescission of Venue Rule in Medical Malpractice Cases

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On December 22, 2018, the Civil Procedural Rules Committee of the Pennsylvania Supreme Court proposed a rescission of the venue rule in medical malpractice cases on the grounds that it “no longer appears warranted.” As the rules stand, plaintiffs in medical malpractice cases are limited to suing in the venue where the injury occurred. The proposed elimination of the venue rule by the Civil Procedural Rules Committee will inure to the detriment of healthcare providers and, by extension, the thousands of patients across the Commonwealth whom they treat on a daily basis.

Partner Kim Kocher spoke to The Legal Intelligencer about the significance of the proposed repeal to healthcare provider in the Commonwealth, stating that the defense bar, health care providers and defense-related associations are opposed to the venue change.

“The original purpose of the venue rule—to prevent the undue expansion of venue and forum shopping—remains as significant today as it was in 2002 with the continued consolidation of health care delivery systems in the commonwealth,” Kim said.

The Civil Procedural Rules Committee is accepting comments by all interested parties with respect to this proposed change through February 22, 2019.

Read the full article (subscription required).

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