



Lawyers Creatives- Medical Malpractice Findings- 1/1/04-9/1/09

OVERVIEW*

Both the **spending and frequency of lawyers mass tort solicitation creatives focusing on medical malpractice claims have increased massively since 2004**. From 2004-2008 the spot count of these advertisements has increased over 1400% while the spending on these types of ads shot up over 1500% percent.

When **comparing 2005 data to 2006 data** there is a noticeable upward trend both in spending and spot count. **Occurrences shot up** from 141K to 179K- **an increase of 27%**; while **spending**, \$38 million dollars in 2005, **rose dramatically by 62%** to an estimated expenditure just under \$62 million dollars.

In the last **three full years of data** spending on these creatives has remained consistent- **averaging \$62 million dollars spent**. Upon looking at spot count however, we can see that **medical malpractice advertising peaked in 2006, airing nearly 180K times** in markets nationwide, National TV and National Cable.

In **2007, there was a 6.5% decrease** from these figures with the number of airings reaching approximately 168K. **The following year we can see a similar decrease of 6.7%**- with these lawyer-sponsored medical malpractice creatives airing 157K times across the country.

When viewing the medical malpractice solicitation creatives **for 2009, similar trends are discernable**. Thus far in the year, these ads have appeared 125K times, with over \$46 million dollars spent. Extrapolating these figures out, we can **project 166K occurrences** for these creatives with an estimated expenditure of \$62 million dollars.

MARKET SNAPSHOT

The **markets which saw the most medical malpractice ad activity in 2008 were Baltimore [12K], New York [10K] and Orlando [8K]**. Going back in the data for years 2004 and onwards there has **been some consistency in those DMAs targeted by trial lawyers-** with **New York, Boston and Baltimore** appearing most frequently when ranking markets according to medical malpractice ad occurrences.

**Please note that these figures are adjusted to show only the markets available to TNSMI/Campaign Media Analysis Group in 2004. At that time, there were 97 DMAs available to us for creative capture plus National Cable and National TV. Over the years we have added 115 additional markets to capture lawyer advertisements and, as such, spending and spot count figures are markedly higher than indicated here.*