

Association of General Counsel Nationwide Litigation Issues Survey

Key Findings

- Americans believe that almost half (45%) of all lawsuits are frivolous. Further, they believe that 43% of all injuries received in automobile accidents are faked or exaggerated to win money. On average, Americans believe that \$476 dollars is added to the price of a new automobile to pay for litigation. In addition, two-thirds (65%) of Americans believe that automobile manufacturers and large oil companies are holding back information and technology that would allow cars to travel 80 miles or more on one gallon of gasoline.
- A majority (53%) of Americans are more likely to believe a lawyer who represents an individual as opposed to a lawyer representing a big company (15%). In fact, 71% think most corporations put profits ahead of safety and over half (54%) think corporations routinely destroy evidence when being sued by an individual.
- Nearly half (46%) of Americans believe judges are impartial when trying lawsuits between individuals and big companies. However, only 29% believe juries are impartial, with 41% believing juries are biased against big companies in these lawsuits.
- When queried about the potential of current or future lawsuit issues, a majority (85%) of Americans believe that HMO's are more committed to making money than providing quality health care. Over half (54%) believe that genetically modified food should not be allowed on the market. However, only twenty percent of Americans believe that cellular telephones cause brain tumors, and only 15% believe large fast food chains should be held accountable for the growing number of overweight Americans.
- When evaluating the quality of local jury panels, over half (57%) of Americans believe that juries in their area are "average" in terms of common sense, intelligence, and life experience (20% rate them above average, while 14% rate them below average).
- In lawsuits between large corporations and individuals, 33% of Americans believe that media coverage of these trials favor individuals, while 31% believe coverage favors corporations.

- Thirty-one percent of Americans report they have been party to a lawsuit, 19% having sued someone while 12% have been sued.
- In terms of attorney fees, Americans believe the winning attorney (in cases where individuals sue a corporation) receives 27% of the final settlement, on average. Additionally one third (34%) of Americans believe the loser should always or almost always pay the legal fees of the winner.
- Eight in ten Americans strongly agree that a legal degree should be a prerequisite to becoming a member of the Supreme Court. However given several choices, more people (36%) would select Colin Powell as a Supreme Court Justice over Judge Judy (15%), Oprah Winfrey (8%), Judge Wapner (4%), Hillary Clinton (8%), Bill Clinton (4%), Bill Gates (3%), Katie Courick (3%), Michael Jordan (2%), and Julia Roberts (1%).
- In two very publicized murder cases, nearly three-fourths (72%) of Americans believe O.J. Simpson was guilty of murder and over one third (37%) believe the parents of Jon Benet Ramsey should be charged with her murder.
- America's two favorite lawyers are television celebrities Perry Mason (18%) and Matlock (11%), chosen over F. Lee Bailey (10%), Johnny Cochrane (8%), Kenneth Star (8%), William Renquenst (8%) Jerry Spense (7%), Marsha Clark (6%), Allie McBeal (6%) and Christopher Darden (3%).
- One-third (34%) of Americans believe in UFO's, more than those who believe astrology and horoscopes (19%).
- Approximately three-fourths (73%) of Americans report they would favor the decision of their child or grandchild to become a lawyer.

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Master Questionnaire with Aggregate Results

•504 Completed Interviews

•National sample of adult head of households

•Random sample telephone methodology

•Maximum sampling variation = +/- 4.4 percentage points at the 95% confidence level

1. *First of all, thinking about lawsuits and the percentage that are legitimate and the percentage that are frivolous – in your opinion, approximately what percentage of lawsuits are frivolous and have no real merit?*

Mean = (45%)

2. *Now, thinking about lawsuits brought about due to automobile accidents – in your opinion, what percentage of injuries received in automobile accidents are faked or exaggerated to win money?*

Mean = (43%)

3. *Based on what you know or may have heard, how much cost, if any, is added to the average new car to cover the cost of routine litigation for the manufacturer?*

Mean = \$476.00

4. *In a lawsuit between a company and an individual, who would you be more likely to believe: (ROTATE) a lawyer representing a big company or a lawyer representing an individual?*

(15%) A lawyer representing big company.	(21%) Neither
(53%) A lawyer representing an individual.	(11%) Dk/Na

5. *In your opinion, are judges generally impartial or do they tend to lean in favor of big companies or do they tend to lean against big companies in lawsuits between individuals and big companies?*

(46%) Impartial	(9%) Neither
(30%) Lean in favor of big companies	(9%) Neither
(6%) Lean against big companies	

6. *In your opinion, are juries generally impartial or do they tend to lean in favor of big companies or do they tend to lean against big companies in lawsuits between individuals and big companies?*

(29%) Impartial	(5%) Neither
(18%) Lean towards big companies	(6%) Dk/Na
(41%) Lean against big companies	

7. ***In your opinion, does the media cover trials evenhandedly or do they tend to favor large corporations or do they tend to favor individuals?***
- | | |
|--------------------------|-------------------------|
| (19%) Evenhandedly | (33%) Favor individuals |
| (31%) Favor corporations | (18%) Dk/Na |
8. ***Based on what you know or may have heard, to what degree do the juries in your area accurately reflect the local population in terms of common sense, intelligence, and life experiences? In this regard, do you believe juries in your area are:***
- | | |
|-------------------------|-------------------------|
| (3%) Well above average | (11%) Below average |
| (17%) Above average | (3%) Well below average |
| (57%) Average | (8%) Dk/Na |
9. ***When a jury decides to award money to individuals who sue a corporation, what percentage of the money does the winning attorney get to keep?***
- Mean = 27%
10. ***In your opinion, how often should the loser in a lawsuit have to pay the legal costs of the winner:***
- | | |
|-------------------------------|-------------|
| (34%) Always or almost always | (6%) Rarely |
| (15%) Frequently | (13%) Never |
| (27%) Occasionally | (5%) Dk/Na |
11. ***Which of the following best represents your opinion:***
- | |
|--|
| (71%) Most corporations put profits ahead of safety. |
| (24%) Most corporations put safety ahead of profits. |
| (5%) Dk/Na |
12. ***How often do you believe companies withhold or destroy evidence in lawsuits where they are being sued by an individual?***
- | | |
|-------------------------------|-------------|
| (21%) Always or almost always | (7%) Rarely |
| (33%) Frequently | (1%) Never |
| (34%) Occasionally | (4%) Dk/Na |
13. ***Some people have accused the major automobile manufacturers and large oil companies of holding back information and technology that would allow automobiles to travel 80 miles or more on one gallon of gas. Do you strongly agree, somewhat agree, somewhat disagree, or strongly disagree with this opinion?***
- | | |
|-------------------------|-------------------------|
| (34%) Strongly agree | (10%) Strongly disagree |
| (31%) Somewhat agree | (6%) Dk/Na |
| (19%) Somewhat disagree | |

14. ***What if your child or grandchild wanted to become a lawyer – would you strongly favor, somewhat favor, somewhat oppose, or strongly oppose this idea?***

(47%) Strongly favor	(11%) Strongly oppose
(27%) Somewhat favor	(6%) Dk/Na
(10%) Somewhat oppose	

15. ***Do you strongly agree, somewhat agree, somewhat disagree, or strongly disagree that members of the Supreme Court should be required to have a legal degree?***

(83%) Strongly agree	(4%) Strongly disagree
(7%) Somewhat agree	(2%) Dk/Na
(4%) Somewhat disagree	

16. ***Which of the following would you most prefer to see appointed to the Supreme Court:***

(36%) Colin Powell	(3%) Katie Courick
(15%) Judge Judy	(3%) Bill Gates
(8%) Oprah Winfrey	(2%) Michael Jordan
(8%) Hillary Clinton	(1%) Julie Roberts
(4%) Judge Wapner	(15%) Dk/Na
(4%) Bill Clinton	

17. ***In your opinion, was O.J. guilty or innocent of murder?***

(72%) Guilty
(13%) Innocent
(15%) Undecided

18. ***Do you believe Jon Benet's parents should be charged with her murder?***

(37%) Yes
(23%) No
(40%) Dk/Na

19. ***Of the following, which is your favorite attorney?***

(18%) Perry Mason	(7%) Jerry Spence
(11%) Matlock	(6%) Marsha Clark
(10%) F. Lee Bailey	(6%) Allie McBeal
(8%) Johnny Cochrane	(3%) Christopher Darden
(8%) Kenneth Starr	(3%) Other
(8%) William Renquenst	(13%) Dk/Na

20. ***To what degree do you agree with the following statements – please tell me if you strongly agree, somewhat agree, somewhat disagree, or strongly disagree with each.***

	<u>Strongly Agree</u>	<u>Some. Agree</u>	<u>Some. Disagree</u>	<u>Strongly Disagree</u>	<u>Dk/ Na</u>
HMO's are more committed to making money than providing quality health care.	(67%)	(18%)	(7%)	(4%)	(3%)
Genetically modified food should not be allowed on the market.	(38%)	(16%)	(19%)	(17%)	(9%)
Large fast food chains should be held accountable for the growing number of overweight Americans.	(9%)	(6%)	(10%)	(72%)	(2%)
Cellular telephones cause brain tumors.	(5%)	(15%)	(20%)	(39%)	(21%)

21. ***Do you believe in Astrology and horoscopes?***

(19%) Yes
(77%) No
(4%) Dk/Na

22. ***Do you believe in UFO's?***

(34%) Yes
(59%) No
(7%) Dk/Na

23. ***Have you or anyone in your household ever sued anyone or been sued by someone?***

(19%) Yes, sued someone
(12%) Yes, been sued by someone
(68%) No
(1%) Dk/Na

24. ***Now, I have just a few questions to help us analyze the data. Please keep in mind that all answers are kept in strict confidence. First, into which of the following categories does your age happen to fall?***

(9%) 18 – 24
(17%) 25 – 34
(20%) 35 – 44
(22%) 45 – 54
(14%) 55 - 64
(11%) 65 - 74
(8%) 75 & over
(0%) Na/Refuse

25. ***What was the last grade you completed in school?***

(8%) Non-high school graduate
(36%) High school graduate
(26%) Some college/technical school
(29%) College graduate
(1%) Na/Refuse

26. ***Into which of the following categories does your total annual household income happen to fall?***

(6%) Less than \$10,000

(12%) \$10,000 - \$20,000

(13%) \$21,000 - \$30,000

(16%) \$31,000 - \$40,000

(15%) \$41,000 - \$60,000

(7%) \$61,000 - \$70,000

(15%) Over \$70,000

(15%) Na/Refuse

27. ***Record Gender:***

(43%) Male

(57%) Female