

**SUPREME COURT OF PENNSYLVANIA  
CIVIL PROCEDURAL RULES COMMITTEE**

**Rule 238. Damages for Delay in an Action for Bodily Injury, Death or  
Property Damage**

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**Addendum to Explanatory Comment (2010)**

The prime rate as set forth in the first edition of the Wall Street Journal for a particular year is the basis for calculating damages for delay under Pa.R.C.P. No. 238 as revised November 7, 1988. The prime rate published in the first edition of the Wall Street Journal for each of the years specified is as follows:

<b>Date of Publication</b>	<b>Prime Rate Percentage</b>
January 4, 2010	3 ¼
January 2, 2009	3 ¼
January 2, 2008	7 ¼
January 2, 2007	8 ¼
January 3, 2006	7 ¼
January 3, 2005	5 ¼
January 2, 2004	4
January 2, 2003	4 ¼
January 2, 2002	4 ¾
January 2, 2001	9 ½
January 3, 2000	8 ½
January 4, 1999	7 ¾
January 2, 1998	8 ½

NOTE: The prime rate for the years 1980 through 1997 may be found in the Addendum to the Explanatory Comment published in the Pennsylvania Bulletin, volume 33, page 634 (2/1/03) and on the web site of the Civil Procedural Rules Committee at <http://www.pacourts.us>.

By the Civil Procedural  
Rules Committee

Stewart L. Kurtz  
Chair