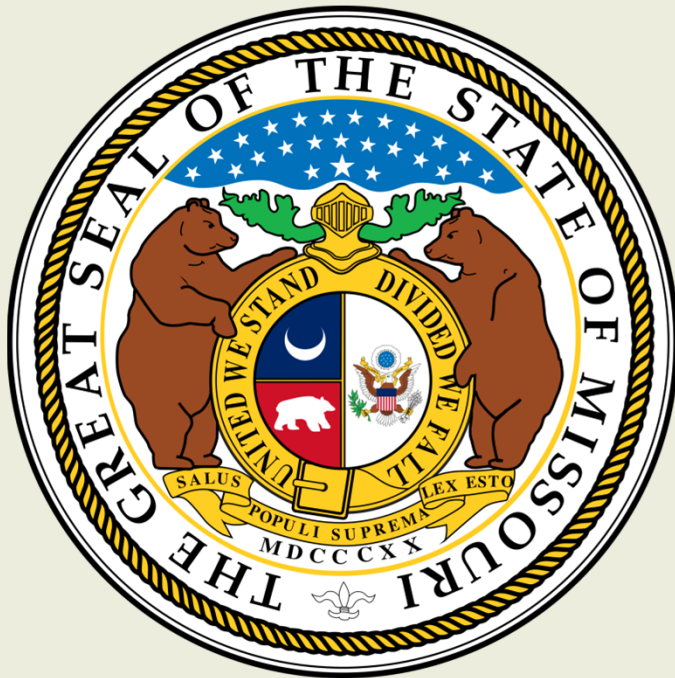


Views of Legal Reform among Missouri Voters

Bill McInturff – Partner
Lori Weigel – Partner



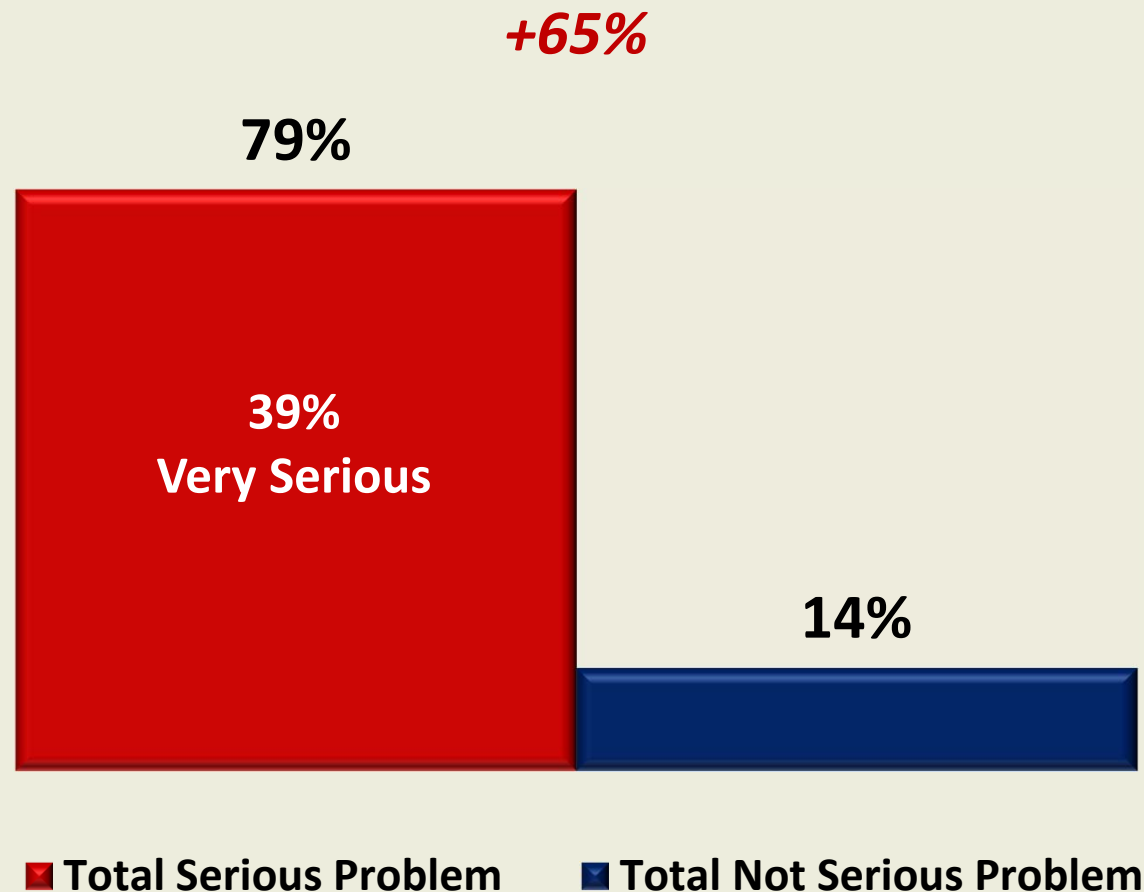
U.S. CHAMBER
Institute for Legal Reform



**Voters Want
Change to
the Lawsuit
System**

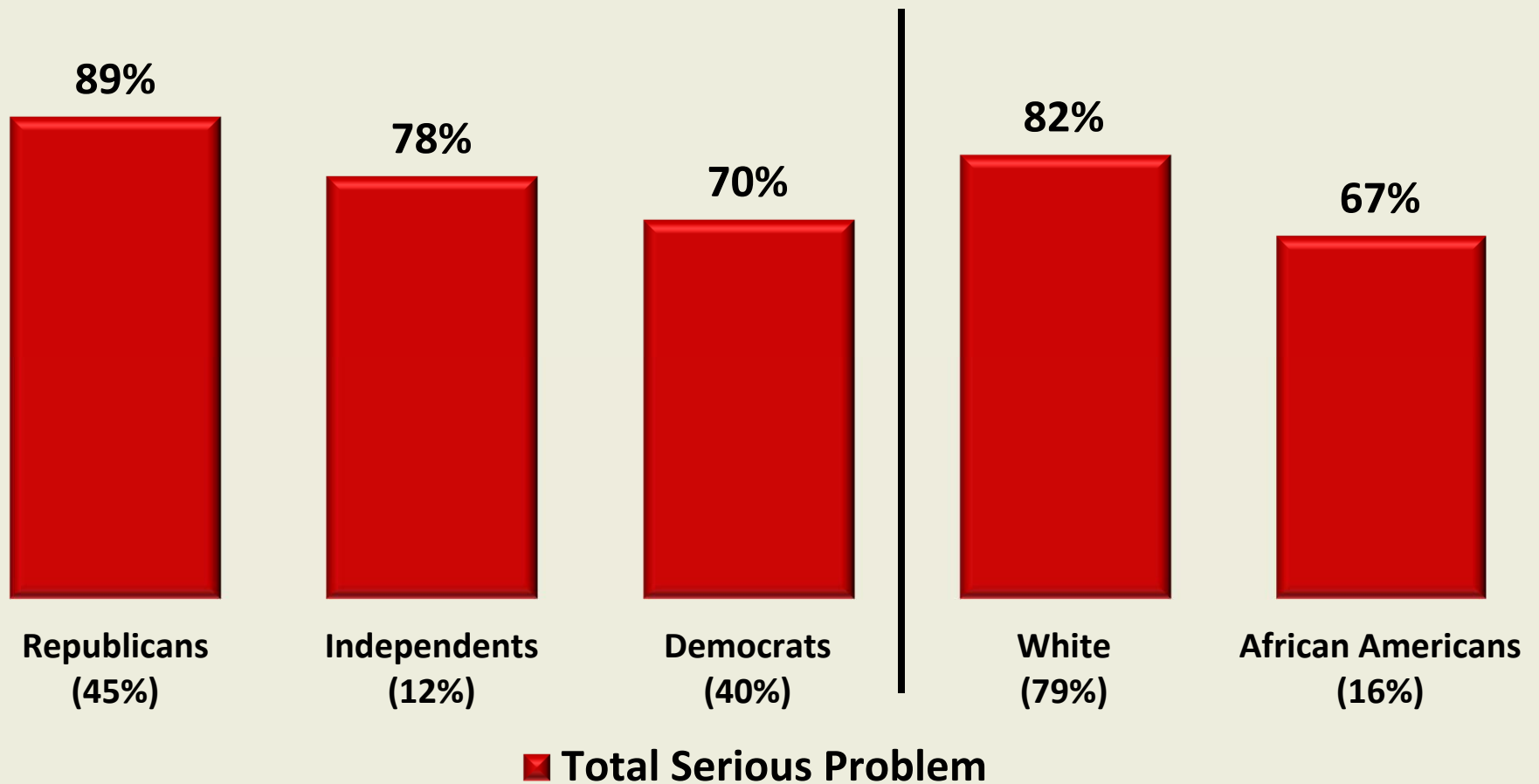
Almost four-in-five Missouri voters say the number of lawsuits is a serious problem.

Do you think the number of lawsuits is a...



This sentiment is shared across party lines and true among voters of color as well.

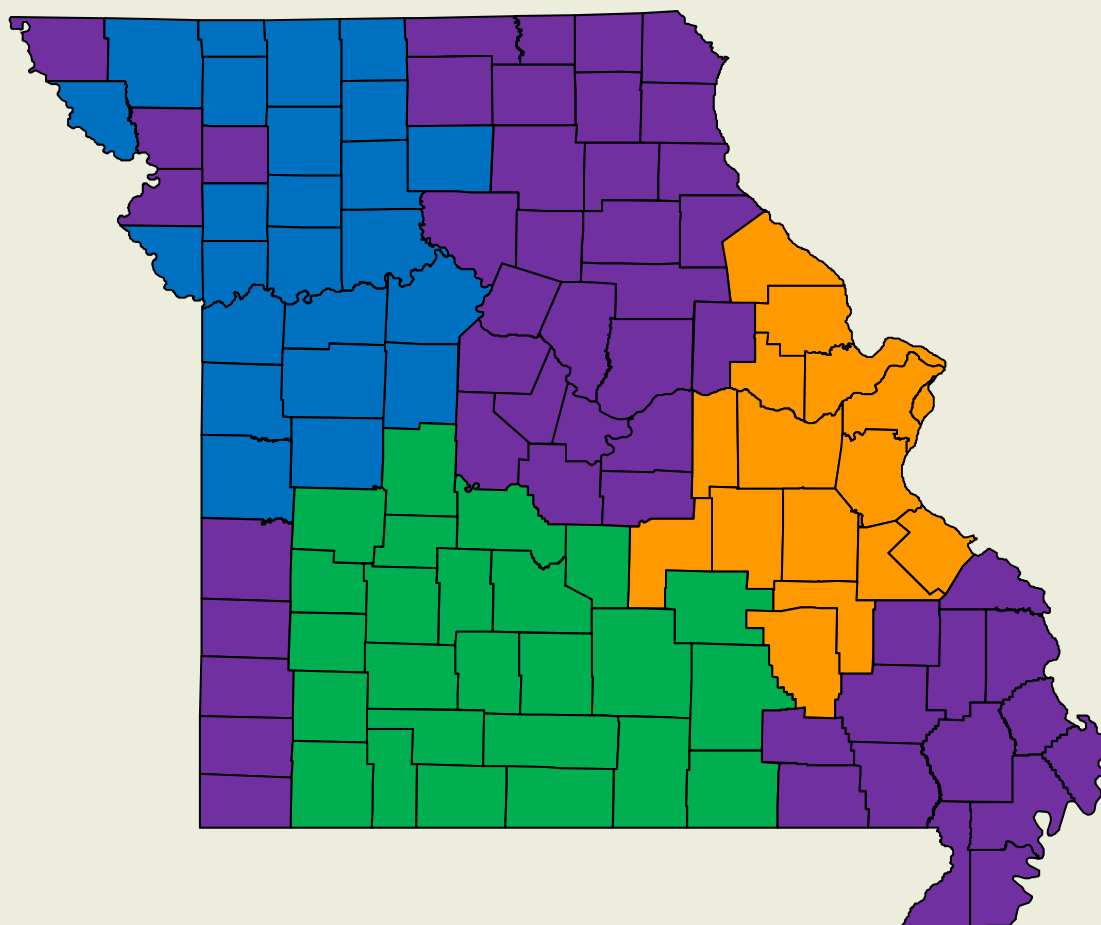
Number of Lawsuits Opinion By Party and Ethnicity



In fact, voters in every region of the state say the number of lawsuits is a problem.

Number of Lawsuits Opinion By Region

% Serious Problem	
ST. LOUIS	77%
KANSAS CITY	81%
SPRINGFIELD	77%
REST OF STATE	84%



A majority of state voters say Missouri would be better off if there were limits on how and when lawsuits can be filed.

Better Off

52%

Worse Off

12%

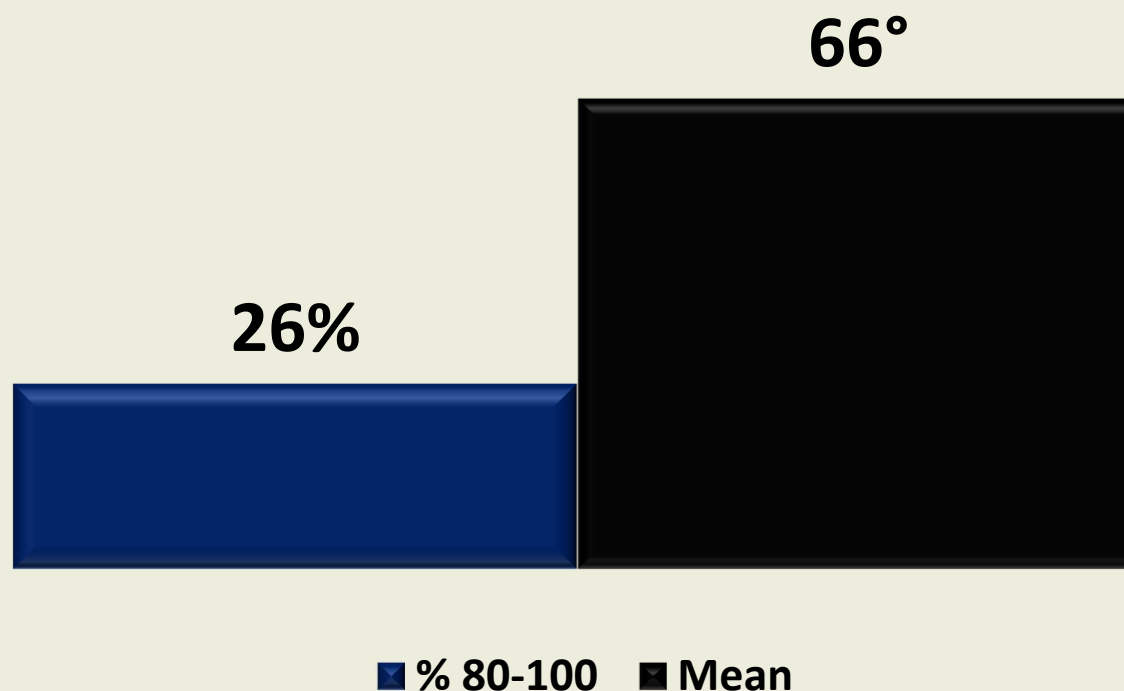
Little Impact

24%

And do you think our country would be better off or worse off if there were more limits on when and how lawsuits could be filed, or would it have little impact on our country?

Voters opt for significant change when asked to rate how much change there should be to the lawsuit system.

Please tell what you think should be done with the current lawsuit system on a zero to one hundred scale where zero means you want NO change to the current lawsuit system, and one hundred means you want SIGNIFICANT change to the current lawsuit system, and 50 means you don't really have strong feelings one way or the other. Of course, you can pick any number in between zero and one hundred.



Two-thirds say the primary beneficiary of the lawsuit system is lawyers; victims and consumers are in single digits.



Who do you think benefits most from the current lawsuit system in MO?

Lawyers	66%
Corporations	21%
Lawsuit Victims	6%
Consumers	2%

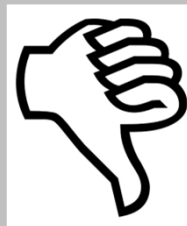
Voters hold negative views of trial lawyers specifically.

Trial Lawyers Image



Favorable

20%



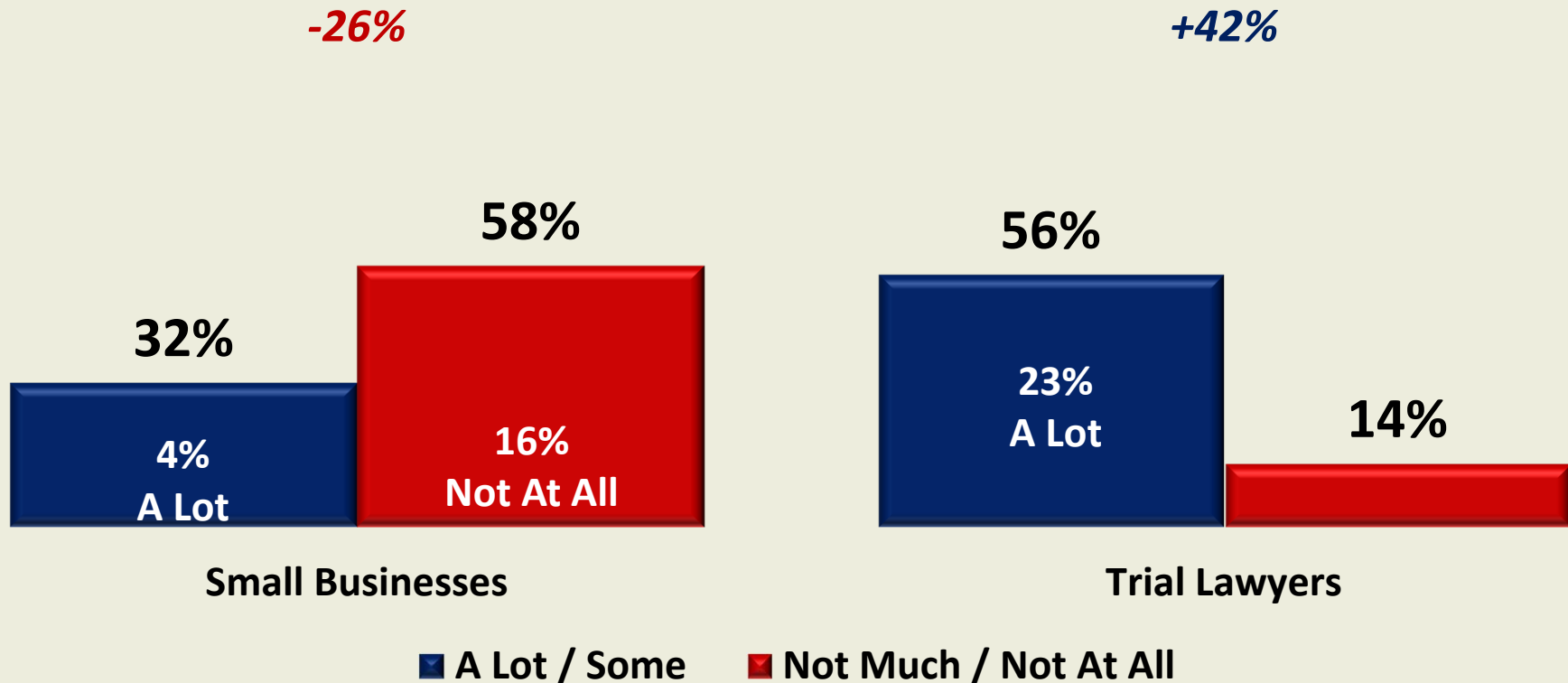
Unfavorable

32%

I am going to read you the names of some different people and organizations. Please tell whether your opinion of each one is very favorable, somewhat favorable, half and half, somewhat unfavorable, or very unfavorable? If you have never heard of one of these please just say that instead.

And think the views of trial lawyers are being taken into account more than small business in Jeff City.

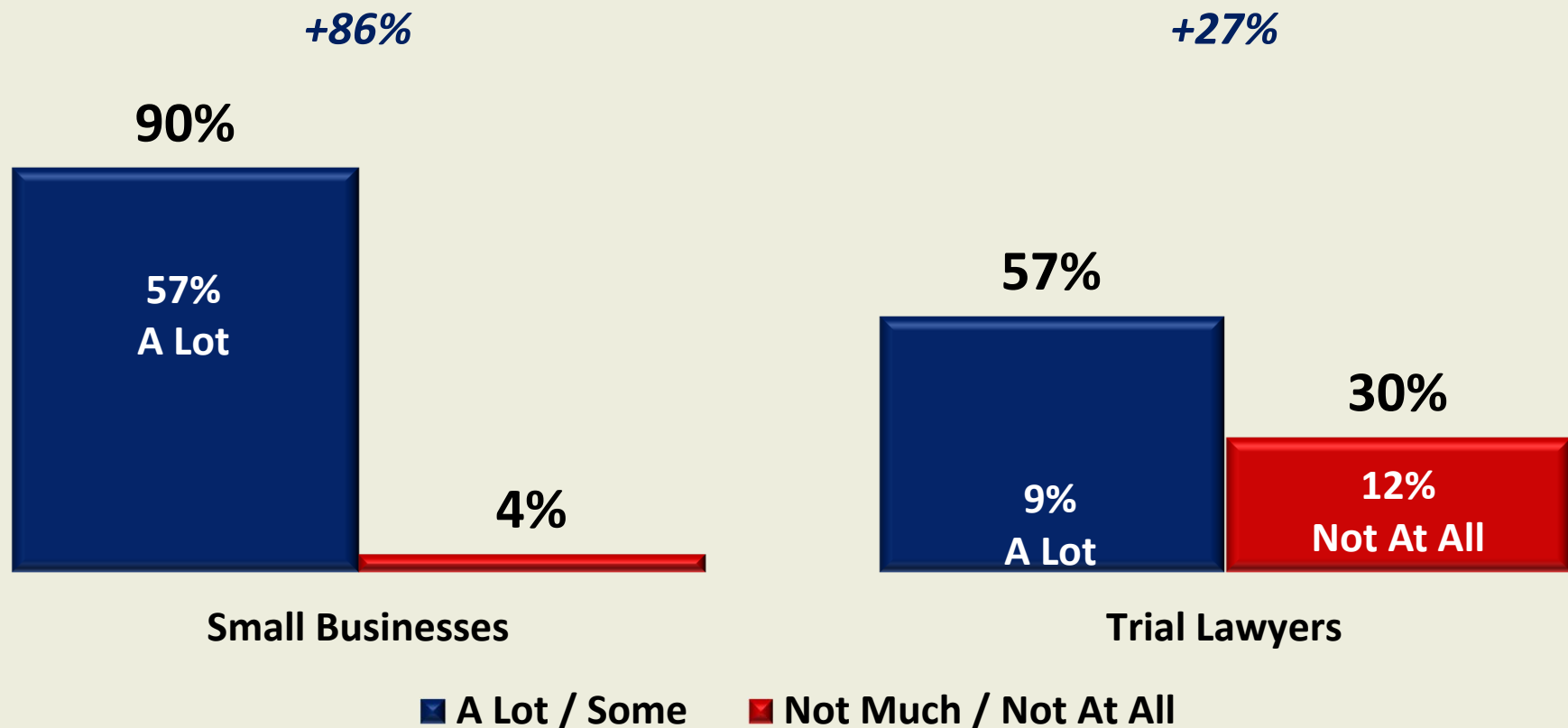
Views Currently Taken Into Account



How much do you think _____ ideas and points of view are taken into account at the Capitol?

But that's not what they want - nine-in-ten say business' views should be taken into account.

Views Should be Taken into Account



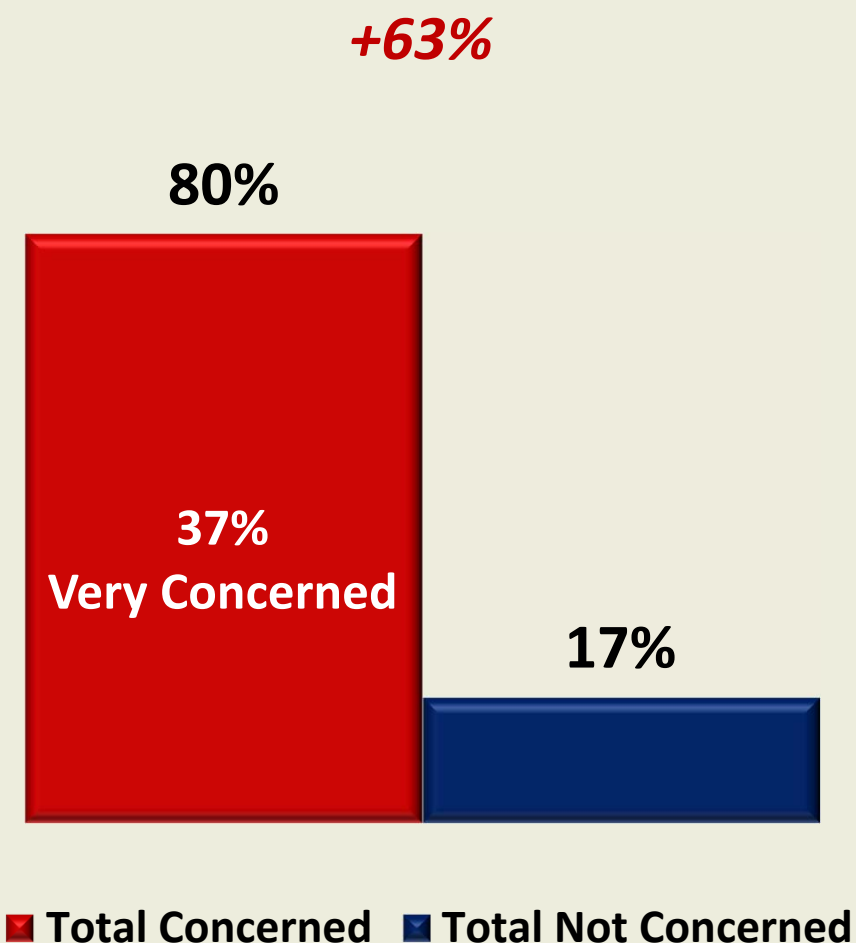
Should the ideas and points of view of _____ be taken into account a lot, some, not much or not at all?

Those strong attitudes exist even before hearing additional information about the lawsuit system in the state. At the end of the survey, we asked voters how certain facts affected their views.

Four-in-five voters are concerned about lawsuits coming in from Madison County.

Neighboring Madison County Illinois, is known as friendly courts for lawsuits, so much so that more than 98 percent of plaintiffs in their courts come from outside of the county. Now, some of these same plaintiff's lawyers are bringing these out-of-state lawsuits to St. Louis County courts, even though very few of the companies being sued are located here in Missouri.

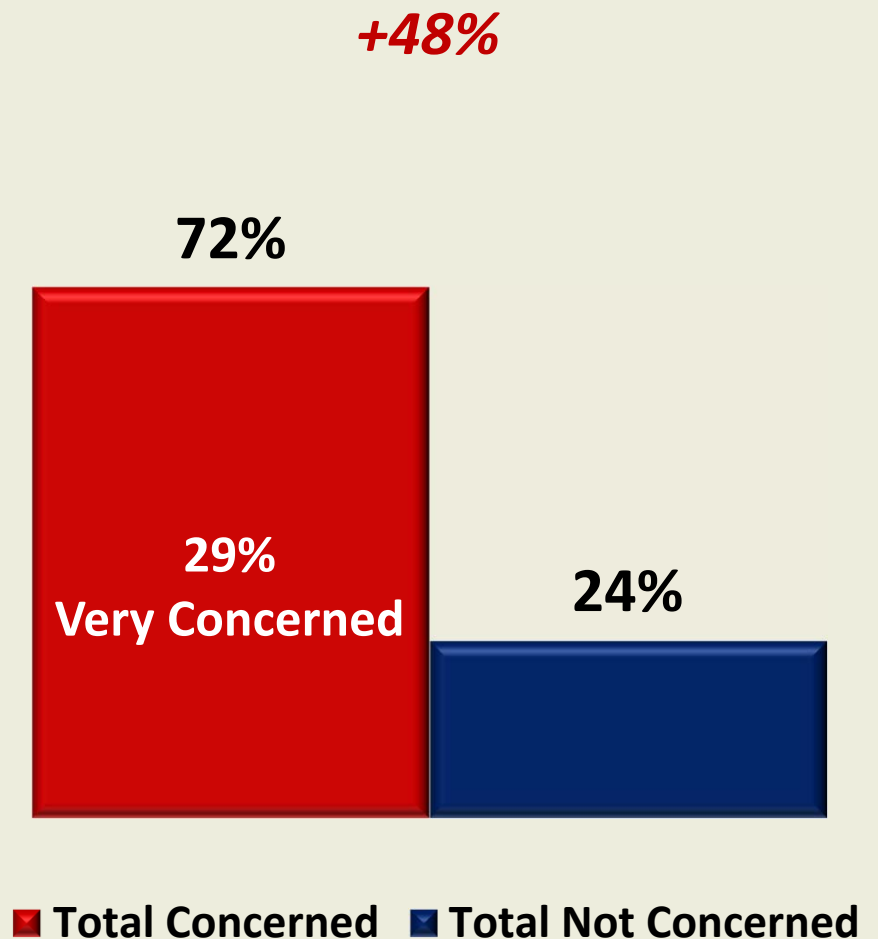
Having heard this, would you say you are...

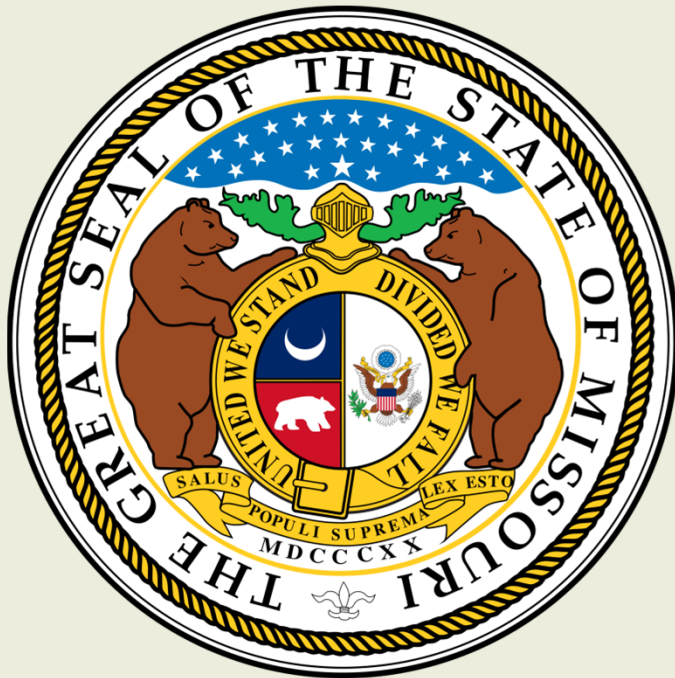


The state rating poorly for its lawsuit system also raises significant concerns.

A recent study ranked Missouri 42nd out of the 50 states in having a fair and reasonable lawsuit environment.

Having heard this, would you say you are...

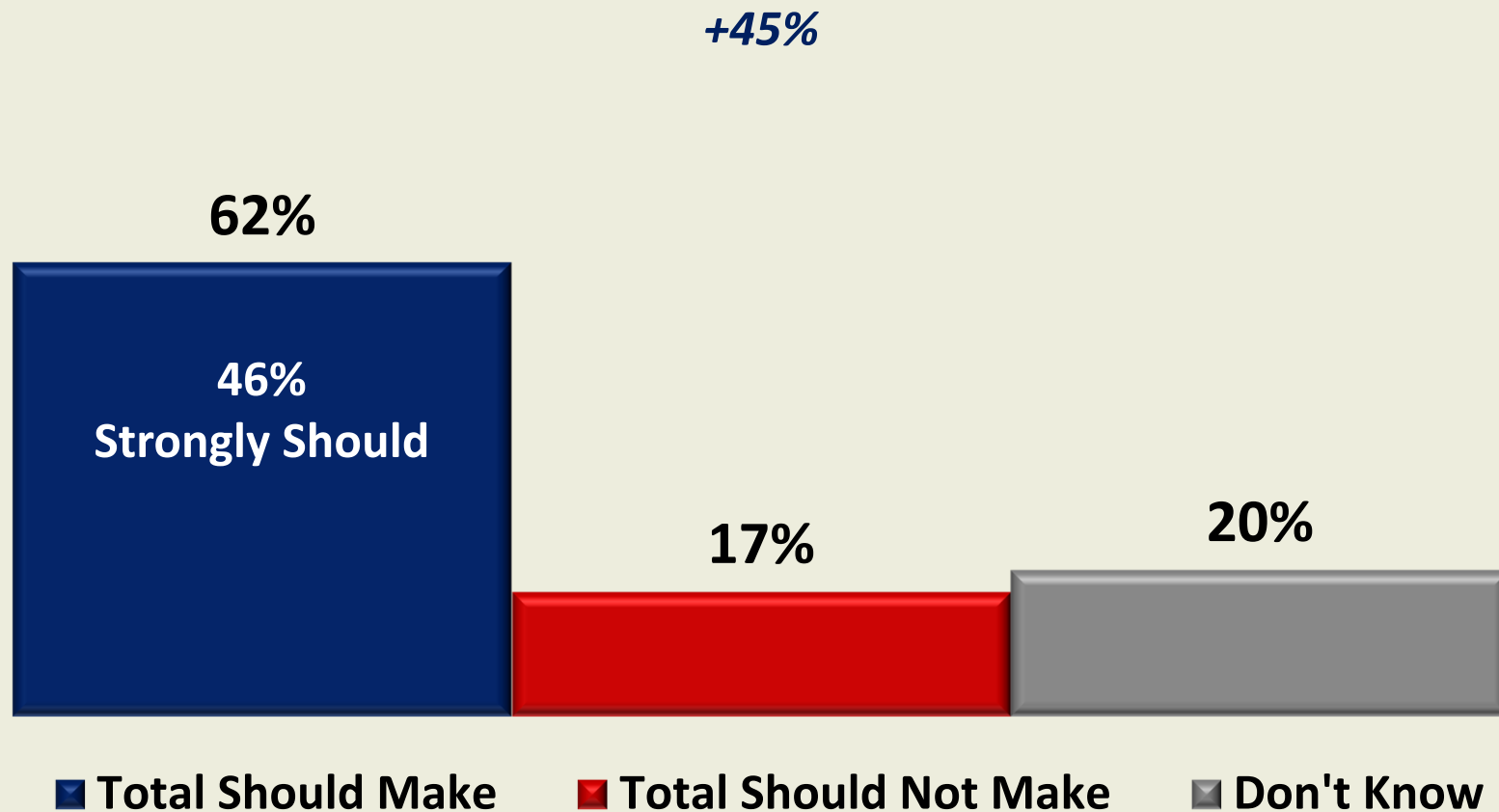




**Strong
Support for
Legal Reform
Proposals**

Now, thinking about one specific reform to the lawsuit system the Legislature might consider – One proposal would bring Missouri courts in line with federal standards for scientific and expert evidence presented in state courts.

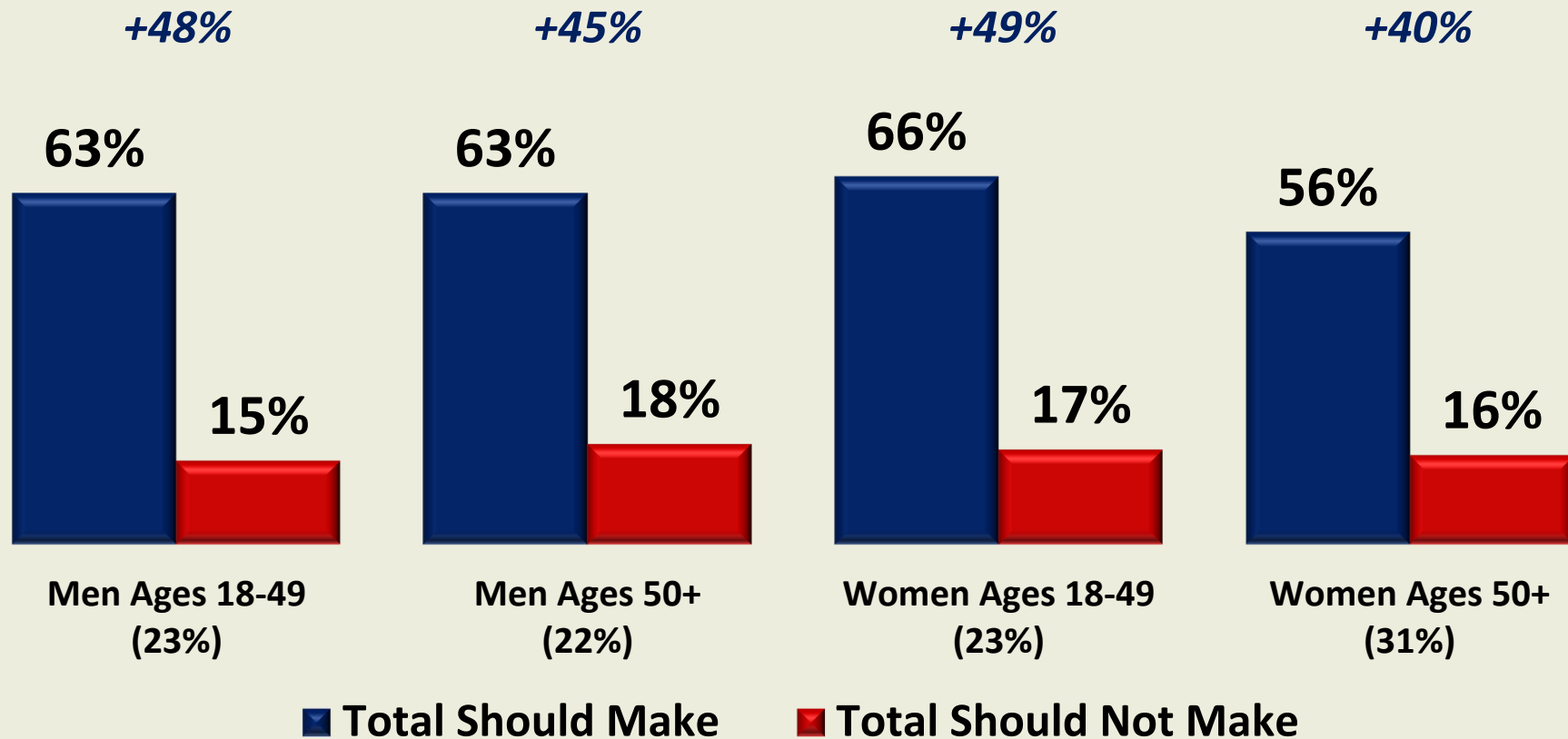
Three-in-five support making Missouri expert testimony standards consistent with that of federal courts.



Would you tell the Legislature that they should OR should not make state rules for admission of expert testimony consistent with those of federal courts?

A majority of voters support this alignment with federal standards.

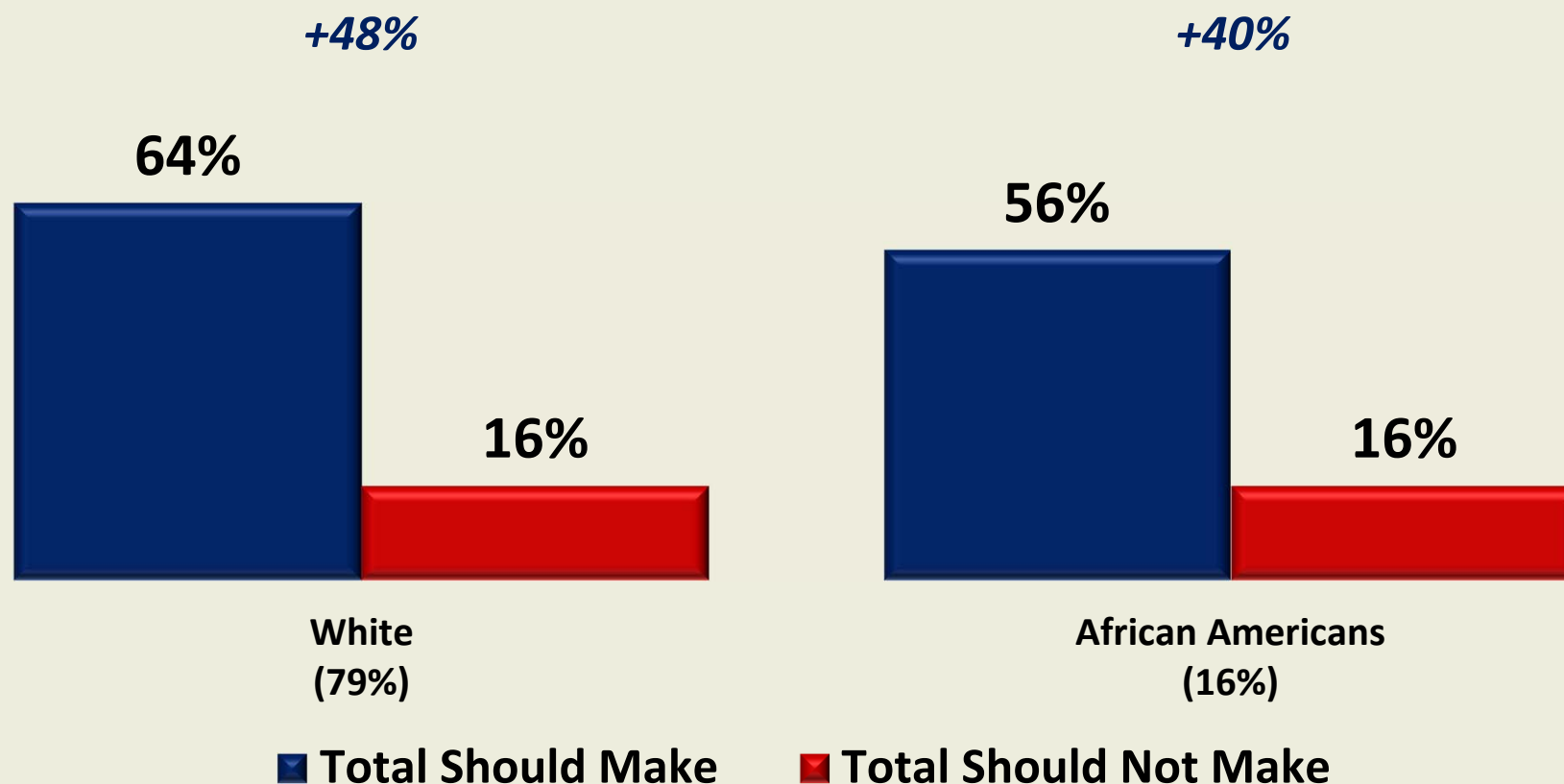
Admission Of Expert Testimony By Gender/Age



Would you tell the Legislature that they should OR should not make state rules for admission of expert testimony consistent with those of federal courts?

Majorities of ethnic sub-groups also share this view.

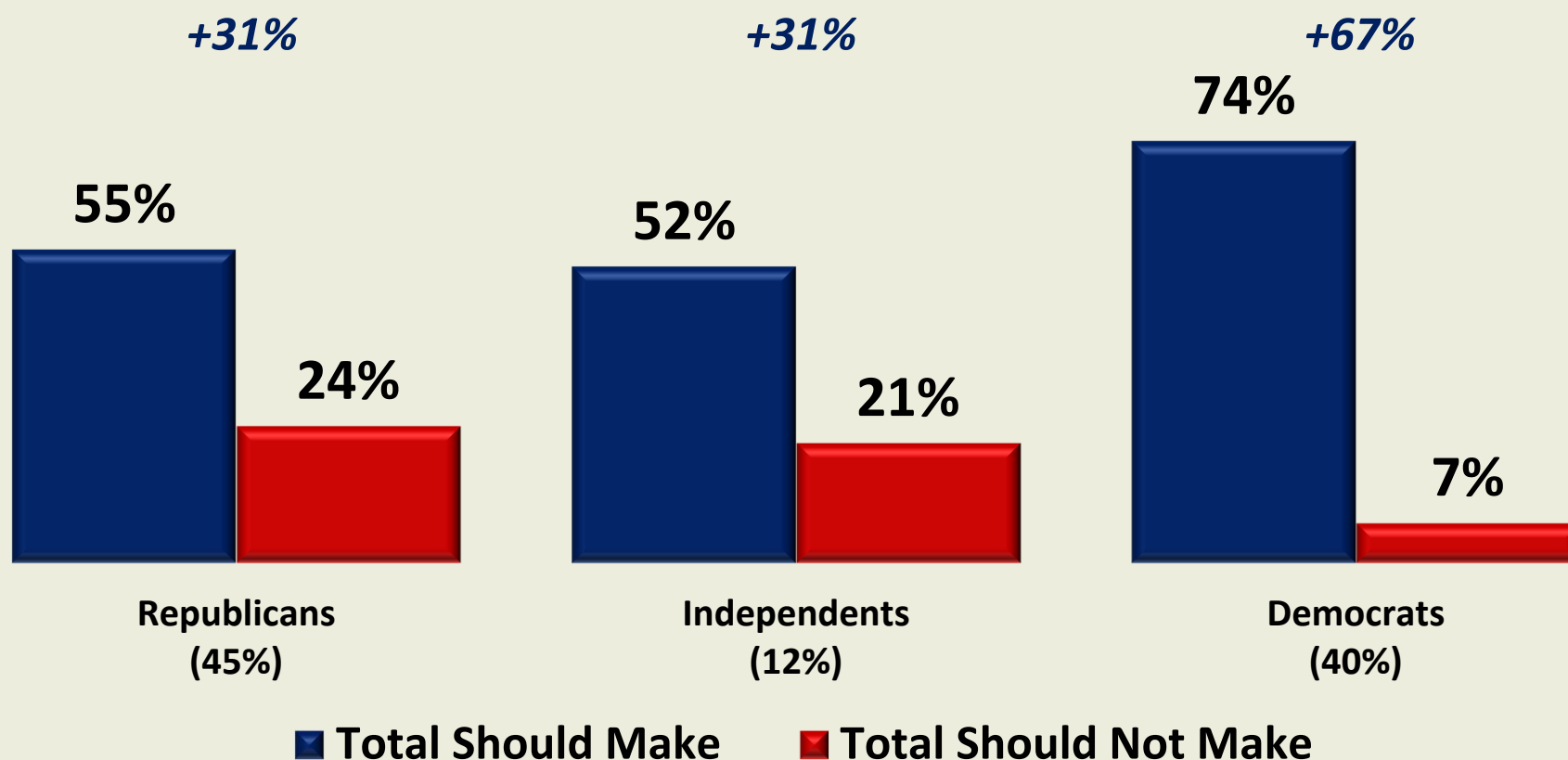
Admission Of Expert Testimony By Ethnicity



Would you tell the Legislature that they should OR should not make state rules for admission of expert testimony consistent with those of federal courts?

Support is actually strongest among Democrats, but a majority of GOP and independents say the same.

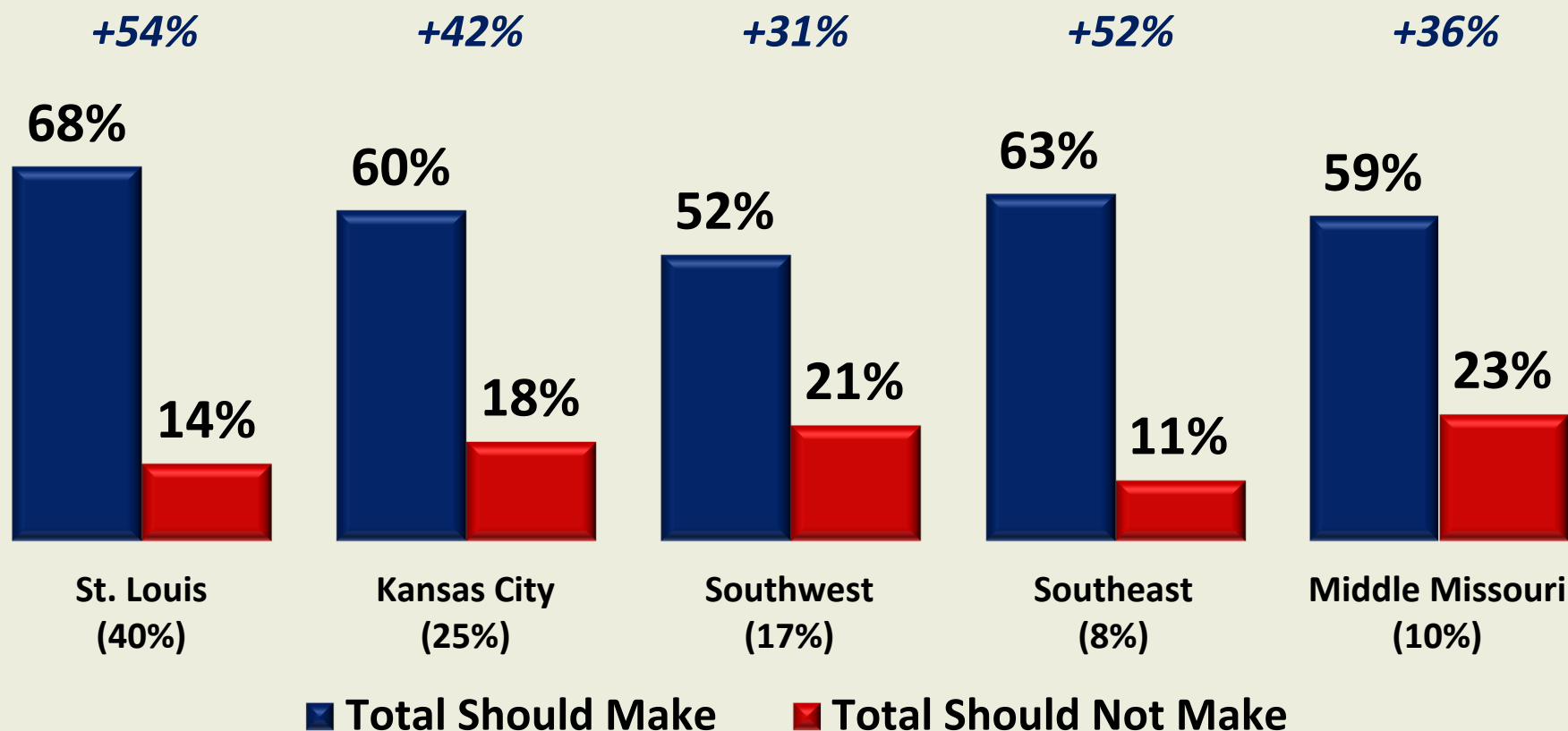
Admission Of Expert Testimony By Party



Would you tell the Legislature that they should OR should not make state rules for admission of expert testimony consistent with those of federal courts?

A majority in every part of the state support this change.

Admission Of Expert Testimony By Region



Would you tell the Legislature that they should OR should not make state rules for admission of expert testimony consistent with those of federal courts?

After hearing arguments on both sides of the issue, voters support change by more than two-to-one margin.

People who support these rules say that they will ensure that the science presented to juries meets the stronger federal standards and is presented by true experts, ensuring that innocent people are not convicted on the basis of so-called junk science. It could also help make Missouri courts more efficient by reducing unnecessary time evaluating the credentials of expert witnesses.

57%

People who oppose these rules say that this change will only help big corporations who want to thwart victims from being able to properly present their cases in court, reduce their options for being able to present evidence to further help their case, and actually drag cases out longer costing everyone more.

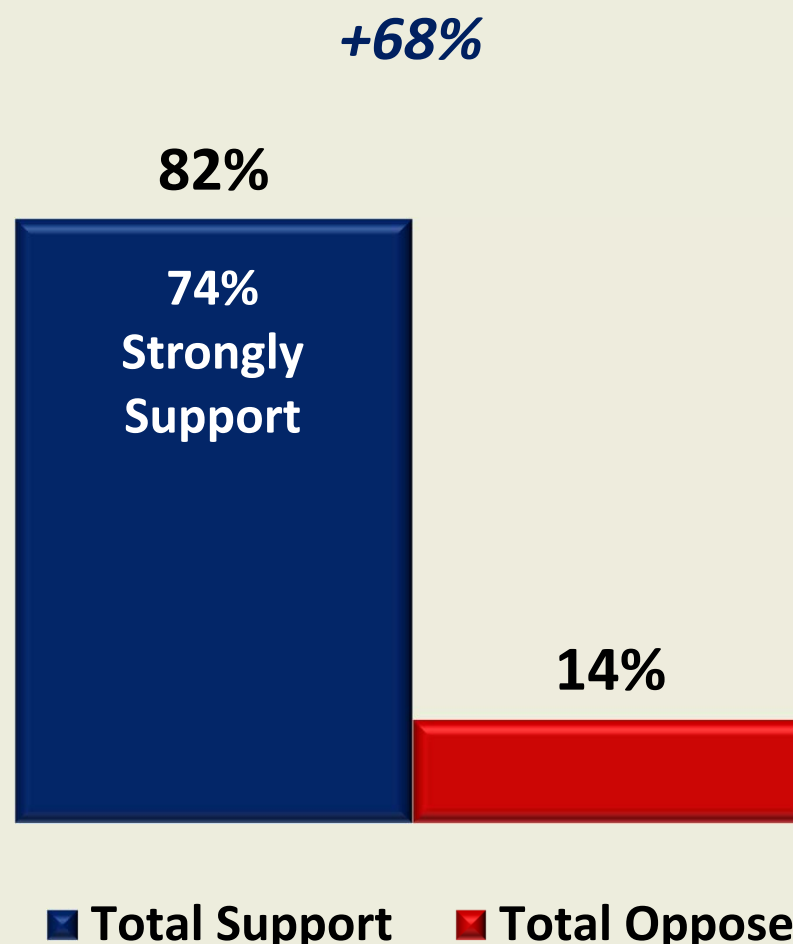
24%

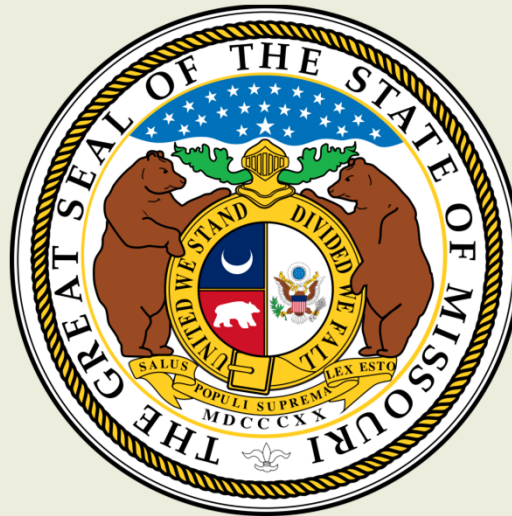
I'd like to read you two viewpoints about this and please tell me which one comes closer to your own view, even if neither one is exactly what you think. When it comes to the legislature making state rules for admission of expert testimony consistent with federal courts...

There is even stronger support for a proposal to rein in lawsuit lending in the state; three-quarters strongly support.

Today, there is a growing industry of lending companies that advance money to a plaintiff in a lawsuit, to cover such things as their housing or medical care, while their case proceeds. The lender receives their money back, plus interest, out of the settlement or award if the plaintiff wins or settles the case. That interest can be up to 200 percent for some loans, so one proposal is to limit the amount of interest that lenders can charge.

Would you tell your State Legislator that they should support or oppose this proposal to limit the amount of interest that lenders can charge?





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