



# CASE FILE

STATE LIABILITY SYSTEMS RANKING STUDY  
HARRIS INTERACTIVE INC.

*Conducted for the U.S. Chamber of Commerce and  
the U.S. Chamber Institute for Legal Reform*

Final Report, Released April 9, 2003



# STATE LIABILITY SYSTEMS RANKING STUDY

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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 18, 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



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possible that some states received a worse grade due to the negative reputation of one of their 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 it was 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.<sup>1</sup> 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 five. 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.<sup>2</sup> While some states remained leaders across the elements, some states stood out as getting particularly high or low ratings on certain elements.

<sup>1</sup> 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.

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- 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, 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]*

<sup>2</sup> "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.



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- 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]*

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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.



# STATE LIABILITY SYSTEMS RANKING STUDY

Table 1

## Overall Rating of State Court Liability Systems in America

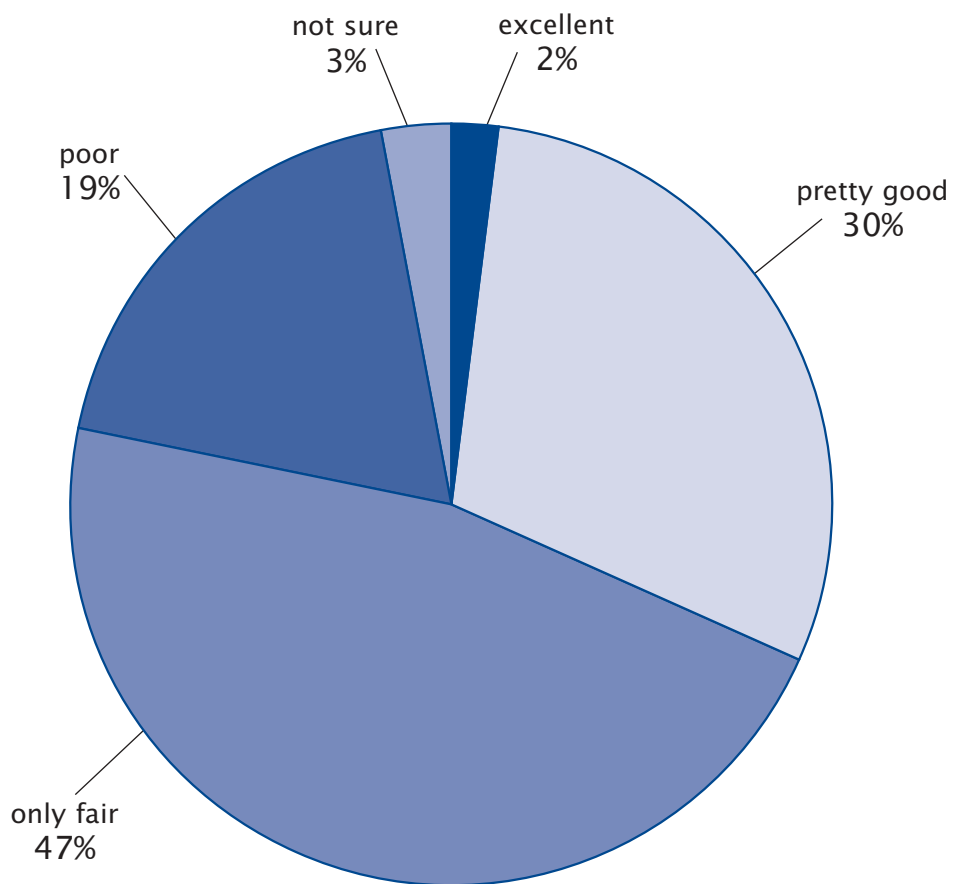
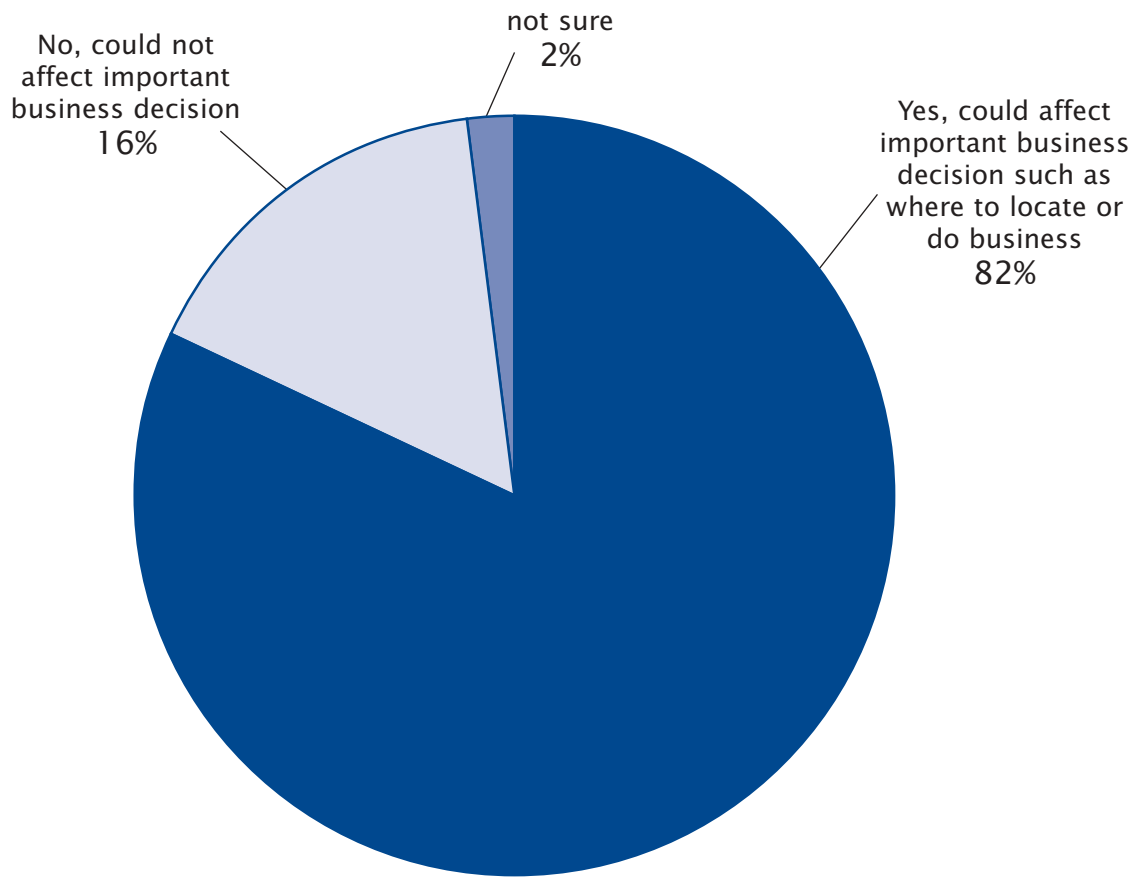


Table 2

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







# STATE LIABILITY SYSTEMS RANKING STUDY

Table 3

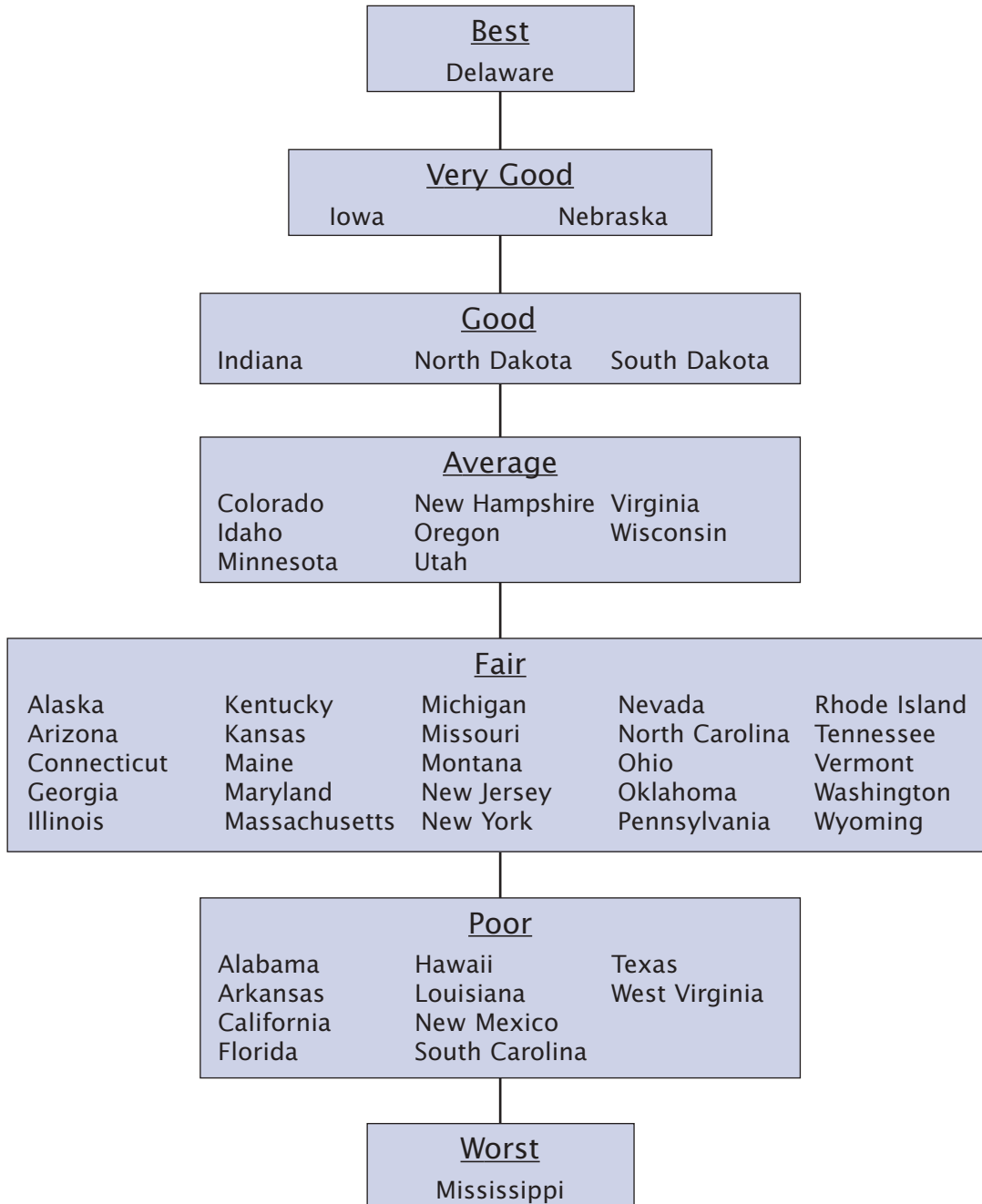
## Overall Ranking of State Liability Systems

STATE	2003		2002		STATE	2003		2002	
	RANK	SCORE	RANK	SCORE		RANK	SCORE	RANK	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
Washington	21	59.4	3	66.6	Arkansas	45	44.9	44	49.3
North Carolina	20	59.5	16	61.9	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





# STATE LIABILITY SYSTEMS RANKING STUDY

Table 3B

Grouping of States By Overall Score – 2002

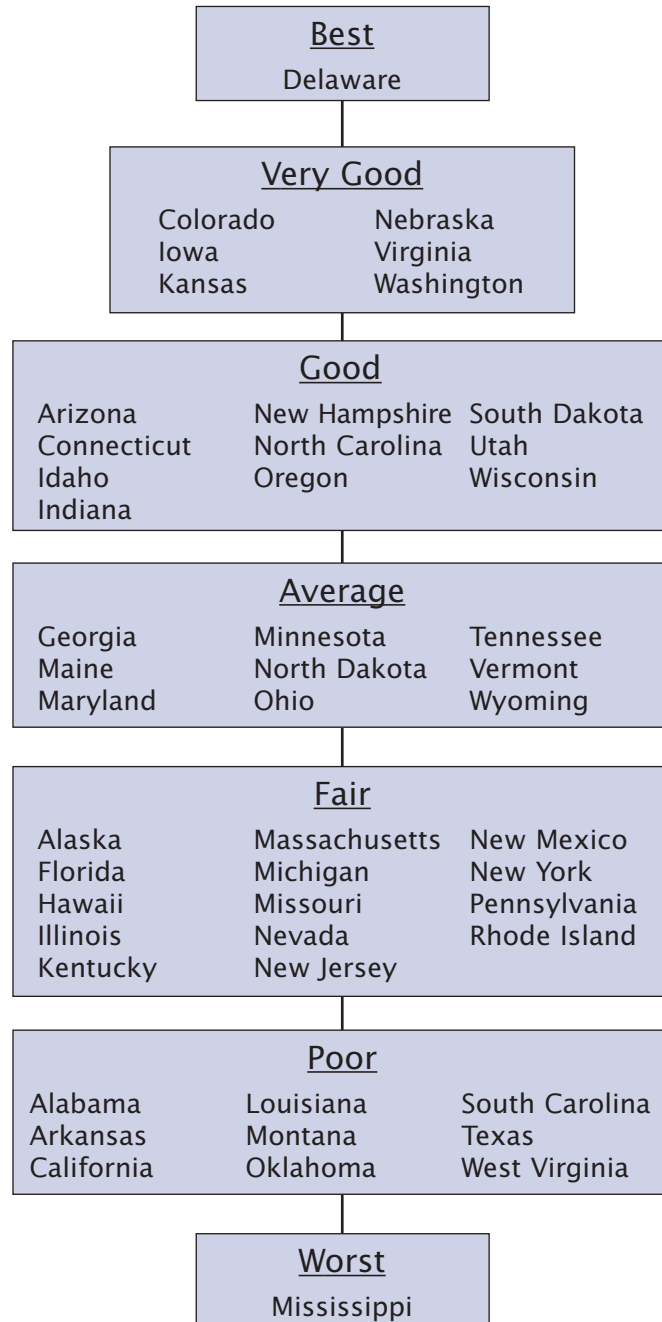


Table 4

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



# STATE LIABILITY SYSTEMS RANKING STUDY

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

Table 5 (cont'd)

Summary of Top/Bottom 5 States By Key Elements

**Discovery**

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

**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



# STATE LIABILITY SYSTEMS RANKING STUDY

Table 5 (cont'd)

## Summary of Top/Bottom 5 States By Key Elements

### ***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

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





# STATE LIABILITY SYSTEMS RANKING STUDY

## DETAILED TABLE OF RESULTS

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.



# STATE LIABILITY SYSTEMS RANKING STUDY

## DETAILED TABLE OF RESULTS

Table 9

### Timeliness of Summary Judgement/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



# STATE LIABILITY SYSTEMS RANKING STUDY

## DETAILED TABLE OF RESULTS

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



# STATE LIABILITY SYSTEMS RANKING STUDY

## DETAILED TABLE OF RESULTS

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





# STATE LIABILITY SYSTEMS RANKING STUDY

## DETAILED TABLE OF RESULTS

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



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