



MEMORANDUM

TO: U.S. CHAMBER OF COMMERCE INSTITUTE FOR LEGAL REFORM

FROM: BILL McINTURFF & LORI WEIGEL / PUBLIC OPINION STRATEGIES

RE: KEY FINDINGS FROM A NATIONAL SURVEY OF ACTUAL 2016 VOTERS REGARDING LAWSUIT REFORM

DATE: NOVEMBER 9, 2016

Public Opinion Strategies conducted a survey of actual voters throughout the United States on Election Day regarding 2016 voters' views of the lawsuit system.¹ **The results of the survey demonstrate that American voters – and Trump voters in particular - say that there are too many lawsuits and lawyers are the main beneficiary of the current system. They overwhelmingly say they would have a more negative view of Congress heading into crucial midterm elections in 2018 if they allow for more litigation, and that it would negatively impact the economy, the top concern of 2016 voters.**

The specific key findings of the survey include:

- **At a time of historic low job approval for Congress, 2016 voters say that passing laws to allow for more lawsuits would make them even more negative toward Congress.** Fully 72 percent say that if the next Congress were to pass laws allowing trial lawyers to bring more lawsuits, they would have a less favorable impression of Congress.

15% More favorable impression of Congress
72% Less favorable impression of Congress
8% No strong feelings

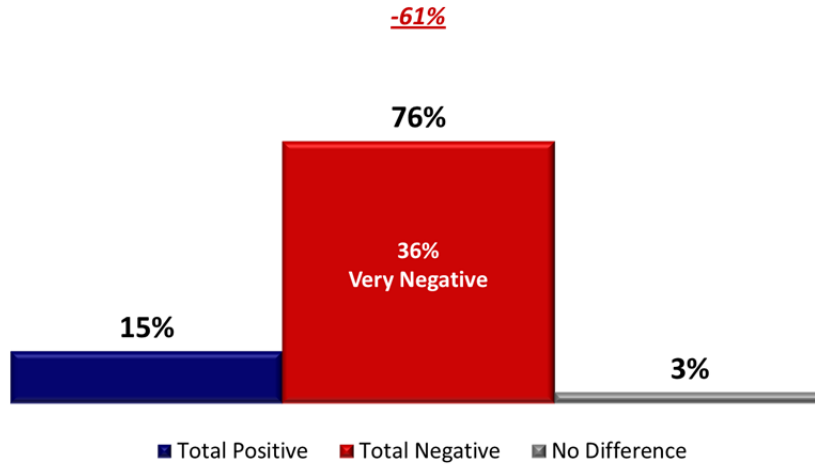
This is also an issue with which voters on both sides of the political debate agree. Fully 79 percent of Trump voters and 64 percent of Clinton voters say their view of Congress would deteriorate if they allowed for more litigation. Similarly, those who say they voted for a Republican for Congress are most negative (80 percent), but fully 63 percent of those who supported a Democrat concur that this pro-lawyer agenda would be a negative.

- **Lawsuits are seen as a drag on the economy – the top problem voters said was most important in this year's election.** Three-in-ten 2016 voters cited the economy as the top issue

¹ **Methodology:** On Election Day, November 8, 2016, Public Opinion Strategies completed 800 telephone interviews with actual voters throughout the United States. Calls were completed on both landline and cell phones. The margin of sampling error for the full national sample is +/- 3.46%; margins of error for sub-groups within the sample will be larger.

in deciding their vote for President. The vast majority of the 2016 electorate say that Congress passing laws allowing trial lawyers to bring more lawsuits would have a negative effect on the economy (76 percent).

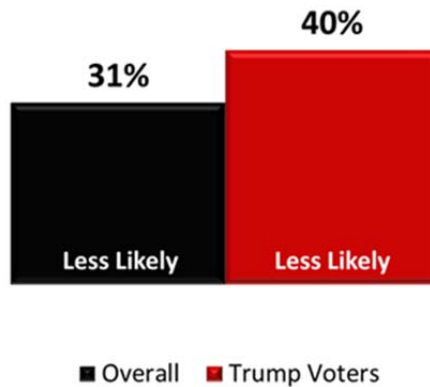
Effect on Economy of More Lawsuits



Trump voters are the most adamant that lawsuits would hurt the nation’s economy (84 percent negative, with 48 percent very negative).

- Voters say Congressional action to allow for greater litigation could hurt in the next election.** Voters say they are less likely to support their Member of Congress if he or she backs laws that would allow for more lawsuits, as six times as many would be less likely to vote for their Member rather than having a positive reaction (31 percent less likely, 5 percent more likely to vote). Another 61 percent say the Members’ position would make no difference on their vote decision in 2018.

Less Likely to Vote for Member of Congress who Supports Lawsuits among 2016 Voters

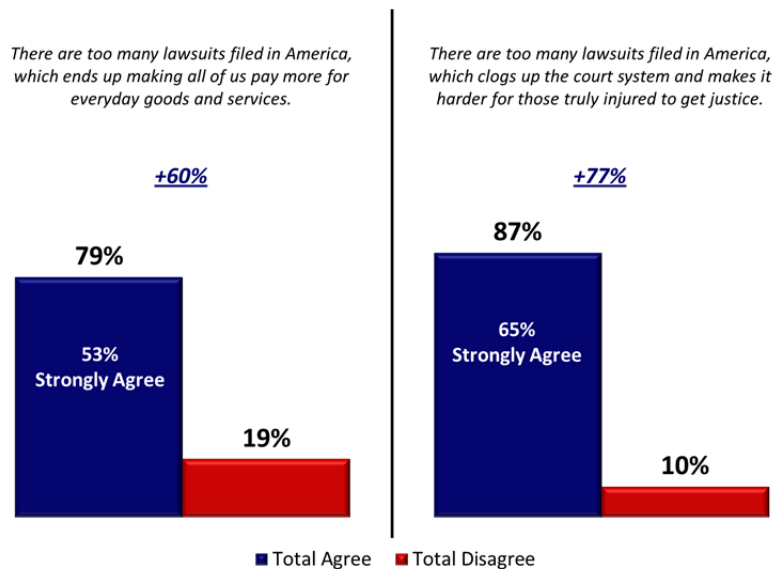


- American voters believe that lawyers are the main beneficiary of the current lawsuit system.** While this may have been one of the most polarizing elections ever, we see strong agreement among 2016 voters that lawyers are the chief actors to benefit from the current lawsuit system. Fully 67 percent of GOP voters, 59 percent of Independents, and 42 percent of Democrats say lawyers benefit the most. As one can see in the following graph, Trump voters are more likely to view lawyers as the group most likely to benefit from lawsuits.

	Overall	Trump Voters
Lawyers	55%	66%
Corporations	30%	18%
Victims	5%	6%
Consumers	4%	4%

- There is continued strong agreement that the number of lawsuits is a problem – no matter the reason.** Over the years, voters have consistently told us that more lawsuits are a problem for a number of reasons. 2016 voters concur. Fully 79 percent agree with a statement that highlights the economic impacts, while a significant 87 percent agree with one that focuses on the impact it has on courts and other cases.

Agree that Lawsuits are a Problem Among 2016 Voters



In summary

Overall, the survey of actual 2016 voters clearly demonstrates little desire to move backward on lawsuit reform, and a strong sense – especially among Trump voters – that lawsuits are a problem and they primarily help lawyers, not victims. They express strongly negative views of Congress if it seeks to pursue an agenda that exacerbates problems they already see with our litigation system. They believe such actions would have a negative impact on the national economy. In addition, they are far more likely to say this would hurt their Member of Congress in seeking re-election, rather than being a feather in their cap.