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## HOW LOW CAN THEY GO?

### STATE CIVIL, TORT, MEDICAL MALPRACTICE AND PRODUCTS LIABILITY CASELOADS AND JURY TRIALS

Many states (but not all) compile annual civil case filing and jury trial statistics and provide their data to the National Center for State Courts (NCSC). Together, these data present the most accurate overview of our nation's state-based civil justice system. According to NCSC's data for 2023, the most recent released by NCSC:

#### CIVIL CASES

- Civil cases represented 22 percent of incoming cases in state trial courts in 2023.<sup>1</sup>
- Over a five-year period (2019 to 2023), civil caseloads in state trial courts fell by 10.5 percent<sup>2</sup>, 11.8 percent<sup>3</sup> or 23.9 percent<sup>4</sup> depending on the data source.

#### TORT CASES

- Over a five-year period (2019 to 2023), tort caseloads in state trial courts fell by 2.2 percent<sup>5</sup> or 18.1 percent<sup>6</sup> depending on the data source.

#### TORT vs. CONTRACT CASES

- Tort cases accounted for only 7 percent of incoming state trial court civil caseloads in 2023.<sup>7</sup> This rate has remained low for the past twelve years for which data are available (*i.e.*, 2012-2023).<sup>8</sup>
- Contract cases represented 46 percent of incoming state trial court civil caseloads in 2023.<sup>9</sup> This rate has remained high for the past twelve years for which data are available (*i.e.*, 2012-2023).<sup>10</sup>

## MEDICAL MALPRACTICE CASES

- Medical malpractice cases represented a tiny percentage of state trial court *civil* caseloads in 2023, ranging from 0.02 to 0.5 percent.<sup>11</sup> This range is consistent with NCSC data from the previous eleven years.<sup>12</sup>
- Medical malpractice cases accounted for a low percentage of state trial court *tort* caseloads in 2023, ranging from 0.66 to 7.85 percent (with the exception of two outliers at 10.6 percent and 12.4 percent).<sup>13</sup> This range is consistent with NCSC data from the previous eleven years.<sup>14</sup>

## PRODUCT LIABILITY CASES

- Product liability cases represented a tiny percentage of state trial court *civil* caseloads in 2023, ranging from 0.0 to 0.92 percent (with the exception of three outliers at 2.83 percent, 2.85 percent and 3.02 percent).<sup>15</sup> This range is consistent with NCSC data from the previous eleven years.<sup>16</sup>
- Product liability cases accounted for an extremely low percentage of state trial court *tort* caseloads in 2023, ranging from 0.0 to 1.57 percent (with the exception of six outliers at 4 percent, 17.7 percent, 35.19 percent, 37.33 percent, 41.55 percent and 42.66 percent).<sup>17</sup> This range is consistent with NCSC data from the previous eleven years.<sup>18</sup>

## JURY TRIALS

- Juries resolved a tiny percentage of state *civil* cases in 2023, with rates ranging from 0.04 to 0.15 percent.<sup>19</sup> This rate has remained tiny for the past twelve years.<sup>20</sup>
- Juries resolved an extremely low percentage of state *tort* cases in 2023, with rates ranging from 0.44 to 2.69 percent (with the exception of two outliers at 4.35 percent and 8.97 percent).<sup>21</sup> This rate has remained extremely low for the past twelve years.<sup>22</sup>
- Juries resolved a low percentage of state *medical malpractice* cases in 2023, with rates ranging from 1.48 to 6.49 percent (with the exception of three outliers at 8.33 percent, 9.89 percent and 27.65 percent).<sup>23</sup> This rate has remained low for the twelve years for which data are available (*i.e.*, 2012-2023).<sup>24</sup>
- Juries resolved a very low percentage of state *product liability* cases in 2023, with rates ranging from 0.0 to 1.97 percent (with the exception of four outliers at 3.45 percent, 4.44 percent, 5 percent and 7.69 percent).<sup>25</sup> This rate has remained low for the twelve years for which data are available (*i.e.*, 2012-2023).<sup>26</sup>

## NOTES

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<sup>1</sup> This percentage comes from NCSC’s examination of incoming caseload data from state trial courts in 32 states plus the Northern Mariana Islands regarding tort, contract, real property, small claims, probate/estate, mental health, civil appeals, “misc. civil” and “appeal from lower court” cases. National Center for State Courts, “CSP STAT Civil: Trial Court Caseload Overview, Caseload Detail – Total Civil” (October 2024),

<https://www.courtstatistics.org/court-statistics/interactive-caseload-data-displays/csp-stat-nav-cards-first-row/csp-stat-civil>; National Center for State Courts, “CSP STAT Overview: Trial Court Caseload Overview, Incoming Caseload Composition – Overview” (October 2024), <https://www.courtstatistics.org/court-statistics/interactive-caseload-data-displays/csp-stat-nav-cards-first-row/csp-stat-overview>

<sup>2</sup> This percentage comes from 36 states that were able to provide publishable data across five years, 2019-2023. National Center for State Courts, “CSP STAT Overview: Trial Court Caseload Overview, Caseload Detail – Total Civil, Incoming Five-Year Trend, 2019-2023” (October 2024), <https://www.courtstatistics.org/court-statistics/interactive-caseload-data-displays/csp-stat-nav-cards-first-row/csp-stat-civil>

<sup>3</sup> National Center for State Courts, “2023 Snapshot: Overall Trends 2012-2023” (October 2024), <https://www.courtstatistics.org/court-statistics/interactive-caseload-data-displays/csp-stat-nav-cards-first-row/csp-stat-overview>. NCSC includes a disclaimer regarding these data, to wit, “Data availability may vary for individual case types and court tiers and not all case types or caseload measures may be available for a specific state. ...If a state is unable to provide data, alternative sources such as the annual court report or previous CSP submissions are used to fill data gaps. ... These data, along with data submitted by the state that does not conform to national reporting standards, are not available to the public and are only used for the trends and values shown” on the 2023 Snapshot page.”

<sup>4</sup> This percentage comes from 39 states that provided publishable data for 2023 and 44 states that provided publishable data for 2019. National Center for State Courts, “CSP STAT Civil: Trial Court Caseload Overview, Caseload Detail – Total Civil, Single Year Data, State Court Caseloads,” (October 2024) <https://www.courtstatistics.org/court-statistics/interactive-caseload-data-displays/csp-stat-nav-cards-first-row/csp-stat-civil>

<sup>5</sup> This percentage comes from NCSC’s examination of incoming tort caseload data from state trial courts in 28 states that were able to provide publishable data across 2019-2023. National Center for State Courts, “CSP STAT Civil: Trial Court Caseload Overview, Caseload Detail – Tort, Incoming Five-Year Trend, 2019-2023” (October 2024), <https://www.courtstatistics.org/court-statistics/interactive-caseload-data-displays/csp-stat-nav-cards-first-row/csp-stat-civil>

<sup>6</sup> This percentage comes from 34 states that were able to provide publishable data for 2023 and 34 states that were able to provide publishable data for 2019. National Center for State Courts, “CSP STAT Civil: Trial Court Caseload Overview, Caseload Detail – Tort, Single Year Data, State Court Caseloads” (October 2024), <https://www.courtstatistics.org/court-statistics/interactive-caseload-data-displays/csp-stat-nav-cards-first-row/csp-stat-civil>

<sup>7</sup> National Center for State Courts, “CSP STAT Civil: Trial Court Caseload Overview, Incoming Caseload Composition – Civil, Total Incoming Cases and Composition” (October 2024), <https://www.courtstatistics.org/court-statistics/interactive-caseload-data-displays/csp-stat-nav-cards-first-row/csp-stat-civil>

<sup>8</sup> 7 percent (2023), 6 percent (2022), 7 percent (2021), 7 percent (2020), 5 percent (2019), 6 percent (2018), 5 percent (2017), 5 percent (2016), 5 percent (2015), 7 percent (2014), 5 percent (2013) and 5 percent (2012). National Center for State Courts, “CSP STAT Civil: Trial Court Caseload Overview, Incoming Caseload Composition – Civil, Total Incoming Cases and Composition” (October 2024), <https://www.courtstatistics.org/csp-stat-nav-cards-first-row/csp-stat-civil>

<sup>9</sup> National Center for State Courts, “CSP STAT Civil: Trial Court Caseload Overview, Incoming Caseload Composition – Civil, Total Incoming Cases and Composition” (October 2024), <https://www.courtstatistics.org/court-statistics/interactive-caseload-data-displays/csp-stat-nav-cards-first-row/csp-stat-civil>

<sup>10</sup> 46 percent (2023), 46 percent (2022), 41 percent (2021), 41 percent (2020), 47 percent (2019), 47 percent (2018), 47 percent (2017), 46 percent (2016), 46 percent (2015), 45 percent (2014), 50 percent (2013) and 50 percent (2012). National Center for State Courts, “CSP STAT Civil: Trial Court Caseload Overview, Incoming Caseload

Composition – Civil, Total Incoming Cases and Composition” (October 2024),

<https://www.courtstatistics.org/court-statistics/interactive-caseload-data-displays/csp-stat-nav-cards-first-row/csp-stat-civil>

<sup>11</sup> Thirty states plus the Northern Mariana Islands and Puerto Rico reported data for total incoming civil and medical malpractice cases in 2023. Their rates were as follows: Alabama (0.1 percent), Alaska (0.12 percent), Arizona (0.11 percent), Arkansas (0.15 percent), Connecticut (0.16 percent), Delaware (0.14 percent), Florida (0.09 percent), Georgia (0.08 percent), Idaho (0.03 percent), Iowa (0.12 percent), Kentucky (0.14 percent), Maine (0.33 percent), Maryland (0.07 percent), Massachusetts (0.19 percent), Michigan (0.14 percent), Minnesota (0.02 percent), Nebraska (0.11 percent), Nevada (0.12 percent), New Hampshire (0.11 percent), New York (0.48 percent), Northern Mariana Islands (0.15 percent), Oregon (0.13 percent), Pennsylvania (0.39 percent), Puerto Rico (0.14 percent), Rhode Island (0.14 percent), South Carolina (0.14 percent), Tennessee (0.5 percent), Texas (0.08 percent), Utah (0.17 percent), Vermont (0.18 percent), Wisconsin (0.03 percent) and Wyoming (0.15 percent). National Center for State Courts, “CSP STAT Civil: Trial Court Caseload Overview, Data Table – Malpractice Medical,”

<https://www.courtstatistics.org/court-statistics/interactive-caseload-data-displays/csp-stat-nav-cards-first-row/csp-stat-civil> (data as of October 18, 2024); National Center for State Courts, “CSP STAT Civil: Trial Court Caseload Overview, Data Table – Total Civil,” <https://www.courtstatistics.org/court-statistics/interactive-caseload-data-displays/csp-stat-nav-cards-first-row/csp-stat-civil> (data as of October 18, 2024).

<sup>12</sup> See reported data for total incoming civil and medical malpractice cases from 2012 through 2023. National Center for State Courts, “CSP STAT Civil: Trial Court Caseload Overview, Data Table – Malpractice Medical,”

<https://www.courtstatistics.org/court-statistics/interactive-caseload-data-displays/csp-stat-nav-cards-first-row/csp-stat-civil> (data as of October 18, 2024); National Center for State Courts, “CSP STAT Civil: Trial Court Caseload Overview, Data Table – Total Civil,” <https://www.courtstatistics.org/court-statistics/interactive-caseload-data-displays/csp-stat-nav-cards-first-row/csp-stat-civil> (data as of October 18, 2024).

<sup>13</sup> Thirty states plus the Northern Mariana Islands and Puerto Rico reported data for total incoming tort and medical malpractice cases in 2023. Their rates were as follows: Alabama (1.91 percent), Alaska (2.77 percent), Arizona (3.24 percent), Arkansas (4.79 percent), Connecticut (2 percent), Delaware (1.82 percent), Florida (0.98 percent), Georgia (2.05 percent), Idaho (3.52 percent), Iowa (5.32 percent), Kentucky (4 percent), Maine (7.24 percent), Maryland (2.75 percent), Massachusetts (7.85 percent), Michigan (3.27 percent), Minnesota (0.66 percent), Nebraska (6.52 percent), Nevada (2.5 percent), New Hampshire (3.47 percent), New York (5.66 percent), Northern Mariana Islands (4 percent), Oregon (2.5 percent), Pennsylvania (4.6 percent), Puerto Rico (10.6 percent), Rhode Island (2.12 percent), South Carolina (3.19 percent), Tennessee (2.77 percent), Texas (1.72 percent), Utah (6.28 percent), Vermont (6.24 percent), Wisconsin (1.35 percent) and Wyoming (12.4 percent). National Center for State Courts, “CSP STAT Civil: Trial Court Caseload Overview, Data Table – Malpractice Medical,”

<https://www.courtstatistics.org/court-statistics/interactive-caseload-data-displays/csp-stat-nav-cards-first-row/csp-stat-civil> (data as of October 18, 2024); National Center for State Courts, “CSP STAT Civil: Trial Court Caseload Overview, Data Table – Total Tort,” <https://www.courtstatistics.org/court-statistics/interactive-caseload-data-displays/csp-stat-nav-cards-first-row/csp-stat-civil> (data as of October 18, 2024).

<sup>14</sup> See reported data for total incoming tort and medical malpractice cases from 2012 through 2023. National Center for State Courts, “CSP STAT Civil: Trial Court Caseload Overview, Data Table – Medical Malpractice,”

<https://www.courtstatistics.org/court-statistics/interactive-caseload-data-displays/csp-stat-nav-cards-first-row/csp-stat-civil> (data as of October 18, 2024); National Center for State Courts, “CSP STAT Civil: Trial Court Caseload Overview, Data Table – Total Tort,” <https://www.courtstatistics.org/court-statistics/interactive-caseload-data-displays/csp-stat-nav-cards-first-row/csp-stat-civil> (data as of October 18, 2024).

<sup>15</sup> Twenty-eight states plus the Northern Mariana Islands and Puerto Rico reported data for total incoming civil and product liability cases in 2023. Their rates were as follows: Alabama (0.08 percent), Alaska (0.02 percent), Arizona (0.01 percent), Arkansas (0.03 percent), Connecticut (0.05 percent), Delaware (2.85 percent), Florida (0.08 percent), Georgia (0.03 percent), Iowa (0.01 percent), Maine (0.03 percent), Maryland (0.03 percent), Massachusetts (0.44 percent), Michigan (0.04 percent), Minnesota (0.92 percent), Missouri (3.02 percent), Nevada (0.03 percent), New Hampshire (0.02 percent), New York (0.09 percent), Northern Mariana Islands (0.15 percent), Ohio (0.02 percent), Oregon (0.02 percent), Pennsylvania (0.09 percent), Puerto Rico (0.0 percent), Rhode Island (2.83 percent), South Carolina (0.04 percent), Texas (0.02 percent), Utah (0.01 percent), Vermont (0.02 percent), Wisconsin (0.02 percent) and Wyoming (0.01 percent). National Center for State Courts “CSP STAT Civil: Trial Court Caseload Overview, Data Table – Product Liability,”

<https://www.courtstatistics.org/court-statistics/interactive-caseload-data-displays/csp-stat-nav-cards-first-row/csp-stat-civil> (data as of October 18, 2024); National Center for State Courts, “CSP STAT Civil: Trial Court Caseload Overview, Data Table – Total Civil,” <https://www.courtstatistics.org/court-statistics/interactive-caseload-data-displays/csp-stat-nav-cards-first-row/csp-stat-civil> (data as of October 18, 2024).

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<sup>16</sup> See reported data for total incoming civil and product liability cases from 2012 through 2023. National Center for State Courts “CSP STAT Civil: Trial Court Caseload Overview, Data Table – Product Liability,”

<https://www.courtstatistics.org/court-statistics/interactive-caseload-data-displays/csp-stat-nav-cards-first-row/csp-stat-civil> (data as of October 18, 2024); National Center for State Courts, “CSP STAT Civil: Trial Court Caseload Overview, Data Table – Total Civil,” <https://www.courtstatistics.org/court-statistics/interactive-caseload-data-displays/csp-stat-nav-cards-first-row/csp-stat-civil> (data as of October 18, 2024).

<sup>17</sup> Twenty-eight states plus the Northern Mariana Islands and Puerto Rico reported data for total incoming tort and product liability cases in 2023. Their rates were as follows: Alabama (1.57 percent), Alaska (0.36 percent), Arizona (0.27 percent), Arkansas (0.95 percent), Connecticut (0.6 percent), Delaware (37.33 percent), Florida (0.8 percent), Georgia (0.72 percent), Iowa (0.57 percent), Maine (0.69 percent), Maryland (1.38 percent), Massachusetts (17.7 percent), Michigan (1.04 percent), Minnesota (35.19 percent), Missouri (41.55 percent), Nevada (0.66 percent), New Hampshire (0.57 percent), New York (1.08 percent), Northern Mariana Islands (4 percent), Ohio (0.53 percent), Oregon (0.35 percent), Pennsylvania (1.01 percent), Puerto Rico (0.0 percent), Rhode Island (42.66 percent), South Carolina (0.91 percent), Texas (0.39 percent), Utah (0.52 percent), Vermont (0.72 percent), Wisconsin (0.99 percent) and Wyoming (1.16 percent). National Center for State Courts “CSP STAT Civil: Trial Court Caseload Overview, Data Table – Product Liability,” <https://www.courtstatistics.org/court-statistics/interactive-caseload-data-displays/csp-stat-nav-cards-first-row/csp-stat-civil> (data as of October 18, 2024); National Center for State Courts, “CSP STAT Civil: Trial Court Caseload Overview, Data Table – Total Tort,” <https://www.courtstatistics.org/court-statistics/interactive-caseload-data-displays/csp-stat-nav-cards-first-row/csp-stat-civil> (data as of October 18, 2024).

<sup>18</sup> See reported data for total incoming tort and product liability cases from 2012 through 2023. National Center for State Courts “CSP STAT Civil: Trial Court Caseload Overview, Data Table – Product Liability,” <https://www.courtstatistics.org/court-statistics/interactive-caseload-data-displays/csp-stat-nav-cards-first-row/csp-stat-civil> (data as of October 18, 2024); National Center for State Courts, “CSP STAT Civil: Trial Court Caseload Overview, Data Table – Total Tort,” <https://www.courtstatistics.org/court-statistics/interactive-caseload-data-displays/csp-stat-nav-cards-first-row/csp-stat-civil> (data as of October 18, 2024).

<sup>19</sup> Thirteen states reported publishable data for total civil dispositions and jury trials in 2023. Their rates were as follows: California (0.15 percent), Florida (0.06 percent), Georgia (0.06 percent), Indiana (0.04 percent), Minnesota (0.07 percent), Missouri (0.12 percent), Nevada (0.06 percent), New York (0.07 percent), Ohio (0.07 percent), Texas (0.12 percent), Utah (0.05 percent), Vermont (0.12 percent) and Wisconsin (0.08 percent). National Center for State Courts, “CSP STAT Civil: Trial Court Caseload Overview, Caseload Detail – Total Civil, Single Year Data, State Court Caseloads” (October 2024), <https://www.courtstatistics.org/court-statistics/interactive-caseload-data-displays/csp-stat-nav-cards-first-row/csp-stat-civil>

<sup>20</sup> For publishable data on total civil dispositions, jury trials and jury trial rates from 2012 through 2023, see National Center for State Courts, “CSP STAT Civil: Trial Court Caseload Overview, Caseload Detail – Total Civil, Single Year Data, State Court Caseloads” (October 2024), <https://www.courtstatistics.org/court-statistics/interactive-caseload-data-displays/csp-stat-nav-cards-first-row/csp-stat-civil>

<sup>21</sup> Fourteen states reported publishable data for total tort dispositions and jury trials in 2023. Their rates were as follows: Connecticut (1.1 percent), Georgia (0.92 percent), Indiana (0.8 percent), Minnesota (2.07 percent), Missouri (1.11 percent), Nevada (1.06 percent), New York (1.17 percent), Ohio (0.62 percent), Oregon (1.81 percent), Rhode Island (0.44 percent), Texas (0.96 percent), Utah (1.6 percent), Vermont (2.69 percent) and Wisconsin (1.49 percent). National Center for State Courts, “CSP STAT Overview: Trial Court Caseload Overview: Caseload Detail – Tort, Single Year Data, State Court Caseloads” (October 2024), <https://www.courtstatistics.org/court-statistics/interactive-caseload-data-displays/csp-stat-nav-cards-first-row/csp-stat-civil>

<sup>22</sup> For publishable data on total tort dispositions, jury trials and jury trial rates from 2012 through 2023, see National Center for State Courts, “CSP STAT Civil: Trial Court Caseload Overview, Caseload Detail – Tort, Single Year Data, State Court Caseloads” (October 2024), <https://www.courtstatistics.org/court-statistics/interactive-caseload-data-displays/csp-stat-nav-cards-first-row/csp-stat-civil>

<sup>23</sup> Sixteen states reported data for total medical malpractice dispositions and jury trials in 2023. Their rates were as follows: Arkansas (27.65 percent), Connecticut (1.51 percent), Florida (1.48 percent), Georgia (5.04 percent), Michigan (6.13 percent), Minnesota (3.7 percent), Nebraska (2.99 percent), Nevada (3.07 percent), New York (4.89 percent), Oregon (4 percent), Rhode Island (4.35 percent), Tennessee (3.77 percent), Texas (2.22 percent), Utah (6.49 percent), Vermont (8.33 percent) and Wisconsin (9.89 percent). National Center for State Courts, “CSP STAT Civil: Trial Court Caseload Overview, Data Table – Malpractice Medical, Dispositions,” <https://www.courtstatistics.org/court-statistics/interactive-caseload-data-displays/csp-stat-nav-cards-first-row/csp-stat-civil> (data as of October 18, 2024); National Center for State Courts, “CSP STAT Civil: Trial Court Caseload Overview, Data Table – Malpractice Medical, Jury Trial Rate,” <https://www.courtstatistics.org/court->

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[statistics/interactive-caseload-data-displays/csp-stat-nav-cards-first-row/csp-stat-civil](https://www.courtstatistics.org/court-statistics/interactive-caseload-data-displays/csp-stat-nav-cards-first-row/csp-stat-civil) (data as of October 18, 2024); National Center for State Courts, “CSP STAT Civil: Trial Court Caseload Overview, Data Table – Malpractice Medical, Jury Trials,” <https://www.courtstatistics.org/court-statistics/interactive-caseload-data-displays/csp-stat-nav-cards-first-row/csp-stat-civil> (data as of October 18, 2024). The three states with outlier percentages resolved the following number of medical malpractice cases by jury trial in 2023: Arkansas (47), Vermont (2) and Wisconsin (9). National Center for State Courts, “CSP STAT Civil: Trial Court Caseload Overview, Data Table – Malpractice Medical, Jury Trials,” <https://www.courtstatistics.org/court-statistics/interactive-caseload-data-displays/csp-stat-nav-cards-first-row/csp-stat-civil> (data as of October 18, 2024).

<sup>24</sup> See reported total medical malpractice dispositions, jury trials and jury trial rates from 2012 through 2023.

National Center for State Courts, “CSP STAT Civil: Trial Court Caseload Overview, Data Table – Malpractice Medical, Dispositions,” <https://www.courtstatistics.org/court-statistics/interactive-caseload-data-displays/csp-stat-nav-cards-first-row/csp-stat-civil> (data as of October 18, 2024); National Center for State Courts, “CSP STAT Civil: Trial Court Caseload Overview, Data Table – Malpractice Medical, Jury Trial Rate,” <https://www.courtstatistics.org/court-statistics/interactive-caseload-data-displays/csp-stat-nav-cards-first-row/csp-stat-civil> (data as of October 18, 2024); National Center for State Courts, “CSP STAT Civil: Trial Court Caseload Overview, Data Table – Malpractice Medical, Jury Trials,” <https://www.courtstatistics.org/court-statistics/interactive-caseload-data-displays/csp-stat-nav-cards-first-row/csp-stat-civil> (data as of October 18, 2024).

<sup>25</sup> Sixteen states reported data for total product liability dispositions and jury trials in 2023. Their rates were as follows: Arkansas (7.69 percent), Connecticut (0.0 percent), Florida (1.25 percent), Georgia (1.97 percent), Michigan (0.0 percent), Minnesota (0.57 percent), Missouri (0.47 percent), Nevada (0.0 percent), New York (0.91 percent), Ohio (0.89 percent), Oregon (5 percent), Rhode Island (0.0 percent), Texas (1.74 percent), Utah (3.45 percent), Vermont (0.0 percent) and Wisconsin (4.44 percent). National Center for State Courts, “CSP STAT Civil: Trial Court Caseload Overview, Data Table – Product Liability, Dispositions,” <https://www.courtstatistics.org/court-statistics/interactive-caseload-data-displays/csp-stat-nav-cards-first-row/csp-stat-civil> (data as of October 18, 2024); National Center for State Courts, “CSP STAT Civil: Trial Court Caseload Overview, Data Table – Product Liability, Jury Trial Rate,” <https://www.courtstatistics.org/court-statistics/interactive-caseload-data-displays/csp-stat-nav-cards-first-row/csp-stat-civil> (data as of October 18, 2024); National Center for State Courts, “CSP STAT Civil: Trial Court Caseload Overview, Data Table – Product Liability, Jury Trials,” <https://www.courtstatistics.org/court-statistics/interactive-caseload-data-displays/csp-stat-nav-cards-first-row/csp-stat-civil> (data as of October 18, 2024). The four states with outlier percentages resolved the following number of product liability cases by jury trial in 2023: Arkansas (4), Oregon (2), Utah (1) and Wisconsin (2). National Center for State Courts, “CSP STAT Civil: Trial Court Caseload Overview, Data Table – Product Liability, Jury Trials,” <https://www.courtstatistics.org/court-statistics/interactive-caseload-data-displays/csp-stat-nav-cards-first-row/csp-stat-civil> (data as of October 18, 2024).

<sup>26</sup> See reported total product liability dispositions, jury trials and jury trial rates from 2012 through 2023. National Center for State Courts, “CSP STAT Civil: Trial Court Caseload Overview, Data Table – Product Liability, Dispositions,” <https://www.courtstatistics.org/court-statistics/interactive-caseload-data-displays/csp-stat-nav-cards-first-row/csp-stat-civil> (data as of October 18, 2024); National Center for State Courts, “CSP STAT Civil: Trial Court Caseload Overview, Data Table – Product Liability, Jury Trial Rate,” <https://www.courtstatistics.org/court-statistics/interactive-caseload-data-displays/csp-stat-nav-cards-first-row/csp-stat-civil> (data as of October 18, 2024); National Center for State Courts, “CSP STAT Civil: Trial Court Caseload Overview, Data Table – Product Liability, Jury Trials,” <https://www.courtstatistics.org/court-statistics/interactive-caseload-data-displays/csp-stat-nav-cards-first-row/csp-stat-civil> (data as of October 18, 2024).