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Project Managers:

Humphrey Taylor, Chairman, *The Harris Poll*
David Krane, Senior Vice President
Diana L. Gravitch, Senior Research Associate
Jason Sanchez, Research Associate

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INTRODUCTION

The 2003 State Liability Systems Ranking Study was conducted for the U.S. Chamber Institute for Legal Reform among a national sample of in house general counsel or other senior litigators at public corporations. This study was conducted January – February 2003 updating previous research conducted in November – December, 2001. The goal was to explore how reasonable and fair the tort liability system is *perceived* to be by Corporate America. Broadly, the survey focused on the attitudes and perceptions of the state liability systems in the following areas:

- Tort and Contract Litigation
- Treatment of Class Action Suits
- Punitive Damages
- Timeliness of Summary Judgment/Dismissal
- Discovery
- Scientific and Technical Evidence
- Judges' Impartiality and Competence
- Juries' Predictability and Fairness

METHODOLOGICAL OVERVIEW

All interviews for ***The 2003 State Liability Systems Ranking Study*** were conducted by telephone among a nationally representative sample of senior attorneys at companies with annual revenues of at least $100 million. Of this sample, 44% of respondents were from companies with annual revenues of $1 billion and over. Interviews averaging 13 minutes in length were conducted with a total of 928 respondents and took place between January 16 and February 18, 2003. The sample was segmented into two main groups. Of the 928 respondents, 77 were from insurance companies with the remaining 851 interviews being conducted among public corporations.

A detailed survey methodology including a description of the sampling and survey administration procedures as well as further respondent profile information is contained in Appendix A. The complete questionnaire is found in Appendix B.

NOTES ON READING TABLES

The base on each question is the total number of respondents answering that question. An asterisk (*) on a table signifies a value of less than one-half percent (0.5%). A dash represents a value of zero. Percentages may not always add up to 100% because of computer rounding or the acceptance of multiple answers from respondents answering that question. Note that in some cases results may be based on small sample sizes. Caution should be used in drawing any conclusion from results based on these small samples.

States were given a grade ("A", "B", "C", "D", "F") by respondents for each of the key elements of their liability systems. Tables show the ratings of the states these grades display, the percentage of respondents giving each grade, and the mean grade for each element. The mean grade was calculated by converting the letter grade using a 4.0 scale - "A" = 4.0, "B" = 3.0, "C" = 2.0, "D" = 1.0, "F" = 0.0. Therefore, the mean score displayed can be interpreted also as a letter grade. For example, a mean score of 1.8 could be roughly seen as a "C-" grade.

For the "Ranking on Key Elements" tables, the grades given to each state were used to rank them by looking at the mean grade on that element. Ties between states with matching mean grades were ranked by looking at the percentage of "A" grades, etc.

The "Overall Ranking of State Liability Systems" table was calculated by creating an index using the scores given on each of the key elements. All of the key element items were highly correlated with one another and with overall performance. The differences in the relationship between each item and overall performance were trivial, so it was determined that each item should contribute equally to the index score. The index was created from the mean across the 10 items which was rescaled from 0 to 100 prior to averaging them together.

PROJECT RESPONSIBILITY AND ACKNOWLEDGEMENTS

The Harris team responsible for the design and analysis of ***The State Liability Systems Ranking Study*** included Humphrey Taylor, Chairman *The Harris Poll,* David Krane, Senior Vice President and Diana Gravitch, Senior Research Associate, and Jason Sanchez, Research Associate. We would like to acknowledge Judyth Pendell, Pendell Consulting, LLC, for her invaluable contribution to the design, content, focus and analysis of the project. Harris Interactive is responsible for the final determination of topics, question wording, collection of the data, statistical analysis and interpretation in the report.

PUBLIC RELEASE OF SURVEY FINDINGS

All Harris surveys are designed to comply with the code and standards of the Council of American Survey Research Organizations (CASRO) and the code of the National Council of Public Polls (NCPP). Should data from the survey be released to the public, any release must stipulate that the complete report is also available.

EXECUTIVE SUMMARY

Stories of excessive or frivolous litigation appear frequently in the popular press and Congressional debates have been ongoing for years on issues surrounding legal reform. However, information about Corporate America's views and impressions of the nation's civil justice system and what impact these have on business decision-making has been largely anecdotal. ***The 2003 State Liability Systems Ranking Study*** was conducted for the U.S. Chamber Institute for Legal Reform among a national sample of in house general counsel or other senior litigators at public corporations and sought to explore how reasonable and fair the tort liability system is *perceived* to be by Corporate America.

Interviews conducted between January 16 and February, 2003 with 928 senior corporate attorneys found that while some states clearly stand out as leaders in the area of creating a fair and reasonable litigation system, when looking more broadly at the nation as a whole, **the majority (65%) of those surveyed give an overall ranking of only fair or poor to the state court liability system in America compared to 57% in 2002.** Further, and perhaps more importantly, an **overwhelming 82% report that the litigation environment in a state could affect important business decisions** at their company, such as where to locate or do business compared to 78% who answered the same question in 2002. *[See Tables 1 and 2]*

Respondents were screened for their familiarity with states and those who were very or somewhat familiar with the litigation environment in a given state were asked to evaluate that state. It is important to remember that **within states there is often a great deal of variability -- from region to region, across courts, and across judges there may be areas of excellence and efficiency as well as problems – however respondents had to evaluate the state as a whole**. To explore the detailed nuances within states would have required extensive questioning for each state and was beyond the scope and purpose of this study. However, other studies have demonstrated this variability between states. For example, the Manhattan Institute has documented very high class action activity in certain county courts such as Madison County, Illinois and Jefferson County, Texas, revealing that these states are "magnet courts" and are hospitable to plaintiffs. Thus, it is possible that some states received a worse grade due to the negative reputation of one of its counties or jurisdictions.

Time constraints of the interview length limited the depth of material covered, however respondents were asked to give the state a grade ("A", "B", "C", "D" or "F") based on how well they felt they were doing in creating a fair and reasonable litigation environment in each of the following areas: tort and contract litigation, treatment of class action suits, punitive damages, timeliness of summary judgment/dismissal, discovery, scientific and technical evidence, judges' impartiality and competence, and juries' predictability and fairness.

Information collected on each state was then evaluated to create an **overall ranking of state liability systems**.[1] This evaluation shows that the **top five states today as evaluated by corporate America at doing the best job at creating a fair and reasonable litigation environment are: Delaware, Nebraska, Iowa, South Dakota, and Indiana whereas in 2002 Delaware, Virginia, Washington, Kansas, and Iowa were listed as the top 5. The worst perceived states today are: Mississippi, West Virginia, Alabama, Louisiana, and Texas, exactly the same as in 2002.** *[See Table 3]*

We also grouped the states by similarity in scores. Furthermore, we attached descriptive labels to these groupings ranging from "best" (Delaware) to "worst" (Mississippi). Not surprisingly, most states are perceived to be doing an "average" or a "fair" job (33 states). Only a few are thought to be doing a "good" job or better (6 states). The remaining 11 states are at the bottom. This way of grouping the states shows that there is room for improvement. [*See Tables 3A and 3B*]

States were also ranked by each of the key elements that they had been graded on.[2] While some states remained leaders across the elements, some states stood out as getting particularly high or low ratings on certain elements.

- In the area of **overall treatment of tort and contract litigation**, today the top five states are: Delaware, Iowa, Nebraska, North Dakota, and South Dakota. The worst perceived states today are: Mississippi, West Virginia, Alabama, Louisiana, and Texas. In 2002, the top five consisted of Delaware, Virginia, Nebraska, Washington, and Iowa. Today the worst perceived states are: Mississippi, West Virginia, Alabama, Louisiana, and Texas. In 2002, the worst five states were: Mississippi, West Virginia, Alabama, Louisiana, and Texas. *[See Table 6]*
- In the area of **treatment of class actions**, today the top five states are: Delaware, Nebraska, Iowa, Indiana, and South Dakota. The worst perceived states today are: West Virginia, Alabama, Louisiana, Texas, and California. In 2002, the top five consisted of Delaware, Washington, North Carolina, Nebraska, and Iowa. In 2002 the five worst perceived states were: West Virginia, Alabama, Louisiana, Oklahoma, and Texas. *[See Table 7]*
- In the area of **punitive damages**, today the top five states are: Delaware, Iowa, North Dakota, Virginia, and New Hampshire. The worst perceived states today are: Mississippi, West Virginia, Alabama, Texas, and California. In 2002, the top five states consisted of: Delaware, Kansas,

[1] The "Overall Ranking of State Liability Systems" table was calculated by creating an index using the scores given on each of the key elements. All of the key element items were highly correlated with one another and with overall performance. The differences in the relationship between each item and overall performance were trivial, so it was determined that each item should contribute equally to the index score. The index was created from the mean across the 10 items which was rescaled from 0 to 100 prior to averaging them together.

[2] "Ranking on Key Elements" tables, the grades given to each state were used to rank them by looking at the mean grade on that element. Ties between states with matching mean grades were ranked by looking at the percentage of "A" grades, etc.

Virginia, North Carolina, and South Dakota. The worst perceived states in 2002 were: Mississippi, West Virginia, Alabama, Texas, and California. *[See Table 8]*

- In the area of **timeliness of summary judgment/dismissal**, today the top five states are: Delaware, Iowa, South Dakota, Nebraska, and Utah. The worst perceived states are: Mississippi, West Virginia, Louisiana, Alabama, and Hawaii. In 2002, the top five states consisted of: Delaware, South Dakota, Virginia, Utah, and Iowa. The worst perceived states were: Mississippi, West Virginia, Louisiana, Alabama, and Kentucky. *[See Table 9]*
- In the area of **discovery**, today the top five states are: Delaware, Nebraska, Iowa, North Dakota, and Indiana. The worst perceived states today are: Mississippi, West Virginia, Louisiana, Alabama, and Hawaii. In 2002, the top five consisted of: Delaware, Virginia, Arizona, Washington, and South Dakota. The worst perceived states in 2002 were: West Virginia, Mississippi, Alabama, Louisiana, and Texas. *[See Table 10]*
- In the area of **scientific and technical evidence**, today the top five states are: Delaware, Minnesota, New York, Utah, and Virginia. The worst perceived states today are: Mississippi, West Virginia, Alabama, Louisiana, and Arkansas. In 2002, the top five states consisted of: Delaware, Virginia, Washington, New York, and Colorado. The worst perceived states were: Mississippi, West Virginia, Louisiana, Alabama, and Arkansas. *[See Table 11]*
- In the area of **judges' impartiality**, today the top five states are: Delaware, Nebraska, Iowa, Connecticut, and South Dakota. The worst perceived states today are: Mississippi, West Virginia, Alabama, Louisiana, and Texas. In 2002, the top five states consisted of: Delaware, Colorado, Washington, Iowa, and Wisconsin. The worst perceived states were: Mississippi, Louisiana, West Virginia, Alabama, and Texas. *[See Table 12]*
- In the area of **judges' competence**, today the top five states are: Delaware, Minnesota, Iowa, Nebraska, and Wisconsin. The worst perceived states today are: Mississippi, West Virginia, Louisiana, Alabama, and Texas. In 2002, the top five states were: Delaware, Washington, Virginia, Iowa, and Minnesota. In 2002, the worst perceived states were: Mississippi, Alabama, Louisiana, West Virginia, and Montana. *[See Table 13]*
- In the area of **juries' predictability**, today the top five states are: Nebraska, Iowa, North Dakota, Wisconsin, and Utah. The worst perceived states today are: Alabama, Mississippi, California, Louisiana, and West Virginia. In 2002, the top five states were: Delaware, Kansas, Nebraska, Wisconsin, and Minnesota. In 2002, the worst perceived states were: Mississippi, Alabama, California, West Virginia, and Montana. *[See Table 14]*

- Lastly, in the area of **juries' fairness**, today the top five states are: North Dakota, Iowa, Nebraska, Delaware, and South Dakota. The worst perceived states today are: Mississippi, West Virginia, Alabama, Louisiana, and Texas. In 2002, the top five states were: Delaware, Kansas, North Dakota, Utah, and Washington. The worst perceived states were: Mississippi, Alabama, West Virginia, Louisiana, and Texas. *[See Table 15]*

Beyond gathering state evaluations, the study also explored what these senior attorneys felt was the most important issue that state policy makers who care about economic development should focus on to improve the litigation environment in their state. The leading two issues named were putting a ceiling on damages (cited by 25% of respondents in 2003 compared to 4% of respondents in 2002) and tort reform (cited by 19% of respondents in 2003 compared to 18% of respondents in 2002). Other top issues cited by respondents were punitive damages (cited by 8% of respondents in 2003 compared to 17% in 2002), judicial competence (cited by 5% of respondents compared to 6% of respondents in 2002), limiting liability settlements (cited by 5% in 2003 compared to 1% in 2002), the specific issue of judicial appointment versus election (cited by 3% in 2003 compared to 5% in 2002), the limitation of class action suits (cited by 3% in 2003 compared to 4% in 2002), the issue of fairness and impartiality (cited by 3% in 2003 and 4% in 2002) and the elimination of unnecessary lawsuits (3% both today and in 2002). *[See Table 4]*

In summary, it seems that given the earlier noted finding on the potential influence of these perceptions on business decision-making, the impact of these perceptions on state economic development could be significant. While these findings only reflect the perceptions of in-house general counsel or other senior litigators from corporate America, and some states may have better litigation environments than they are perceived to have, W. I. Thomas once noted that, "Those things that are believed to be real are real in their consequences." The challenge for states may not only be what issues policy makers should focus on to improve their litigation environment, but also one of effective communication on these issues with corporate America.

DETAILED TABLES OF RESULTS

Table 1

Overall Rating of State Court Liability Systems in America

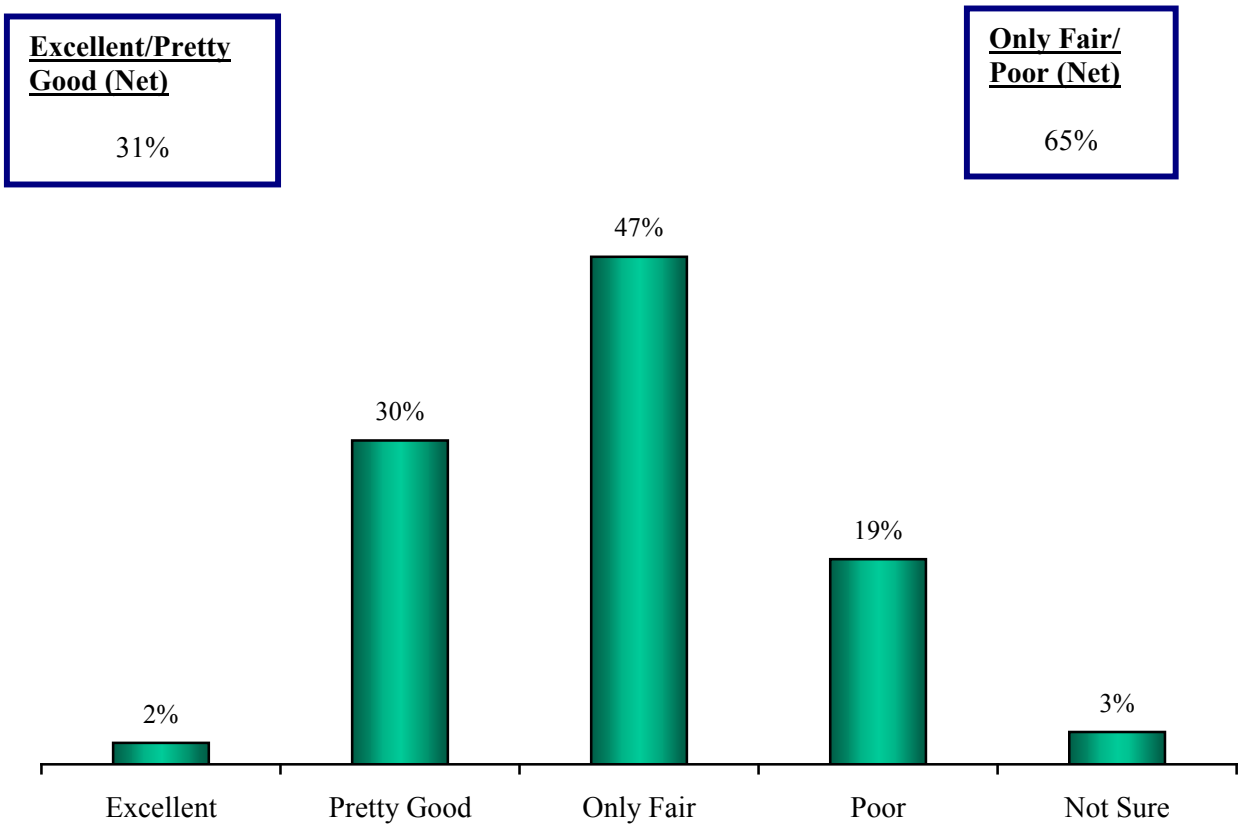

Table 2

Impact of Litigation Environment on Important Business Decisions Such as Where to Locate or do Business

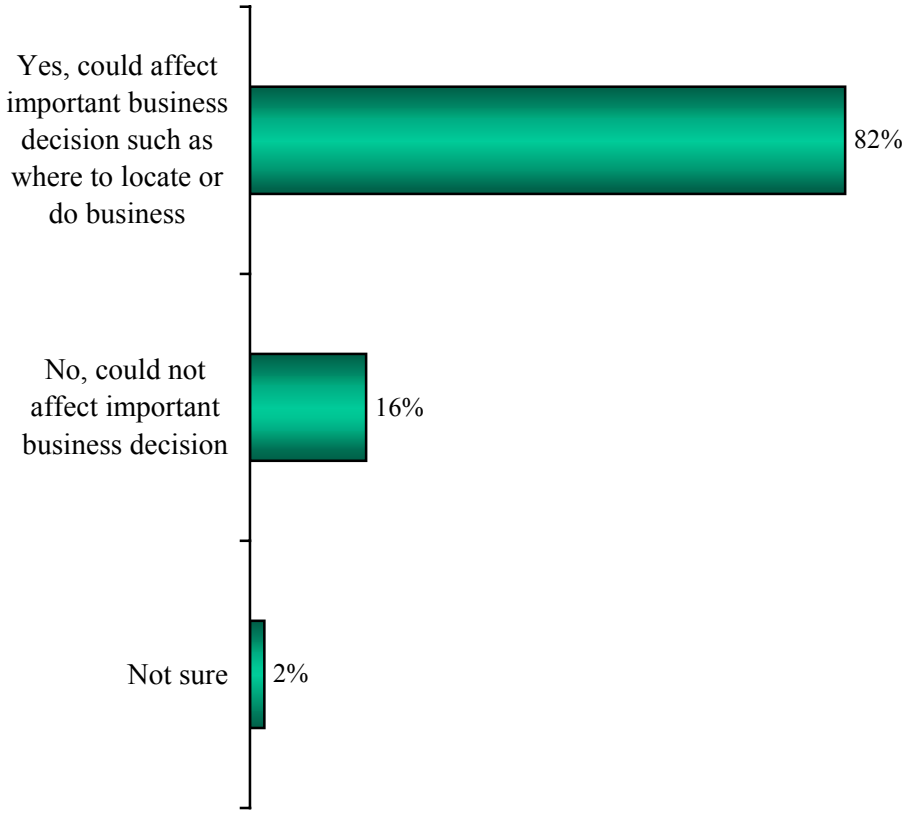

Table 3

Overall Ranking of State Liability Systems

STATE	2003 RANK	2003 SCORE	2002 RANK	2002 SCORE	STATE	2003 RANK	2003 SCORE	2002 RANK	2002 SCORE
Delaware	1	74.5	1	78.6	Tennessee	26	57.7	24	59.9
Nebraska	2	69.3	6	65.4	New York	27	57.2	27	58.9
Iowa	3	68.8	5	65.8	Montana	28	56.4	43	49.6
South Dakota	4	66.5	9	63.9	Michigan	29	56.3	28	58.2
Indiana	5	65.1	12	62.8	New Jersey	30	56.1	32	55.4
North Dakota	6	65.1	25	59.4	Pennsylvania	31	55.9	31	56.2
Utah	7	64.5	8	64.2	Alaska	32	55.8	37	53.8
Virginia	8	64.0	2	67.9	Missouri	33	55.4	29	56.8
Minnesota	9	63.5	19	61.0	Nevada	34	54.1	30	56.7
New Hampshire	10	63.2	17	61.9	Kentucky	35	54.0	38	53.5
Wisconsin	11	62.7	15	62.1	Oklahoma	36	53.92	41	51.2
Colorado	12	62.3	7	65.3	Rhode Island	37	53.2	35	55.0
Idaho	13	61.8	14	62.4	Illinois	38	53.1	34	55.1
Oregon	14	61.2	13	62.5	Georgia	39	52.7	23	59.9
Kansas	15	61.0	4	66.0	Florida	40	48.6	33	55.2
Maine	16	60.9	18	61.0	New Mexico	41	48.6	39	52.8
Connecticut	17	60.3	10	63.4	South Carolina	42	48.0	42	50.9
Arizona	18	59.7	11	63.2	Hawaii	43	47.8	40	52.0
Vermont	19	59.6	21	60.6	California	44	45.6	45	48.6
North Carolina	20	59.5	16	61.9	Arkansas	45	44.9	44	49.3
Washington	21	59.4	3	66.6	Texas	46	41.1	46	45.2
Massachusetts	22	59.1	36	54.0	Louisiana	47	37.3	47	41.3
Maryland	23	58.8	22	60.6	Alabama	48	31.6	48	37.8
Ohio	24	58.6	26	59.4	West Virginia	49	30.9	49	35.6
Wyoming	25	58.0	20	60.7	Mississippi	50	24.8	50	28.4

*Note: Scores displayed in this table have been rounded to one decimal point. However, when developing the ranking, scores were evaluated based on two decimal points.

Table 3A

Grouping of States By Overall Score - 2003

Best

Delaware

Very Good

Iowa
Nebraska

Good

Indiana
North Dakota
South Dakota

Average

Colorado
Idaho
Minnesota
New Hampshire
Oregon
Utah
Virginia
Wisconsin

Fair

Alaska
Arizona
Connecticut
Georgia
Illinois
Kentucky
Kansas
Maine
Maryland
Massachusetts
Michigan
Missouri
Montana
New Jersey
New York
Nevada
North Carolina
Ohio
Oklahoma
Pennsylvania
Rhode Island
Tennessee
Vermont
Washington
Wyoming

Poor

Alabama
Arkansas
California
Florida
Hawaii
Louisiana
New Mexico
South Carolina
Texas
West Virginia

Worst

Mississippi

Table 3B

Grouping of States By Overall Score - 2002

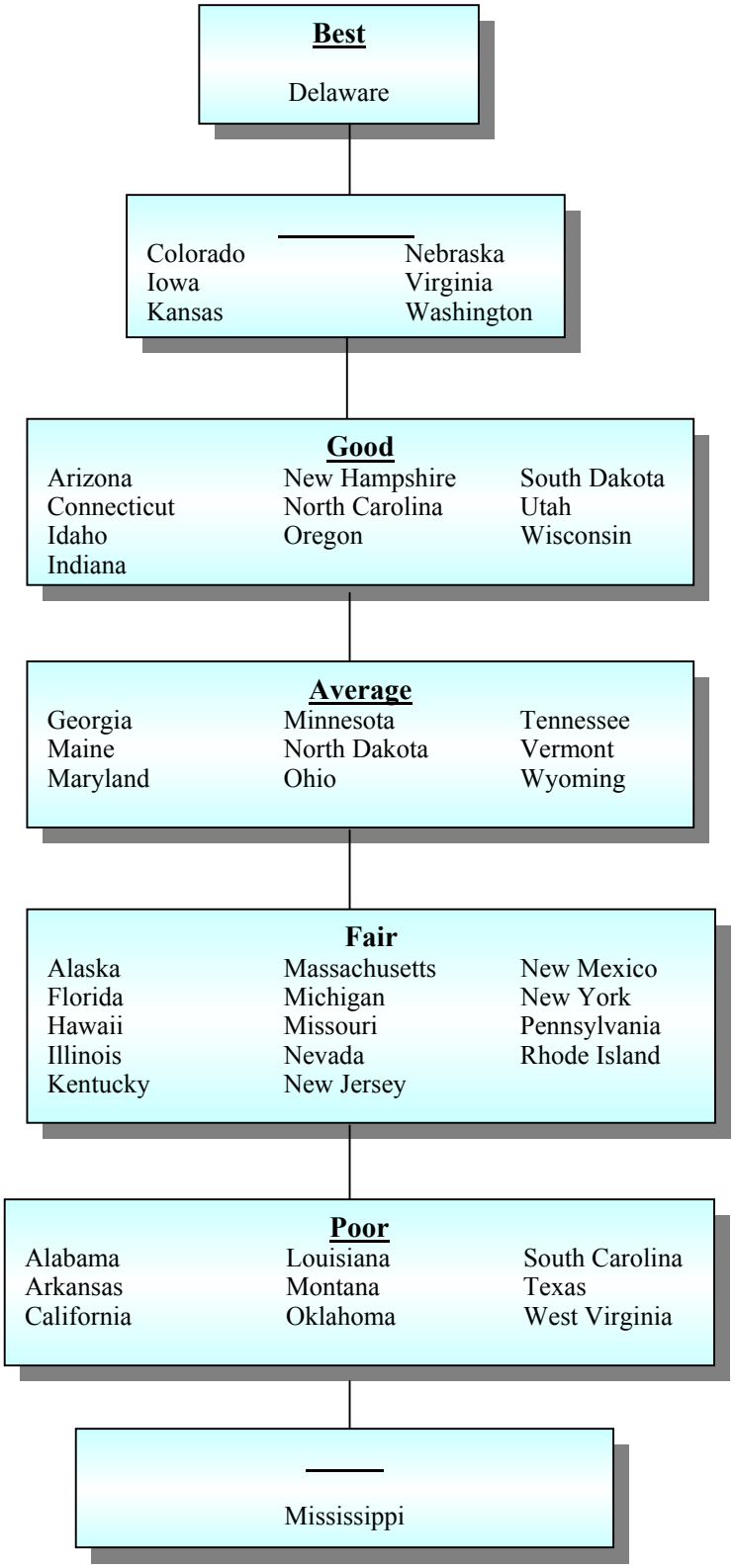

Table 4

Most Important Issues for State Policymakers Who Care About Economic Development to Focus on to Improve Litigation Environment

	Total
	%
Should have ceiling on damages	25
Tort Reform Issue	19
Punitive Damages	8
Judicial Competence	5
Limit Liability Settlements	5
Appointment vs. Election	3
Limitation of Class Action Suits	3
Fairness and Impartiality	3
Eliminate Unnecessary Lawsuits	3
Jury System Reform	3
Other Fee Issues	3
Speeding up the trial process	2
Selection of Judges	1
Timeliness of Decisions	1
State/Local Issues	1
Joint and Several Liability	1
Alternative Dispute Resolution	1
Limiting Attorney Fees	1
Predictability	1
Limits on discovery	1
Joint and several liability	1
Creation of business courts	1
Adequately funding the court system	1
Attorney fees should be paid for by the loser	NA
Product Liability Issues	NA
Higher pay for Judges	NA
Adopt Appropriate Legislation	NA
Environmental Regulations	NA
Other	8

Table 5

Summary of Top/Bottom 5 States By Key Elements

Treatment of Tort and Contract Litigation

BEST	WORST
Delaware	Mississippi
Iowa	West Virginia
Nebraska	Alabama
North Dakota	Louisiana
South Dakota	Texas

Treatment of Class Action Suits

BEST	WORST
Delaware	West Virginia
Nebraska	Alabama
Iowa	Louisiana
Indiana	Texas
South Dakota	California

Punitive Damages

BEST	WORST
Delaware	Mississippi
Iowa	West Virginia
North Dakota	Alabama
Virginia	Texas
New Hampshire	California

Timeliness of Summary Judgment/Dismissal

BEST	WORST
Delaware	Mississippi
Iowa	West Virginia
South Dakota	Louisiana
Nebraska	Alabama
Utah	Hawaii

Discovery

BEST	WORST
Delaware	Mississippi
Nebraska	West Virginia
Iowa	Alabama
North Dakota	Louisiana
Indiana	Arkansas

Table 5 (Cont'd)

Summary of Top/Bottom 5 States By Key Elements

Scientific and Technical Evidence

BEST	WORST
Delaware	Mississippi
Minnesota	West Virginia
New York	Alabama
Utah	Louisiana
Virginia	Arkansas

Judges' Impartiality

BEST	WORST
Delaware	Mississippi
Nebraska	West Virginia
Iowa	Alabama
Connecticut	Louisiana
South Dakota	Texas

Judge's Competence

BEST	WORST
Delaware	Mississippi
Minnesota	West Virginia
Iowa	Louisiana
Nebraska	Alabama
Wisconsin	Texas

Juries' Predictability

BEST	WORST
Nebraska	Alabama
Iowa	Mississippi
North Dakota	California
Wisconsin	Louisiana
Utah	West Virginia

Juries' Fairness

BEST	WORST
North Dakota	Mississippi
Iowa	West Virginia
Nebraska	Alabama
Delaware	Louisiana
South Dakota	Texas

STATE RANKINGS BY KEY ELEMENTS

Table 6

State Rankings for Overall Treatment of Tort and Contract Litigation

STATE	ELEMENT RANKING	STATE	ELEMENT RANKING
Delaware	**1**	Ohio	**26**
Iowa	**2**	Washington	**27**
Nebraska	**3**	Tennessee	**28**
North Dakota	**4**	Montana	**29**
South Dakota	**5**	New Jersey	**30**
Indiana	**6**	Missouri	**31**
Virginia	**7**	Michigan	**32**
New Hampshire	**8**	Pennsylvania	**33**
Wisconsin	**9**	Illinois	**34**
Minnesota	**10**	Oklahoma	**35**
Utah	**11**	Nevada	**36**
Colorado	**12**	Kentucky	**37**
Oregon	**13**	Rhode Island	**38**
Kansas	**14**	Georgia	**39**
Vermont	**15**	South Carolina	**40**
New York	**16**	New Mexico	**41**
Idaho	**17**	Florida	**42**
Connecticut	**18**	Hawaii	**43**
North Carolina	**19**	California	**44**
Maine	**20**	Arkansas	**48**
Massachusetts	**21**	Texas	**49**
Alaska	**22**	Louisiana	**50**
Wyoming	**23**	Alabama	**48**
Arizona	**24**	West Virginia	**49**
Maryland	**25**	Mississippi	**50**

Table 7

Treatment of Class Action Suits

STATE	ELEMENT RANKING	STATE	ELEMENT RANKING
Delaware	**1**	Connecticut	**25**
Nebraska	**2**	Washington	**26**
Iowa	**3**	Colorado	**27**
Indiana	**4**	Pennsylvania	**28**
South Dakota	**5**	Maine	**29**
Utah	**6**	Michigan	**30**
Wisconsin	**7**	Kentucky	**31**
Kansas	**8**	Illinois	**32**
Arizona	**9**	New Jersey	**33**
Minnesota	**10**	Maryland	**34**
New York	**11**	Oklahoma	**35**
Oregon	**12**	Georgia	**36**
Missouri	**13**	Hawaii	**37**
Vermont	**14**	Rhode Island	**38**
North Dakota	**15**	Nevada	**39**
Massachusetts	**16**	New Mexico	**40**
Tennessee	**17**	Florida	**41**
Ohio	**18**	Arkansas	**42**
Wyoming	**19**	South Carolina	**43**
Idaho	**20**	California	**44**
Montana	**21**	Texas	**45**
New Hampshire	**22**	Louisiana	**46**
North Carolina	**23**	Alabama	**47**
Alaska	**24**	West Virginia	**48**

* Virginia and Mississippi not included because they do not have class actions

Table 8

Punitive Damages

STATE	ELEMENT RANKING	STATE	ELEMENT RANKING
Delaware	**1**	Oregon	**26**
Iowa	**2**	Kentucky	**27**
North Dakota	**3**	Pennsylvania	**28**
Virginia	**4**	Rhode Island	**29**
New Hampshire	**5**	Oklahoma	**30**
Wisconsin	**6**	Alaska	**31**
Idaho	**7**	Georgia	**32**
Indiana	**8**	Missouri	**33**
South Dakota	**9**	New Mexico	**34**
Utah	**10**	Nevada	**35**
Michigan	**11**	Illinois	**36**
Colorado	**12**	Hawaii	**37**
Connecticut	**13**	Arkansas	**38**
Maryland	**14**	South Carolina	**39**
Kansas	**15**	Florida	**40**
Vermont	**16**	California	**41**
North Carolina	**17**	Texas	**42**
Minnesota	**18**	Alabama	**43**
Montana	**19**	West Virginia	**44**
Wyoming	**20**	Mississippi	**45**
Maine	**21**		
Tennessee	**22**		
Arizona	**23**		
Ohio	**24**		
New York	**25**		

*Louisiana, Massachusetts, Nebraska, New Jersey, and Washington not included because they do not allow punitive damages in general

Table 9

Timeliness of Summary Judgment/Dismissal

STATE	ELEMENT RANKING	STATE	ELEMENT RANKING
Delaware	**1**	Michigan	**26**
Iowa	**2**	Vermont	**27**
South Dakota	**3**	New Jersey	**28**
Nebraska	**4**	Georgia	**29**
Utah	**5**	Ohio	**30**
Virginia	**6**	Massachusetts	**31**
Indiana	**7**	Pennsylvania	**32**
Kansas	**8**	Connecticut	**33**
Minnesota	**9**	Alaska	**34**
Idaho	**10**	Rhode Island	**35**
North Dakota	**11**	Illinois	**36**
Oregon	**12**	South Carolina	**37**
Colorado	**13**	Oklahoma	**38**
New Hampshire	**14**	New York	**39**
Wisconsin	**15**	New Mexico	**40**
Arizona	**16**	Florida	**41**
Maine	**17**	Kentucky	**42**
Montana	**18**	Texas	**43**
North Carolina	**19**	Arkansas	**44**
Maryland	**20**	California	**45**
Nevada	**21**	Hawaii	**46**
Washington	**22**	Alabama	**47**
Missouri	**23**	Louisiana	**48**
Tennessee	**24**	West Virginia	**49**
Wyoming	**25**	Mississippi	**50**

Table 10

Discovery

STATE	ELEMENT RANKING	STATE	ELEMENT RANKING
Delaware	**1**	Washington	**26**
Nebraska	**2**	Pennsylvania	**27**
Iowa	**3**	Wyoming	**28**
North Dakota	**4**	Michigan	**29**
Indiana	**5**	Ohio	**30**
Minnesota	**6**	New Hampshire	**31**
South Dakota	**7**	New York	**32**
Vermont	**8**	Illinois	**33**
Utah	**9**	Nevada	**34**
Virginia	**10**	Oklahoma	**35**
Wisconsin	**11**	Missouri	**36**
Oregon	**12**	Georgia	**37**
Maine	**13**	New Jersey	**38**
Kansas	**14**	South Carolina	**39**
North Carolina	**15**	Florida	**40**
Arizona	**16**	Rhode Island	**41**
Alaska	**17**	New Mexico	**42**
Tennessee	**18**	Hawaii	**43**
Maryland	**19**	California	**44**
Colorado	**20**	Texas	**45**
Connecticut	**21**	Arkansas	**46**
Massachusetts	**22**	Louisiana	**47**
Kentucky	**23**	Alabama	**48**
Idaho	**24**	West Virginia	**49**
Montana	**25**	Mississippi	**50**

Table 11

Scientific and Technical Evidence

STATE	ELEMENT RANKING	STATE	ELEMENT RANKING
Delaware	**1**	Montana	**26**
Minnesota	**2**	Hawaii	**27**
New York	**3**	Idaho	**28**
Utah	**4**	North Carolina	**29**
Virginia	**5**	California	**30**
Washington	**6**	Missouri	**31**
North Dakota	**7**	Tennessee	**32**
Indiana	**8**	Vermont	**33**
Maryland	**9**	Rhode Island	**34**
Massachusetts	**10**	Wyoming	**35**
Iowa	**11**	Georgia	**36**
Pennsylvania	**12**	Maine	**37**
Arizona	**13**	Alaska	**38**
Wisconsin	**14**	Florida	**39**
Oregon	**15**	Nevada	**40**
Kansas	**16**	Kentucky	**41**
Colorado	**17**	Oklahoma	**42**
South Dakota	**18**	New Mexico	**43**
Illinois	**19**	South Carolina	**44**
New Jersey	**20**	Texas	**45**
Nebraska	**21**	Arkansas	**46**
Michigan	**22**	Louisiana	**47**
New Hampshire	**23**	Alabama	**48**
Connecticut	**24**	West Virginia	**49**
Ohio	**25**	Mississippi	**50**

Table 12

Judges' Impartiality

STATE	ELEMENT RANKING	STATE	ELEMENT RANKING
Delaware	**1**	Pennsylvania	**26**
Nebraska	**2**	Wyoming	**27**
Iowa	**3**	Ohio	**28**
Connecticut	**4**	Missouri	**29**
South Dakota	**5**	Tennessee	**30**
Minnesota	**6**	New Hampshire	**31**
North Dakota	**7**	Michigan	**32**
Indiana	**8**	Kentucky	**33**
Idaho	**9**	Montana	**34**
Utah	**10**	Nevada	**35**
Maryland	**11**	Oklahoma	**36**
Colorado	**12**	California	**37**
Oregon	**13**	Georgia	**38**
Wisconsin	**14**	Hawaii	**39**
Vermont	**15**	Florida	**40**
Virginia	**16**	Illinois	**41**
Maine	**17**	Rhode Island	**42**
Massachusetts	**18**	South Carolina	**43**
Washington	**19**	New Mexico	**44**
North Carolina	**20**	Arkansas	**45**
Arizona	**21**	Texas	**46**
New York	**22**	Louisiana	**47**
Alaska	**23**	Alabama	**48**
Kansas	**24**	West Virginia	**49**
New Jersey	**25**	Mississippi	**50**

Table 13

Judges' Competence

STATE	ELEMENT RANKING	STATE	ELEMENT RANKING
Delaware	**1**	New Jersey	**26**
Minnesota	**2**	Ohio	**27**
Iowa	**3**	Tennessee	**28**
Nebraska	**4**	Alaska	**29**
Wisconsin	**5**	Pennsylvania	**30**
Colorado	**6**	Missouri	**31**
Virginia	**7**	California	**32**
North Dakota	**8**	Michigan	**33**
Oregon	**9**	Rhode Island	**34**
Utah	**10**	Georgia	**35**
Washington	**11**	Hawaii	**36**
Massachusetts	**12**	Illinois	**37**
Connecticut	**13**	Montana	**38**
South Dakota	**14**	Nevada	**39**
New Hampshire	**15**	Kentucky	**40**
New York	**16**	Oklahoma	**41**
Indiana	**17**	Florida	**42**
Idaho	**18**	New Mexico	**43**
North Carolina	**19**	South Carolina	**44**
Kansas	**20**	Arkansas	**45**
Maine	**21**	Texas	**46**
Vermont	**22**	Alabama	**47**
Maryland	**23**	Louisiana	**48**
Arizona	**24**	West Virginia	**49**
Wyoming	**25**	Mississippi	**50**

Table 14

Juries' Predictability

STATE	ELEMENT RANKING	STATE	ELEMENT RANKING
Nebraska	**1**	Idaho	**26**
Iowa	**2**	Montana	**27**
North Dakota	**3**	Alaska	**28**
Wisconsin	**4**	Oklahoma	**29**
Utah	**5**	Arizona	**30**
Delaware	**6**	New Jersey	**31**
New Hampshire	**7**	Michigan	**32**
Indiana	**8**	New Mexico	**33**
South Dakota	**9**	Nevada	**34**
Connecticut	**10**	Wyoming	**35**
Minnesota	**11**	Illinois	**36**
Maine	**12**	Kentucky	**37**
Vermont	**13**	Georgia	**38**
Kansas	**14**	New York	**39**
Oregon	**15**	Rhode Island	**40**
Virginia	**16**	Arkansas	**41**
Colorado	**17**	Florida	**42**
Ohio	**18**	Hawaii	**43**
North Carolina	**19**	South Carolina	**44**
Pennsylvania	**20**	Texas	**45**
Massachusetts	**21**	West Virginia	**46**
Maryland	**22**	Louisiana	**47**
Missouri	**23**	California	**48**
Tennessee	**24**	Mississippi	**49**
Washington	**25**	Alabama	**50**

Table 15

Juries' Fairness

STATE	ELEMENT RANKING	STATE	ELEMENT RANKING
North Dakota	**1**	North Carolina	**26**
Iowa	**2**	Nevada	**27**
Nebraska	**3**	Alaska	**28**
Delaware	**4**	Oklahoma	**29**
South Dakota	**5**	Kentucky	**30**
New Hampshire	**6**	Pennsylvania	**31**
Minnesota	**7**	Maryland	**32**
Indiana	**8**	Michigan	**33**
Wisconsin	**9**	New Jersey	**34**
Vermont	**10**	Montana	**35**
Utah	**11**	New York	**36**
Maine	**12**	Illinois	**37**
Idaho	**13**	Missouri	**38**
Kansas	**14**	Hawaii	**39**
Virginia	**15**	Georgia	**40**
Colorado	**16**	New Mexico	**41**
Ohio	**17**	Florida	**42**
Wyoming	**18**	Arkansas	**43**
Oregon	**19**	California	**44**
Tennessee	**20**	South Carolina	**45**
Washington	**21**	Texas	**46**
Arizona	**22**	Louisiana	**47**
Connecticut	**23**	Alabama	**48**
Rhode Island	**24**	West Virginia	**49**
Massachusetts	**25**	Mississippi	**50**

INDIVIDUAL STATE RANKINGS

(IN ALPHABETICAL ORDER)

Table 16

Alabama

2003 Overall Ranking: 48

Ratings on Key Elements of State Liability Systems (n=97)

			"B"	"C"	"D"	"F"	Mean Grade	Ranking Within Element
Overall Treatment of Tort and Contract Litigation	%	1	9	18	43	28	**1.1**	**48**
Treatment of Class Action Suits	%	1	5	21	31	42	**0.9**	**47**
Punitive Damages	%	1	8	14	22	55	**0.8**	**43**
Timeliness of Summary Judgment/Dismissal	%	1	10	38	29	21	**1.4**	**47**
Discovery	%	1	13	45	29	12	**1.6**	**48**
Scientific and Technical Evidence	%	1	13	27	40	18	**1.4**	**48**
Judges' Impartiality	%	2	11	30	39	18	**1.4**	**48**
Judges' Competence	%	2	11	38	40	8	**1.6**	**47**
Juries' Predictability	%	4	5	32	26	33	**1.2**	**50**
Juries' Fairness	%	1	8	18	38	35	**1.0**	**48**
OVERALL STATE GRADE	**%**	**1**	**6**	**21**	**48**	**24**	**1.1**	

ADDITIONAL VOLUNTEERED ITEMS	MEAN GRADE
Supreme Court decisions (n=4)	3.3
Lawyer/Judge competency (n=2)	1.0
Jury Fairness (n=2)	1.0
Amount awarded for punitive damages (n=1)	1.0
Legislator (n=1)	1.0

Table 17

Alaska

2003 Overall Ranking: 32

Ratings on Key Elements of State Liability Systems (n=39)

		"A"	"B"	"C"	"D"	"F"	Mean Grade	Ranking Within Element
Overall Treatment of Tort and Contract Litigation	%	8	35	41	14	3	**2.3**	**22**
Treatment of Class Action Suits	%	11	16	58	11	5	**2.2**	**24**
Punitive Damages	%	12	15	35	31	8	**1.9**	**31**
Timeliness of Summary Judgment/Dismissal	%	6	23	42	23	6	**2.0**	**34**
Discovery	%	14	31	46	9	-	**2.5**	**17**
Scientific and Technical Evidence	%	13	25	38	21	4	**2.2**	**38**
Judges' Impartiality	%	22	33	28	17	-	**2.6**	**23**
Judges' Competence	%	11	33	50	6	-	**2.5**	**29**
Juries' Predictability	%	6	22	50	13	9	**2.0**	**28**
Juries' Fairness	%	13	23	35	26	3	**2.2**	**28**
OVERALL STATE GRADE	**%**	**5**	**31**	**51**	**13**	**-**	**2.3**	

ADDITIONAL VOLUNTEERED ITEMS	MEAN GRADE
Timeliness for trial (n=1)	4.0
Lawyer/Judge competency (n=1)	1.0
Local/State issues/location driven (n=1)	1.0
Tort reform legislation (n=1)	0.0
Appointment vs. elections (n=1)	0.0

Table 18

Arizona

2003 Overall Ranking: 18

Ratings on Key Elements of State Liability Systems (n=92)

		"A"	"B"	"C"	"D"	"F"	Mean Grade	Ranking Within Element
Overall Treatment of Tort and Contract Litigation	%	7	37	40	14	2	**2.3**	**24**
Treatment of Class Action Suits	%	15	21	46	15	4	**2.3**	**9**
Punitive Damages	%	5	30	38	19	8	**2.0**	**23**
Timeliness of Summary Judgment/Dismissal	%	12	27	46	14	1	**2.3**	**16**
Discovery	%	11	42	37	7	2	**2.5**	**16**
Scientific and Technical Evidence	%	12	40	38	9	2	**2.5**	**13**
Judges' Impartiality	%	14	49	28	9	1	**2.7**	**21**
Judges' Competence	%	6	52	34	8	-	**2.6**	**24**
Juries' Predictability	%	1	26	49	19	4	**2.0**	**30**
Juries' Fairness	%	6	36	43	13	3	**2.3**	**22**
OVERALL STATE GRADE	**%**	**4**	**37**	**49**	**9**	**1**	**2.3**	

ADDITIONAL VOLUNTEERED ITEMS	MEAN GRADE
Amount awarded for punitive damages (n=2)	0.5
Lawyer/Judge Competency (n=1)	2.0
Supreme Court decisions (n=1)	2.0
Statute Issues (n=1)	2.0
Tort Reform Legislation (n=1)	0.0

Table 19

Arkansas

2003 Overall Ranking: 45

Ratings on Key Elements of State Liability Systems (n=57)

		"A"	"B"	"C"	"D"	"F"	Mean Grade	Ranking Within Element
Overall Treatment of Tort and Contract Litigation	%	-	16	49	23	12	**1.7**	**45**
Treatment of Class Action Suits	%	2	19	31	24	24	**1.5**	**42**
Punitive Damages	%	-	18	39	24	18	**1.6**	**38**
Timeliness of Summary Judgment/Dismissal	%	4	14	40	30	12	**1.7**	**44**
Discovery	%	4	16	57	16	8	**1.9**	**46**
Scientific and Technical Evidence	%	-	15	49	26	10	**1.7**	**46**
Judges' Impartiality	%	6	26	37	24	7	**2.0**	**45**
Judges' Competence	%	2	27	45	21	5	**2.0**	**45**
Juries' Predictability	%	4	11	51	28	6	**1.8**	**41**
Juries' Fairness	%	-	14	53	22	12	**1.7**	**43**
OVERALL STATE GRADE	**%**	**-**	**19**	**47**	**23**	**11**	**1.8**	

ADDITIONAL VOLUNTEERED ITEMS	MEAN GRADE
Amount awarded for punitive damages (n=2)	0.5
Tort Reform Legislation (n=1)	0.0
Favor Plaintiffs (n=1)	-
Appointment vs. Elections (n=1)	-

Table 20

California

2003 Overall Ranking: 44

Ratings on Key Elements of State Liability Systems (n=100)

		"A"	"B"	"C"	"D"	"F"	Mean Grade	Ranking Within Element
Overall Treatment of Tort and Contract Litigation	%	2	14	44	29	10	**1.7**	**44**
Treatment of Class Action Suits	%	1	18	24	38	19	**1.4**	**44**
Punitive Damages	%	1	11	25	36	27	**1.2**	**41**
Timeliness of Summary Judgment/Dismissal	%	2	14	46	25	13	**1.7**	**45**
Discovery	%	2	30	40	25	3	**2.0**	**44**
Scientific and Technical Evidence	%	9	43	29	11	8	**2.3**	**30**
Judges' Impartiality	%	5	44	34	14	3	**2.3**	**37**
Judges' Competence	%	8	41	35	14	2	**2.4**	**32**
Juries' Predictability	%	1	6	40	41	13	**1.4**	**48**
Juries' Fairness	%	-	15	42	35	9	**1.6**	**44**
OVERALL STATE GRADE	**%**	**1**	**14**	**44**	**31**	**10**	**1.6**	

ADDITIONAL VOLUNTEERED ITEMS	MEAN GRADE
Legislator (n=5)	1.2
Political Influence/Interference (n=3)	1.0
Local/State issues/location driven (n=2)	2.0
Statute Issues (n=2)	1.0
Liability Reform (n=2)	0.5
Prejudice Issues (n=1)	2.0

Table 21

Colorado

2003 Overall Ranking: 12

Ratings on Key Elements of State Liability Systems (n=78)

		"A"	"B"	"C"	"D"	"F"	Mean Grade	Ranking Within Element
Overall Treatment of Tort and Contract Litigation	%	8	43	39	9	-	**2.5**	**12**
Treatment of Class Action Suits	%	6	25	48	19	2	**2.1**	**27**
Punitive Damages	%	10	26	46	15	3	**2.2**	**12**
Timeliness of Summary Judgment/Dismissal	%	8	36	42	14	-	**2.4**	**13**
Discovery	%	8	41	42	8	-	**2.5**	**20**
Scientific and Technical Evidence	%	9	41	40	10	-	**2.5**	**17**
Judges' Impartiality	%	14	51	35	-	-	**2.8**	**12**
Judges' Competence	%	15	55	28	1	-	**2.8**	**6**
Juries' Predictability	%	1	35	53	6	4	**2.2**	**17**
Juries' Fairness	%	3	46	43	6	1	**2.4**	**16**
OVERALL STATE GRADE	**%**	**5**	**45**	**47**	**3**	**-**	**2.5**	

ADDITIONAL VOLUNTEERED ITEMS	MEAN GRADE
Lawyer/Judge Competency (n=2)	2.5
Insurance doesn't pay out fairly (n=2)	2.0
Appointment vs. Election (n=1)	3.0
Local/State issues/location driven (n=1)	2.0
No Fault (n=1)	2.0

Table 22

Connecticut

2003 Overall Ranking: 17

Ratings on Key Elements of State Liability Systems (n=81)

		"A"	"B"	"C"	"D"	"F"	Mean Grade	Ranking Within Element
Overall Treatment of Tort and Contract Litigation	%	4	46	38	10	3	**2.4**	**18**
Treatment of Class Action Suits	%	2	39	37	15	7	**2.2**	**25**
Punitive Damages	%	3	41	38	10	7	**2.2**	**13**
Timeliness of Summary Judgment/Dismissal	%	3	29	38	24	6	**2.0**	**33**
Discovery	%	8	45	35	11	1	**2.5**	**21**
Scientific and Technical Evidence	%	3	47	41	8	2	**2.4**	**24**
Judges' Impartiality	%	19	57	20	3	1	**2.9**	**4**
Judges' Competence	%	12	59	20	5	3	**2.7**	**13**
Juries' Predictability	%	5	40	42	12	2	**2.3**	**10**
Juries' Fairness	%	3	41	38	16	3	**2.2**	**23**
OVERALL STATE GRADE	**%**	**1**	**51**	**40**	**7**	**1**	**2.4**	

ADDITIONAL VOLUNTEERED ITEMS	MEAN GRADE
Appellate Court Issues (n=1)	3.0
Legislator (n=1)	3.0
Quality of trial (n=1)	2.0
Lawyer/Judge Competency (n=1)	1.0
Timeliness for Trial (n=1)	1.0

Table 23

Delaware

2003 Overall Ranking: 1

Ratings on Key Elements of State Liability Systems (n=96)

		"A"	"B"	"C"	"D"	"F"	Mean Grade	Ranking Within Element
Overall Treatment of Tort and Contract Litigation	%	17	69	8	5	-	**3.0**	**1**
Treatment of Class Action Suits	%	16	61	18	5	-	**2.9**	**1**
Punitive Damages	%	9	67	18	6	-	**2.8**	**1**
Timeliness of Summary Judgment/Dismissal	%	16	66	14	4	-	**3.0**	**1**
Discovery	%	17	60	20	2	-	**2.9**	**1**
Scientific and Technical Evidence	%	24	66	7	3	-	**3.1**	**1**
Judges' Impartiality	%	43	49	7	1	-	**3.3**	**1**
Judges' Competence	%	43	52	4	1	-	**3.4**	**1**
Juries' Predictability	%	1	51	41	3	4	**2.4**	**6**
Juries' Fairness	%	6	68	25	1	-	**2.8**	**4**
OVERALL STATE GRADE	**%**	**17**	**72**	**11**	**-**	**-**	**3.1**	

ADDITIONAL VOLUNTEERED ITEMS	MEAN GRADE
Commercial Sophistication (n=3)	4.0
Quality of Trial (n=2)	4.0
Lawyer/Judge Competency (n=1)	4.0
Appellate Court Issues (n=1)	4.0
Business Disputes (n=1)	4.0

Table 24

Florida

2003 Overall Ranking: 40

Ratings on Key Elements of State Liability Systems (n=96)

		"A"	"B"	"C"	"D"	"F"	Mean Grade	Ranking Within Element
Overall Treatment of Tort and Contract Litigation	%	1	18	53	19	9	**1.8**	**42**
Treatment of Class Action Suits	%	-	14	41	31	14	**1.6**	**41**
Punitive Damages	%	-	14	32	36	18	**1.4**	**40**
Timeliness of Summary Judgment/Dismissal	%	2	16	48	27	6	**1.8**	**41**
Discovery	%	1	41	41	16	1	**2.3**	**40**
Scientific and Technical Evidence	%	3	32	52	9	4	**2.2**	**39**
Judges' Impartiality	%	6	40	34	14	7	**2.2**	**40**
Judges' Competence	%	2	38	40	17	2	**2.2**	**42**
Juries' Predictability	%	1	11	58	19	11	**1.7**	**42**
Juries' Fairness	%	1	10	57	22	10	**1.7**	**42**
OVERALL STATE GRADE	**%**	**-**	**19**	**58**	**18**	**5**	**1.9**	

ADDITIONAL VOLUNTEERED ITEMS	MEAN GRADE
Liability Reform (n=3)	0.3
Timeliness for Trial (n=2)	1.0
Tort Reform Legislation (n=2)	0.5
Lawyer/Judge Competency (n=1)	1.0
Political Influence/Interference (n=1)	1.0

Table 25

Georgia

2003 Overall Ranking: 39

Ratings on Key Elements of State Liability Systems (n=93)

		"A"	"B"	"C"	"D"	"F"	Mean Grade	Ranking Within Element
Overall Treatment of Tort and Contract Litigation	%	1	30	46	18	5	**2.0**	**39**
Treatment of Class Action Suits	%	2	32	42	8	15	**2.0**	**36**
Punitive Damages	%	4	24	42	15	14	**1.9**	**32**
Timeliness of Summary Judgment/Dismissal	%	3	29	48	15	5	**2.1**	**29**
Discovery	%	3	43	39	11	3	**2.3**	**37**
Scientific and Technical Evidence	%	2	34	53	8	3	**2.2**	**36**
Judges' Impartiality	%	6	40	38	15	2	**2.3**	**38**
Judges' Competence	%	4	37	47	10	1	**2.3**	**35**
Juries' Predictability	%	-	28	42	23	7	**1.9**	**38**
Juries' Fairness	%	-	27	44	23	6	**1.9**	**40**
OVERALL STATE GRADE	**%**	**-**	**30**	**54**	**11**	**5**	**2.1**	

ADDITIONAL VOLUNTEERED ITEMS	MEAN GRADE
Lawyer/Judge Competency (n=3)	1.7
Favor Plaintiffs (n=1)	1.0
Business Disputes (n=1)	0.0
Tort Reform Litigation (n=1)	0.0
Amount awarded for punitive damages (n=1)	-

Table 26

Hawaii

2003 Overall Ranking: 43

Ratings on Key Elements of State Liability Systems (n=37)

		"A"	"B"	"C"	"D"	"F"	Mean Grade	Ranking Within Element
Overall Treatment of Tort and Contract Litigation	%	3	14	43	35	5	**1.7**	**43**
Treatment of Class Action Suits	%	-	23	59	9	9	**2.0**	**37**
Punitive Damages	%	-	17	33	43	7	**1.6**	**37**
Timeliness of Summary Judgment/Dismissal	%	3	13	47	20	17	**1.7**	**46**
Discovery	%	6	23	48	23	-	**2.1**	**43**
Scientific and Technical Evidence	%	4	39	43	13	-	**2.3**	**27**
Judges' Impartiality	%	3	34	53	6	3	**2.3**	**39**
Judges' Competence	%	-	35	61	3	-	**2.3**	**36**
Juries' Predictability	%	3	17	41	21	17	**1.7**	**43**
Juries' Fairness	%	3	23	45	23	6	**1.9**	**39**
OVERALL STATE GRADE	**%**	**-**	**30**	**51**	**19**	**-**	**2.1**	

ADDITIONAL VOLUNTEERED ITEMS	MEAN GRADE
Timeliness for Trial (n=1)	2.0
Alternative Dispute Resolution (n=1)	2.0
Amount awarded for punitive damages (n=1)	1.0

Table 27

Idaho

2003 Overall Ranking: 13

Ratings on Key Elements of State Liability Systems (n=37)

		"A"	"B"	"C"	"D"	"F"	Mean Grade	Ranking Within Element
Overall Treatment of Tort and Contract Litigation	%	5	43	41	8	3	**2.4**	**17**
Treatment of Class Action Suits	%	6	19	69	-	6	**2.2**	**20**
Punitive Damages	%	13	37	40	3	7	**2.5**	**7**
Timeliness of Summary Judgment/Dismissal	%	4	41	48	7	-	**2.4**	**10**
Discovery	%	3	45	48	-	3	**2.5**	**24**
Scientific and Technical Evidence	%	12	31	42	12	4	**2.3**	**28**
Judges' Impartiality	%	24	48	18	3	6	**2.8**	**9**
Judges' Competence	%	6	59	29	6	-	**2.6**	**18**
Juries' Predictability	%	6	26	42	19	6	**2.1**	**26**
Juries' Fairness	%	3	48	45	-	3	**2.5**	**13**
OVERALL STATE GRADE	**%**	**5**	**46**	**43**	**3**	**3**	**2.5**	

ADDITIONAL VOLUNTEERED ITEMS	MEAN GRADE
Insurance doesn't pay out fairly (n=1)	1.0

Table 28

Illinois

2003 Overall Ranking: 38

Ratings on Key Elements of State Liability Systems (n=97)

		"A"	"B"	"C"	"D"	"F"	Mean Grade	Ranking Within Element
Overall Treatment of Tort and Contract Litigation	%	3	33	43	19	2	**2.2**	**34**
Treatment of Class Action Suits	%	5	28	45	14	9	**2.1**	**32**
Punitive Damages	%	1	13	45	32	8	**1.7**	**36**
Timeliness of Summary Judgment/Dismissal	%	3	27	41	21	8	**2.0**	**36**
Discovery	%	4	42	42	9	3	**2.4**	**33**
Scientific and Technical Evidence	%	7	40	47	3	3	**2.5**	**19**
Judges' Impartiality	%	5	35	40	16	3	**2.2**	**41**
Judges' Competence	%	6	33	47	13	1	**2.3**	**37**
Juries' Predictability	%	1	22	56	11	10	**1.9**	**36**
Juries' Fairness	%	-	27	50	15	7	**2.0**	**37**
OVERALL STATE GRADE	**%**	**1**	**28**	**53**	**15**	**3**	**2.1**	

ADDITIONAL VOLUNTEERED ITEMS	MEAN GRADE
Timeliness for Trial (n=4)	2.3
Amount awarded for punitive damages (n=3)	1.3
Local/State issues/location driven (n=2)	0.5
Lawyer/Judge Competency (n=1)	3.0
Insurance doesn't pay out fairly (n=1)	3.0

Table 29

Indiana

2003 Overall Ranking: 5

Ratings on Key Elements of State Liability Systems (n=86)

		"A"	"B"	"C"	"D"	"F"	Mean Grade	Ranking Within Element
Overall Treatment of Tort and Contract Litigation	%	10	51	36	4	-	**2.7**	**6**
Treatment of Class Action Suits	%	10	42	37	10	2	**2.5**	**4**
Punitive Damages	%	10	46	28	12	4	**2.5**	**8**
Timeliness of Summary Judgment/Dismissal	%	8	46	37	7	3	**2.5**	**7**
Discovery	%	10	56	32	2	-	**2.7**	**5**
Scientific and Technical Evidence	%	3	61	28	7	2	**2.6**	**8**
Judges' Impartiality	%	15	64	15	5	1	**2.9**	**8**
Judges' Competence	%	9	57	29	4	1	**2.7**	**17**
Juries' Predictability	%	3	44	40	11	1	**2.4**	**8**
Juries' Fairness	%	3	63	28	4	1	**2.6**	**8**
OVERALL STATE GRADE	**%**	**3**	**58**	**34**	**5**	**-**	**2.6**	

ADDITIONAL VOLUNTEERED ITEMS	MEAN GRADE
Liability Reform (n=2)	4.0
Tort Reform Legislation (n=2)	3.5
Timeliness for Trial (n=1)	2.0
Use of Mediation (n=1)	2.0
Local/State issues/location driven (n=1)	1.0

Table 30

Iowa

2003 Overall Ranking: 3

Ratings on Key Elements of State Liability Systems (n=61)

		"A"	"B"	"C"	"D"	"F"	Mean Grade	Ranking Within Element
Overall Treatment of Tort and Contract Litigation	%	10	67	21	2	-	**2.9**	**2**
Treatment of Class Action Suits	%	6	43	49	-	3	**2.5**	**3**
Punitive Damages	%	20	50	18	8	4	**2.7**	**2**
Timeliness of Summary Judgment/Dismissal	%	9	59	31	2	-	**2.7**	**2**
Discovery	%	5	70	23	-	2	**2.8**	**3**
Scientific and Technical Evidence	%	4	50	43	2	-	**2.6**	**11**
Judges' Impartiality	%	22	65	10	3	-	**3.0**	**3**
Judges' Competence	%	12	62	26	-	-	**2.9**	**3**
Juries' Predictability	%	4	54	36	5	2	**2.5**	**2**
Juries' Fairness	%	14	60	23	4	-	**2.8**	**2**
OVERALL STATE GRADE	**%**	**8**	**66**	**26**	**-**	**-**	**2.8**	

ADDITIONAL VOLUNTEERED ITEMS	MEAN GRADE
Appointment vs. Elections (n=1)	4.0
Commercial Sophistication (n=1)	3.0
Timeliness for Trial (n=1)	3.0
Statute Issues (n=1)	1.0
Amount awarded for punitive damages (n=1)	0.0

Table 31

Kansas

2003 Overall Ranking: 15

Ratings on Key Elements of State Liability Systems (n=53)

		"A"	"B"	"C"	"D"	"F"	Mean Grade	Ranking Within Element
Overall Treatment of Tort and Contract Litigation	%	10	39	35	16	-	**2.4**	**14**
Treatment of Class Action Suits	%	8	31	50	12	-	**2.3**	**8**
Punitive Damages	%	5	32	49	7	7	**2.2**	**15**
Timeliness of Summary Judgment/Dismissal	%	9	38	43	11	-	**2.4**	**8**
Discovery	%	9	45	40	4	2	**2.5**	**14**
Scientific and Technical Evidence	%	11	40	34	14	-	**2.5**	**16**
Judges' Impartiality	%	13	47	30	6	4	**2.6**	**24**
Judges' Competence	%	9	53	30	8	-	**2.6**	**20**
Juries' Predictability	%	4	38	40	17	2	**2.3**	**14**
Juries' Fairness	%	6	46	38	8	2	**2.5**	**14**
OVERALL STATE GRADE	**%**	**6**	**43**	**42**	**8**	**2**	**2.4**	

ADDITIONAL VOLUNTEERED ITEMS	MEAN GRADE
Timeliness for Trial (n=2)	3.0
Liability Reform (n=1)	4.0
Amount awarded for punitive damages (n=1)	3.0
Appointment vs. Elections (n=1)	1.0
Lawyer/Judge Competency (n=1)	0.0

Table 32

Kentucky

2003 Overall Ranking: 35

Ratings on Key Elements of State Liability Systems (n=73)

		"A"	"B"	"C"	"D"	"F"	Mean Grade	Ranking Within Element
Overall Treatment of Tort and Contract Litigation	%	5	26	48	19	1	**2.2**	**37**
Treatment of Class Action Suits	%	10	20	44	24	2	**2.1**	**31**
Punitive Damages	%	4	30	34	25	8	**2.0**	**27**
Timeliness of Summary Judgment/Dismissal	%	3	24	36	21	16	**1.8**	**42**
Discovery	%	4	51	31	13	-	**2.5**	**23**
Scientific and Technical Evidence	%	8	27	38	27	-	**2.2**	**41**
Judges' Impartiality	%	13	34	40	12	1	**2.5**	**33**
Judges' Competence	%	7	33	41	16	3	**2.3**	**40**
Juries' Predictability	%	3	21	48	19	8	**1.9**	**37**
Juries' Fairness	%	7	28	43	16	7	**2.1**	**30**
OVERALL STATE GRADE	**%**	**5**	**27**	**51**	**15**	**1**	**2.2**	

ADDITIONAL VOLUNTEERED ITEMS	MEAN GRADE
Lawyer/Judge Competency (n=2)	2.0
Amount awarded for punitive damages (n=2)	0.5
Statutes of Repose Issues (n=1)	4.0
Liability Reform (n=1)	0.0
Appointment vs. Elections (n=1)	0.0

Table 33

Louisiana

2003 Overall Ranking: 47

Ratings on Key Elements of State Liability Systems (n=98)

		"A"	"B"	"C"	"D"	"F"	Mean	Ranking Within Element
Overall Treatment of Tort and Contract Litigation	%	1	16	28	37	18	**1.4**	**47**
Treatment of Class Action Suits	%	1	7	27	34	30	**1.2**	**46**
Punitive Damages	%	Louisiana does not allow punitive damages in general						
Timeliness of Summary Judgment/Dismissal	%	5	10	28	37	21	**1.4**	**48**
Discovery	%	4	17	44	22	12	**1.8**	**47**
Scientific and Technical Evidence	%	3	13	33	36	15	**1.5**	**47**
Judges' Impartiality	%	1	15	35	28	21	**1.5**	**47**
Judges' Competence	%	1	14	42	29	14	**1.6**	**48**
Juries' Predictability	%	3	11	31	35	20	**1.4**	**47**
Juries' Fairness	%	1	12	28	37	22	**1.3**	**47**
OVERALL STATE GRADE	**%**	**1**	**10**	**37**	**37**	**15**	**1.4**	

ADDITIONAL VOLUNTEERED ITEMS	MEAN GRADE
Amount awarded for punitive damages (n=2)	4.0
Legislator (n=2)	2.0
Local/State issues/location driven (n=2)	0.5
Lawyer/Judge Competency (n=1)	4.0
Favor Plaintiffs (n=1)	1.0

Table 34

Maine

2003 Overall Ranking: 16

Ratings on Key Elements of State Liability Systems (n=39)

		"A"	"B"	"C"	"D"	"F"	Mean Grade	Ranking Within Element
Overall Treatment of Tort and Contract Litigation	%	3	50	29	18	-	**2.4**	**20**
Treatment of Class Action Suits	%	4	30	43	17	4	**2.1**	**29**
Punitive Damages	%	3	33	43	13	7	**2.1**	**21**
Timeliness of Summary Judgment/Dismissal	%	-	41	50	9	-	**2.3**	**17**
Discovery	%	3	51	43	3	-	**2.5**	**13**
Scientific and Technical Evidence	%	-	39	48	10	3	**2.2**	**37**
Judges' Impartiality	%	6	61	33	-	-	**2.7**	**17**
Judges' Competence	%	6	54	37	3	-	**2.6**	**21**
Juries' Predictability	%	-	42	45	13	-	**2.3**	**12**
Juries' Fairness	%	6	42	45	6	-	**2.5**	**12**
OVERALL STATE GRADE	**%**	**-**	**51**	**33**	**15**	**-**	**2.4**	

ADDITIONAL VOLUNTEERED ITEMS	MEAN GRADE
Legislator (n=1)	3.0
Joint and Several Liability Rules (n=1)	1.0
Comparative Negligence (n=1)	1.0

Table 35

Maryland

2003 Overall Ranking: 23

Ratings on Key Elements of State Liability Systems (n=76)

		"A"	"B"	"C"	"D"	"F"	Mean Grade	Ranking Within Element
Overall Treatment of Tort and Contract Litigation	%	5	38	42	12	3	**2.3**	**25**
Treatment of Class Action Suits	%	2	27	48	16	7	**2.0**	**34**
Punitive Damages	%	10	30	43	8	10	**2.2**	**14**
Timeliness of Summary Judgment/Dismissal	%	5	34	40	21	-	**2.2**	**20**
Discovery	%	3	56	31	9	1	**2.5**	**19**
Scientific and Technical Evidence	%	5	52	38	5	-	**2.6**	**9**
Judges' Impartiality	%	15	57	21	6	1	**2.8**	**11**
Judges' Competence	%	3	62	30	4	1	**2.6**	**23**
Juries' Predictability	%	-	32	52	8	8	**2.1**	**22**
Juries' Fairness	%	3	28	50	13	6	**2.1**	**32**
OVERALL STATE GRADE	**%**	**3**	**50**	**41**	**5**	**1**	**2.5**	

ADDITIONAL VOLUNTEERED ITEMS	MEAN GRADE
Amount awarded for punitive damages (n=3)	3.0
Comparative Negligence (n=2)	4.0
Appointment vs. Elections (n=2)	1.0
Use of Mediation (n=1)	3.0
Local State issues/location driven (n=1)	2.0

Table 36

Massachusetts

2003 Overall Ranking: 22

Ratings on Key Elements of State Liability Systems (n=93)

		"A"	"B"	"C"	"D"	"F"	Mean Grade	Ranking Within Element
Overall Treatment of Tort and Contract Litigation	%	4	40	44	10	2	**2.3**	**21**
Treatment of Class Action Suits	%	2	36	49	9	4	**2.2**	**16**
Punitive Damages	%	Massachusetts does not allow punitive damages in general						
Timeliness of Summary Judgment/Dismissal	%	3	32	38	19	8	**2.0**	**31**
Discovery	%	5	45	44	5	1	**2.5**	**22**
Scientific and Technical Evidence	%	9	48	37	3	3	**2.6**	**10**
Judges' Impartiality	%	11	54	28	6	1	**2.7**	**18**
Judges' Competence	%	12	53	30	4	-	**2.7**	**12**
Juries' Predictability	%	1	29	54	8	7	**2.1**	**21**
Juries' Fairness	%	6	38	36	15	6	**2.2**	**25**
OVERALL STATE GRADE	**%**	**1**	**49**	**38**	**12**	**-**	**2.4**	

ADDITIONAL VOLUNTEERED ITEMS	MEAN GRADE
Lawyer/Judge Competency (n=3)	2.7
Legislator (n=3)	2.0
Timeliness for Trial (n=3)	1.3
Quality of Trial (n=2)	2.0
Liability Reform (n=1)	0.0

Table 37

Michigan

2003 Overall Ranking: 29

Ratings on Key Elements of State Liability Systems (n=97)

		"A"	"B"	"C"	"D"	"F"	Mean Grade	Ranking Within Element
Overall Treatment of Tort and Contract Litigation	%	2	34	50	8	5	**2.2**	**32**
Treatment of Class Action Suits	%	5	26	48	16	5	**2.1**	**30**
Punitive Damages	%	11	23	51	12	3	**2.3**	**11**
Timeliness of Summary Judgment/Dismissal	%	3	30	48	14	5	**2.1**	**26**
Discovery	%	5	39	47	7	1	**2.4**	**29**
Scientific and Technical Evidence	%	1	54	34	10	1	**2.4**	**22**
Judges' Impartiality	%	6	49	35		4	**2.5**	
Judges' Competence	%	7	40	40	8	4	**2.4**	**33**
Juries' Predictability	%	-	31	42	21	6	**2.0**	**32**
Juries' Fairness	%	1	26	56	12	6	**2.0**	**33**
OVERALL STATE GRADE	**%**	**3**	**34**	**51**	**8**	**4**		

ADDITIONAL VOLUNTEERED ITEMS	MEAN GRADE
Local/State issue/location driven (n=3)	1.7
No Fault (n=2)	2.5
Lawyer/Judge Competency (n=2)	2.0
Timeliness for Trial (n=2)	2.0
Use of Mediation (n=2)	2.0

Table 38

Minnesota

2003 Overall Ranking: 9

Ratings on Key Elements of State Liability Systems (n=85)

		"A"	"B"	"C"	"D"	"F"	Grade	Ranking Within Element
Overall Treatment of Tort and Contract Litigation	%	8	42	42		-	**2.5**	**10**
Treatment of Class Action Suits	%	5	37	40	17	2	**2.3**	**10**
Punitive Damages	%	1	34	49	10	6	**2.2**	**18**
Timeliness of Summary Judgment/Dismissal	%	7	42	38	12	1	**2.4**	**9**
Discovery	%	9	55	32	4	-		**6**
Scientific and Technical Evidence	%	6	64	28	3	-	**2.7**	**2**
Judges' Impartiality	%	22	56	12	9	1	**2.9**	**6**
Judges' Competence	%	14	66	15	5	-	**2.9**	**2**
Juries' Predictability	%	3	41	43	11	3	**2.3**	**11**
Juries' Fairness	%	8	57	27	7	1	**2.6**	**7**
OVERALL STATE GRADE	**%**	**8**	**48**	**35**	**8**	**-**	**2.6**	

ADDITIONAL VOLUNTEERED ITEMS	MEAN GRADE
Timeliness for Trial (n=2)	3.0
Quality of Trial (n=2)	2.5
Lawyer/Judge Competency (n=2)	2.0
Local/State issue/location driven (n=1)	3.0
Amount awarded for punitive damages (n=1)	3.0

Table 39

Mississippi

2003 Overall Ranking: 50

Ratings on Key Elements of State Liability Systems (n=99)

		"A"	"B"	"C"	"D"	"F"	Mean Grade	Ranking Within Element
Overall Treatment of Tort and Contract Litigation	%	-	5	15	30	49	**0.8**	**50**
Treatment of Class Action Suits	%	Mississippi does not have class actions						
Punitive Damages	%	-		8	22	67	**0.5**	**45**
Timeliness of Summary Judgment/Dismissal	%	-	8	28	35	29	**1.1**	**50**
Discovery	%	-	13		21	29	**1.3**	**50**
Scientific and Technical Evidence	%	-	9	26	28	37	**1.1**	**50**
Judges' Impartiality	%		9	27	34	29		**50**
Judges' Competence	%	-	11	30	38	21	**1.3**	**50**
Juries' Predictability		4	11		26		**1.3**	**49**
Juries' Fairness	%	-	-	20	28	52	**0.7**	**50**
OVERALL STATE GRADE	**%**	**-**	**1**	**26**	**27**	**45**	**0.8**	

ADDITIONAL VOLUNTEERED ITEMS	MEAN GRADE
Local/State issues/location driven (n=4)	0.5
Appointment vs. Elections (n=4)	0.3
Lawyer/Judge Competency (n=3)	1.3
Amount awarded for punitive damages (n=2)	0.5
Prejudice issues (n=2)	0.0

Table 40

Missouri

2003 Overall Ranking: 33

Ratings on Key Elements of State Liability Systems (n=89)

		"A"	"B"	"C"	"D"	"F"	Mean Grade	Ranking Within Element
Overall Treatment of Tort and Contract Litigation	%	2	38	42	15	3	**2.2**	**31**
Treatment of Class Action Suits	%	7	34	39	14	5	**2.2**	**13**
Punitive Damages	%	4	30	30	21	14	**1.9**	**33**
Timeliness of Summary Judgment/Dismissal	%	5	37	37	18	4	**2.2**	**23**
Discovery	%	5	35		9	1	**2.3**	**36**
Scientific and Technical Evidence	%	6	38	44	7	6	**2.3**	**31**
Judges' Impartiality	%		47	28		5	**2.5**	**29**
Judges' Competence	%	7	51	28	11	3	**2.5**	**31**
Juries' Predictability	%		29	39	22	5		**23**
Juries' Fairness	%	4	30	34	25	8	**2.0**	**38**
OVERALL STATE GRADE	**%**	**2**	**33**	**48**	**11**	**6**	**2.1**	

ADDITIONAL VOLUNTEERED ITEMS	MEAN GRADE
Venue Selection (n=4)	0.5
Timeliness for Trial (n=2)	3.5
Amount awarded for punitive damages (n=2)	3.5
Lawyer/Judge Competency (n=2)	2.0
Tort Reform Legislation (n=2)	1.0

Table 41

Montana

2003 Overall Ranking: 28

Ratings on Key Elements of State Liability Systems (n=40)

		"A"	"B"	"C"	"D"	"F"	Mean Grade	Ranking Within Element
Overall Treatment of Tort and Contract Litigation	%	11	26	39	21	3	**2.2**	**29**
Treatment of Class Action Suits	%	12	24	41	18	6	**2.2**	**21**
Punitive Damages	%	7	32	36	18	7	**2.1**	**19**
Timeliness of Summary Judgment/Dismissal	%	11	32	32	25	-	**2.3**	**18**
Discovery	%	7	38	48	7	-	**2.4**	
Scientific and Technical Evidence	%	9	39	35	17	-	**2.4**	**26**
Judges' Impartiality	%	11	40	34		6	**2.4**	**34**
Judges' Competence	%	-	47	36	14	3	**2.3**	**38**
Juries' Predictability	%	12	12	47		-	**2.1**	**27**
Juries' Fairness	%	-	30	45	21	3	**2.0**	**35**
OVERALL STATE GRADE	**%**	**3**	**48**	**28**	**23**	**-**	**2.3**	

ADDITIONAL VOLUNTEERED ITEMS	MEAN GRADE
Insurance doesn't pay out fairly (n=1)	1.0
Favor Plaintiffs (n=1)	1.0

Table 42

Nebraska

2003 Overall Ranking: 2

Ratings on Key Elements of State Liability Systems (n=44)

		"A"	"B"		"D"	"F"	Mean Grade	Ranking Within Element
Overall Treatment of Tort and Contract Litigation	%		65	23	2	-	**2.8**	**3**
Treatment of Class Action Suits	%	-	67	33	-	-	**2.7**	**2**
Punitive Damages	%							
Timeliness of Summary Judgment/Dismissal	%	5	59	29	5	2	**2.6**	**4**
Discovery	%	10	70	18	3	-	**2.9**	**2**
Scientific and Technical Evidence	%	3	42	52	3	-	**2.5**	**21**
Judges' Impartiality	%	24	63	12	-	-	**3.1**	**2**
Judges' Competence	%	10	68	20	2	-	**2.9**	**4**
Juries' Predictability	%	11	44	44	-	-	**2.7**	**1**
Juries' Fairness	%	8	61	31	-	-	**2.8**	**3**
OVERALL STATE GRADE	**%**	**5**	**73**	**23**	**-**	**-**	**2.8**	

ADDITIONAL VOLUNTEERED ITEMS	MEAN GRADE
Availability of Sanctions (n=2)	3.5
Amount awarded for punitive damages (n=1)	4.0
Statute Issues (n=1)	3.0
Quality of Trial (n=1)	1.0
Insurance doesn't pay out fairly (n=1)	0.0

Table 43

Nevada

2003 Overall Ranking: 34

Ratings on Key Elements of State Liability Systems (n=66)

		"A"	"B"	"C"	"D"	"F"	Mean Grade	Ranking Within Element
Overall Treatment of Tort and Contract Litigation	%	2	36	47	8	8	**2.2**	**36**
Treatment of Class Action Suits	%	3	11	56	19	11	**1.8**	**39**
Punitive Damages	%	2	12	53	20	14	**1.7**	**35**
Timeliness of Summary Judgment/Dismissal	%	6	28	56	6	6	**2.2**	**21**
Discovery	%	5	40	43	8	3	**2.3**	**34**
Scientific and Technical Evidence	%	2	30	52	13	2	**2.2**	**40**
Judges' Impartiality	%	8	43	33	11	5	**2.4**	**35**
Judges' Competence	%	2	48	31	15	5	**2.3**	**39**
Juries' Predictability	%	-	25	50	19	6	**1.9**	**34**
Juries' Fairness	%	2	35	48	9	6	**2.2**	**27**
OVERALL STATE GRADE	**%**	**-**	**33**	**53**	**11**	**3**	**2.2**	

ADDITIONAL VOLUNTEERED ITEMS	MEAN GRADE
Liability Reform (n=2)	1.5
Lawyer/Judge Competency (n=1)	1.0
Political Influence/Interference (n=1)	0.0
Favor Plaintiffs (n=1)	-

Table 44

New Hampshire

2003 Overall Ranking: 10

Ratings on Key Elements of State Liability Systems (n=39)

		"A"	"B"	"C"	"D"	"F"	Mean Grade	Ranking Within Element
Overall Treatment of Tort and Contract Litigation	%	8	47	39	5	-	**2.6**	**8**
Treatment of Class Action Suits	%	-	30	57	13	-	**2.2**	**22**
Punitive Damages	%	3	50	40	7	-		**5**
Timeliness of Summary Judgment/Dismissal	%	3	47	36	11	3	**2.4**	**14**
Discovery	%	-	49	43	5	3		**31**
Scientific and Technical Evidence	%	3	50	33	13	-	**2.4**	**23**
Judges' Impartiality	%	11	45	34	5	5		**31**
Judges' Competence	%	8	66	18	5	3	**2.7**	**15**
Juries' Predictability	%	3	45	42	9	-		**7**
Juries' Fairness	%	9	59	22	9	-	**2.7**	**6**
OVERALL STATE GRADE	**%**	**3**	**62**	**31**	**5**	**-**	**2.6**	

ADDITIONAL VOLUNTEERED ITEMS	MEAN GRADE
The laws are clear/in place (n=1)	4.0
Political Influence/Interference (n=1)	3.0
Legislator (n=1)	3.0

Table 45

New Jersey

2003 Overall Ranking: 30

Ratings on Key Elements of State Liability Systems (n=98)

		"A"	"B"	"C"	"D"	"F"	Mean Grade	Ranking Within Element
Overall Treatment of Tort and Contract Litigation	%	4	31	48	15	2	**2.2**	**30**
Treatment of Class Action Suits	%	4	29	39	24	4	**2.1**	**33**
Punitive Damages	%	New Jersey does not allow punitive damages in general						
Timeliness of Summary Judgment/Dismissal	%	3	31	42	19	4	**2.1**	**28**
Discovery	%	3	43	36	18	-	**2.3**	**38**
Scientific and Technical Evidence	%	3	53	32	10	1	**2.5**	**20**
Judges' Impartiality		13	43	34	8	2	**2.6**	**25**
Judges' Competence	%	9	44	42	3	2	**2.5**	**26**
Juries' Predictability	%	-	31	47	15	7	**2.0**	**31**
Juries' Fairness	%	1	30	43	22	3	**2.0**	**34**
OVERALL STATE GRADE		**2**	**37**	**49**	**10**	**2**	**2.3**	

ADDITIONAL VOLUNTEERED ITEMS	MEAN GRADE
Local/State Issues/location driven (n=2)	1.0
Timeliness for Trial (n=2)	0.5
Business Disputes (n=2)	0.5
Joint and Several Liability Rules (n=1)	1.0
Lawyer/Judge Competency (n=1)	0.0

Table 46

New Mexico

2003 Overall Ranking: 41

Ratings on Key Elements of State Liability Systems (n=56)

		"A"	"B"	"C"	"D"	"F"	Mean Grade	Ranking Within Element
Overall Treatment of Tort and Contract Litigation	%	-	19	52	26	4	**1.9**	**41**
Treatment of Class Action Suits	%	-	12	50	24	15	**1.6**	**40**
Punitive Damages	%	2	22	39	30	7	**1.8**	**34**
Timeliness of Summary Judgment/Dismissal	%	4	13	55	21	6	**1.9**	**40**
Discovery	%	4	30	48	13	4	**2.2**	**42**
Scientific and Technical Evidence	%	5	21	59	10	5	**2.1**	**43**
Judges' Impartiality		4	22	51	16	6	**2.0**	**44**
Judges' Competence	%	2	31	52	13	2	**2.2**	**43**
Juries' Predictability		-	22	60	9	9	**2.0**	**33**
Juries' Fairness	%	-	26	45	26	4	**1.9**	**41**
OVERALL STATE GRADE		**-**	**18**	**54**	**25**	**4**	**1.9**	

ADDITIONAL VOLUNTEERED ITEMS	MEAN GRADE
Supreme Court Decisions (n=2)	1.0
Lawyer/Judge Competency (n=1)	1.0
Insurance doesn't pay out fairly (n=1)	1.0

Table 47

New York

2003 Overall Ranking: 27

Ratings on Key Elements of State Liability Systems (n=96)

		"A"	"B"	"C"		"F"	Mean Grade	Ranking Within Element
Overall Treatment of Tort and Contract Litigation	%	7	40	40	12	1	**2.4**	**16**
Treatment of Class Action Suits	%	4	37	42	13	4	**2.2**	**11**
Punitive Damages	%	3	30	39	24	4	**2.0**	**25**
Timeliness of Summary Judgment/Dismissal	%	6	17	45	28	4	**1.9**	**39**
Discovery	%	4	40	43	11	1	**2.4**	**32**
Scientific and Technical Evidence	%	13	54	27	6	1	**2.7**	**3**
Judges' Impartiality	%	12	51	26	10	1	**2.6**	**22**
Judges' Competence	%	11	57	23	9	-	**2.7**	**16**
Juries' Predictability	%	3	23	43	28	5	**1.9**	**39**
Juries' Fairness	%	4	23	46	22	5	**2.0**	**36**
OVERALL STATE GRADE	**%**	**3**	**45**	**39**	**13**	**1**	**2.4**	

ADDITIONAL VOLUNTEERED ITEMS	MEAN GRADE
Timeliness for Trial (n=3)	1.0
Lawyer/Judge Competency (n=2)	4.0
Commercial Sophistication (n=1)	4.0
Composition of Juries (n=1)	4.0
Quality of Trial (n=1)	2.0

Table 48

North Carolina

2003 Overall Ranking: 20

Ratings on Key Elements of State Liability Systems (n=84)

		"A"		"C"	"D"	"F"	Mean Grade	Ranking Within Element
Overall Treatment of Tort and Contract Litigation		1	52	35	6	5	**2.4**	**19**
Treatment of Class Action Suits	%	6	37	35	13	9	**2.2**	**23**
Punitive Damages		3	42	37	6	12	**2.2**	**17**
Timeliness of Summary Judgment/Dismissal	%	3	37	44	13	3	**2.2**	**19**
Discovery		8	49	33	9	1	**2.5**	**15**
Scientific and Technical Evidence	%	2	49	33	15	2	**2.3**	**29**
Judges' Impartiality		10	53	30	5	1	**2.7**	**20**
Judges' Competence	%	10	56	25	9	1	**2.6**	**19**
Juries' Predictability	%	-	35	49	8	7	**2.1**	**19**
Juries' Fairness	%	-	40	46	10	4	**2.2**	**26**
OVERALL STATE GRADE		**-**	**51**	**39**	**7**	**2**	**2.4**	

ADDITIONAL VOLUNTEERED ITEMS	MEAN GRADE
Local/State issues/location driven (n=2)	1.0
Use of Mediation (n=1)	4.0
Business Disputes (n=1)	4.0
Timeliness for Trial (n=1)	2.0
Lawyer/Judge Competency (n=1)	1.0

Table 49

North Dakota

2003 Overall Ranking: 6

Ratings on Key Elements of State Liability Systems (n=37)

		"A"	"B"		"D"	"F"	Mean Grade	Ranking Within Element
Overall Treatment of Tort and Contract Litigation	%		24	45	5	-	**2.7**	**4**
Treatment of Class Action Suits	%	11	26	44	11	7	**2.2**	**15**
Punitive Damages	%		39	30	6	6	**2.6**	**3**
Timeliness of Summary Judgment/Dismissal	%	9	33	45	12	-	**2.4**	**11**
Discovery	%		32	47	-	-	**2.7**	**4**
Scientific and Technical Evidence	%	15	35	42	8	-	**2.6**	**7**
Judges' Impartiality	%		46	11	14	-	**2.9**	**7**
Judges' Competence	%	23	37	37	3	-	**2.8**	**8**
Juries' Predictability	%		52	26	6	6	**2.5**	**3**
Juries' Fairness	%	19	50	28	3	-	**2.8**	**1**
OVERALL STATE GRADE	**%**				**3**	**-**	**2.7**	

ADDITIONAL VOLUNTEERED ITEMS	MEAN GRADE
Amount awarded for punitive damages (n=2)	1.0
Timeliness for Trial (n=1)	3.0
Alternative Dispute Resolution (n=1)	2.0
Local/State issues/location driven (n=1)	0.0

Table 50

Ohio

2003 Overall Ranking: 24

Ratings on Key Elements of State Liability Systems (n=98)

		"A"	"B"	"C"	"D"	"F"	Mean Grade	Ranking Within Element
Overall Treatment of Tort and Contract Litigation	%	4	42	36	15	2		**26**
Treatment of Class Action Suits	%	4	35	42	18	2	**2.2**	**18**
Punitive Damages	%	4	28	41	21	5	**2.0**	**24**
Timeliness of Summary Judgment/Dismissal	%	2	33	36	24	4	**2.0**	**30**
Discovery	%	5	39	46	9	1	**2.4**	**30**
Scientific and Technical Evidence	%	4	49	33	13	1	**2.4**	**25**
Judges' Impartiality	%	12	45	33	8	2	**2.6**	**28**
Judges' Competence	%	6	52	33	8	1	**2.5**	**27**
Juries' Predictability	%	2	38	42	14	5	**2.2**	**18**
Juries' Fairness	%	3	46	42	8	1	**2.4**	**17**
OVERALL STATE GRADE	**%**	**3**	**44**	**41**	**12**	**-**	**2.4**	

ADDITIONAL VOLUNTEERED ITEMS	MEAN GRADE
Supreme Court Decisions (n=7)	1.4
Insurance doesn't pay out fairly (n=2)	0.5
Amount awarded for punitive damages (n=2)	0.0
Lawyer/Judge Competency (n=1)	4.0
Legislator (n=1)	3.0

Table 51

Oklahoma

2003 Overall Ranking: 36

Ratings on Key Elements of State Liability Systems (n=71)

		"A"	"B"	"C"	"D"	"F"	Mean	Ranking Within Element
Overall Treatment of Tort and Contract Litigation	%	3	29	55	7	6	**2.2**	**35**
Treatment of Class Action Suits	%	2	29	47	11	11	**2.0**	**35**
Punitive Damages	%	4	29	37	17	13	**1.9**	**30**
Timeliness of Summary Judgment/Dismissal	%	-	31	44	13	13	**1.9**	**38**
Discovery	%	4	44	37	10	4	**2.3**	**35**
Scientific and Technical Evidence	%	4	32	44	12	8	**2.1**	**42**
Judges' Impartiality	%	6	43		9	6	**2.3**	**36**
Judges' Competence	%	1	42	39	13	4	**2.2**	**41**
Juries' Predictability	%	2	27	51	12	8	**2.0**	**29**
Juries' Fairness	%	2	30	51	16	2	**2.1**	**29**
OVERALL STATE GRADE	**%**	**3**	**34**	**44**	**14**	**6**	**2.1**	

ADDITIONAL VOLUNTEERED ITEMS	MEAN GRADE
Lawyer/Judge Competency (n=2)	0.5
Legislator (n=1)	2.0
Joint and Several Liability Rules (n=1)	1.0
Local/State issues/location driven (n=1)	1.0
Supreme Court Decisions (n=1)	0.0

Table 52

Oregon

2003 Overall Ranking: 14

Ratings on Key Elements of State Liability Systems (n=69)

		"A"	"B"	"C"	"D"	"F"	Mean Grade	Ranking Within Element
Overall Treatment of Tort and Contract Litigation	%	7	41	44	7	-	**2.5**	**13**
Treatment of Class Action Suits	%	13	26	37	20	4	**2.2**	**12**
Punitive Damages	%	9	25	36	20	11	**2.0**	**26**
Timeliness of Summary Judgment/Dismissal	%	11	31	47	8	3	**2.4**	**12**
Discovery	%	11	39	44	6	-	**2.5**	**12**
Scientific and Technical Evidence	%	10	45	33	8	4	**2.5**	**15**
Judges' Impartiality	%	17	49	29	3	2	**2.8**	**13**
Judges' Competence	%	15	54	28	2	2	**2.8**	**9**
Juries' Predictability	%	4	35	44	15	2	**2.2**	**15**
Juries' Fairness	%	5	42	37	14	2	**2.4**	**19**
OVERALL STATE GRADE	**%**	**6**	**39**	**48**	**7**	**-**	**2.4**	

ADDITIONAL VOLUNTEERED ITEMS	MEAN GRADE
Local/State issues/location driven (n=1)	3.0
Tort Reform Legislation (n=1)	3.0
Insurance doesn't pay out fairly (n=1)	2.0
Legislator (n=1)	2.0
Number of environmental cases (n=1)	2.0

Table 53

Pennsylvania

2003 Overall Ranking: 31

Ratings on Key Elements of State Liability Systems (n=95)

		"A"	"B"	"C"	"D"	"F"	Mean Grade	Ranking Within Element
Overall Treatment of Tort and Contract Litigation	%	1	40	39	15	4	**2.2**	**33**
Treatment of Class Action Suits	%	3	32	43	18	3	**2.1**	**28**
Punitive Damages	%	4	21	51	16	8	**2.0**	**28**
Timeliness of Summary Judgment/Dismissal	%	2	24	48	22	3	**2.0**	**32**
Discovery	%	3	48	39	7	2	**2.4**	**27**
Scientific and Technical Evidence	%	7	50	36	6	1	**2.6**	**12**
Judges' Impartiality	%	10	46	36	9	-	**2.6**	**26**
Judges' Competence	%	4	52	35	7	2	**2.5**	**30**
Juries' Predictability	%	3		52	15	3	**2.1**	**20**
Juries' Fairness	%	4	25	52	15	4	**2.1**	**31**
OVERALL STATE GRADE	**%**	**-**	**37**	**47**	**12**	**4**	**2.2**	

ADDITIONAL VOLUNTEERED ITEMS	MEAN GRADE
Appointment vs. Elections (n=4)	0.5
Amount awarded for punitive damages (n=3)	0.3
Timeliness for Trial (n=2)	2.5
Insurance doesn't pay out fairly (n=2)	1.0
Comparative Negligence (n=1)	4.0

Table 54

Rhode Island

2003 Overall Ranking: 37

Ratings on Key Elements of State Liability Systems (n=42)

		"A"	"B"	"C"	"D"	"F"	Mean Grade	Ranking Within Element
Overall Treatment of Tort and Contract Litigation	%	2	30		5	9		**38**
Treatment of Class Action Suits	%	4	20	48	16	12	**1.9**	**38**
Punitive Damages	%	6	17	58	6	14	**1.9**	**29**
Timeliness of Summary Judgment/Dismissal	%	-	19	61	17	3	**2.0**	**35**
Discovery	%	3	35	51	5		**2.2**	**41**
Scientific and Technical Evidence	%	6	36	42	6	9	**2.2**	**34**
Judges' Impartiality	%	5	30	45	18	3	**2.2**	**42**
Judges' Competence	%	5	38	48	8	3	**2.3**	**34**
Juries' Predictability	%	3	16	58	16	8	**1.9**	**40**
Juries' Fairness	%	13	18	50	16	3	**2.2**	**24**
OVERALL STATE GRADE	**%**	**-**	**31**	**52**	**10**	**7**	**2.1**	

ADDITIONAL VOLUNTEERED ITEMS	MEAN GRADE
Legislator (n=1)	2.0
Lawyer/Judge Competency (n=1)	1.0
Liability Reform (n=1)	0.0
Statute Issues (n=1)	0.0
Tort Reform Legislation (n=1)	0.0

Table 55

South Carolina

2003 Overall Ranking: 42

Ratings on Key Elements of State Liability Systems (n=77)

		"A"	"B"	"C"	"D"	"F"	Mean	Ranking Within Element
Overall Treatment of Tort and Contract Litigation	%	1	26	42	19	11	**1.9**	
Treatment of Class Action Suits	%	-	20	35	20	24	**1.5**	**43**
Punitive Damages	%	-	13	45	20	22	**1.5**	
Timeliness of Summary Judgment/Dismissal	%	2	27	44	19	8	**2.0**	**37**
Discovery	%	3	44	37	11	5	**2.3**	
Scientific and Technical Evidence	%	2	33	42	15	8	**2.1**	**44**
Judges' Impartiality	%	3	33	38	19	7	**2.1**	**43**
Judges' Competence	%	3	34	39	19	4	**2.1**	**44**
Juries' Predictability	%	2	18	43	20	17	**1.7**	**44**
Juries' Fairness	%	-	8	52	28	11	**1.6**	**45**
OVERALL STATE GRADE	**%**	**1**	**22**	**53**	**14**	**9**	**1.9**	

ADDITIONAL VOLUNTEERED ITEMS	MEAN GRADE
Lawyer/Judge Competency (n=3)	0.3
Timeliness for Trial (n=1)	3.0
Liability Reform (n=1)	3.0
Favor Plaintiffs (n=1)	2.0
Amount awarded for punitive damages (n=1)	0.0

Table 56

South Dakota

2003 Overall Ranking: 4

Ratings on Key Elements of State Liability Systems (n=38)

		"A"	"B"	"C"	"D"	"F"	Mean Grade	Ranking Within Element
Overall Treatment of Tort and Contract Litigation		8	57	30	5	-	**2.7**	**5**
Treatment of Class Action Suits	%	8	36	48	8	-	**2.4**	**5**
Punitive Damages	%	15	30	39	9	6	**2.4**	**9**
Timeliness of Summary Judgment/Dismissal	%	9	50	35	6	-	**2.6**	**3**
Discovery	%	6	56	38	-	-	**2.7**	**7**
Scientific and Technical Evidence	%	-	48	52	-	-	**2.5**	**18**
Judges' Impartiality	%	19	51	30	-	-	**2.9**	**5**
Judges' Competence	%	11	57	27	5	-	**2.7**	**14**
Juries' Predictability	%	6	34	50	6	3	**2.3**	**9**
Juries' Fairness	%	9	61	27	3	-	**2.8**	**5**
OVERALL STATE GRADE	**%**	**8**	**61**	**29**	**3**	**-**	**2.7**	

ADDITIONAL VOLUNTEERED ITEMS	MEAN GRADE
Insurance doesn't pay out fairly (n=1)	2.0
Alternative Dispute Resolution (n=1)	2.0

Table 57

Tennessee

2003 Overall Ranking: 26

Ratings on Key Elements of State Liability Systems (n=76)

		"A"		"C"	"D"	"F"	Mean Grade	Ranking Within Element
Overall Treatment of Tort and Contract Litigation	%		38	49	9	3		**28**
Treatment of Class Action Suits	%	9	30	46	4	11	**2.2**	**17**
Punitive Damages	%	5	29		8	10	**2.1**	**22**
Timeliness of Summary Judgment/Dismissal	%	4	30	51	10	4	**2.2**	**24**
Discovery	%	7	49	35	4	4	**2.5**	**18**
Scientific and Technical Evidence	%	2	49	31	13	5	**2.3**	**32**
Judges' Impartiality	%	10	47	29	12	3	**2.5**	**30**
Judges' Competence	%	8	51	29	12	1	**2.5**	**28**
Juries' Predictability	%	3	25	54	12	6	**2.1**	**24**
Juries' Fairness	%	6	36	47	8	3	**2.3**	**20**
OVERALL STATE GRADE	**%**	**3**	**43**	**45**	**7**	**3**	**2.4**	

ADDITIONAL VOLUNTEERED ITEMS	MEAN GRADE
Political Influence/Interference (n=1)	2.0
Legislator (n=1)	2.0
Quality of Trial (n=1)	1.0
Amount awarded for punitive damages (n=1)	0.0

Table 58

Texas

2003 Overall Ranking: 46

Ratings on Key Elements of State Liability Systems (n=97)

		"A"	"B"	"C"	"D"	"F"	Mean	Within Element
Overall Treatment of Tort and Contract Litigation	%	-		32	26	18	**1.6**	
Treatment of Class Action Suits	%	2	11	24	38	26	**1.2**	**45**
Punitive Damages	%	1		20	38	30	**1.2**	
Timeliness of Summary Judgment/Dismissal	%	2	19	39	29	11	**1.7**	**43**
Discovery	%	1	37	28	25	9	**2.0**	
Scientific and Technical Evidence	%	3	32	31	27	8	**1.9**	**45**
Judges' Impartiality	%	2	22	37	27	12	**1.8**	
Judges' Competence	%	3	23	43	24	6	**1.9**	**46**
Juries' Predictability	%	2	13	38	28	19	**1.5**	
Juries' Fairness	%	1	13	34	35	17	**1.5**	**46**
OVERALL STATE GRADE	**%**	**-**	**14**	**36**	**36**	**13**	**1.5**	

ADDITIONAL VOLUNTEERED ITEMS	MEAN GRADE
Lawyer/Judge Competency (n=4)	1.3
Local/State issues/location driven (n=4)	1.0
Appointment vs. Elections (n=4)	0.3
Tort Reform Legislation (n=2)	2.0
Legislator (n=2)	1.5

Table 59

Utah

2003 Overall Ranking: 7

Ratings on Key Elements of State Liability Systems (n=55)

		"A"	"B"	"C"	"D"	"F"	Mean	Ranking Within Element
Overall Treatment of Tort and Contract Litigation		11	38	45	7	-	**2.5**	**11**
Treatment of Class Action Suits	%	16	26	42	13	3	**2.4**	**6**
Punitive Damages		6	33	48	8		**2.3**	**10**
Timeliness of Summary Judgment/Dismissal	%	11	40	45	2	2	**2.6**	**5**
Discovery	%	9	52	35	2	2	**2.6**	**9**
Scientific and Technical Evidence	%	15	41	41	2	-	**2.7**	**4**
Judges' Impartiality	%	13	57	29	2	-	**2.8**	**10**
Judges' Competence	%	13	55	29	4	-	**2.8**	**10**
Juries' Predictability	%	9	43	36	11	2	**2.4**	**5**
Juries' Fairness	%	12	38	40	10	-	**2.5**	**11**
OVERALL STATE GRADE	**%**	**5**	**49**	**42**	**4**	**-**	**2.6**	

ADDITIONAL VOLUNTEERED ITEMS	MEAN GRADE
Timeliness for Trial (n=1)	4.0
Amount awarded for punitive damages (n=1)	4.0
Appellate Court Issues (n=1)	2.0
Local/State issues/location driven (n=1)	1.0

Table 60

Vermont

2003 Overall Ranking: 19

Ratings on Key Elements of State Liability Systems (n=36)

		"A"	"B"	"C"	"D"	"F"	Mean Grade	Ranking Within Element
Overall Treatment of Tort and Contract Litigation	%	3	53	31	11	3	**2.4**	**15**
Treatment of Class Action Suits	%	6	39	33	17	6	**2.2**	**14**
Punitive Damages	%	11	33		22	7	**2.2**	**16**
Timeliness of Summary Judgment/Dismissal	%	-	34	48	10	7	**2.1**	**27**
Discovery	%	3	63	31	3	-	**2.7**	**8**
Scientific and Technical Evidence		4	35	50	8	4	**2.3**	**33**
Judges' Impartiality	%	15	56	21	6	3	**2.7**	**15**
Judges' Competence	%	-	71	24	3	3	**2.6**	**22**
Juries' Predictability	%	6	41	38	6	9	**2.3**	**13**
Juries' Fairness	%	9	56	22	6	6	**2.6**	**10**
OVERALL STATE GRADE	**%**	**-**	**56**	**31**	**11**	**3**	**2.4**	

ADDITIONAL VOLUNTEERED ITEMS	MEAN GRADE
Legislator (n=1)	3.0
Tort Reform Legislation (n=1)	0.0

Table 61

Virginia

2003 Overall Ranking: 8

Ratings on Key Elements of State Liability Systems (n=95)

		"A"	"B"	"C"	"D"	"F"	Mean Grade	Ranking Within Element
Overall Treatment of Tort and Contract Litigation	%	9	59	26	3	3	**2.7**	**7**
Treatment of Class Action Suits	%	Virginia does not have class actions						
Punitive Damages	%	16	41	28		4	**2.5**	**4**
Timeliness of Summary Judgment/Dismissal	%	12	44	32	6	5	**2.5**	**6**
Discovery	%	5	63	23	8	1	**2.6**	**10**
Scientific and Technical Evidence	%	6	62	26	3	3	**2.6**	**5**
Judges' Impartiality	%	18	51	22	4	4	**2.7**	**16**
Judges' Competence	%	21	49	21	4	3	**2.8**	**7**
Juries' Predictability	%	1	42	40	13	4	**2.2**	**16**
Juries' Fairness	%	1	60	26	10	4	**2.5**	**15**
OVERALL STATE GRADE	**%**	**3**	**67**	**21**	**5**	**3**	**2.6**	

ADDITIONAL VOLUNTEERED ITEMS	MEAN GRADE
Timeliness for Trial (n=2)	3.5
Appointment vs. Elections (n=2)	3.0
Amount awarded for punitive damages (n=2)	3.0
Control Frivolous Lawsuits (n=2)	1.5
Comparative Negligence (n=1)	4.0

Table 62

Washington

2003 Overall Ranking: 21

Ratings on Key Elements of State Liability Systems (n=85)

		"A"	"B"	"C"	"D"	"F"	Mean Grade	Ranking Within Element
Overall Treatment of Tort and Contract Litigation	%		39	48	12	-		**27**
Treatment of Class Action Suits	%	2	36	43	15	5	**2.1**	**26**
Punitive Damages	%	Washington does not allow punitive damages in general						
Timeliness of Summary Judgment/Dismissal	%	3	36	46	12	4	**2.2**	**22**
Discovery	%	5	46	37	12	-	**2.4**	**26**
Scientific and Technical Evidence	%	10	48	36	6	-	**2.6**	**6**
Judges' Impartiality	%	9	57	28	6	-	**2.7**	**19**
Judges' Competence	%	7	61	29	2	-	**2.7**	**11**
Juries' Predictability	%	1	25	59	10	5	**2.1**	**25**
Juries' Fairness	%	5	35	51	8	1	**2.3**	**21**
OVERALL STATE GRADE	**%**	**4**	**38**	**53**	**6**	**-**	**2.4**	

ADDITIONAL VOLUNTEERED ITEMS	MEAN GRADE
Legislator (n=3)	2.0
Appointment vs. Elections (n=1)	4.0
They have educated jurors (n=1)	4.0
Political Influence/Interference (n=1)	3.0
State Issues (n=1)	2.0

Table 63

West Virginia

2003 Overall Ranking: 49

Ratings on Key Elements of State Liability Systems (n=79)

		"A"	"B"	"C"	"D"	"F"	Mean Grade	Ranking Within Element
Overall Treatment of Tort and Contract Litigation	%	1	6	24	32	37	**1.0**	**49**
Treatment of Class Action Suits	%	2	6	18	24	50	**0.9**	**48**
Punitive Damages	%	-	7	13	27	52	**0.8**	**44**
Timeliness of Summary Judgment/Dismissal	%	2	10	31	31	26	**1.3**	**49**
Discovery	%	1	10	43	25	20	**1.5**	**49**
Scientific and Technical Evidence	%	-	10	40	22	29	**1.3**	**49**
Judges' Impartiality	%	3	17	26	24	31	**1.4**	**49**
Judges' Competence	%	1	17	37	28	17	**1.6**	**49**
Juries' Predictability		3	18	26	25	28	**1.4**	**46**
Juries' Fairness	%	-	9	15	39	36	**1.0**	**49**
OVERALL STATE GRADE	**%**	**-**	**8**	**25**	**34**	**33**	**1.1**	

ADDITIONAL VOLUNTEERED ITEMS	MEAN GRADE
Liability Reform (n=3)	0.7
Local/State issues/location driven (n=2)	0.5
Appellate Court Issues (n=2)	0.0
Tort Reform Legislation (n=2)	0.0
Legislator (n=1)	2.0

Table 64

Wisconsin

2003 Overall Ranking: 11

Ratings on Key Elements of State Liability Systems (n=74)

		"A"	"B"	"C"	"D"	"F"	Mean Grade	Ranking Within Element
Overall Treatment of Tort and Contract Litigation	%	3	57	32	7	1	**2.5**	**9**
Treatment of Class Action Suits	%	12	28	47	12	2	**2.3**	**7**
Punitive Damages	%	6	47	35	10	2	**2.5**	**6**
Timeliness of Summary Judgment/Dismissal	%	4	45	37	7	6	**2.3**	**15**
Discovery	%	3	60	29	7	1	**2.6**	**11**
Scientific and Technical Evidence	%	4	59	25	9	4	**2.5**	**14**
Judges' Impartiality	%	12	62	18	7	1	**2.8**	**14**
Judges' Competence	%	11	65	21	3	-	**2.8**	**5**
Juries' Predictability	%	5	48	40	8	-	**2.5**	**4**
Juries' Fairness	%	9	52	27	12	-	**2.6**	**9**
OVERALL STATE GRADE	**%**	**1**	**64**	**24**	**9**	**1**	**2.5**	

ADDITIONAL VOLUNTEERED ITEMS	MEAN GRADE
Statute Issues (n=3)	0.7
Joint and Several Liability Rules (n=1)	3.0
Lawyer/Judge Competency (n=1)	3.0
Quality of Trial (n=1)	3.0
They have educated jurors (n=1)	3.0

Table 65

Wyoming

2003 Overall Ranking: 25

Ratings on Key Elements of State Liability Systems (n=37)

		"A"	"B"	"C"	"D"	"F"	Mean Grade	Within Element
Overall Treatment of Tort and Contract Litigation	%	-	40	51	9	-	**2.3**	
Treatment of Class Action Suits	%	5	26	53	16	-	**2.2**	**19**
Punitive Damages	%	7	25	46	18	4	**2.1**	**20**
Timeliness of Summary Judgment/Dismissal	%	3	33	43	20	-	**2.2**	**25**
Discovery	%	6	37	51	6	-	**2.4**	**28**
Scientific and Technical Evidence	%	-	40	48	8	4	**2.2**	**35**
Judges' Impartiality		3	59	32	3	3	**2.6**	**27**
Judges' Competence	%	-	60	34	6	-	**2.5**	**25**
Juries' Predictability		-	20	60	13	7	**1.9**	**35**
Juries' Fairness	%	3	45	42	6	3	**2.4**	**18**
OVERALL STATE GRADE		**-**	**38**	**57**	**5**	**-**	**2.3**	

ADDITIONAL VOLUNTEERED ITEMS	MEAN GRADE
Insurance doesn't pay out fairly (n=1)	1.0

APPENDIX A: METHODOLOGY

METHODOLOGY

AN OVERVIEW

The 2003 State Liability Systems Ranking Study was conducted for the U.S. Chamber Institute for Legal Reform by Harris Interactive Inc. The final results are based on interviews with a nationally representative sample of 928 in-house general counsel attorneys or other senior litigators at companies with annual revenues of at least $100 million. Interviews averaging 13 minutes in length were conducted by telephone and took place between January 16 and February 18, 2003.

SAMPLE DESIGN

A representative sample of companies with annual revenues of at least $100 annually was drawn using IdExec and alert letters were sent to the general counsel at each company. In order to reach the desired number of final interviews, more letters were sent out to potential participants than the final number of completed interviews. These letters provided general information about the study, notified them that an interviewer from Harris would be contacting them and requested their participation. A copy of this letter appears in Appendix C.

The sample was segmented into two main groups. Of the 928 respondents, 77 were from insurance companies, with the remaining 851 interviews being conducted among public corporations. This reflects an oversampling of insurance companies who represented 6% of the sample universe.

Respondents had an average of 22 years of relevant legal experience (including their current position), had been with their company an average of 11 years, and had been in their current position an average of 7.5 years.

TELEPHONE INTERVIEWING PROCEDURES

The 2003 State Liability Systems Ranking Study utilized Harris' computer-assisted telephone interviewing (CATI) system. This system greatly enhances reporting reliability. It reduces clerical error by eliminating the need for keypunching, since interviewers enter respondent answers directly into a computer terminal during the interview itself. This data entry program does not permit interviewers to inadvertently skip questions, since each question must be answered before the computer moves on to the next question. The data entry program also ensures that all skip patterns are correctly adhered to. The on-line data editing system refuses to accept punches that are out-of-range, it demands confirmation of responses that exceed expected ranges, and asks for explanations for inconsistencies between certain key responses.

In order to achieve high respondent participation, in addition to the alert letter, numerous telephone callbacks were made in order to reach the respondent and conduct the interview at a convenient time.

SIGNIFICANCE TESTING

Reliability of Survey Percentages

It is important to bear in mind that the results from any sample survey are subject to sampling variation. The magnitude of this variation (or error) is affected both by the number of interviews—the base size—and by the level of the percentages expressed in the results.

Table B-1 shows the possible sample variation that applies to percentage results for this survey. The chances are 95 in 100 that a survey result does not vary, plus or minus, by more than the indicated number of percentage points from the result that would have been obtained if interviews were conducted with all persons in the universe represented by the sample. For example, if the response for a sample size of 300 is 30%, then in 95 cases out of 100, the response in the total population would have been between 25% and 35% (+/-5%). Note that survey results based on subgroups of small size can be subject to large sampling error.

Table B-1
Recommended Allowance for Sampling Error of Proportions (Plus or Minus)

	Survey Percentage Result				
Sample Size	10% or 90%	20% or 80%	30% or 70%	40% or 60%	50%
900	2	3	3	3	3
800	2	3	3	3	3
700	2	3	3	4	4
600	2	3	4	4	4
500	3	4	4	4	4
400	3	4	4	5	5
300	3	5	5	6	6
200	4	6	6	7	7
100	6	8	9	10	10
50	8	11	13	14	14

Significance of Differences Between Proportions

Sampling tolerances are also involved in the comparison of results from different surveys or from different parts of a sample from the same survey (subgroup analysis). Table B-2 shows the percentage difference that must be obtained before a difference can be considered statistically significant. These figures, too, represent the 95% confidence level.

To illustrate, suppose the two percentages in question are 34% and 25%. More specifically, suppose that one group of 300 has a response of 34% "yes" to a question, and an independent group has a response of 25% to the same question, for an observed difference of 9 percentage points. According to the table, this difference is subject to a potential sampling error of 6-7 percentage points. Since the observed difference is greater than the sampling error, the observed difference is significant.

Table B-2
Sampling Error of Difference Between Proportions
Approximate Sampling Tolerances (at 95% Confidence Level)
To Use in Evaluating Differences Between Two Percentage Results

	Survey Percentage Result				
Sample Sizes	10% or 90%	20% or 80%	30% or 70%	40% or 60%	50%
900 v. 900	3	4	4	5	5
500	3	4	5	5	6
300	4	5	6	7	7
200	5	6	7	8	8
100	6	8	10	10	10
50	9	11	13	14	14
500 v. 500	4	4	6	6	6
300	4	6	7	7	7
200	6	7	8	8	8
100	7	9	10	11	11
50	9	12	13	14	15
300 v. 300	5	6	7	8	8
200	5	7	8	9	9
100	7	9	10	11	11
50	9	12	14	15	15
200 v. 200	6	8	9	10	10
100	7	10	11	12	12
50	9	12	14	15	15
100 v. 100	8	11	13	14	14
50	10	14	16	17	17
50 v. 50	12	16	18	19	20

Sampling error of the type so far discussed is only one type of error. Survey research is also susceptible to other types of error, such as refusals to be interviewed (non-response error), question wording and question order, interviewer error, and weighting by demographic control data. Although difficult or impossible to quantify these types of error, the procedures followed by Harris Interactive, Inc. keep errors of these types to a minimum.

APPENDIX B: ALERT LETTER AND QUESTIONNAIRE

INSERT NAME
INSERT TITLE
INSERT ADDRESS

Dear INSERT MR/MS LAST NAME:

Your opinion is vital to us. Within the next few days, you will be contacted to participate in a groundbreaking *Harris Poll*. Harris Interactive, an independent survey research firm, has been commissioned by the United States Chamber of Commerce to conduct an important study examining state liability systems across America. We would appreciate your taking a few minutes to respond to the survey.

The purpose of this study is to see how state civil justice systems across America are perceived by corporate decision-makers, such as yourself, in terms of their reasonableness, fairness and predictability. The results of this research will be shared with key state policy makers and those who care about economic development in their state to help inform them about how they are viewed in relation to other states. The survey will be used to stimulate discussion on how states might improve their litigation environments.

Because only a small sample of attorneys have been selected, your reply is most important to the success of this survey. Your answers will be kept confidential and will be used only in combination with those of other survey participants. *To thank you for your participation, we will be sharing an executive summary of the findings with survey respondents.*

We will be calling you within the next few days, but in the meantime, if you have any questions or would like to schedule a time to speak with us, please feel free to contact Nancy Hathaway at 1.800.363.4229. Thank you.

Sincerely,

Humphrey Taylor
Chairman
The Harris Poll

Reference #: INSERT SAMPLE ID REFERENCE NUMBER

HARRIS INTERACTIVE INC.
111 Fifth Avenue
New York, New York 10003

ID (57,62)

J17942

January 29, 2003

LIABILITY SYSTEMS RANKING SURVEY
US CHAMBER OF COMMERCE

Project Manager: Jason Sanchez
Email: jsanchez@harrisinteractive.com
Phone:909.626.6209
CSM: Kim Fortier
Email: kfortier@harrisinteractive.com
Phone:585.214.7981

Field Period: January 16 – February 18, 2003

T:\17xxx\179xx\17942 State Liability Ranking\Edit Master\J17942ColumnGuided EM.doc

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SUBJECTS FOR QUESTIONNAIRE

SECTION 200: INTRODUCTION/SCREENING QUESTIONS
SECTION 300: STATE FAMILIARITY ASSESMENT
SECTION 400: STATE EVALUATIONS
SECTION 100: DEMOGRAPHICS

Template: HI

[PROGRAMMER NOTE: PLEASE ENSURE (V) THAT ALL MISSING DATA IS REPRESENTED IN SPSS DATA SET AS OUT OF RANGE NEGATIVE NUMBERS]

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SECTION 200: INTRODUCTION/SCREENING QUESTIONS

BASE: ALL RESPONDENTS
Q200 Hello, may I please speak to_____?

[PROGRAMMER NOTE: REFERENCE ABOVE NAME FROM SAMPLE OR FROM Q211.]
(502)

1	Continue	ASK Q205
2	Not available	[CALL BACK]
8	Not Sure (v)	[CALL BACK]
9	Decline to answer (v)	[REFUSAL]

BASE: ALL RESPONDENTS
Q205 Hello, I'm _____ from *The Harris Poll*. We have been commissioned by the United States Chamber of Commerce to conduct a survey among attorneys and would like to include your opinions. This study will examine state liability systems and will take about 10 minutes of your time. To thank you for your qualified participation in this study, we will be sending an executive summary of the findings. Is this a convenient time for you? If not, we'd be glad to call you back at another time.

(INTERVIEWER NOTE: IF RESPONDENT SAYS NOW IS NOT CONVENIENT, ASK: "WOULD YOU LIKE TO SET UP ANOTHER TIME OR IF YOU PREFER YOU CAN CALL US WHEN YOU WOULD LIKE TO COMPLETE THE SURVEY?)

(INTERVIEWER NOTE: IF NECESSARY SAY, BECAUSE ONLY A SMALL SAMPLE OF SENIOR CORPORATE COUNSEL HAVE BEEN SELECTED, YOUR REPLY IS MOST IMPORTANT TO THE SUCCESS OF THIS SURVEY. YOUR ANSWERS WILL BE KEPT CONFIDENTIAL AND WILL BE USED ONLY IN AGGREGATE WITH THOSE OF OTHER SURVEY PARTICIPANTS.)

(INTERVIEWER NOTE: IF NECESSARY SAY, "WE RECENTLY SENT YOU AN ALERT LETTER ABOUT THE SURVEY." IF REQUESTED, THE LETTER CAN BE EMAILED OR FAXED TO RESPONDENT.)

(504)

1	Yes convenient, continue	[JUMP TO Q215]
2	No, not convenient now	[CALL BACK]
8	Not Sure (v)	[CALL BACK]
9	Don't want to participate/Decline to Answer (v)	[JUMP TO Q210]

BASE: DOES NOT WANT TO TAKE SURVEY(Q205/9)
Q210 Can you connect me to an attorney in your company who might be interested in completing the survey?

(INTERVIEWER NOTE: SCREEN FOR THE FOLLOWING JOB DESCRIPTIONS FOR ATTORNEYS: GENERAL COUNSEL, HEAD OF LITIGATION, OR A SENIOR, EXPERIENCED LITIGATOR, BUT YOU MAY ACCEPT OTHER SENIOR LEVEL TITLES.)

(505)

1	Yes	[JUMP TO Q212]
2	No	[END INTERVIEW]
8	Not sure (v)	[ASK Q211]
9	Decline to answer (v)	[REFUSAL]

BASE: NOT SURE WHO TO REFER TO (Q211/8)
Q211 Can you connect me to an someone in your company who might know who would be interested in completing the survey?

(506)

1	Yes	[JUMP TO Q205]
2	No	[END INTERVIEW]
8	Not sure (v)	[END INTERVIEW]
9	Decline to answer (v)	[REFUSAL]

BASE: DOES NOT WANT TO TAKE SURVEY BUT REFER OTHER (Q205/9, Q210/1)
Q212 May I please have this attorney's name and title?

NAME: [TEXT BOX]

(INTERVIEWER NOTE: SCREEN FOR THE FOLLOWING JOB DESCRIPTIONS FOR ATTORNEYS: GENERAL COUNSEL, HEAD OF LITIGATION, OR A SENIOR, EXPERIENCED LITIGATOR)

Q213 TITLE: [TEXT BOX]

BASE: DOES NOT WANT TO TAKE SURVEY BUT REFER OTHER (Q205/9, Q210/1)
Q214 Thank you for your assistance.

(INTERVIEWER NOTE: UNLESS ORIGINAL RESPONDENT OFFERS TO CONNECT YOU, HANG UP AND CALL BACK, ASKING FOR NEW RESPONDENT BY NAME.)

[JUMP TO Q200.]

PROGRAMMER NOTE: ANYONE WHO AGREES TO CONTINUE IN Q205/1 IS A QUALIFIED RESPONDENT

BASE: ALL QUALIFIED RESPONDENTS
Q215 Overall, how would you describe the fairness and reasonableness of state court liability systems in America – excellent, pretty good, only fair, or poor?

(589)

1 Excellent
2 Pretty good
3 Only Fair
4 Poor
8 Not sure (v)
9 Decline to answer (v)

SECTION 300: STATE FAMILIARITY ASSESMENT

BASE: ALL QUALIFIED RESPONDENTS

Q300 Thinking about the state court system, how familiar are you with the litigation environment in [INSERT STATE RANDOMLY SELECTED FROM 1-50 BELOW]? Would you say you are very familiar, somewhat familiar, not very familiar or not at all familiar?

Q301	1	2	3	4	8	9
	Very Familiar	Somewhat Familiar	Not Very Familiar	Not At All Familiar	Not Sure (v)	Decline to Answer (v)

[PRIORITY SELECT 14 STATES CHOOSING THOSE WITH LOWEST COUNTS TO DATE AND ASK Q300 FOR EACH ONE]

1 (790) Alabama
2 (794) Alaska
3 (798) Arizona
4 (802) Arkansas
5 (806) California
6 (810) Colorado
7 (814) Connecticut
8 (818) Delaware
9 (822) Florida
10 (826) Georgia
11 (830) Hawaii
12 (834) Idaho
13 (838) Illinois
14 (842) Indiana
15 (846) Iowa
16 (850) Kansas
17 (854) Kentucky
18 (858) Louisiana
19 (862) Maine
20 (866) Maryland
21 (870) Massachusetts
22 (874) Michigan
23 (878) Minnesota
24 (882) Mississippi
25 (886) Missouri
26 (890) Montana
27 (894) Nebraska
28 (898) Nevada
29 (902) New Hampshire
30 (906) New Jersey
31 (910) New Mexico
32 (914) New York
33 (918) North Carolina
34 (922) North Dakota
35 (926) Ohio
36 (930) Oklahoma
37 (934) Oregon
38 (938) Pennsylvania
39 (942) Rhode Island
40 (946) South Carolina
41 (950) South Dakota
42 (954) Tennessee
43 (958) Texas
44 (962) Utah
45 (966) Vermont
46 (970) Virginia
47 (974) Washington
48 (978) West Virginia
49 (982) Wisconsin
50 (986) Wyoming

BASE: ALL QUALIFIED RESPONDENTS

Q305 Besides those we just asked about, with which other state court systems are you very or somewhat familiar? (DO NOT READ LIST)

(INTERVIEWER NOTE: PROBE FOR ALL STATES THEY ARE VERY OR SOMEWHAT FAMILIAR WITH)

[PROGRAMMER NOTE: DO NOT DISPLAY 14 SELECTED STATES FROM Q300.]
[MUTIPLE RECORD]
(1300,1301),(1302,1303),(1304,1305),(1306,1307),(1308,1309),(1310,1311),(1312,1313),(1314,1315),(1316,1317),
(1318,1319)

1 Alabama
2 Alaska
3 Arizona
4 Arkansas
5 California
6 Colorado
7 Connecticut
8 Delaware
9 Florida
10 Georgia
11 Hawaii
12 Idaho
13 Illinois
14 Indiana
15 Iowa
16 Kansas
17 Kentucky
18 Louisiana
19 Maine
20 Maryland
21 Massachusetts
22 Michigan
23 Minnesota
24 Mississippi
25 Missouri
26 Montana
27 Nebraska
28 Nevada
29 New Hampshire
30 New Jersey
31 New Mexico
32 New York
33 North Carolina
34 North Dakota
35 Ohio
36 Oklahoma
37 Oregon
38 Pennsylvania
39 Rhode Island
40 South Carolina
41 South Dakota
42 Tennessee
43 Texas
44 Utah
45 Vermont
46 Virginia
47 Washington
48 West Virginia
49 Wisconsin
50 Wyoming
97 None of these (v) E
98 Not sure (v) E
99 Decline to answer (v) E

[FROM ALL STATES THAT RESPONDENT IS VERY OR SOMEWHAT FAMILIAR WITH [Q3001/1-50 AND Q301/1,2) AND/OR (Q305/1-50)], PRIORITY SELECT UP TO 10 STATES WITH LOWEST COUNTS TO DATE FOR EVALUATION IN SECTION 400 IF VERY

SECTION 400: STATE EVALUATIONS

[PROGRAMMER NOTE: ASK Q400-420 UP TO 10 TIMES FOR EACH STATE PRIORITY SELECTED FROM (Q300/1-50 & Q301/1,2) & Q305/1-50.]

BASE: VERY OR SOMEWHAT FAMILIAR WITH AT LEAST ONE STATE (AT LEAST 1 FROM Q305/1-50 OR (Q300/1-50 & Q301/1,2))

Q400 Now I'd like to ask for your opinions about [IF VERY OR SOMEWHAT FAMILIAR WITH ONLY ONE STATE SHOW "the state"; OTHERWISE SHOW "some of the states"] with which you are familiar. I'm going to read a number of key elements of state liability systems. For each item, I'd like you to grade [INSERT STATE] on how well you think they are doing.

[PROGRAMMER NOTE: SHOW ABOVE TEXT ONLY FOR 1ST STATE; FOR EACH SUBSEQUENT STATE SHOW: "Now, I'd like you to grade [INSERT STATE] on how well you think they are doing."

An "A" means they are doing "an excellent job at creating a fair and reasonable litigation environment" and an "F" means that they are doing "a failing job at creating a fair and reasonable environment". How would you grade [INSERT STATE] on (READ EACH ITEM) . . . "A", "B", "C", "D", or "F"?

(INTERVIEWER NOTE: READ ABOVE SCALE, THAT IS THE PARAGRAPH ABOVE, ONLY AS MANY TIMES AS NECESSARY)

Q401	1	2	3	4	7	8	9
	"A"	"B"	"C"	"D"	"F"	Not Sure (v)	Decline to Answer (v)

[RANDOMIZE]

1 Overall Treatment of Tort and Contract Litigation
2 Treatment of Class Action Suits
3 Punitive Damages
4 Timeliness of Summary Judgement/Dismissal
5 Discovery
6 Scientific and Technical Evidence

	First	2nd	3rd	4th	5th	6th	7th	8th	9th	10th
1	1322	1339	1356	1373	1390	1407	1424	1441	1458	1475
2	1323	1340	1357	1374	1391	1408	1425	1442	1459	1476
3	1324	1341	1358	1375	1392	1409	1426	1443	1460	1477
4	1325	1342	1359	1376	1393	1410	1427	1444	1461	1478
5	1326	1343	1360	1377	1394	1411	1428	1445	1462	1479
6	1327	1344	1361	1378	1395	1412	1429	1446	1463	1480

BASE: VERY OR SOMEWHAT FAMILIAR WITH AT LEAST ONE STATE (AT LEAST 1 FROM Q305/1-50 OR (Q300/1-50 & Q301/1,2))

Q405 Using the same scale, I'd like you to think now about the effectiveness of some key people who implement this system.

[PROGRAMMER NOTE: SHOW ABOVE TEXT ONLY FOR 1ST STATE]

How would you grade [INSERT STATE] on (READ EACH ITEM) . . . "A", "B", "C", "D", or "F"?

(INTERVIEWER READ FOR 1st STATE . FOR ADDITIONAL STATES READ ONLY IF NECESSARY: Again, an "A" means they are doing "an excellent job at creating a fair and reasonable litigation environment" and an "F" means that they are doing "a failing job at creating a fair and reasonable environment." How would you grade [INSERT STATE] on (READ EACH ITEM) . . . "A", "B", "C", "D", or "F"?]

Q406	1 "A"	2 "B"	3 "C"	4 "D"	7 "F"	8 Not Sure (v)	9 Decline to Answer (v)

[RANDOMIZE]
1 Judges' Impartiality
2 Judges' Competence
3 Juries' Predictability
4 Juries' Fairness

	1ST	2ND	3RD	4TH	5TH	6TH	7TH	8TH	9TH	10TH
1	1329	1346	1363	1380	1397	1414	1431	1448	1465	1482
2	1330	1347	1364	1381	1398	1415	1432	1449	1466	1483
3	1331	1348	1365	1382	1399	1416	1433	1450	1467	1484
4	1332	1349	1366	1383	1400	1417	1434	1451	1468	1485

BASE: VERY OR SOMEWHAT FAMILIAR WITH AT LEAST ONE STATE (AT LEAST 1 FROM Q305/1-50 OR (Q300/1-50 & Q301/1,2))

Q410 Is there any other key element that you think is critical to [INSERT STATE]'s liability system?

	1ST	2ND	3RD	4TH	5TH	6TH	7TH	8TH	9TH	10TH
	1333	1350	1367	1384	1401	1418	1435	1452	1469	1486

1 Yes [ASK Q412]
2 No [JUMP TO Q420
8 Not sure (v) [JUMP TO Q420]
9 Decline to answer (v) [JUMP TO Q420]

BASE: GAVE OTHER KEY ELEMENT (Q410/1)

Q412 What is that other element critical to [INSERT STATE]'s liability system?

[TEXT BOX]

BASE: GAVE OTHER KEY ELEMENT (Q410/1)
Q415 What grade would you give them on this element?

	1ST	2ND	3RD	4TH	5TH	6TH	7TH	8TH	9TH	10TH
	1336	1353	1370	1387	1404	1421	1438	1455	1472	1489

1 "A"
2 "B"
3 "C"
4 "D"
5 "F"
8 Not sure (v)
9 Decline to answer (v)

BASE: VERY OR SOMEWHAT FAMILIAR WITH AT LEAST ONE STATE (AT LEAST 1 FROM Q305/1-50 OR (Q300/1-50 & Q301/1,2))
Q420 Overall, what grade would you give [INSERT STATE]?

	1ST	2ND	3RD	4TH	5TH	6TH	7TH	8TH	9TH	10TH
	1337	1354	1371	1388	1405	1422	1439	1456	1473	1490

1 "A"
2 "B"
3 "C"
4 "D"
5 "F"
8 Not sure (v)
9 Decline to answer (v)

BASE: ALL QUALIFIED RESPONDENTS

Q425 Thinking of the country as a whole, which 5 states do you think have the most fair and reasonable litigation environments for both defendants and plaintiffs? (DO NOT READ LIST) (PROBE FOR UP TO FIVE STATES)

[MUTIPLE RECORD UP TO FIVE]
(1491,1492),(1493,1494),(1495,1496),(1497,1498),(1499,1500)

1 Alabama
2 Alaska
3 Arizona
4 Arkansas
5 California
6 Colorado
7 Connecticut
8 Delaware
9 Florida
10 Georgia
11 Hawaii
12 Idaho
13 Illinois
14 Indiana
15 Iowa
16 Kansas
17 Kentucky
18 Louisiana
19 Maine
20 Maryland
21 Massachusetts
22 Michigan
23 Minnesota
24 Mississippi
25 Missouri
26 Montana
27 Nebraska
28 Nevada
29 New Hampshire
30 New Jersey
31 New Mexico
32 New York
33 North Carolina
34 North Dakota
35 Ohio
36 Oklahoma
37 Oregon
38 Pennsylvania
39 Rhode Island
40 South Carolina
41 South Dakota
42 Tennessee
43 Texas
44 Utah
45 Vermont
46 Virginia
47 Washington
48 West Virginia
49 Wisconsin
50 Wyoming
97 None (v) E
98 Not sure (v) E
99 Decline to answer (v) E

BASE: ALL QUALIFIED RESPONDENTS

Q430 Thinking of the country as a whole, which 5 states do you think have the least fair and reasonable litigation environments for both defendants and plaintiffs? (DO NOT READ LIST) (PROBE FOR UP TO FIVE STATES)

[MUTIPLE RECORD UP TO FIVE]
(1501,1502),(1503,1504),(1505,1506),(1507,1508),(1509,1510)

1	Alabama	
2	Alaska	
3	Arizona	
4	Arkansas	
5	California	
6	Colorado	
7	Connecticut	
8	Delaware	
9	Florida	
10	Georgia	
11	Hawaii	
12	Idaho	
13	Illinois	
14	Indiana	
15	Iowa	
16	Kansas	
17	Kentucky	
18	Louisiana	
19	Maine	
20	Maryland	
21	Massachusetts	
22	Michigan	
23	Minnesota	
24	Mississippi	
25	Missouri	
26	Montana	
27	Nebraska	
28	Nevada	
29	New Hampshire	
30	New Jersey	
31	New Mexico	
32	New York	
33	North Carolina	
34	North Dakota	
35	Ohio	
36	Oklahoma	
37	Oregon	
38	Pennsylvania	
39	Rhode Island	
40	South Carolina	
41	South Dakota	
42	Tennessee	
43	Texas	
44	Utah	
45	Vermont	
46	Virginia	
47	Washington	
48	West Virginia	
49	Wisconsin	
50	Wyoming	
97	None (v)	E
98	Not sure (v)	E
99	Decline to answer (v)	E

BASE: ALL QUALIFIED RESPONDENTS

Q435 What do you think is the single most important issue that state policy makers who care about economic development should focus on to improve the litigation environment in their states?

[TEXT BOX].

BASE: ALL QUALIFIED RESPONDENTS

Q440 Could it ever happen that the litigation environment in a state could affect an important business decision at your company, such as where to locate or do business? (DO NOT READ LIST)

(1513)

1 Yes, could affect important business decision
2 No, could not affect important business decision
8 Not sure (v)
9 Decline to answer (v)

SECTION 100: DEMOGRAPHICS

BASE: ALL QUALIFIED RESPONDENTS
Q100 Lastly, I have a few questions to help us classify your responses. How many years have you been with your company? (INTERVIEWER NOTE: ENTER 0 for LESS THAN 1 YEAR, ENTER 98 FOR "NOT SURE (V)" AND 99 FOR "DECLINE TO ANSWER.")

|__|__| [RANGE: 0-50, 98, 99]

(1514,1515)

BASE: ALL QUALIFIED RESPONDENTS
Q105 What is your job title? (DO NOT READ LIST)

(1516,1517)

01	General Counsel	[JUMP TO Q110]
02	Head of Litigation	[JUMP TO Q110]
03	Senior counsel/litigator	[JUMP TO Q110]
96	Other [SPECIFY AT Q107]	[ASK Q107]
98	Not sure (v)	[JUMP TO Q110]
99	Decline to answer (v)	[JUMP TO Q110]

BASE: GAVE OTHER JOB TITLE (Q105/6)
Q107 (ENTER OTHER JOB TITLE)

[TEXT BOX]

BASE: ALL QUALIFIED RESPONDENTS
Q110 How long have you been in your current position? (INTERVIEWER NOTE: ENTER 0 for LESS THAN 1 YEAR, ENTER 98 FOR "NOT SURE (V)" AND 99 FOR "DECLINE TO ANSWER.")

|__|__| [RANGE: 0-50, 98, 99]

(1520,1521)

BASE: ALL QUALIFIED RESPONDENTS
Q115 Including your current position, how many years of relevant legal experience do you have? (INTERVIEWER NOTE: ENTER 0 for LESS THAN 1 YEAR, ENTER 98 FOR "NOT SURE (V)" AND 99 FOR "DECLINE TO ANSWER.")

|__|__| [RANGE: 0-50, 98, 99]

(1523,1524)

BASE: ALL QUALIFIED RESPONDENTS
1 **Q120** What is your company's principal place of business?

[TEXT BOX]

BASE: ALL QUALIFIED RESPONDENTS
Q121 To thank you for your participation in this survey, we are sharing an executive summary of the key findings with interested respondents. Would you like us to send this to you?

(1527)

1	Yes, would like to get executive summary	[ASK Q122]
2	No, do not want to get executive summary	[JUMP TO Q125]
8	Not sure (v)	[JUMP TO Q125]
9	Decline to answer (v)	[JUMP TO Q125]

BASE: WOULD LIKE EXECUTIVE SUMMARY (Q121/1)
Q122 The executive summary will be available after the completion of the study. In order to send it to you, I'd like to confirm your address. (READ AND CONFIRM ADDRESS BELOW) Is this correct?

[DISPLAY ADDRESS FROM SAMPLE]
(1528)

1	Yes, address correct	[JUMP TO Q125]
2	No, not correct	[ASK Q123]
8	Not sure (v)	[JUMP TO Q125]
9	Decline to answer (v)	[JUMP TO Q125]

BASE: ADDRESS NOT CORRECT (Q122/2)
Q123 May I please have your correct mailing address?

ADDRESS LINE 1: [TEXT BOX]

ADDRESS LINE 2: [TEXT BOX]

CITY: [TEXT BOX]

STATE: [TEXT BOX]

ZIP: [TEXT BOX]

BASE: ALL QUALIFIED RESPONDENTS
Q125 Thank you very much for your participation in this Harris Poll. We appreciate your sharing your perspective with us.

BASE: ALL RESPONDENTS
Q60 [HIDDEN QUESTION-NOT SEEN ON SCREEN]

[QUALIFIED RESPONDENT MUST BE SOMEONE WHO AGREED TO CONTINUE AT Q205/1]

1 Qualified Complete
2 Non-qualified Complete