

Report for the

**NEW JERSEY LAWSUIT
REFORM ALLIANCE**

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Introduction

This report summarizes the final data from the New Jersey Lawsuit Reform Alliance Business Opinion Survey, conducted on weekdays from August 16, 2011 to August 31, 2011.

The sample consists of telephone interviews with 543 business executives, managers and professionals in businesses operating within the state of New Jersey. The sample was chosen to represent non-governmental businesses with at least two employees with operations in New Jersey. Businesses were eligible to be in the sample if they had two or more employees and active business operations within New Jersey. While the sample was not limited by size of business, few of the businesses in the final sample are larger than 50 employees, which represents the general distribution of businesses within the state.

Respondents were asked a series of questions about:

- New Jersey’s general business climate and perceptions of NJ liability laws
- Beliefs/Experiences with lawsuits against their business
- Attitudes toward reform of NJ liability laws
- Experience with lawsuits and liability costs

This report provides an overview of the responses to each section, as well as detailed tables including cross-tabulations by key business demographics, including:

- Respondent position within the business
- Type of Business/Industry (based on SIC code)
- Number of Employees as reported by Dun & Bradstreet
- Age of business
- Region of NJ where business was contacted

General Information about the Sample

Respondent Position in Business	
	Percent
Owner/Partner	49.5
CEO/PRES/Gen Mgmt	28.7
Administrative/Manager	17.5
Financial Management	2.2
Sales	.9
Misc.	.7
Unreported	.4
Total	100.0

Respondent Gender	
	Percent
Male	72.7
Female	27.3
Total	100.0

Any Operations Outside NJ	
	Percent
No	84.1
Yes	15.9
Total	100.0

Industry/SIC Category	
	Percent
Services	50.3
Retail Stores	20.1
Manufacturing	14.9
Construction	6.6
Agriculture	3.7
Transportation	3.3
Communications/Utilities	1.1
Total	100.0

Number of Years in Operation	
	Percent
0-5 Years	5.3
6-10 Years	11.4
11-20 Years	23.2
Over 20 years	58.0
Don't Know	.2
Unreported	1.8
Total	100.0

NJ Region	
	Percent
Urban North	12.2
NYC Suburban	40.9
Exurban (NW NJ)	15.5
Shore	16.2
South, inc Philly suburbs	15.2
Total	100.0

Number of Employees	
	Percent
2-9	80.5
10-25	14.4
Over 25	5.2
Total	100.0

Summary of Results

Business Climate / General Attitudes toward NJ's Liability Laws

Current business climate: Bad; But maybe it will get better

Very few respondents feel positive about New Jersey's business climate over the past five years, with only 2 percent saying it is excellent, and 13 percent good. Most see the climate as fair (41 percent) or Poor (43 percent). There is little difference regionally; urban and exurban businesses are a little more positive (19 percent excellent/good for both) while suburban businesses are more negative, with 11 percent giving an excellent/good rating. There are few differences by industry as well. Clearly NJ businesses feel that the general business climate is bad at this time.

Asked whether they think the business climate will get better over the next five years, businesses seem cautiously optimistic, with 41 percent suggesting it will get better, while 24 percent say it will get worse, and 31 percent see no change ahead. Retail and service businesses are most optimistic, with 43 and 42 percent saying things will get better, while only 33 percent of construction businesses see things improving. Suburban-based businesses are more optimistic

(46 percent say the climate will get better) while urban-based businesses are least optimistic, with only 35 percent expecting improvement.

Negative opinion of NJ liability laws; Half say reform should be a high priority

Perhaps unsurprisingly, most respondents have a negative opinion of the state's liability laws from the perspective of their businesses. Only 25 percent say New Jersey's liability laws strike a good balance between consumers and businesses, while 50 percent say the laws favor consumers over businesses. Only 11 percent think the laws tend to favor businesses over consumers, while another 14 percent are not sure. Construction industry businesses are especially likely to say the laws favor consumers over business, with two-thirds taking this position.

A large percentage of respondents believe New Jersey's liability laws make the state less attractive than other states. Overall, 68 percent agree that this is the case, with 42 percent expressing strong agreement, and another 26 percent agreeing "somewhat". Again, those in the construction industry are much more likely to feel negative toward the liability laws, with 78 percent agreeing strongly or somewhat that the laws make the state less attractive as a place to do business. Urban respondents are less likely than others to agree with this statement, although a majority (55 percent) agrees strongly or somewhat.

Asked about how high a priority liability reform should be for the NJ legislature, 50 percent of all respondents say it should be a high priority, while another 37 percent want to see it a medium priority. Only 11 percent see this as a low priority item, and no one wants the legislature to ignore liability and lawsuit reform.

Perceptions of Lawsuit Characteristics

A battery of questions was asked about the characteristics of lawsuits against businesses and the perceptions of why people sue and what the incentives to sue are. Overall respondents are concerned about lawsuits, even if they have not been sued recently. Most see liability lawsuits as a problem and believe most such lawsuits lack merit and are filed because people think businesses will settle for large cash amounts. In general, respondents in north Jersey urban-based businesses are less negative toward lawsuits than in other parts of the state, while those in shore-county businesses are most negative.

Liability lawsuits seen as a problem by most; see most lawsuits as lacking merit

Only 22 percent say liability lawsuits filed by customers or clients are "not really a problem" while 34 percent call them a "major problem" and another 34 percent say they are a "minor problem." Those in the manufacturing sector are much less likely to say this is a major problem (15 percent).

A large majority (59 percent) say most lawsuits against NJ businesses "mostly lack merit." Only 20 percent say they are "mostly legitimate." Businesses in the north Jersey urban areas are least

likely to say lawsuits most lack merit (46 percent) while those in the NJ shore counties are most likely to believe this (65 percent).

NJ laws make it easy to file lawsuit; Businesses see people as too quick to file suit; Personal injury lawyers don't help

Respondents overwhelmingly disagree with the statement that “New Jersey laws and regulations make it hard to file a lawsuit” with 64 percent either somewhat or strongly disagreeing. Only 20 percent agree with the statement. Retailers in particular strongly disagree with the statement (41 percent).

Most (64 percent) strongly agree that “people file lawsuits because they believe that a business will be forced to settle for large cash amounts.” Urban respondents are less likely to strongly agree (53 percent) as are those from newer (less than 5 years old) businesses, where only 48 percent strongly agree. But 68 percent of those in long time businesses (over 20 years) strongly agree, perhaps having more experience in this realm. Three-quarters of respondents from Shore counties also strongly agree.

There is little love lost for personal injury lawyers: 73 percent strongly agree that ads from personal injury lawyers encourage people to sue. Another 67 percent strongly agree that “people are too quick to solve simple misunderstandings with a lawsuit.”

Legislative Lawsuit Reform/Policy Initiatives

Respondents were asked about aspects of New Jersey liability laws and the Consumer Fraud Act. It is important to note that the “Not Sure” response level for the Consumer Fraud Act is relatively high – in the neighborhood of one-in-five respondents. This is not particularly unusual when asking the specifics about a particular law or policy. Even so, a majority of respondents wants to see the legislature amend the law.

There is a low level of knowledge about whether NJ laws “encourage” out-of-state plaintiffs to file against NJ businesses, with four-in-ten respondents saying they don't know if this is the case. Those who do respond are somewhat more likely to agree than disagree with the statement (39 percent to 19 percent) but for the most part there is limited awareness of whether this is the case.

Amend the New Jersey Consumer Fraud Act

Asked whether the existing Consumer Fraud act should be amended to require plaintiffs provide that defendants intended to deceive them in order to recover damages, about two thirds want to see this provision amended. There are relatively few differences across industry groups, though larger business are clearly more likely to say this provision should be changed, with 75 percent of respondents in businesses with more than 25 employees taking this position

Fifty percent say the provision that “a transaction between consumer and business does not need to have taken place in New Jersey to file a claim” should be amended by the legislature, while 31

percent think that should be left as-is, and 20 percent are not sure. This reflects the uncertainty about whether NJ liability law encourages out-of-state plaintiffs.

Lawsuit Experiences

In this sample, about one-quarter of respondents say their business has been threatened with a liability lawsuit by a consumer or client in the past five years. Those based in south New Jersey and the Philadelphia suburbs are much more likely to say this (40 percent) while exurban-based respondents are least likely at 11 percent. Respondents from the manufacturing sector are less likely than other sectors to have been threatened (11 percent). Older and larger businesses were more likely to have been threatened with a lawsuit.

While about one-quarter have been threatened with a lawsuit in the past five years, just over half of that (13 percent) say they have actually been sued. This rises to 27 percent of larger businesses (more than 25 employees) and 24 percent of businesses based in south Jersey.

While the number of respondents saying they have been sued is too small to do effective crosstabulations with demographics, this group was asked about the impact of having been sued. Of those who have been sued:

- 39 percent said a lawsuit directly limited the expansion of their business
- 35 percent raised prices because of a lawsuit
- 30 percent cut employee hours or benefits
- 33 percent discontinued products or services
- 31 percent considered relocating to another state
- 26 percent considered closing
- 23 percent laid off employees

Moreover, nearly half (45 percent) of respondents who faced lawsuits reported that they had implemented at least four of the actions listed in response to a lawsuit.

While a relatively small share of the sample has actually been sued, many more have been threatened. It is clear that these business leaders see real consequences when they are faced with a lawsuit.

Liability insurance costs continue to rise for nearly all

Across the sample, 60 percent of respondents say their liability insurance cost has increased over the past five years while 32 percent say it has stayed the same. Only 2 percent say it has decreased while 6 percent weren't sure.

Of those whose insurance costs have gone up, more than half (52 percent) say the costs have gone "up a lot".

Methodology

The sample was drawn from Dun & Bradstreet listing of businesses with at least two employees and business operations in New Jersey. Records included the name of a senior manager within the business (CEO, COO, CFO, Owner, Partner, Corporate Counsel). Governmental agencies were ineligible as were membership associations. Data were collected by telephone from August 16 – 31, 2001, on weekdays only between the hours of 9AM and 5PM. Interviewers first asked for the person whose name was on the record; if unavailable, asked for the person most likely to know about legal issues facing the company. Callbacks were made as needed in attempt to complete interviews. A total of 543 interviews were completed. All results reported here are unweighted.

A sample of 543 respondents has a margin of sampling error of plus or minus 4.2 percentage points at a 95 percent confidence interval. In practical terms, that means that if 50 percent of the sample takes a position, we are confident that 95 out of 100 times the true value in the population will lie between 45.8 and 54.2 percent. Sampling error increases as the sample size decreases, so statements based on various population subgroups are subject to more error than are statements based on the total sample. Sampling error does not take into account other sources of variation inherent in public opinion studies, such as non-response, question wording or context effects.

This survey was fielded by the Eagleton Institute of Politics Center for Public Interest Polling (ECPIP) at Rutgers University using an in-house CATI system with additional fielding by Braun Research Inc. Fielding at ECPIP was overseen by Virginia Tangel. The questionnaire was initially developed by the New Jersey Lawsuit Reform Alliance with input from ECPIP staff. All data analysis was completed by ECPIP. The survey was paid for by the New Jersey Lawsuit Reform Alliance.

Special Note: The fielding dates of the survey included the days of Hurricane Irene, which hit hardest on the weekend of August 27/28 but which caused widespread power outages and flooding through New Jersey. No interviews were completed on August 29, but interviewing restarted on August 30. We do not believe this caused a serious problem with data collection; however, non-response was greater on August 30-31 than it was in the preceding two weeks of the survey.

Detailed Questions and Tables

Questions and Tables begin on the next page.

Questions and Tables
New Jersey Lawsuit Reform Alliance
August 16-31, 2011

Following are the Questions and Tables for the NJLRA 2011 business survey, including a total of 543 respondents. Questions are presented in the order in which they were asked.

Q1 First, let's talk about how things look for business in New Jersey. How would you rate the business climate in New Jersey over the past five years? Would you say it has been excellent, good, fair, or poor?

Excellent	Good	Fair	Poor	DK
1%	13%	41%	43%	2%

	Respondent Position				Industry (SIC Code)					
	Admin/ Mgmt	CEO/Pres/ Gen Mgmt	Owner/ Partner	Other	Services	Retail	Const	Mfg	Other	
Excellent	2%	1%	1%	4%	1%	2%	3%	1%	0%	
Good	22%	10%	11%	17%	10%	17%	11%	15%	16%	
Fair	37%	49%	40%	30%	44%	37%	39%	38%	45%	
Poor	38%	38%	46%	48%	43%	42%	47%	43%	36%	
DK	1%	3%	1%	0%	1%	2%	0%	2%	2%	

	# Employees			Age of Business (years)				Region				
	2-10	10-25	>25	<5	6-10	11-20	> 20	Urban	Suburb	Exurban	South/ Philly	Shore
Excellent	1%	1%	4%	0%	3%	1%	2%	2%	2%	2%	0%	0%
Good	12%	13%	25%	10%	18%	17%	11%	17%	9%	17%	15%	13%
Fair	40%	46%	46%	52%	35%	43%	41%	53%	43%	32%	36%	42%
Poor	44%	38%	25%	34%	42%	38%	45%	29%	43%	46%	48%	42%
DK	2%	1%	0%	3%	2%	2%	2%	0%	2%	2%	1%	2%

Q2 Do you think the state's business climate will get better, get worse, or stay the same over the next five years?

Get Better	Get worse	Stay the same	DK
41%	24%	31%	4%

	Respondent Position				Industry (SIC Code)					
	Admin/ Mgmt	CEO/Pres/ Gen Mgmt	Owner/ Partner	Other	Services	Retail	Const	Mfg	Other	
Get Better	33%	44%	42%	39%	42%	43%	33%	37%	39%	
Get worse	22%	24%	25%	26%	25%	22%	17%	30%	20%	
Stay the same	43%	28%	28%	35%	26%	31%	47%	33%	39%	
DK	2%	4%	6%	0%	7%	4%	3%	0%	2%	

	# Employees			Age of Business (years)			Region					
	2-10	10-25	>25	<5	6-10	11-20	> 20	Urban	Suburb	Exurban	South/ Philly	Shore
Get Better	41%	42%	29%	41%	39%	33%	43%	35%	46%	37%	36%	41%
Get worse	24%	24%	18%	24%	34%	26%	21%	30%	20%	27%	34%	16%
Stay the same	30%	32%	46%	28%	24%	37%	30%	27%	29%	33%	29%	37%
DK	5%	1%	7%	7%	3%	3%	5%	8%	5%	2%	1%	6%

[NOTE: Q3 and Q4 were rotated to avoid order effects]

Q3 Which of the following statements comes closest to your opinion? New Jersey's liability laws tend to:

Favor businesses over consumers	Favor consumers over businesses	Strike the right balance between the two	DK
11%	50%	25%	14%

	Respondent Position				Industry (SIC Code)					
	Admin/ Mgmt	CEO/Pres/ Gen Mgmt	Owner/ Partner	Other	Services	Retail	Const	Mfg	Other	
Fav Business	16%	10%	11%	4%	11%	14%	6%	13%	9%	
Fav Consumer	37%	58%	50%	43%	49%	47%	66%	53%	47%	
Strike Balance	35%	20%	24%	30%	24%	27%	23%	23%	33%	
DK	13%	12%	14%	22%	16%	12%	6%	13%	12%	

	# Employees			Age of Business (years)			Region					
	2-10	10-25	>25	<5	6-10	11-20	> 20	Urban	Suburb	Exurban	South/ Philly	Shore
Get Better	12%	6%	11%	28%	13%	11%	10%	14%	12%	8%	11%	11%
Get worse	48%	57%	61%	34%	44%	54%	51%	37%	46%	55%	59%	56%
Stay the same	26%	25%	18%	21%	26%	20%	27%	35%	29%	22%	16%	21%
DK	14%	12%	11%	17%	18%	15%	12%	14%	14%	14%	14%	12%

Q4 Do you strongly agree, somewhat agree, somewhat disagree or strongly disagree with the following statement: New Jersey's liability laws make the state less attractive than other states as a place to do business?

Strongly Agree	Somewhat agree	Somewhat disagree	Strongly disagree	DK
42%	26%	13%	7%	13%

	Respondent Position				Industry (SIC Code)				
	Admin/ Mgmt	CEO/Pres/ Gen Mgmt	Owner/ Partner	Other	Services	Retail	Const	Mfg	Other
Strongly Agr	30%	46%	44%	35%	38%	42%	56%	47%	45%
Somewhat Agr	33%	30%	21%	22%	29%	21%	22%	23%	21%
Somewhat Dis	19%	7%	14%	13%	11%	17%	14%	14%	10%
Strongly Dis	2%	6%	9%	4%	9%	6%	3%	1%	12%
DK	16%	12%	12%	26%	13%	15%	6%	15%	12%

	# Employees			Age of Business (years)			Region					
	2-10	10-25	>25	<5	6-10	11-20	> 20	Urban	Suburb	Exurban	South/ Philly	Shore
Strongly Agr	41%	45%	39%	17%	36%	46%	44%	30%	41%	42%	51%	44%
Somewhat Agr	25%	29%	25%	45%	26%	18%	27%	25%	24%	30%	22%	29%
Somewhat Dis	12%	12%	25%	21%	13%	11%	12%	23%	14%	6%	9%	12%
Strongly Dis	7%	5%	0%	0%	11%	8%	6%	13%	8%	4%	7%	1%
DK	14%	9%	11%	17%	13%	16%	11%	9%	13%	19%	10%	13%

Q5 How high a priority should it be for the New Jersey legislature to focus on liability and lawsuit reforms? Should it be a high priority, a medium priority, or a low priority?

High priority	Medium priority	Low priority	Not at all	DK
50%	37%	11%	0%	2%

	Respondent Position				Industry (SIC Code)				
	Admin/ Mgmt	CEO/Pres/ Gen Mgmt	Owner/ Partner	Other	Services	Retail	Const	Mfg	Other
High	48%	51%	51%	39%	48%	52%	56%	48%	59%
Medium	42%	36%	34%	52%	37%	34%	39%	44%	30%
Low	6%	12%	12%	4%	12%	12%	3%	6%	11%
Not at all	0%	0%	0%	0%	0%	0%	0%	0%	0%
DK	3%	1%	3%	4%	3%	2%	3%	3%	0%

	# Employees			Age of Business (years)			Region					
	2-10	10-25	>25	<5	6-10	11-20	> 20	Urban	Suburb	Exurban	South/ Philly	Shore
High	50%	45%	68%	45%	48%	46%	53%	38%	49%	48%	60%	54%
Medium	38%	38%	25%	38%	39%	40%	35%	42%	37%	43%	28%	36%
Low	10%	14%	7%	10%	8%	13%	10%	17%	12%	6%	10%	8%
Not at all	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%
DK	3%	3%	0%	7%	5%	1%	2%	3%	3%	2%	2%	1%

Q6 Now I have some questions about lawsuits that might be faced by businesses. First, in your opinion, are liability lawsuits filed by customers or clients against businesses in New Jersey a major problem, a minor problem, or not really a problem?

Major problem	Minor problem	Not really a problem	DK
34%	34%	22%	11%

	Respondent Position				Industry (SIC Code)					
	Admin/ Mgmt	CEO/Pres/ Gen Mgmt	Owner/ Partner	Other	Services	Retail	Const	Mfg	Other	
Major	38%	34%	33%	22%	36%	35%	36%	15%	50%	
Minor	35%	35%	34%	26%	33%	36%	36%	40%	27%	
Not Problem	20%	21%	22%	35%	21%	21%	17%	31%	14%	
DK	7%	10%	12%	17%	11%	8%	11%	14%	9%	

	# Employees			Age of Business (years)			Region					
	2-10	10-25	>25	<5	6-10	11-20	> 20	Urban	Suburb	Exurban	South/ Philly	Shore
Major	34%	33%	36%	17%	44%	40%	31%	32%	36%	24%	47%	25%
Minor	33%	42%	36%	59%	31%	33%	34%	27%	33%	45%	33%	34%
Not Problem	22%	19%	29%	10%	16%	20%	23%	29%	22%	19%	14%	27%
DK	12%	5%	0%	14%	8%	7%	12%	12%	9%	12%	7%	14%

Q7 How would you characterize most lawsuits filed by customers or clients against New Jersey businesses and organizations? Would you say that on the whole such lawsuits mostly lack merit or are they mostly legitimate?

Mostly lack merit	Mostly legitimate	Neither (VOL)	DK
59%	20%	9%	13%

	Respondent Position				Industry (SIC Code)					
	Admin/ Mgmt	CEO/Pres/ Gen Mgmt	Owner/ Partner	Other	Services	Retail	Const	Mfg	Other	
Lack merit	54%	68%	54%	61%	54%	68%	61%	54%	68%	
Legitimate	29%	14%	20%	26%	20%	20%	19%	25%	11%	
Neither (Vol)	7%	4%	11%	13%	10%	6%	8%	9%	5%	
DK	9%	14%	15%	0%	15%	6%	11%	12%	16%	

	# Employees			Age of Business (years)			Region					
	2-10	10-25	>25	<5	6-10	11-20	> 20	Urban	Suburb	Exurban	South/ Philly	Shore
Lack merit	57%	64%	68%	38%	53%	61%	61%	46%	59%	58%	62%	65%
Legitimate	21%	18%	18%	28%	19%	25%	17%	29%	21%	21%	16%	13%
Neither (Vol)	9%	6%	7%	10%	10%	4%	10%	11%	6%	11%	10%	8%
DK	13%	12%	7%	24%	18%	10%	12%	14%	14%	10%	12%	13%

For each of the follow statements, please tell me if you strongly agree, somewhat agree, somewhat disagree, or strongly disagree with it. (Q8A – Q8E)

Q8A New Jersey’s laws and regulations make it hard to file a lawsuit.

Strongly agree	Somewhat agree	Somewhat disagree	Strongly disagree	DK
6%	14%	28%	36%	17%

	Respondent Position				Industry (SIC Code)				
	Admin/ Mgmt	CEO/Pres/ Gen Mgmt	Owner/ Partner	Other	Services	Retail	Construct	Mfg	Other
Strongly Agr	8%	5%	7%	4%	6%	9%	8%	5%	5%
Somewhat Agr	19%	15%	11%	9%	14%	15%	17%	14%	9%
Somewhat Dis	37%	28%	24%	30%	29%	19%	28%	33%	28%
Strongly Dis	23%	37%	41%	22%	33%	41%	33%	33%	44%
DK	13%	15%	17%	35%	18%	16%	14%	15%	14%

	# Employees			Age of Business (years)			Region					
	2-10	10-25	>25	<5	6-10	11-20	> 20	Urban	Suburb	Exurban	South/ Philly	Shore
Strongly Agr	7%	4%	7%	7%	10%	5%	6%	9%	5%	6%	8%	5%
Somewhat Agr	14%	14%	4%	10%	16%	14%	13%	18%	12%	14%	16%	12%
Somewhat Dis	27%	28%	39%	38%	35%	27%	25%	32%	27%	24%	22%	36%
Strongly Dis	34%	44%	46%	17%	24%	37%	40%	29%	39%	40%	41%	24%
DK	19%	10%	4%	28%	15%	17%	16%	12%	18%	15%	13%	23%

Q8B People file lawsuits because they believe that a business will be forced to settle for large cash amounts.

Strongly agree	Somewhat agree	Somewhat disagree	Strongly disagree	DK
64%	20%	7%	5%	3%

	Respondent Position				Industry (SIC Code)				
	Admin/ Mgmt	CEO/Pres/ Gen Mgmt	Owner/ Partner	Other	Services	Retail	Const	Mfg	Other
Strongly Agr	62%	66%	63%	70%	61%	71%	61%	62%	75%
Somewhat Agr	22%	23%	19%	9%	20%	19%	25%	21%	18%
Somewhat Dis	8%	5%	7%	17%	7%	5%	8%	10%	5%
Strongly Dis	4%	4%	7%	4%	8%	2%	3%	4%	0%
DK	3%	1%	4%	0%	3%	4%	3%	4%	2%

	# Employees			Age of Business (years)			Region					
	2-10	10-25	>25	<5	6-10	11-20	> 20	Urban	Suburb	Exurban	South/ Philly	Shore
Strongly Agr	64%	68%	61%	48%	61%	60%	68%	53%	64%	65%	63%	75%
Somewhat Agr	20%	19%	18%	38%	19%	17%	20%	24%	19%	19%	25%	14%
Somewhat Dis	7%	4%	18%	3%	13%	8%	6%	11%	8%	7%	5%	5%
Strongly Dis	6%	5%	4%	7%	0%	11%	4%	9%	5%	4%	5%	5%
DK	3%	4%	0%	3%	6%	3%	2%	3%	4%	5%	2%	1%

Q8C Advertisements from personal injury lawyers encourage people to sue.

Strongly agree	Somewhat agree	Somewhat disagree	Strongly disagree	DK
73%	17%	5%	4%	2%

	Respondent Position				Industry (SIC Code)				
	Admin/ Mgmt	CEO/Pres/ Gen Mgmt	Owner/ Partner	Other	Services	Retail	Const	Mfg	Other
Strongly Agr	72%	74%	72%	78%	69%	77%	83%	78%	68%
Somewhat Agr	17%	19%	16%	13%	18%	15%	11%	12%	25%
Somewhat Dis	7%	4%	4%	9%	5%	6%	0%	6%	2%
Strongly Dis	1%	2%	6%	0%	5%	3%	3%	1%	2%
DK	3%	2%	2%	0%	3%	0%	3%	2%	2%

	# Employees			Age of Business (years)			Region					
	2-10	10-25	>25	<5	6-10	11-20	> 20	Urban	Suburb	Exurban	South/ Philly	Shore
Strongly Agr	73%	68%	79%	62%	77%	72%	74%	61%	72%	76%	83%	71%
Somewhat Agr	16%	23%	14%	28%	13%	17%	16%	20%	18%	15%	9%	20%
Somewhat Dis	5%	4%	0%	3%	3%	6%	4%	11%	4%	5%	2%	4%
Strongly Dis	4%	1%	7%	3%	3%	4%	4%	8%	4%	1%	5%	2%
DK	2%	4%	0%	3%	3%	1%	2%	2%	2%	2%	1%	2%

Q8D People believe out-of-court settlements are more effective than lawsuits.

Strongly agree	Somewhat agree	Somewhat disagree	Strongly disagree	DK
35%	36%	12%	7%	10%

	Respondent Position				Industry (SIC Code)				
	Admin/ Mgmt	CEO/Pres/ Gen Mgmt	Owner/ Partner	Other	Services	Retail	Const	Mfg	Other
Strongly Agr	27%	40%	36%	22%	34%	39%	50%	32%	24%
Somewhat Agr	38%	37%	36%	35%	37%	31%	38%	41%	38%
Somewhat Dis	16%	10%	10%	22%	11%	9%	6%	15%	17%
Strongly Dis	7%	7%	7%	9%	8%	8%	3%	6%	5%
DK	12%	6%	12%	13%	10%	13%	3%	6%	17%

	# Employees			Age of Business (years)			Region					
	2-10	10-25	>25	<5	6-10	11-20	> 20	Urban	Suburb	Exurban	South/ Philly	Shore
Strongly Agr	35%	32%	33%	45%	27%	33%	36%	39%	35%	36%	31%	33%
Somewhat Agr	35%	39%	48%	45%	48%	37%	33%	35%	37%	29%	40%	41%
Somewhat Dis	12%	12%	11%	3%	11%	13%	12%	14%	10%	14%	12%	11%
Strongly Dis	8%	5%	4%	3%	10%	7%	7%	6%	7%	7%	9%	6%
DK	10%	12%	4%	3%	3%	10%	12%	6%	11%	13%	8%	9%

Q8E People are too quick to solve simple misunderstandings with a lawsuit rather than pursue other ways to resolve the dispute.

Strongly agree	Somewhat agree	Somewhat disagree	Strongly disagree	DK
67%	21%	5%	4%	2%

	Respondent Position				Industry (SIC Code)				
	Admin/ Mgmt	CEO/Pres/ Gen Mgmt	Owner/ Partner	Other	Services	Retail	Const	Mfg	Other
Strongly Agr	68%	68%	66%	65%	68%	69%	60%	63%	73%
Somewhat Agr	24%	21%	21%	22%	19%	22%	31%	23%	20%
Somewhat Dis	2%	5%	6%	13%	6%	3%	6%	6%	5%
Strongly Dis	4%	3%	4%	0%	4%	6%	3%	4%	0%
DK	2%	3%	3%	0%	3%	1%	0%	4%	2%

	# Employees			Age of Business (years)			Region					
	2-10	10-25	>25	<5	6-10	11-20	> 20	Urban	Suburb	Exurban	South/ Philly	Shore
Strongly Agr	68%	62%	68%	76%	62%	62%	70%	55%	68%	63%	72%	73%
Somewhat Agr	21%	29%	14%	14%	26%	23%	20%	32%	20%	24%	17%	18%
Somewhat Dis	5%	5%	11%	3%	7%	10%	4%	6%	5%	10%	1%	5%
Strongly Dis	4%	3%	7%	3%	2%	5%	4%	6%	5%	1%	6%	1%
DK	3%	1%	0%	3%	3%	1%	3%	0%	3%	2%	3%	2%

Q9 Do you strongly agree, somewhat agree, somewhat disagree or strongly disagree that New Jersey’s liability laws encourage out-of-state plaintiffs to file lawsuits against New Jersey organizations and businesses?

Strongly agree	Somewhat agree	Somewhat disagree	Strongly disagree	DK
17%	22%	13%	6%	42%

	Respondent Position				Industry (SIC Code)				
	Admin/ Mgmt	CEO/Pres/ Gen Mgmt	Owner/ Partner	Other	Services	Retail	Const	Mfg	Other
Strongly Agr	16%	17%	18%	13%	14%	22%	28%	16%	16%
Somewhat Agr	19%	27%	19%	26%	22%	23%	25%	19%	20%
Somewhat Dis	16%	14%	12%	13%	14%	11%	6%	16%	18%
Strongly Dis	6%	3%	7%	9%	6%	7%	6%	4%	7%
DK	42%	39%	44%	39%	44%	38%	34%	46%	39%

	# Employees			Age of Business (years)			Region					
	2-10	10-25	>25	<5	6-10	11-20	> 20	Urban	Suburb	Exurban	South/ Philly	Shore
Strongly Agr	16%	20%	21%	3%	13%	26%	16%	14%	18%	12%	23%	16%
Somewhat Agr	21%	20%	29%	28%	25%	24%	19%	17%	21%	22%	26%	20%
Somewhat Dis	13%	19%	7%	17%	16%	10%	14%	17%	13%	12%	14%	11%
Strongly Dis	6%	3%	11%	7%	3%	5%	6%	8%	7%	5%	4%	3%
DK	44%	38%	32%	45%	43%	35%	45%	43%	40%	48%	33%	49%

Q10 I am going to read some provisions contained in the New Jersey Consumer Fraud Act. For each, tell me if you think that the provision should be left as-is, should be amended by the legislature, or if you are not sure.

Q10B Plaintiffs are not required to prove that defendants intended to deceive them to recover damages.

Leave as-is	Amend	Not sure
18%	65%	16%

	Respondent Position				Industry (SIC Code)				
	Admin/ Mgmt	CEO/Pres/ Gen Mgmt	Owner/ Partner	Other	Services	Retail	Const	Mfg	Other
Leave as is	20%	15%	19%	17%	14%	25%	23%	20%	18%
Amend	59%	69%	65%	78%	68%	59%	69%	63%	66%
Not Sure	21%	15%	16%	4%	17%	17%	9%	17%	16%

	# Employees			Age of Business (years)			Region					
	2-10	10-25	>25	<5	6-10	11-20	> 20	Urban	Suburb	Exurban	South/ Philly	Shore
Leave as is	17%	24%	14%	21%	16%	23%	15%	28%	19%	17%	15%	12%
Amend	65%	63%	75%	62%	66%	62%	69%	58%	64%	69%	65%	71%
Not Sure	17%	13%	11%	17%	18%	15%	16%	14%	16%	14%	20%	17%

Q10C A transaction between consumer and business does not need to have taken place in New Jersey to file a claim.

Leave as-is	Amend	Not sure
31%	50%	20%

	Respondent Position				Industry (SIC Code)				
	Admin/ Mgmt	CEO/Pres/ Gen Mgmt	Owner/ Partner	Other	Services	Retail	Const	Mfg	Other
Leave as is	35%	31%	29%	26%	28%	36%	31%	35%	23%
Amend	47%	51%	49%	52%	51%	48%	43%	43%	63%
Not Sure	18%	17%	22%	22%	21%	16%	26%	22%	14%

	# Employees			Age of Business (years)			Region					
	2-10	10-25	>25	<5	6-10	11-20	> 20	Urban	Suburb	Exurban	South/ Philly	Shore
Leave as is	29%	32%	46%	41%	32%	34%	28%	33%	30%	26%	35%	30%
Amend	50%	47%	43%	31%	45%	49%	53%	50%	51%	57%	49%	40%
Not Sure	20%	21%	11%	28%	23%	17%	19%	17%	19%	17%	16%	30%

Q11 Within the past five years, has your business been threatened with a liability lawsuit by a consumer or a client?

Yes	No	DK
24%	75%	1%

	Respondent Position				Industry (SIC Code)				
	Admin/ Mgmt	CEO/Pres/ Gen Mgmt	Owner/ Partner	Other	Services	Retail	Const	Mfg	Other
Yes	30%	21%	25%	14%	22%	31%	25%	11%	44%
No	67%	79%	75%	86%	77%	68%	75%	89%	56%
DK	3%	0%	0%	0%	1%	1%	0%	0%	0%

	# Employees			Age of Business (years)			Region					
	2-10	10-25	>25	<5	6-10	11-20	> 20	Urban	Suburb	Exurban	South/ Philly	Shore
Yes	21%	36%	48%	17%	25%	27%	24%	18%	25%	11%	40%	24%
No	79%	63%	52%	79%	75%	73%	75%	78%	75%	89%	60%	75%
DK	0%	1%	0%	3%	0%	0%	1%	3%	0%	0%	0%	1%

Q12 Within the past five years, has your business been sued by a consumer or a client?

Yes	No	DK
13%	86%	0%

	Respondent Position				Industry (SIC Code)				
	Admin/ Mgmt	CEO/Pres/ Gen Mgmt	Owner/ Partner	Other	Services	Retail	Const	Mfg	Other
Yes	15%	12%	14%	5%	13%	18%	14%	6%	17%
No	82%	88%	86%	95%	86%	81%	86%	94%	83%
DK	2%	0%	0%	0%	0%	1%	0%	0%	0%

	# Employees			Age of Business (years)			Region					
	2-10	10-25	>25	<5	6-10	11-20	> 20	Urban	Suburb	Exurban	South/ Philly	Shore
Yes	13%	13%	27%	3%	13%	13%	15%	15%	14%	6%	24%	7%
No	87%	86%	73%	93%	87%	87%	85%	83%	86%	94%	76%	92%
DK	0%	1%	0%	3%	0%	0%	0%	2%	0%	0%	0%	1%

As a direct result of a lawsuit. Have you: (Q13A – Q13G)

NOTE: N=72, Crosstabs not produced

Q13A Limited the expansion of your business?

Yes	No
39%	61%

Q13B Discontinued any products or services?

Yes	No
33%	67%

Q13C Laid off any employees?

Yes	No
23%	77%

Q13D Cut employee hours or benefits?

Yes	No
30%	70%

Q13E Raised the price of your products or services?

Yes	No
35%	65%

Q13F Considered closing your business?

Yes	No
26%	74%

Q13G Considered relocating your business to another state?

Yes	No
31%	69%

Q14 Over the past five years, have your costs for liability insurance gone up, gone down, or stayed about the same?

Q14A Would you say the costs have gone up a little or a lot? [ONLY Q14 = UP]

Q14B Would you say the costs have gone down a little or a lot? [ONLY Q14 = DOWN]

Q14

Up	Down	About same	DK
60%	2%	32%	6%

Q14A

Up a little	Up a lot	DK
43%	52%	6%

Q14B

Down a little	Down a lot	DK
62%	38%	0%

Combined Q14/14A/14B

Up a Lot	Up a Little	No Change	Down a Little	Down a Lot	DK
31%	26%	32%	1%	1%	9%

	Respondent Position				Industry (SIC Code)				
	Admin/ Mgmt	CEO/Pres/ Gen Mgmt	Owner/ Partner	Other	Services	Retail	Const	Mfg	Other
	Up a Lot	28%	29%	34%	22%	27%	32%	39%	30%
Up a Little	21%	24%	27%	35%	28%	25%	25%	23%	14%
No Change	28%	37%	31%	26%	33%	29%	31%	37%	28%
Down a Little	1%	1%	1%	4%	2%	0%	3%	2%	0%
Down a Lot	0%	2%	1%	0%	1%	0%	3%	1%	2%
DK	22%	7%	5%	13%	9%	14%	0%	6%	9%

	# Employees			Age of Business (years)				Region				
	2-10	10-25	>25	<5	6-10	11-20	> 20	Urban	Suburb	Exurban	South/ Philly	Shore
	Up a Lot	30%	33%	44%	17%	16%	36%	34%	25%	33%	23%	39%
Up a Little	26%	23%	19%	21%	32%	20%	27%	23%	20%	33%	28%	30%
No Change	33%	32%	26%	52%	37%	35%	27%	37%	37%	32%	22%	28%
Down a Little	1%	3%	0%	0%	2%	2%	1%	3%	2%	0%	1%	1%
Down a Lot	1%	1%	0%	0%	0%	0%	2%	0%	1%	1%	1%	1%
DK	9%	8%	11%	10%	13%	7%	9%	12%	7%	11%	9%	10%

Q15 Whether or not your business has been sued in the past, how likely do you think it is that you will be sued in a liability case within the next 5 years –would you say it is very likely, somewhat likely, not very likely, or not likely at all?

Very likely	Somewhat likely	Not very likely	Not at all likely	DK
8%	21%	43%	24%	4%

	Respondent Position				Industry (SIC Code)				
	Admin/ Mgmt	CEO/Pres/ Gen Mgmt	Owner/ Partner	Other	Services	Retail	Const	Mfg	Other
	Very likely	7%	8%	8%	9%	6%	9%	11%	8%
Somewht likely	29%	18%	21%	13%	22%	29%	17%	14%	12%
Not very likely	36%	48%	42%	43%	41%	34%	50%	54%	49%
Not at all likely	24%	23%	24%	30%	26%	24%	19%	23%	21%
DK	3%	3%	5%	4%	4%	4%	3%	3%	7%

	# Employees			Age of Business (years)				Region				
	2-10	10-25	>25	<5	6-10	11-20	> 20	Urban	Suburb	Exurban	South/ Philly	Shore
	Very likely	7%	9%	18%	0%	6%	8%	9%	11%	6%	2%	11%
Somewht likely	20%	26%	21%	21%	29%	22%	20%	20%	20%	19%	24%	22%
Not very likely	44%	40%	32%	41%	35%	45%	43%	41%	42%	50%	45%	38%
Not at all likely	25%	19%	25%	31%	27%	22%	24%	27%	27%	26%	16%	23%
DK	3%	6%	4%	7%	2%	3%	4%	2%	5%	2%	3%	5%