

LINDA L. DRUM, Individually and As	:	IN THE COURT OF COMMON PLEAS OF
Administrator of the Estate of	:	LYCOMING COUNTY, PENNSYLVANIA
SHANNON RAE DRUM,	:	
Plaintiff	:	JURY TRIAL DEMANDED
	:	
vs.	:	NO. 00-01,580
	:	
DIVINE PROVIDENCE HOSPITAL OF	:	CIVIL ACTION
THE SISTERS OF CHRISTIAN CHARITY:	:	
a/k/a DIVINE PROVIDENCE HOSPITAL,	:	MOTION IN LIMINE OF DEFENDANTS
COMMUNITY HEALTH CENTER,	:	TO LIMIT SCOPE OF DAMAGES
KAREN PETERMAN, CRNP,	:	TESTIMONY
Defendants	:	

Date: January 14, 2003

MEMORANDUM OPINION and ORDER

Before the Court is Defendant's Motion in Limine filed December 31, 2002, requesting the Court to preclude Plaintiff introducing evidence concerning the issues of consortium, loss of services, grief, and loss of life's pleasures and/or life itself. The Court will address each seriatim.

The Court agrees that a parent cannot recover for the loss of a child's consortium. *Jackson v. Tastykake*, 648 A.2d 1214 (Pa. Super. 1994).

A parent can recover for the loss of the services that the child would have provided. Recoverable services include those that would, in the ordinary course of events, be of benefit to a member of a particular class (parent, child). The Court is not ruling on whether or not Plaintiff can establish a loss of services. However, before the jury will be allowed to consider whether Plaintiff has suffered such a loss appropriate evidence must be introduced.

Grief itself is not recoverable, nor is loss of life.

The loss of life's pleasures itself is not recoverable, but is recoverable as a component of pain and suffering. As such, the recovery for the pain and suffering and the loss of life's pleasures is limited to the period of the time between the accident and the decedent's death.

ORDER

It is hereby ORDERED that Defendants' Motion in Limine filed December 31, 2002 is GRANTED.

Plaintiff may not introduce evidence of loss of consortium. Plaintiff may introduce evidence concerning the loss of services the Decedent would have provided.

Plaintiff may introduce evidence of pain and suffering the Decedent suffered and resultant loss of life's pleasures during the period between the alleged negligent medical treatment and her death.

BY THE COURT:

William S. Kieser, Judge

cc: David B. Dowling, Esquire
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Robert A. Seiferth, Esquire
Judges
Christian J. Kalas, Esquire
Gary L. Weber, Esquire (Lycoming Reporter)