

What Is a 'Fair' Venue for Medical Malpractice Litigation?

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The concept of venue is as old as the Anglo-American legal system itself. Unlike jurisdiction, venue is not a substantive right; rather, it is a procedural rule which, in this commonwealth, the Pennsylvania Supreme Court has exclusive authority to regulate.

The current medical malpractice venue rule, Pa. R. Civ. P. 1006(a.1), which requires medical malpractice actions to be brought in the county where the medical care occurred, is reasonable, fair and—despite unsubstantiated claims to the contrary—has not impacted medical malpractice victims' ability to receive just compensation for their injuries.

Kevin Cottone, Chuck Eppolito and Joshua Gajer discuss the proposed rule that would repeal the the PA medical malpractice venue rule and why they believe it should not be repealed in their article "What Is a 'Fair' Venue for Medical Malpractice Litigation."

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