


**PHILADELPHIA,  
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**PRACTICE AREAS:**

[Litigation](#)

[Professional Liability](#)

[Product Liability](#)

[Mass Tort Litigation](#)

[Health Care](#)

**STATE ADMISSIONS:**

Pennsylvania

**EDUCATION:**

J.D., Temple University School of Law, 1999; Editor, *Law Review*

B.A., Bucknell University, 1995

## Timothy J. Burke

### MEMBER CO-CHAIR, PROFESSIONAL LIABILITY

Tim Burke concentrates his practice in complex civil litigation, with a focus on health care issues. As a member in the firm's Litigation Division, he has considerable knowledge and experience in handling matters involving medical, dental, and nursing malpractice as well as other professional liability matters. He has spent his career representing institutions such as hospitals, health systems, and medical practices as well as individual healthcare providers in matters involving claims of catastrophic injury. He also has an interest and experience in the areas of product liability, mass tort, and commercial litigation.

Tim also provides risk management consultation to healthcare institutions with a focus on risk prevention and risk mitigation. He has extensive experience in advising health care clients on issues concerning best practices related to documentation, including issues related to electronic medical record use, investigation and handling of adverse events, and matters concerning credentialing of the medical and hospital staff.

Tim also has experience in representing healthcare institutions when those institutions are faced with patients who lack the capacity to make medical decisions. Mr. Burke has assisted healthcare clients in petitioning courts for the appointment of both emergency and plenary guardians.

He has lectured to various groups of healthcare providers concerning various professional liability matters, including the legal implications of electronic medical records, best practices for physician and staff documentation, and communication strategies following adverse events and unexpected outcomes.

Tim serves as a member on the firm's Associates Committee.

## REPRESENTATIVE MATTERS

- Representation of health care providers in complex medical malpractice actions pending in state and federal courts.
  - Defense verdict on behalf of hospital in emergency medicine matter.
  - Defense verdict on behalf of hospital in general liability matter.
- Handling of Petitions for Appointment of Guardian on behalf of hospital client.

- Representation of various product manufacturers in product liability actions in state and federal courts.
- Representation of pharmaceutical manufacturers and other corporations in mass tort litigation.

## COMMUNITY INVOLVEMENT

- PhillyVIP Program Volunteer – handled guardianship proceeding
- Achieve Now (formerly Philadelphia Reads), Volunteer

## AWARDS AND RECOGNITION

- Selected for inclusion as The Best Lawyers in America 2024 for Mass Tort Litigation / Class Actions – Defendants
- Selected for inclusion in Pennsylvania Super Lawyers -Rising Star

## NEWS AND INSIGHTS

### PUBLICATIONS

- [“How Percentage of Revenue Impacts Analysis of Challenges to Venue,”](#) Eckert Seamans’ Professional Liability Update, December 2023.
- [“Superior Court Clarifies Required Processes and Procedures for Healthcare Institutions to Preserve Privilege for Investigations Pursuant to MCARE Act,”](#) co-author, Eckert Seamans’ Professional Liability Update, September 2023.
- [“Changes to Pennsylvania’s Medical Malpractice Venue Rule Will Have Sweeping Effects,”](#) Eckert Seamans’ Professional Liability Update, September 2022.
- [“The Superior Court of Pennsylvania’s Interpretation of The Fair Share Act in \*Spencer v. Johnson\*, No. 2021 WL 1035175 \(Pa. Super. Ct. Mar. 18, 2021\) May Signal A Return to Traditional Joint and Several Liability,”](#) Eckert Seamans’ Professional Liability Alert, March 25, 2021.
- [“Eckert Seamans’ 2018 Professional Liability Update,”](#) May 2018.

### SPEAKING ENGAGEMENTS

- “Strategies for Minimizing Risk in the Emergency Department,” presented to the physicians and medical staff of Mercy Philadelphia Hospital, December 13, 2018.
- “The Practical and Legal Implications of *Shinal v. Toms*, Informed Consent under Pennsylvania Law,” presented to St. Mary Medical Center’s Grand Rounds, April 2018.
- “Legal and Risk Issues for Medical Staff and Residents, their Pitfalls and Prevention Tips,” presented to the Mercy Health System, June 2017.
- “The Legal Implications of Audit Trails” co-presenter to the physicians and medical staff of St. Mary Medical Center, March 2017.
- “Difficult Conversations: Discussion and Documentation of

Adverse Events,” physicians and medical staff of St. Mary Medical Center, November 2015.

- Continuing Legal Education lecturer, professional liability matters.