



FIRST JUDICIAL DISTRICT OF PENNSYLVANIA  
COURT OF COMMON PLEAS  
JUDICIAL CHAMBERS

JOHN W. HERRON  
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American Tort Reform Foundation  
1101 Connecticut Ave, NW, Suite 400  
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*Re: Judicial Hellholes – 2012/13*

To whom it may concern:

The Civil Program in the Philadelphia Courts has been the subject of your reports for several years and more recently, to my surprise and gratification, moved from Judicial Hellhole #1 to your "Watch List". And, for this, I write to express my sincere appreciation and thanks.

More importantly, I enclose herewith a recent article appearing in Philadelphia's *The Legal Intelligencer*, February 1, 2013 edition, reporting on the year-end results of the protocols I implemented a year ago. Enclosed herewith you will also find our year-end civil program results, not all of which were reflected in the article.

I have no issue or quarrel with your rankings of Philadelphia in the past or indeed in the future. My only interest is in making available to you and other groups as much information as possible and more importantly addressing substantive issues to assure a fair and balanced judicial system. As you know, in a large urban area juries often reflect pro plaintiff leanings. In spite of this generalization, considering the 148 major jury cases tried to verdict, Philadelphia juries found for plaintiffs in 49% of the cases and for defendants in 51%. In medical malpractice cases, there were 27 tried to verdict with 48% resulting in plaintiffs' verdicts and 52% in defendants' verdicts. In mass tort cases, there were six (6) tried to verdict with two (2) resulting in plaintiffs' verdicts and four (4) in defendants' verdicts. These results certainly reflect, in our judgment, a fair and balanced court system.

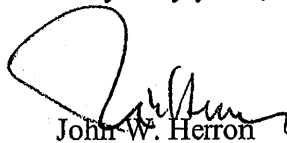
Our Mass Tort Program has been the dumping ground for filings from all over the Nation in prior years as you have noted. Since the implementation of the protocols I wrote last February and Judge New's appointment as successor to Judge Moss, we have experienced a 70% drop in filings, 10% over what we sought as a goal. Instead of receiving 2,690 filings in 2011, we

received a total of 816 in 2012. We have reduced our overall mass tort inventory by an amazing 14%. We still receive 44% of our asbestos filings from out-of-state plaintiffs and 86% of pharmaceutical filings from out-of-state plaintiffs and I doubt this will be altered significantly in the future as Philadelphia has a long history of asbestos exposure and is "home" to many national pharmaceutical companies. However, the dramatic decrease in filings is an outstanding result of the changes made to our mass tort program.

I have said publicly over and over that there are other fine Courts in the United States and out-of-state plaintiffs should go elsewhere. It appears this message has resonated.

I firmly believe in transparency and would be glad to provide responses to informational requests at any time. Enclosed herewith are the latest Mass Tort protocols which will be published shortly.

Very truly yours,



John W. Herron  
Chair, Administrative Governing Board  
Administrative Judge, Trial Division

JWH/ad  
Encs.

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