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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 2021, the most recent released by NCSC:

#### CIVIL CASES

- Civil cases represented 21 percent of incoming cases in state trial courts in 2021.<sup>1</sup>
- Civil caseloads in state trial courts rose a small amount between 2020 and 2021, varying from 5 percent<sup>2</sup> to 5.4 percent<sup>3</sup> to 6.3 percent<sup>4</sup> depending on the data source (averaging 5.6 percent). Of course, some increase would be expected given the widespread 2020 pandemic-related court closures, which caused state trial court civil caseloads to drop by a much larger percentage between 2019 and 2020, varying from 26 percent<sup>5</sup> to 25.8 percent<sup>6</sup> to 26.7 percent<sup>7</sup> depending on the data source (averaging 26.2 percent).
- Over a five-year period (2017 to 2021), civil caseloads in state trial courts fell by 17.7 percent<sup>8</sup> or by 16.9 percent<sup>9</sup> depending on the data source (averaging 17.3 percent).

#### TORT CASES

- Between 2020 and 2021, tort caseloads in state trial courts fell by 3.3 percent<sup>10</sup> or rose by 13.3 percent<sup>11</sup> depending on the data source (on average, a 10 percent increase). An increase would be expected given the widespread 2020 pandemic-related court closures, which caused tort caseloads in state trial courts to drop by 4.1 percent<sup>12</sup> or by 14.6 percent<sup>13</sup> between 2019 and 2020 depending on the data source (on average a 9.4 percent drop).<sup>14</sup>
- Over a five-year period (2017 to 2021), tort caseloads in state trial courts rose by 20.7 percent<sup>15</sup> or fell by 4.6 percent<sup>16</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 2021.<sup>17</sup> This rate has remained low for the past ten years for which data are available (*i.e.*, 2012-2021).<sup>18</sup>
- Contract cases represented 41 percent of incoming state trial court civil caseloads in 2021.<sup>19</sup> It was the same high rate in 2020 and has been even higher in eight previous years, with contract cases ranging from 45-50 percent of state trial court civil caseloads from 2012-2019.<sup>20</sup>

## MEDICAL MALPRACTICE CASES

- Medical malpractice cases represented a tiny percentage of state trial court *civil* caseloads in 2021, ranging from 0.01 to 0.46 percent.<sup>21</sup> This range is consistent with NCSC data from the previous nine years.<sup>22</sup>
- Medical malpractice cases accounted for an extremely low percentage of state trial court *tort* caseloads in 2021, ranging from a low of 0.53 percent to a rare high of 9.29 percent.<sup>23</sup> This range is consistent with NCSC data from the previous nine years.<sup>24</sup>

## PRODUCT LIABILITY CASES

- Product liability cases represented a tiny percentage of state trial court *civil* caseloads in 2021, ranging from 0.0 to 1.8 percent (with the exception of one outlier at 6.45 percent).<sup>25</sup> This range is consistent with NCSC data from the previous nine years.<sup>26</sup>
- Product liability cases accounted for an extremely low percentage of state trial court *tort* caseloads in 2021, ranging from 0.0 to 2.64 percent (with the exception of five outliers at 8.67 percent, 17.53 percent, 22.1 percent, 43.37 percent, and 52.31 percent).<sup>27</sup> This range is consistent with NCSC data from the previous nine years.<sup>28</sup>

## JURY TRIALS

- Juries resolved a tiny percentage of state *civil* cases in 2021, with rates ranging from 0.0 to 0.09 percent (with the exception of one outlier at 9.95 percent).<sup>29</sup> This rate has remained tiny for the past ten years.<sup>30</sup>
- Juries resolved an extremely low percentage of state *tort* cases in 2021, with rates ranging from 0.0 to 1.79 percent (with the exception of one outlier at 90.48 percent).<sup>31</sup> This rate has remained extremely low for the past ten years.<sup>32</sup>
- Juries resolved a low percentage of state *medical malpractice* cases in 2021, with rates ranging from 0.0 to 9 percent (with the exception of three outliers at 22.8 percent, 30.8

percent and 80 percent).<sup>33</sup> This rate has remained low for the ten years for which data are available (*i.e.*, 2012-2021).<sup>34</sup>

- Juries resolved a low percentage of state *product liability* cases in 2021, with rates ranging from 0.0 to 2.48 percent (with the exception of one outlier at 10.2 percent).<sup>35</sup> This rate has remained low for the ten years for which data are available (*i.e.*, 2012-2021).<sup>36</sup>

## NOTES

<sup>1</sup> This percentage comes from NCSC’s examination of incoming caseload data from state trial courts in 33 states plus the District of Columbia and 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,” June 5, 2023, <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,” June 5, 2023, <https://www.courtstatistics.org/court-statistics/interactive-caseload-data-displays/csp-stat-nav-cards-first-row/csp-stat-overview>

<sup>2</sup> National Center for State Courts, “CSP STAT Overview: Trial Court Caseload Overview, Incoming Trends, 2012–2021,” June 5, 2023, <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, “Annual totals for national trend figures...include estimates for those states unable to submit data for one or more years. As such, these values may not match the totals shown in other CSP publications and dashboards.”

<sup>3</sup> This percentage comes from 46 states that provided publishable data for 2021 and 45 states that provided publishable data for 2020. National Center for State Courts, “CSP STAT Overview: Trial Court Caseload Overview, Caseload Detail – Total Civil, Single Year Data, State Court Caseloads,” <https://www.courtstatistics.org/court-statistics/interactive-caseload-data-displays/csp-stat-nav-cards-first-row/csp-stat-overview>

<sup>4</sup> This percentage comes from 39 states that were able to provide publishable data across five years, 2017-2021. National Center for State Courts, “CSP STAT Overview: Trial Court Caseload Overview, Caseload Detail – Total Civil, Incoming Five-Year Trend, 2017-2021,” <https://www.courtstatistics.org/court-statistics/interactive-caseload-data-displays/csp-stat-nav-cards-first-row/csp-stat-overview>

<sup>5</sup> National Center for State Courts, “CSP STAT Overview: Trial Court Caseload Overview, Incoming Trends, 2012–2021,” June 5, 2023, <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, “Annual totals for national trend figures...include estimates for those states unable to submit data for one or more years. As such, these values may not match the totals shown in other CSP publications and dashboards.”

<sup>6</sup> This percentage comes from 45 states that provided publishable data for 2020 and 44 states that provided publishable data for 2019. National Center for State Courts, “CSP STAT Overview: Trial Court Caseload Overview, Caseload Detail – Total Civil, Single Year Data, State Court Caseloads,” <https://www.courtstatistics.org/court-statistics/interactive-caseload-data-displays/csp-stat-nav-cards-first-row/csp-stat-overview>

<sup>7</sup> This percentage comes from 39 states that were able to provide publishable data across five years, 2017-2021. National Center for State Courts, “CSP STAT Overview: Trial Court Caseload Overview, Caseload Detail – Total Civil, Incoming Five-Year Trend, 2017-2021,” <https://www.courtstatistics.org/court-statistics/interactive-caseload-data-displays/csp-stat-nav-cards-first-row/csp-stat-overview>

<sup>8</sup> National Center for State Courts, “CSP STAT Overview: Trial Court Caseload Overview, Incoming Trends, 2012–2021,” June 5, 2023, <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, “Annual totals for national trend figures...include estimates for those states unable to submit data for one or more years. As such, these values may not match the totals shown in other CSP publications and dashboards.”

<sup>9</sup> This percentage comes from 39 states that were able to provide publishable data across five years, 2017-2021. National Center for State Courts, “CSP STAT Overview: Trial Court Caseload Overview, Caseload Detail – Total Civil, Incoming Five-Year Trend, 2017-2021,” <https://www.courtstatistics.org/court-statistics/interactive-caseload-data-displays/csp-stat-nav-cards-first-row/csp-stat-overview>

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<sup>10</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 2017-2021. National Center for State Courts, “CSP STAT Civil: Trial Court Caseload Overview, Caseload Detail – Tort, Incoming Five-Year Trend, 2017-2021,” June 5, 2023, <https://www.courtstatistics.org/court-statistics/interactive-caseload-data-displays/csp-stat-nav-cards-first-row/csp-stat-civil>

<sup>11</sup> This percentage comes from 36 states that provided publishable data for 2021 and 35 states that provided publishable data for 2020. National Center for State Courts, “CSP STAT Civil: Trial Court Caseload Overview, Caseload Detail – Tort, Single Year Data, State Court Caseloads,” June 5, 2023, <https://www.courtstatistics.org/court-statistics/interactive-caseload-data-displays/csp-stat-nav-cards-first-row/csp-stat-civil>

<sup>12</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 2017-2021. National Center for State Courts, “CSP STAT Civil: Trial Court Caseload Overview, Caseload Detail – Tort, Incoming Five-Year Trend, 2017-2021,” June 5, 2023, <https://www.courtstatistics.org/court-statistics/interactive-caseload-data-displays/csp-stat-nav-cards-first-row/csp-stat-civil>

<sup>13</sup> This percentage comes from 35 states that provided publishable data for 2020 and 34 states that provided publishable data for 2019. National Center for State Courts, “CSP STAT Overview: Trial Court Caseload Overview, Caseload Detail – Tort, Single Year Data, State Court Caseloads,” <https://www.courtstatistics.org/court-statistics/interactive-caseload-data-displays/csp-stat-nav-cards-first-row/csp-stat-overview>

<sup>14</sup> This percentage comes from 35 states that provided publishable data for 2020 and 34 states that provided publishable data for 2019. National Center for State Courts, “CSP STAT Overview: Trial Court Caseload Overview, Caseload Detail – Tort, Single Year Data, State Court Caseloads,” <https://www.courtstatistics.org/court-statistics/interactive-caseload-data-displays/csp-stat-nav-cards-first-row/csp-stat-overview>

<sup>15</sup> This percentage comes from 36 states that were able to provide publishable data for 2021 and 33 states that were able to provide publishable data for 2017. National Center for State Courts, “CSP STAT Civil: Trial Court Caseload Overview, Caseload Detail – Tort, Single Year Data, State Court Caseloads,” June 5, 2023, <https://www.courtstatistics.org/court-statistics/interactive-caseload-data-displays/csp-stat-nav-cards-first-row/csp-stat-civil>

<sup>16</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 2017-2021. National Center for State Courts, “CSP STAT Civil: Trial Court Caseload Overview, Caseload Detail – Tort, Incoming Five-Year Trend, 2017-2021,” June 5, 2023, <https://www.courtstatistics.org/court-statistics/interactive-caseload-data-displays/csp-stat-nav-cards-first-row/csp-stat-civil>

<sup>17</sup> National Center for State Courts, “CSP STAT Civil: Trial Court Caseload Overview, Incoming Caseload Composition – Civil, Total Incoming Cases and Composition” June 5, 2023, <https://www.courtstatistics.org/court-statistics/interactive-caseload-data-displays/csp-stat-nav-cards-first-row/csp-stat-civil>

<sup>18</sup> 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,” June 5, 2023, <https://www.courtstatistics.org/csp-stat-nav-cards-first-row/csp-stat-civil>

<sup>19</sup> National Center for State Courts, “CSP STAT Civil: Trial Court Caseload Overview, Incoming Caseload Composition – Civil, Total Incoming Cases and Composition,” June 5, 2023, <https://www.courtstatistics.org/court-statistics/interactive-caseload-data-displays/csp-stat-nav-cards-first-row/csp-stat-civil>

<sup>20</sup> 41 percent (2020), 48 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,” June 5, 2023, <https://www.courtstatistics.org/court-statistics/interactive-caseload-data-displays/csp-stat-nav-cards-first-row/csp-stat-civil>

<sup>21</sup> Twenty-eight states plus the Northern Mariana Islands and Puerto Rico reported publishable data for total incoming civil and medical malpractice cases in 2021. Their rates were as follows: Alabama (0.12 percent), Alaska (0.11 percent), Arizona (0.13 percent), Arkansas (0.2 percent), Connecticut (0.14 percent), Delaware (0.19 percent), Georgia (0.09 percent), Hawai’i (0.1 percent), Iowa (0.13 percent), Kentucky (0.12 percent), Maine (0.3 percent), Maryland (0.09 percent), Massachusetts (0.21 percent), Michigan (0.14 percent), Minnesota (0.01 percent), Nebraska (0.12 percent), Nevada (0.12 percent), New Hampshire (0.13 percent), New Jersey (0.17 percent), New York (0.43 percent), Northern Mariana Islands (0.18 percent), North Carolina (0.06 percent), Pennsylvania (0.46 percent), Puerto Rico (0.2 percent), Rhode Island (0.17 percent), South Carolina (0.18 percent), Texas (0.09

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percent), Utah (0.17 percent), Vermont (0.12 percent) and Wisconsin (0.05 percent). National Center for State Courts, “CSP STAT Civil: Trial Court Caseload Overview, Caseload Detail – Total Civil, Single Year Data, State Court Caseloads,” June 5, 2023, <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 Civil: Trial Court Caseload Overview, Data Table – Malpractice Medical,” June 5, 2023, <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 Civil: Trial Court Caseload Overview, Data Table – Total Civil,” June 5, 2023, <https://www.courtstatistics.org/court-statistics/interactive-caseload-data-displays/csp-stat-nav-cards-first-row/csp-stat-civil>

<sup>22</sup> See data for total incoming civil and medical malpractice cases in 2012-2020. National Center for State Courts, “CSP STAT Civil: Trial Court Caseload Overview, Caseload Detail – Total Civil, Single Year Data, State Court Caseloads,” June 5, 2023, <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 Civil: Trial Court Caseload Overview, Data Table – Malpractice Medical,” June 5, 2023, <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 Civil: Trial Court Caseload Overview, Data Table – Total Civil,” June 5, 2023, <https://www.courtstatistics.org/court-statistics/interactive-caseload-data-displays/csp-stat-nav-cards-first-row/csp-stat-civil>

<sup>23</sup> Twenty-nine states plus the Northern Mariana Islands and Puerto Rico reported publishable data for total incoming tort and medical malpractice cases in 2021. Their rates were as follows: Alabama (1.98 percent), Alaska (2.32 percent), Arizona (3 percent), Arkansas (6.18 percent), Connecticut (1.57 percent), Delaware (2.59 percent), Georgia (1.8 percent), Hawai’i (3.02 percent), Iowa (5.6 percent), Kentucky (3.43 percent), Maine (8.02 percent), Maryland (2.82 percent), Massachusetts (5 percent), Michigan (3.09 percent), Minnesota (0.53 percent), Nebraska (7.22 percent), Nevada (2.01 percent), New Hampshire (5.43 percent), New Jersey (2.17 percent), New York (4.84 percent), Northern Mariana Islands (5 percent), North Carolina (2.6 percent), Oregon (2.23 percent), Pennsylvania (4.42 percent), Puerto Rico (9.29 percent), Rhode Island (1.38 percent), South Carolina (5.45 percent), Texas (1.72 percent), Utah (6.42 percent), Vermont (3.91 percent) and Wisconsin (1.73 percent). National Center for State Courts, “CSP STAT Civil: Trial Court Caseload Overview, Caseload Detail – Tort, Single Year Data, State Court Caseloads,” June 5, 2023, <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 Civil: Trial Court Caseload Overview, Data Table – Malpractice Medical,” June 5, 2023, <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 Civil: Trial Court Caseload Overview, Data Table – Total Tort,” June 5, 2023, <https://www.courtstatistics.org/court-statistics/interactive-caseload-data-displays/csp-stat-nav-cards-first-row/csp-stat-civil>

<sup>24</sup> See data for total incoming tort and medical malpractice cases in 2012-2020. National Center for State Courts, “CSP STAT Civil: Trial Court Caseload Overview, Caseload Detail – Tort, Single Year Data, State Court Caseloads,” June 5, 2023, <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 Civil: Trial Court Caseload Overview, Data Table – Medical Malpractice,” June 5, 2023, <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 Civil: Trial Court Caseload Overview, Data Table – Total Tort,” June 5, 2023, <https://www.courtstatistics.org/court-statistics/interactive-caseload-data-displays/csp-stat-nav-cards-first-row/csp-stat-civil>

<sup>25</sup> Twenty-eight states plus Puerto Rico reported publishable data for total incoming civil and product liability cases in 2021. Their rates were as follows: Alabama (0.1 percent), Alaska (0.03 percent), Arizona (0.07 percent), Arkansas (0.04 percent), Connecticut (0.07 percent), Delaware (0.63 percent), Georgia (0.03 percent), Hawai’i (0.09 percent), Iowa (0.01 percent), Maine (0.06 percent), Maryland (0.05 percent), Massachusetts (1.8 percent), Michigan (0.04 percent), Minnesota (0.44 percent), Missouri (1.34 percent), Nevada (0.05 percent), New Hampshire (0.01 percent), New Jersey (0.1 percent), New York (0.08 percent), North Carolina (0.01 percent), Ohio (0.02 percent), Pennsylvania (0.17 percent), Puerto Rico (0.0 percent), Rhode Island (6.45 percent), South Carolina (0.03 percent), Texas (0.02 percent), Utah (0.03 percent), Vermont (0.02 percent) and Wisconsin (0.03 percent). National Center for State Courts, “CSP Civil Overview: Trial Court Caseload Overview, Caseload Detail – Total Civil, Single Year Data, State Court Caseloads,” June 5, 2023, <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 Civil: Trial Court Caseload Overview, Data Table – Product Liability,” June 5, 2023, <https://www.courtstatistics.org/court-statistics/interactive-caseload-data-displays/csp-stat-nav-cards-first-row/csp-stat-civil>

[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); National Center for State Courts, “CSP STAT Civil: Trial Court Caseload Overview, Data Table – Total Civil,” June 5, 2023, <https://www.courtstatistics.org/court-statistics/interactive-caseload-data-displays/csp-stat-nav-cards-first-row/csp-stat-civil>

<sup>26</sup> See data for total incoming civil and product liability cases in 2012-2020. National Center for State Courts, “CSP STAT Civil: Trial Court Caseload Overview: Caseload Detail – Total Civil, Single Year Data, State Court Caseloads,” June 5, 2023, <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 Civil: Trial Court Caseload Overview, Data Table – Product Liability,” June 5, 2023, <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 Civil: Trial Court Caseload Overview, Data Table – Total Civil,” June 5, 2023, <https://www.courtstatistics.org/court-statistics/interactive-caseload-data-displays/csp-stat-nav-cards-first-row/csp-stat-civil>

<sup>27</sup> Twenty-nine states plus Puerto Rico reported publishable data for total incoming tort and product liability cases in 2021. Their rates were as follows: Alabama (1.56 percent), Alaska (0.58 percent), Arizona (1.49 percent), Arkansas (1.15 percent), Connecticut (0.74 percent), Delaware (8.67 percent), Georgia (0.54 percent), Hawai’i (2.64 percent), Iowa (0.27 percent), Maine (1.51 percent), Maryland (1.46 percent), Massachusetts (43.37 percent), Michigan (0.97 percent), Minnesota (17.53 percent), Missouri (22.1 percent), Nevada (0.78 percent), New Hampshire (0.28 percent), New Jersey (1.32 percent), New York (0.86 percent), North Carolina (0.28 percent), Ohio (0.55 percent), Oregon (0.68 percent), Pennsylvania (1.59 percent), Puerto Rico (0.0 percent), Rhode Island (52.31 percent), South Carolina (0.97 percent), Texas (0.39 percent), Utah (1.14 percent), Vermont (0.73 percent) and Wisconsin (0.96 percent). National Center for State Courts, “CSP STAT Civil: Trial Court Caseload Overview, Caseload Detail – Tort, Single Year Data, State Court Caseloads,” June 5, 2023, <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 Civil: Trial Court Caseload Overview, Data Table – Product Liability,” June 5, 2023, <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 Civil: Trial Court Caseload Overview, Data Table – Total Tort,” June 5, 2023, <https://www.courtstatistics.org/court-statistics/interactive-caseload-data-displays/csp-stat-nav-cards-first-row/csp-stat-civil>

<sup>28</sup> See data for total incoming tort and product liability cases in 2012-2020. National Center for State Courts, “CSP STAT Civil: Trial Court Caseload Overview, Caseload Detail – Tort, Single Year Data, State Court Caseloads,” June 5, 2023, <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 Civil: Trial Court Caseload Overview, Data Table – Product Liability,” June 5, 2023, <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 Civil: Trial Court Caseload Overview, Data Table – Total Tort,” June 5, 2023, <https://www.courtstatistics.org/court-statistics/interactive-caseload-data-displays/csp-stat-nav-cards-first-row/csp-stat-civil>

<sup>29</sup> Eighteen states plus the Northern Mariana Islands reported publishable data for total civil dispositions and jury trials in 2021. Their rates were as follows: California (0.06 percent), Florida (0.05 percent), Georgia (0.04 percent), Hawai’i (0.09 percent), Indiana (0.03 percent), Michigan (0.04 percent), Minnesota (0.07 percent), Missouri (0.05 percent), Nevada (0.08 percent), New Jersey (0.04 percent), New York (0.08 percent), Northern Mariana Islands (0.0 percent), North Carolina (0.03 percent), Ohio (0.07 percent), Rhode Island (0.03 percent), Texas (0.09 percent), Utah (9.95 percent), Vermont (0.05 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,” June 5, 2023, <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 Civil: Trial Court Caseload Overview, Data Table – Total Civil, Jury Trial Rate,” June 5, 2023, <https://www.courtstatistics.org/court-statistics/interactive-caseload-data-displays/csp-stat-nav-cards-first-row/csp-stat-civil>. Utah resolved 42 civil cases by jury trial in 2021. National Center for State Courts, “CSP STAT Civil: Trial Court Caseload Overview, Caseload Detail – Total Civil, Single Year Data, State Court Caseloads,” June 5, 2023, <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 Civil: Trial Court Caseload Overview, Data Table – Total Civil, Jury Trials,” June 5, 2023, <https://www.courtstatistics.org/court-statistics/interactive-caseload-data-displays/csp-stat-nav-cards-first-row/csp-stat-civil>

<sup>30</sup> See data for total civil dispositions, jury trials and jury trial rates in 2012-2021. National Center for State Courts, “CSP STAT Civil: Trial Court Caseload Overview, Caseload Detail – Total Civil, Single Year Data, State Court

Caseloads,” June 5, 2023, <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 Civil: Trial Court Caseload Overview, Data Table – Total Civil, Dispositions,” June 5, 2023, <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 Civil: Trial Court Caseload Overview, Data Table – Total Civil, Jury Trial Rate,” June 5, 2023, <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 Civil: Trial Court Caseload Overview, Data Table – Total Civil, Jury Trials,” June 5, 2023, <https://www.courtstatistics.org/court-statistics/interactive-caseload-data-displays/csp-stat-nav-cards-first-row/csp-stat-civil>

<sup>31</sup> Eighteen states plus the Northern Mariana Islands reported publishable data for total tort dispositions and jury trials. Their rates were as follows: Connecticut (0.8 percent), Georgia (0.74 percent), Hawai’i (0.76 percent), Indiana (0.84 percent), Michigan (0.24 percent), Minnesota (1.79 percent), Missouri (0.88 percent), Nevada (0.9 percent), New Jersey (0.49 percent), New York (0.74 percent), North Carolina (0.62 percent), North Mariana Islands (0.0 percent), Ohio (0.4 percent), Oregon (0.52 percent), Rhode Island (0.16 percent), Texas (0.84 percent), Utah (90.48 percent), Vermont (0.29 percent) and Wisconsin (1.4 percent). National Center for State Courts, “CSP STAT Overview: Trial Court Caseload Overview: Caseload Detail – Tort, Single Year Data, State Court Caseloads,” June 5, 2023, <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 Civil: Trial Court Caseload Overview, Data Table – Total Tort, Jury Trial Rate,” June 5, 2023, <https://www.courtstatistics.org/court-statistics/interactive-caseload-data-displays/csp-stat-nav-cards-first-row/csp-stat-civil>. Utah resolved 19 tort cases by jury trial in 2021. National Center for State Courts, “CSP STAT Civil: Trial Court Caseload Overview, Caseload Detail – Tort, Single Year Data, State Court Caseloads,” June 5, 2023, <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 Civil: Trial Court Caseload Overview, Data Table – Total Tort, Jury Trials,” June 5, 2023, <https://www.courtstatistics.org/court-statistics/interactive-caseload-data-displays/csp-stat-nav-cards-first-row/csp-stat-civil>

<sup>32</sup> See data for total tort dispositions, jury trials and jury trial rates in 2012-2021. National Center for State Courts, “CSP STAT Civil: Trial Court Caseload Overview, Caseload Detail – Tort, Single Year Data, State Court Caseloads,” June 5, 2023, <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 Civil: Trial Court Caseload Overview, Data Table – Total Tort, Dispositions,” June 5, 2023, <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 Civil: Trial Court Caseload Overview, Data Table – Total Tort, Jury Trial Rate,” June 5, 2023, <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 Civil: Trial Court Caseload Overview, Data Table – Total Tort, Jury Trials,” June 5, 2023, <https://www.courtstatistics.org/court-statistics/interactive-caseload-data-displays/csp-stat-nav-cards-first-row/csp-stat-civil>

<sup>33</sup> Nineteen states plus the Northern Mariana Islands reported data for total medical malpractice dispositions and jury trials. Their rates were as follows: Arkansas (22.8 percent), Connecticut (0.6 percent), Florida (0.8 percent), Georgia (4.17 percent), Hawai’i (0.0 percent), Michigan (0.7 percent), Minnesota (30.8 percent), Nebraska (7.1 percent), Nevada (2.9 percent), New Jersey (0.9 percent), New York (1.9 percent), North Carolina (0.41 percent), Northern Mariana Islands (0.0 percent), Oregon (1.9 percent), Rhode Island (2.9 percent), Tennessee (1.4 percent), Texas (0.71 percent), Utah (80 percent), Vermont (0.0 percent) and Wisconsin (9 percent). National Center for State Courts, “CSP STAT Civil: Trial Court Caseload Overview, Data Table – Malpractice Medical, Jury Trial Rate,” June 5, 2023, <https://www.courtstatistics.org/court-statistics/interactive-caseload-data-displays/csp-stat-nav-cards-first-row/csp-stat-civil>. In 2021, Arkansas resolved 33 medical malpractice cases by jury trial, Minnesota resolved 4 medical malpractice cases by jury trial and Utah resolved 4 medical malpractice cases by jury trial. National Center for State Courts, “CSP STAT Civil: Trial Court Caseload Overview, Data Table – Malpractice Medical, Jury Trials,” June 5, 2023, <https://www.courtstatistics.org/court-statistics/interactive-caseload-data-displays/csp-stat-nav-cards-first-row/csp-stat-civil>

<sup>34</sup> See data for total medical malpractice dispositions, jury trials and jury trial rates in 2012-2021. National Center for State Courts, “CSP STAT Civil: Trial Court Caseload Overview, Data Table – Malpractice Medical, Dispositions,” June 5, 2023, <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 Civil: Trial Court Caseload Overview, Data Table – Malpractice Medical, Jury Trial Rate,” June 5, 2023, <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 Civil: Trial Court Caseload Overview, Data Table – Malpractice Medical, Jury Trials,” June 5,

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2023, <https://www.courtstatistics.org/court-statistics/interactive-caseload-data-displays/csp-stat-nav-cards-first-row/csp-stat-civil>

<sup>35</sup> Eighteen states reported data for total product liability dispositions and jury trials. Their rates were as follows: Arkansas (10.2 percent), Connecticut (0.5 percent), Florida (0.9 percent), Georgia (2.48 percent), Hawai'i (0.0 percent), Michigan (0.0 percent), Minnesota (0.0 percent), Missouri (0.4 percent), Nevada (1.3 percent), New Jersey (0.2 percent), New York (0.4 percent), North Carolina (0.0 percent), Ohio (0.9 percent), Oregon (1.8 percent), Rhode Island (0.0 percent), Texas (0.33 percent), Vermont (0.0 percent) and Wisconsin (0.0 percent). National Center for State Courts, "CSP STAT Civil: Trial Court Caseload Overview, Data Table – Product Liability, Jury Trial Rate," June 5, 2023, <https://www.courtstatistics.org/court-statistics/interactive-caseload-data-displays/csp-stat-nav-cards-first-row/csp-stat-civil>. Arkansas resolved 5 product liability cases by jury trial in 2021. National Center for State Courts, "CSP STAT Civil: Trial Court Caseload Overview, Data Table – Product Liability, Jury Trials," June 5, 2023, <https://www.courtstatistics.org/court-statistics/interactive-caseload-data-displays/csp-stat-nav-cards-first-row/csp-stat-civil>

<sup>36</sup> See data for total product liability dispositions, jury trials and jury trial rates in 2012-2021. National Center for State Courts, "CSP STAT Civil: Trial Court Caseload Overview, Data Table – Product Liability, Dispositions," June 5, 2023, <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 Civil: Trial Court Caseload Overview, Data Table – Product Liability, Jury Trial Rate," June 5, 2023, <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 Civil: Trial Court Caseload Overview, Data Table – Product Liability, Jury Trials," June 5, 2023, <https://www.courtstatistics.org/court-statistics/interactive-caseload-data-displays/csp-stat-nav-cards-first-row/csp-stat-civil>