

The Legal Intelligencer

Outside of Phila., Are Pa.'s Counties Becoming More Plaintiff-Friendly?

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Tom Kline was quoted in *The Legal Intelligencer* about a shift occurring in the state's counties outside of Philadelphia, with regions that had been historically "defense-friendly" becoming more receptive to medical malpractice and personal injury cases brought by plaintiffs.

The newspaper article noted the change starting within the past two to five years due in large part to altering political affiliations, demographics, and attitudes toward hospitals, insurance companies and corporations.

From *The Legal Intelligencer*:

Thomas R. Kline of Kline & Specter also stressed the importance of case selection, noting that while the counties are becoming more plaintiff-friendly, there is still a smaller margin of error for a plaintiffs attorney in those regions than in Philadelphia.

"In our suburban counties, which I believe is mirrored nationwide, the first and foremost requirement is case selection. Marginal cases with large damages still will not succeed. Strong cases with strong damages will succeed," Kline said.

... Kline also indicated that jurors now have less sympathy for health care defendants than in previous years.

"There is less penetration of the notion among the jury pools that physicians and health care providers are under siege and are vulnerable to a jury verdict," Kline said. "There's been a shift to a more neutral ground where there is far less sensitivity among educated, affluent jurors to that notion and, in fact, more of a feeling that there's greed and waste and overreaching in the health care system generally."

... In terms of jury awards, Kline said he noticed a predilection of suburban juries in not awarding high non-economic damages.

"If there's one subtle trend, it's that juries generally have tended to favor the provable economic damages with some particularity, meaning that in some cases, they've literally awarded the damages down to the dime," Kline said. "They have been less generous in non-economic damages awards, especially when the economic damages have been very large."