

SETTLEMENT CONFERENCE; MEDIATION

Rule 1042.21.

Medical Professional Liability Actions. Motion for Settlement Conference or Mediation.

- (a) Prior to the exchange of expert reports in a medical professional liability action, a health care provider may file a motion with the court requesting a settlement conference or court ordered mediation.
 - (1) If the motion is filed without the consent of all other parties, the moving party shall certify that it believes there is a realistic possibility of settlement.
 - (2) If the motion requests court ordered mediation, the moving party shall describe in the motion the mediation which is sought and shall pay for the mediation.
- (b) The court shall consider any objection to the motion before entering an order.

Official Note

See Section 5101.1(c) of the Judicial Code, 42 Pa.C.S. § 5101.1(c), for the definitions of “health care provider” and “medical professional liability action.”

Source

The provisions of this Rule 1042.21 adopted March 29, 2004, effective immediately, 34 Pa.B. 1926.