



Lawsuit Abuse Reform

Pennsylvania's reputation as having a highly damaging and litigious legal climate is widely recognized. For several years, the American Tort Reform Association has repeatedly ranked Pennsylvania and the Philadelphia Court of Common Pleas as one of the country's worst "Judicial Hellholes."¹ The U.S. Chamber Institute for Legal Reform ranked Pennsylvania 39th in Legal Climate.² This environment stifles economic growth, increases consumer costs, and is detrimental to many entities, including those from industries often prioritized for attention and support, such as healthcare, childcare, and public transportation.

Pennsylvania must establish a more reasonable litigation climate to bring greater fairness, common-sense, and predictability to the civil litigation system, prevent unfair tactics like "venue-shopping," and change the judicial system to achieve greater efficiencies and unbiased justice, while always providing for full and timely compensation of parties legitimately injured.

Specifically, the PA Chamber supports efforts to:



Restore the Fair Share Act to its original, equitable, and carefully balanced original purpose of ensuring that defendants only have to pay for the percentage of the verdict corresponding with their liability.



Cap contingency fees to limit profiteering by plaintiffs' attorneys, maximize recoveries for truly injured parties, and discourage frivolous lawsuits.



Restore common-sense venue rules for cases that require medical liability cases to be brought in the county where the alleged injury occurred.



End litigation tourism by limiting the personal jurisdiction consent statute for out-of-state corporations.



Regulate third-party litigation funding to protect consumers and create transparency.



Support childcare providers by instituting a statutory damages cap for childcare providers and requiring plaintiffs to file claims in the county in which the alleged cause of action occurred.



Protect local and state governments and transit agencies by preserving Pennsylvania's Sovereign Immunity Act.

¹ <https://judicialhellholes.org>

² <https://instituteforlegalreform.com/wp-content/uploads/2020/10/2019-Lawsuit-Climate-Survey-Ranking-the-States.pdf>