



## COVID-19 & JUROR ATTITUDES: Insight from our 2020 Longitudinal Research Study and What the Findings Mean for Your Next Case



Presented by:

**Robert F. Bettler, Jr., Ph.D.**

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A decorative vertical bar on the left side of the slide, featuring a dark blue background with white icons. The icons include a person, a magnifying glass, a document, a scale of justice, a gavel, a computer monitor, a smartphone, a tablet, a laptop, a person with a speech bubble, a person with a magnifying glass, a person with a document, a person with a scale of justice, a person with a gavel, a person with a computer monitor, a person with a smartphone, a person with a tablet, and a person with a laptop.

# COVID-19 & Juror Attitudes:

## DQ's 2020 Longitudinal Research Study

### Implications for Your Next Case

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- Psychological impact of COVID-19 over the course of 2020
- How the COVID-19 pandemic impacted verdict probabilities
- General pro-plaintiff or pro-defense propensities
- Juror profiling in product liability, contracts, insurance, professional malpractice, labor and employment
- Data-driven case themes, juror profiling and jury selection

# March, May, and October 2020 Surveys

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DQ's research in past crises: Enron, 9/11, Great Recession.

CaseXplorer™ - DecisionQuest's web-based survey research tool created to provide trial teams with cost efficient juror attitude assessments.

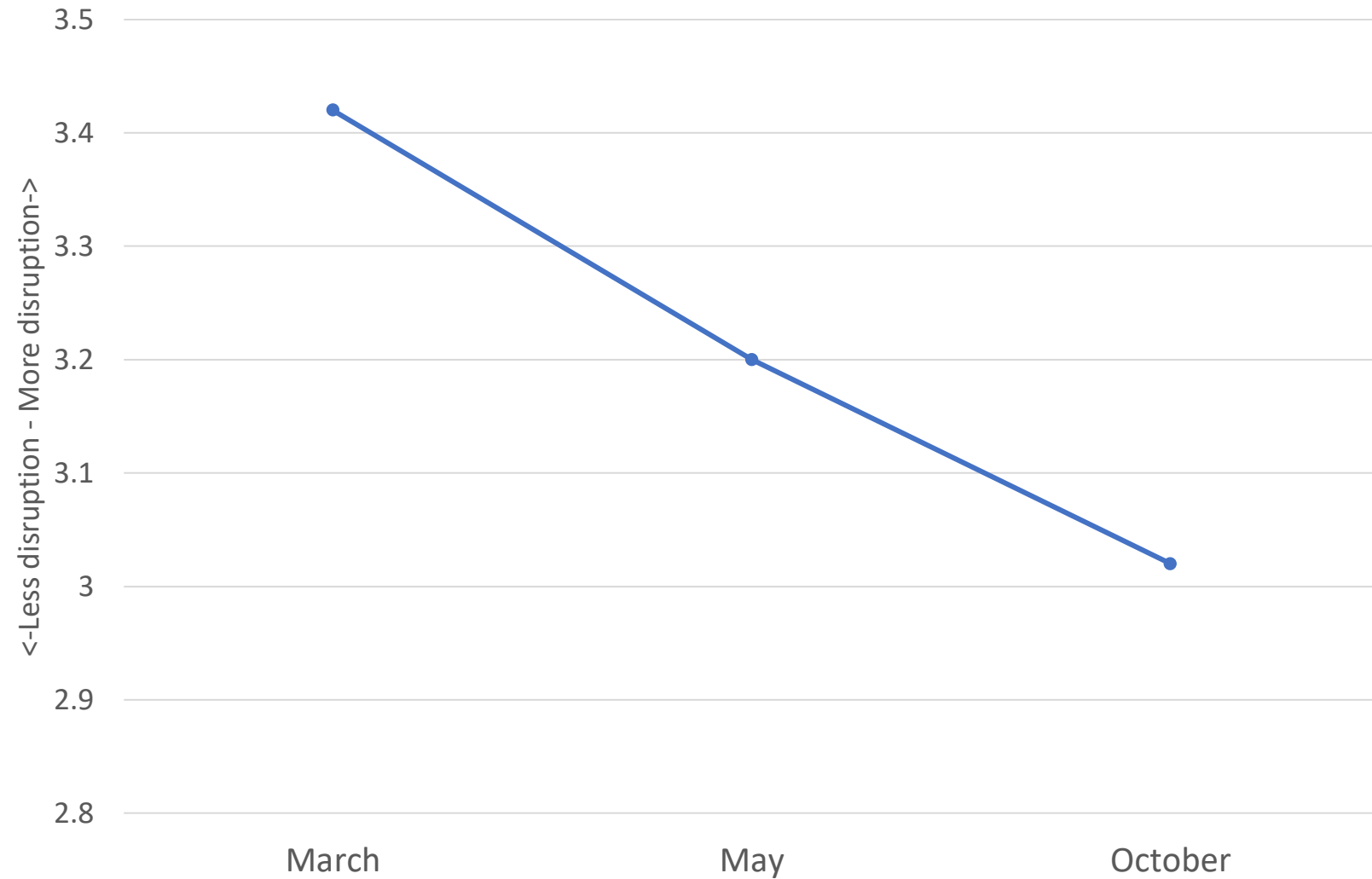
- **Objective:** Understand the impact of the pandemic on juror decision making
- **Sample:** 2785 respondents from metropolitan areas: Los Angeles, New York, San Francisco, Chicago, Miami, Houston, Minneapolis, Charlotte, and Middlesex County, NJ.
  - Underlined counties replicated in >1 wave.
- **Methodology:** About 90 item, self-paced questionnaire. In line with best survey and polling practices in design, implementation, and analysis.

# The ABCs of Pandemic Reactions

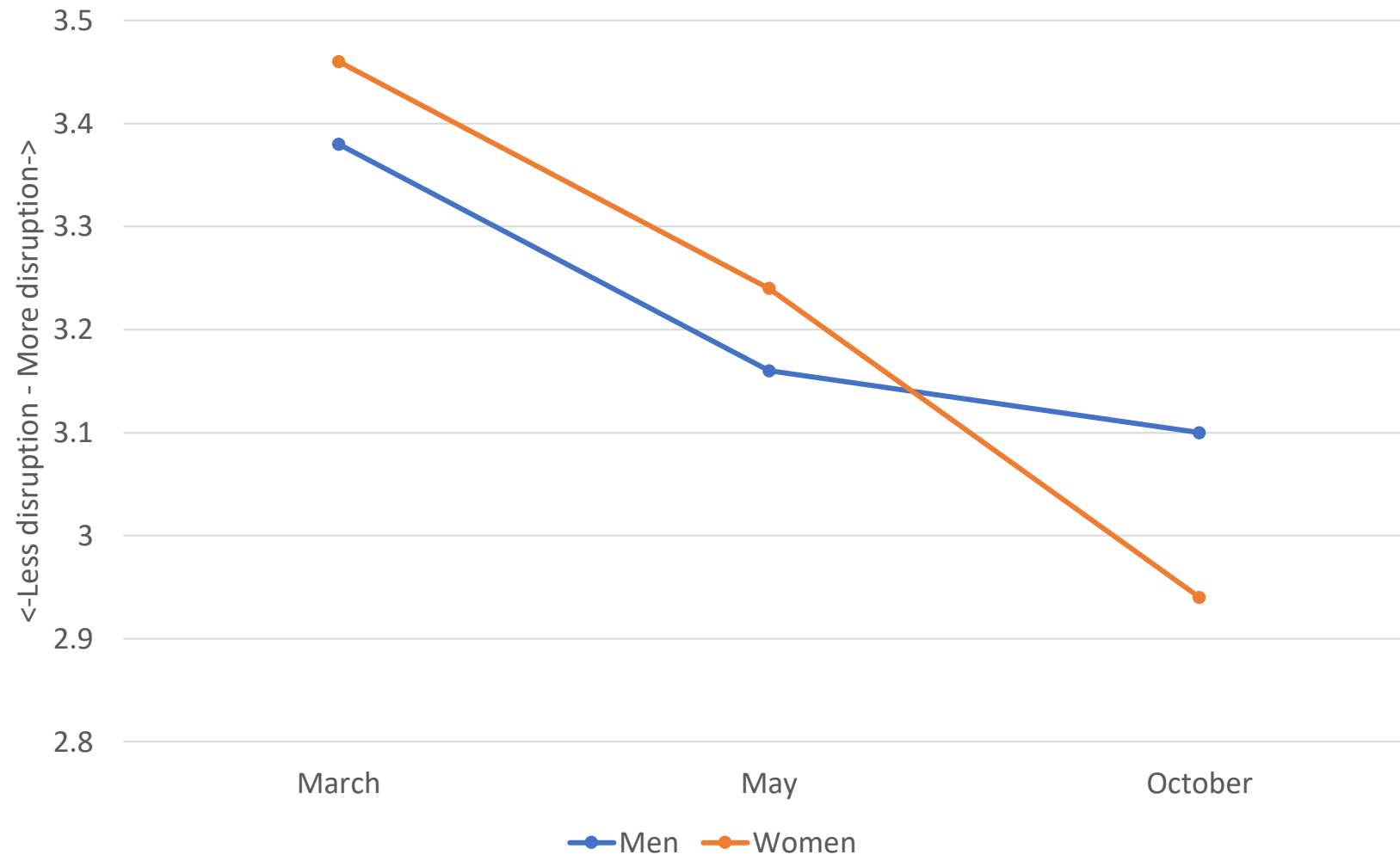
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- Impact on....
  - Affect
  - Behavior
  - Cognition
- First, behavioral changes, then cognitive, and affective last

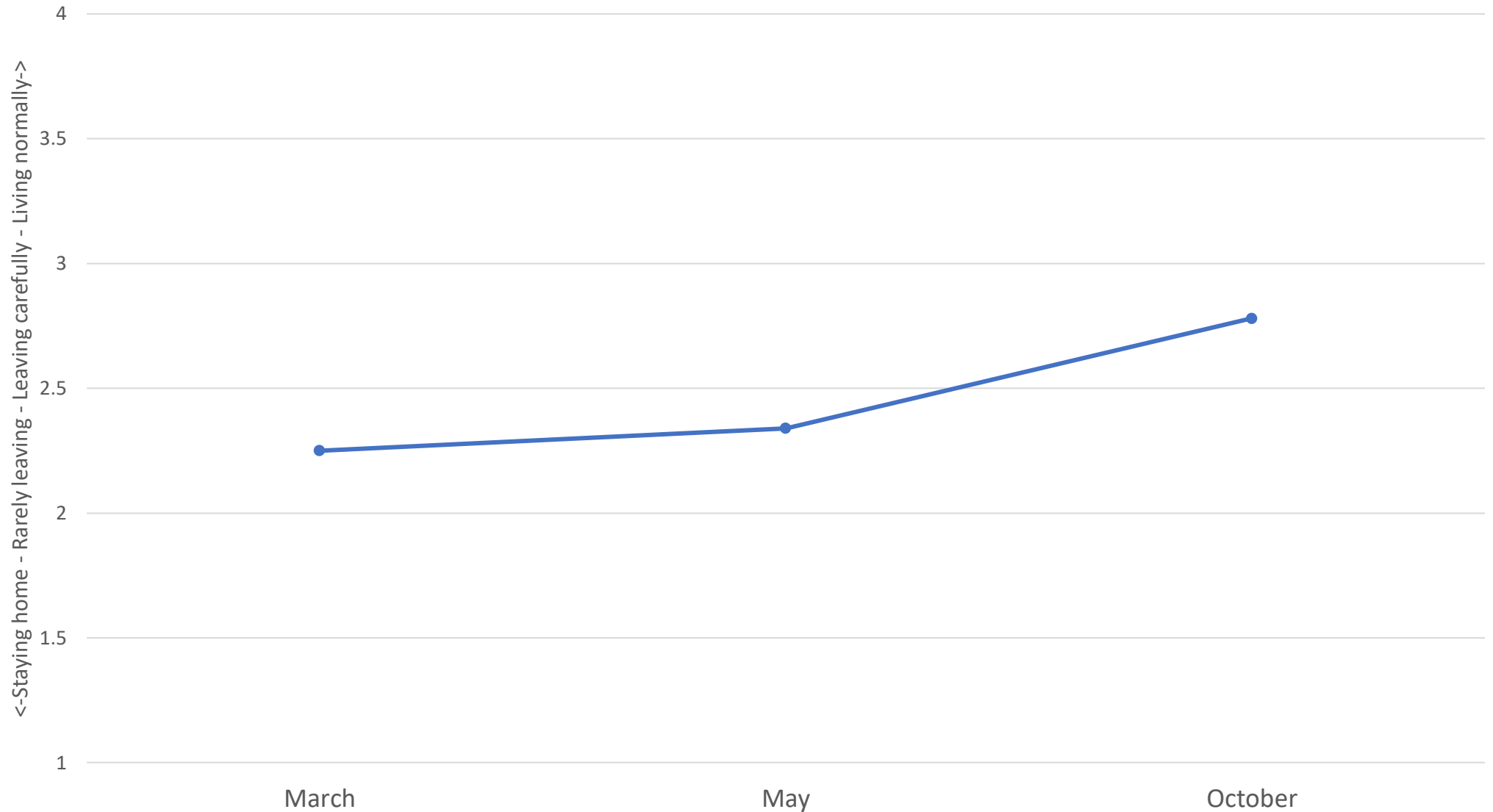
# How much has coronavirus disrupted your life, if at all?



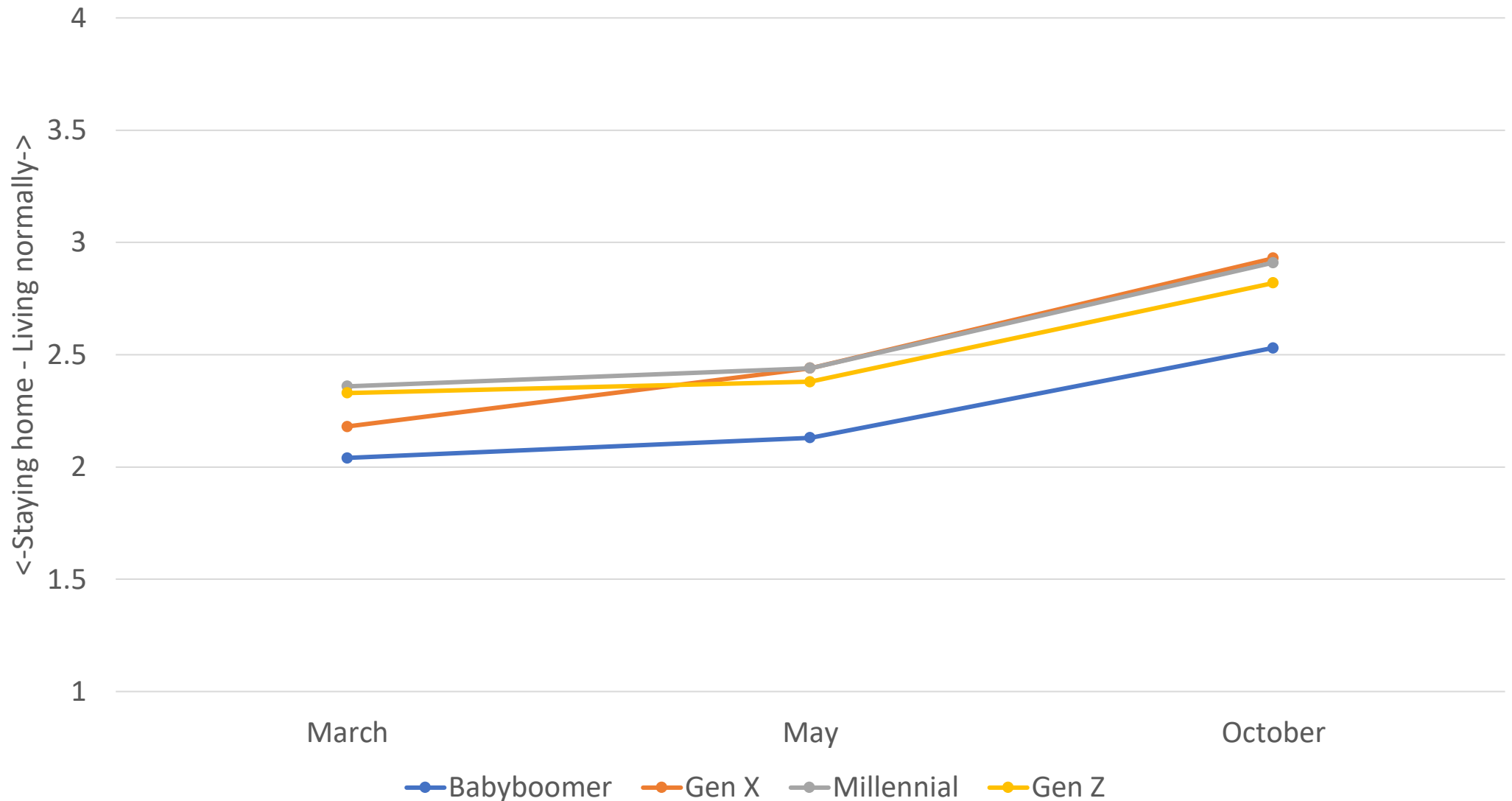
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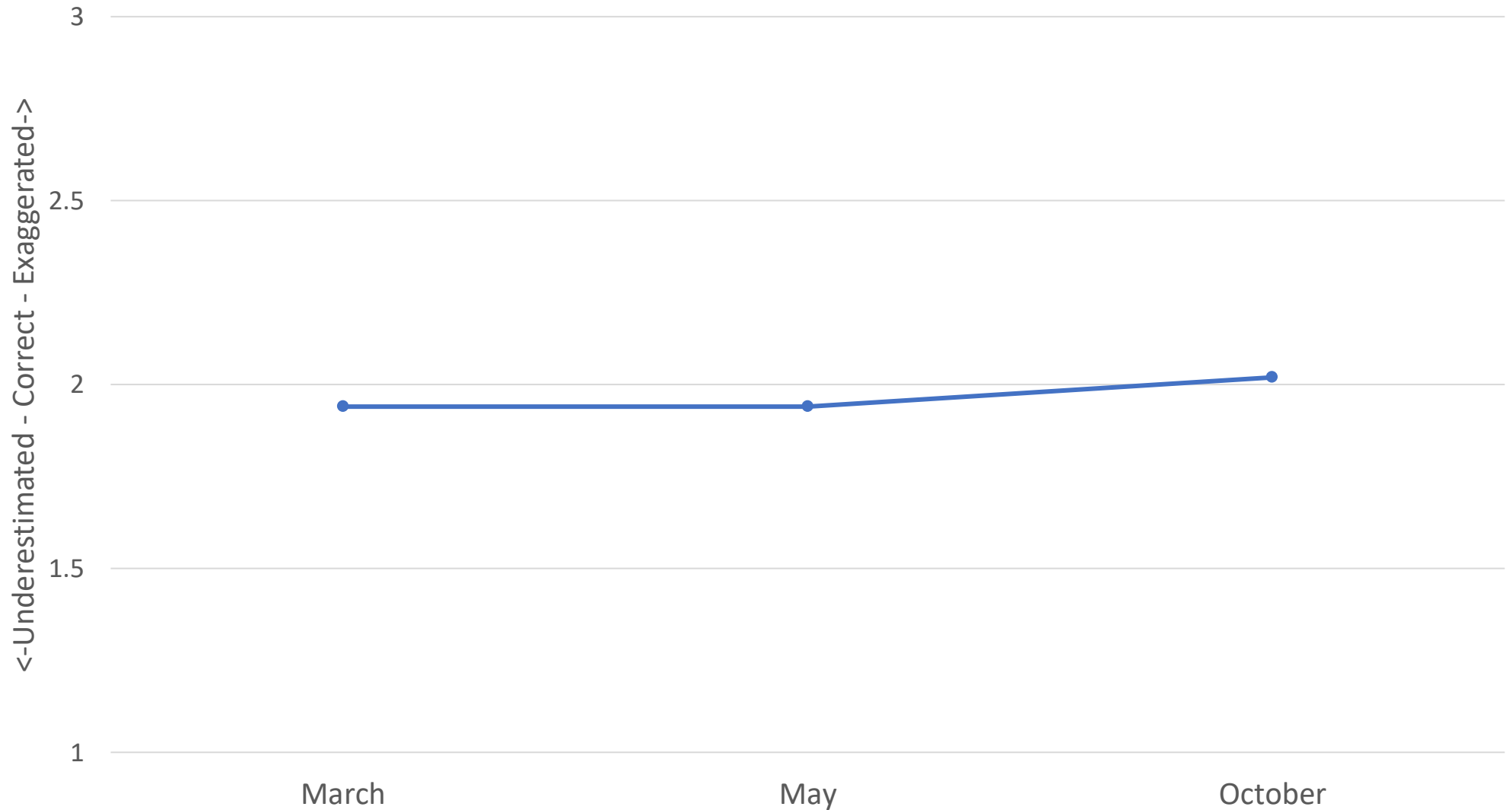




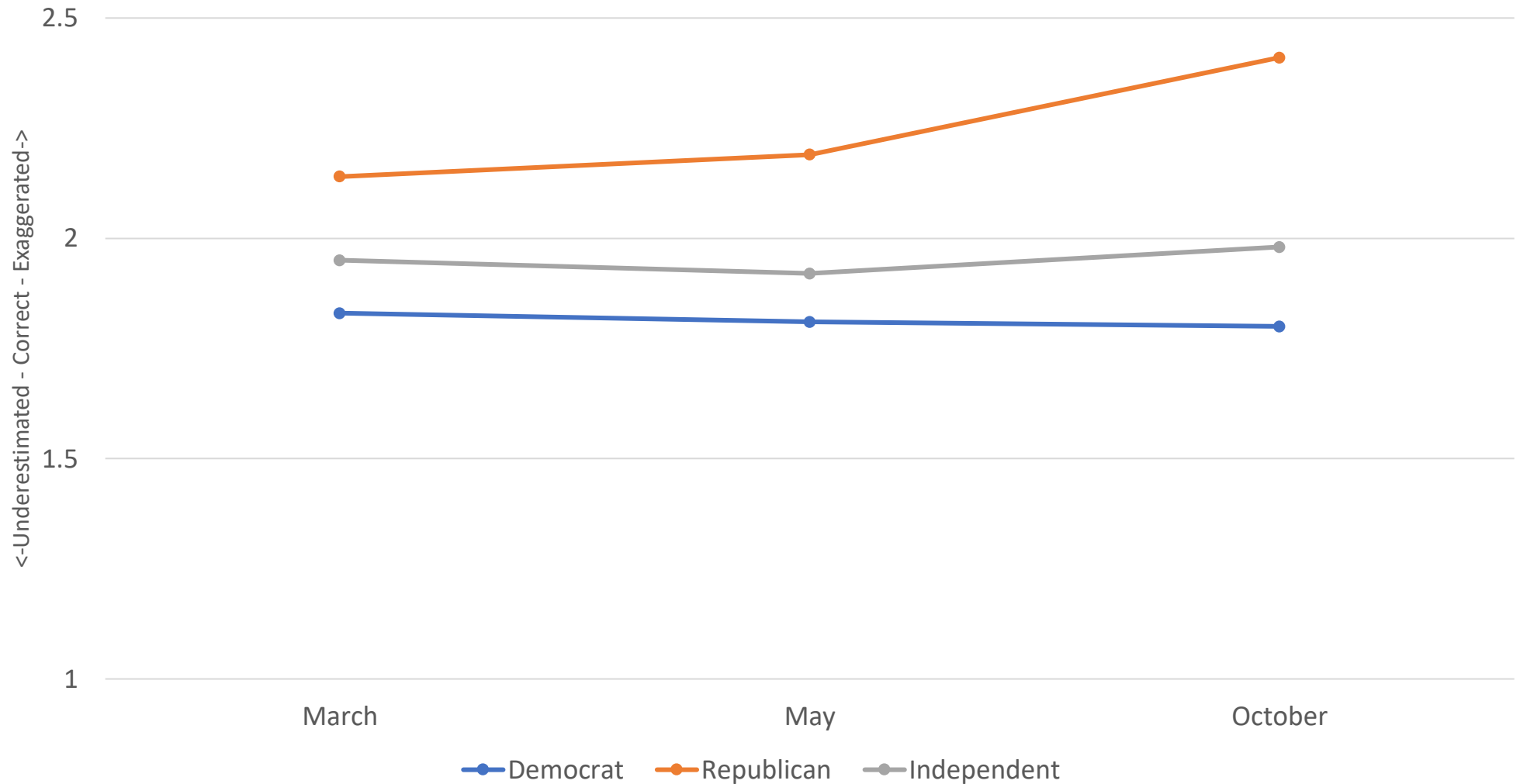


# Cognition

# Do you think the seriousness of coronavirus is generally exaggerated, generally correct, or generally underestimated?



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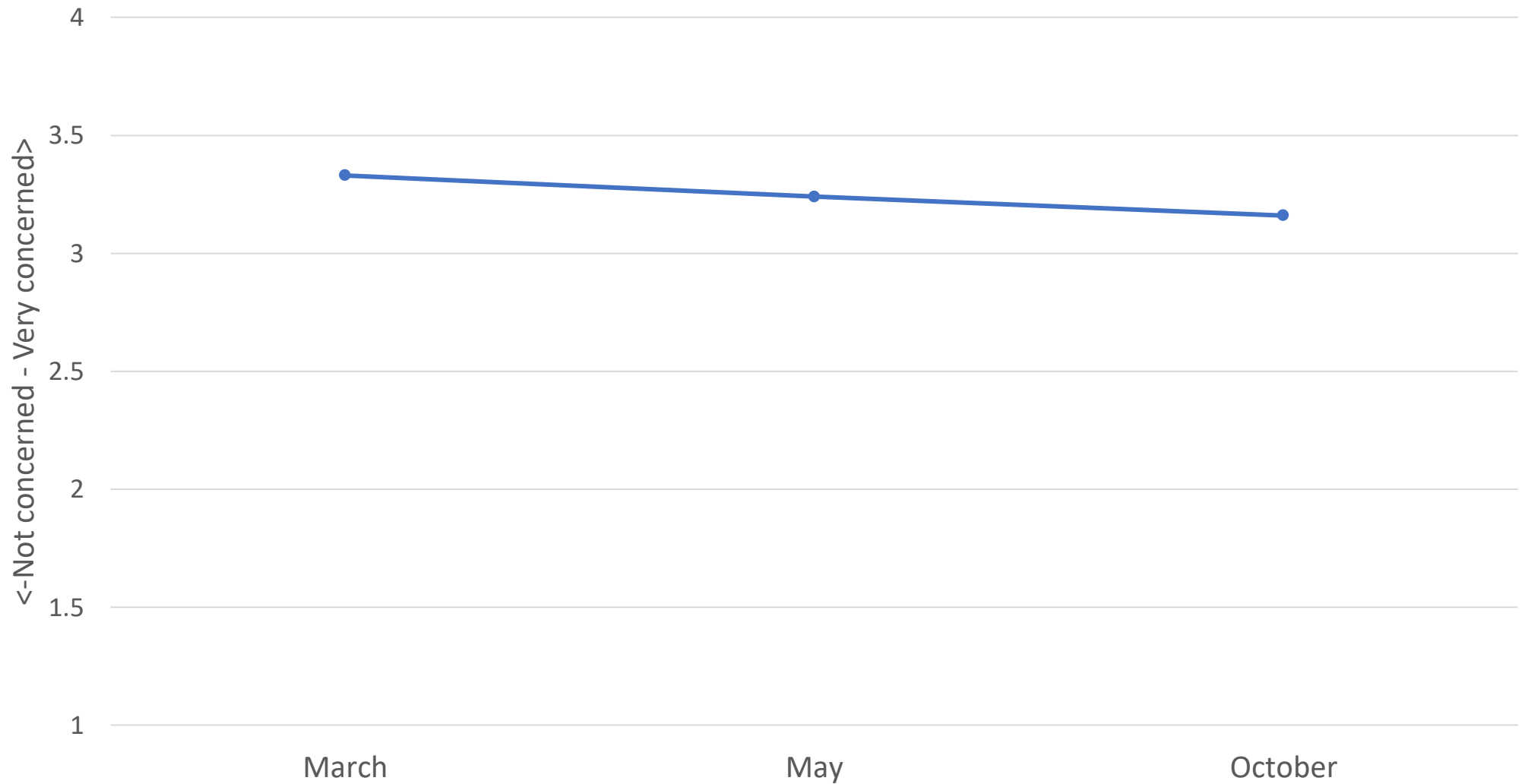


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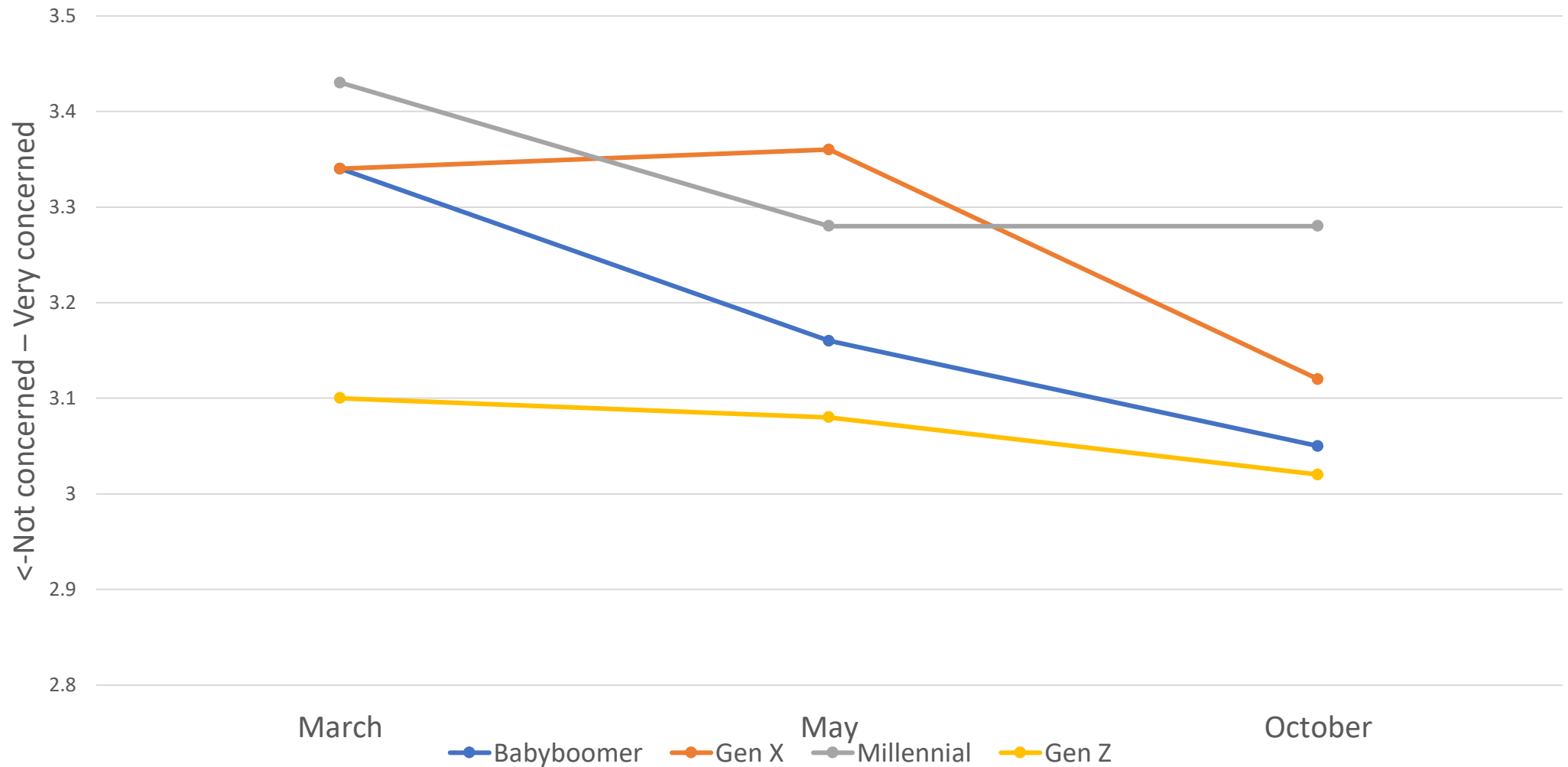
A U.S. Legal Support Company

Affect

# How concerned are you that you or someone you know will be infected with the coronavirus?



# How concerned are you that you or someone you know will be infected with the coronavirus?

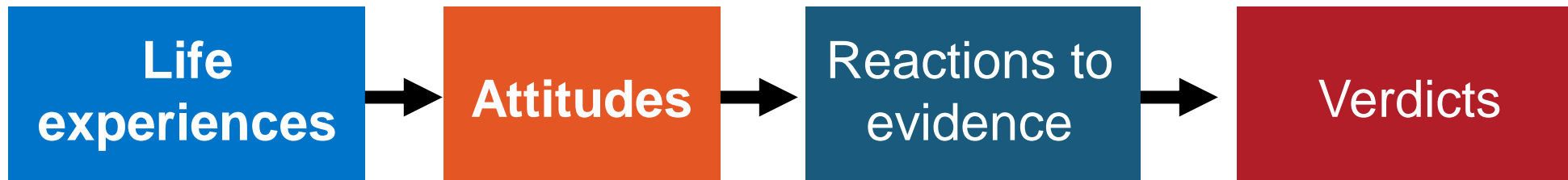




# Pandemic in light of 20+ Years of Jury Research

# 20+ YEARS of Juror Attitudes

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- The “liberation” hypothesis
- Confirmation bias
- Life experiences and familiarity
  - The role of familiarity
  - EG, employment, transportation, products, versus IP



# Attitudes About “Big Corporations”

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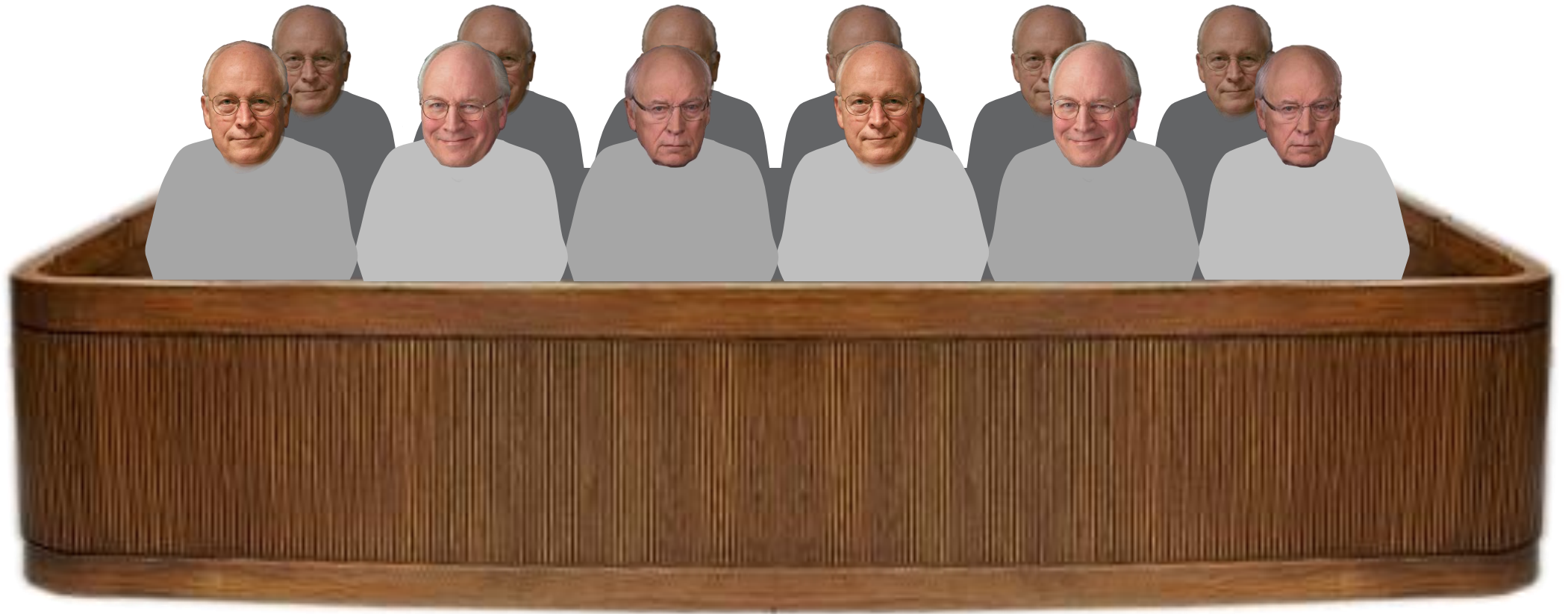
# Plaintiff's Ideal Jury

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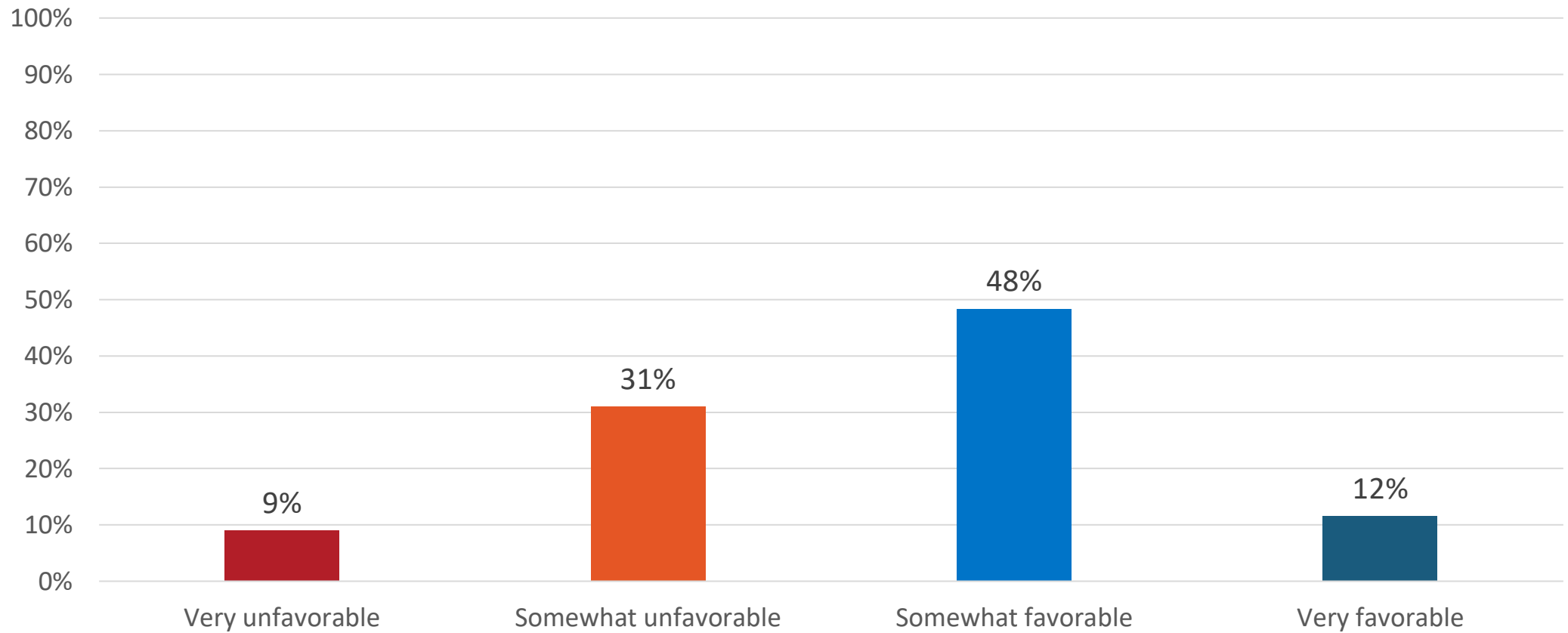
# Defendant's Ideal Jury

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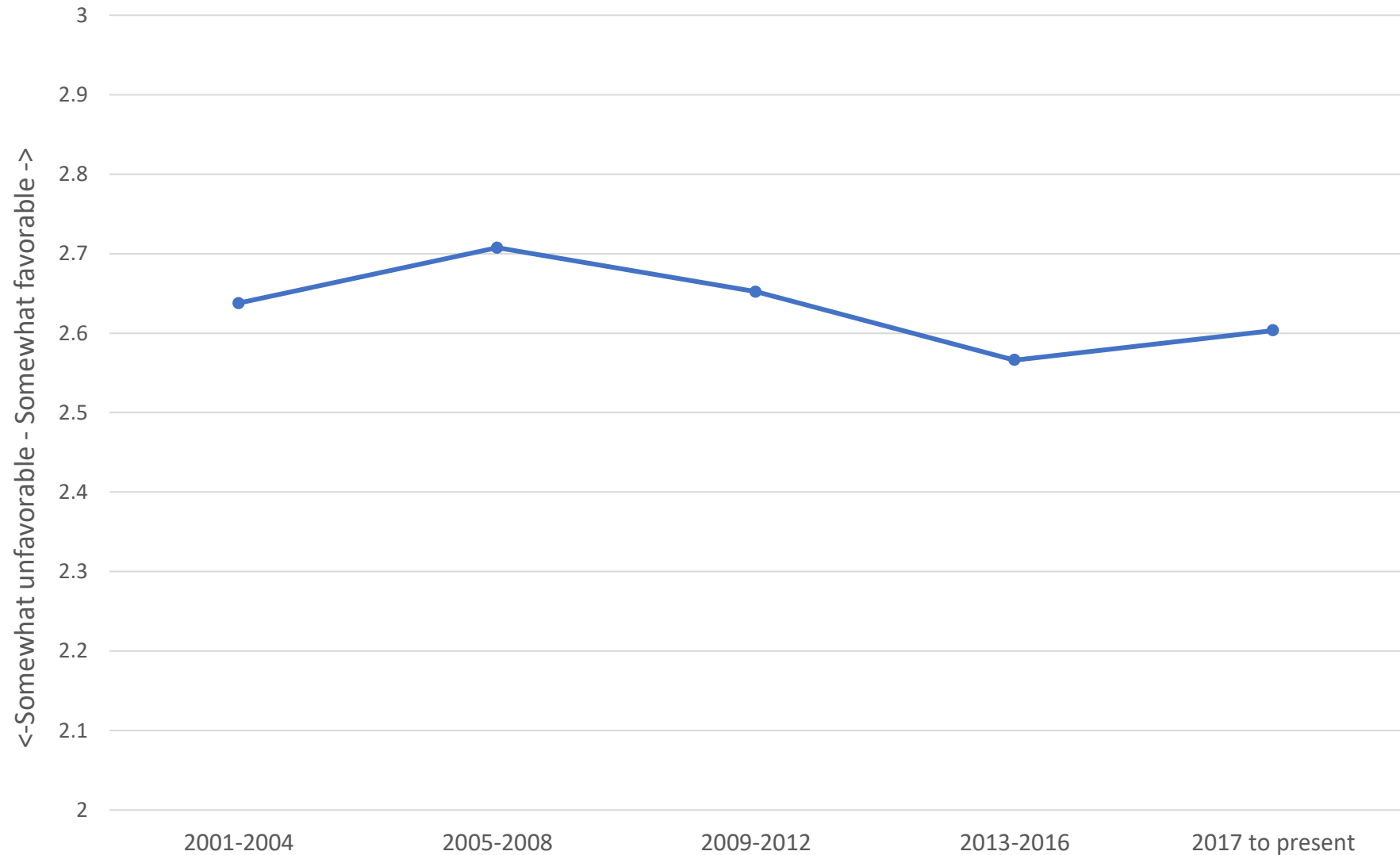


# What is your general opinion of most large corporations?

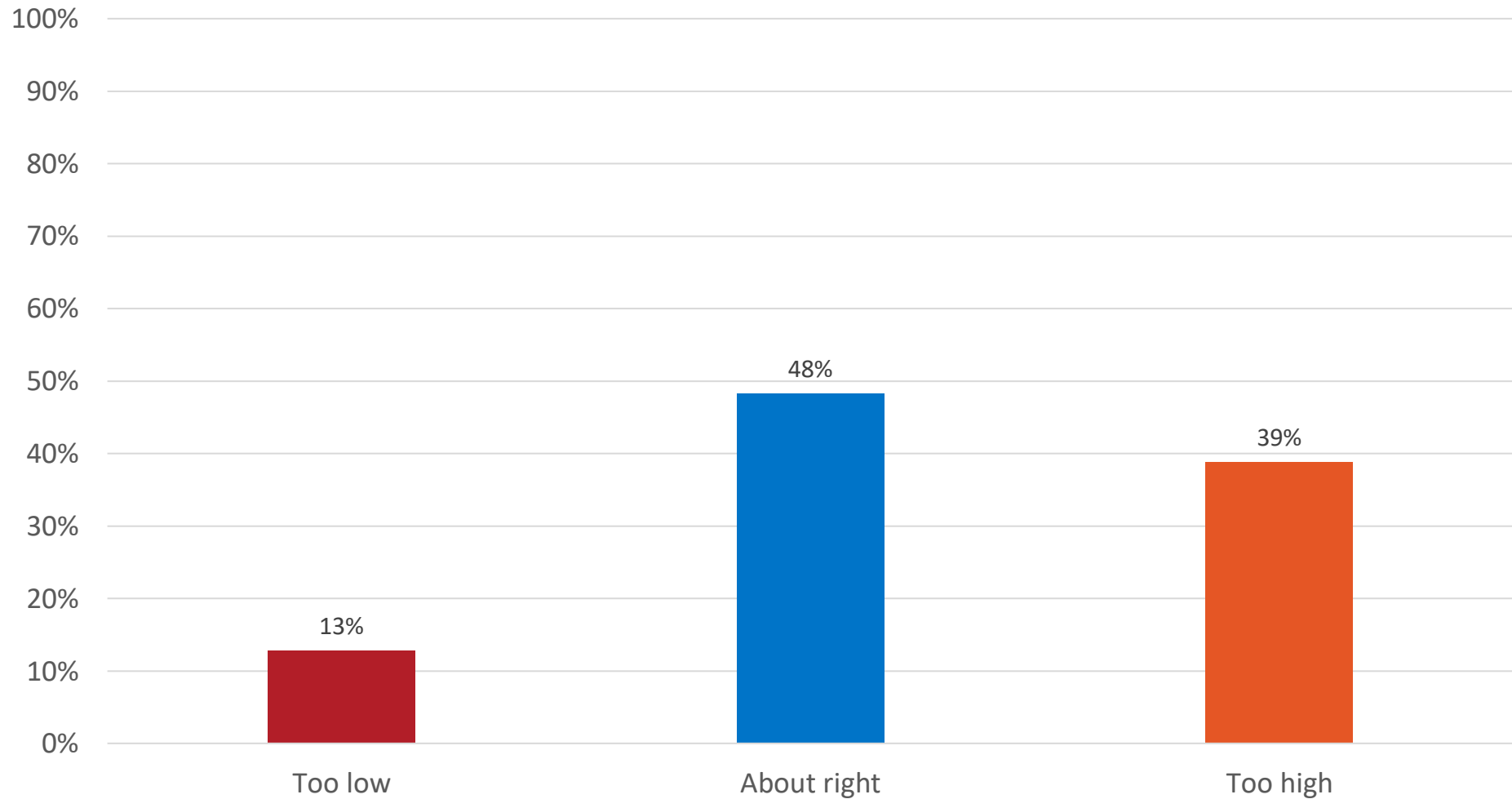
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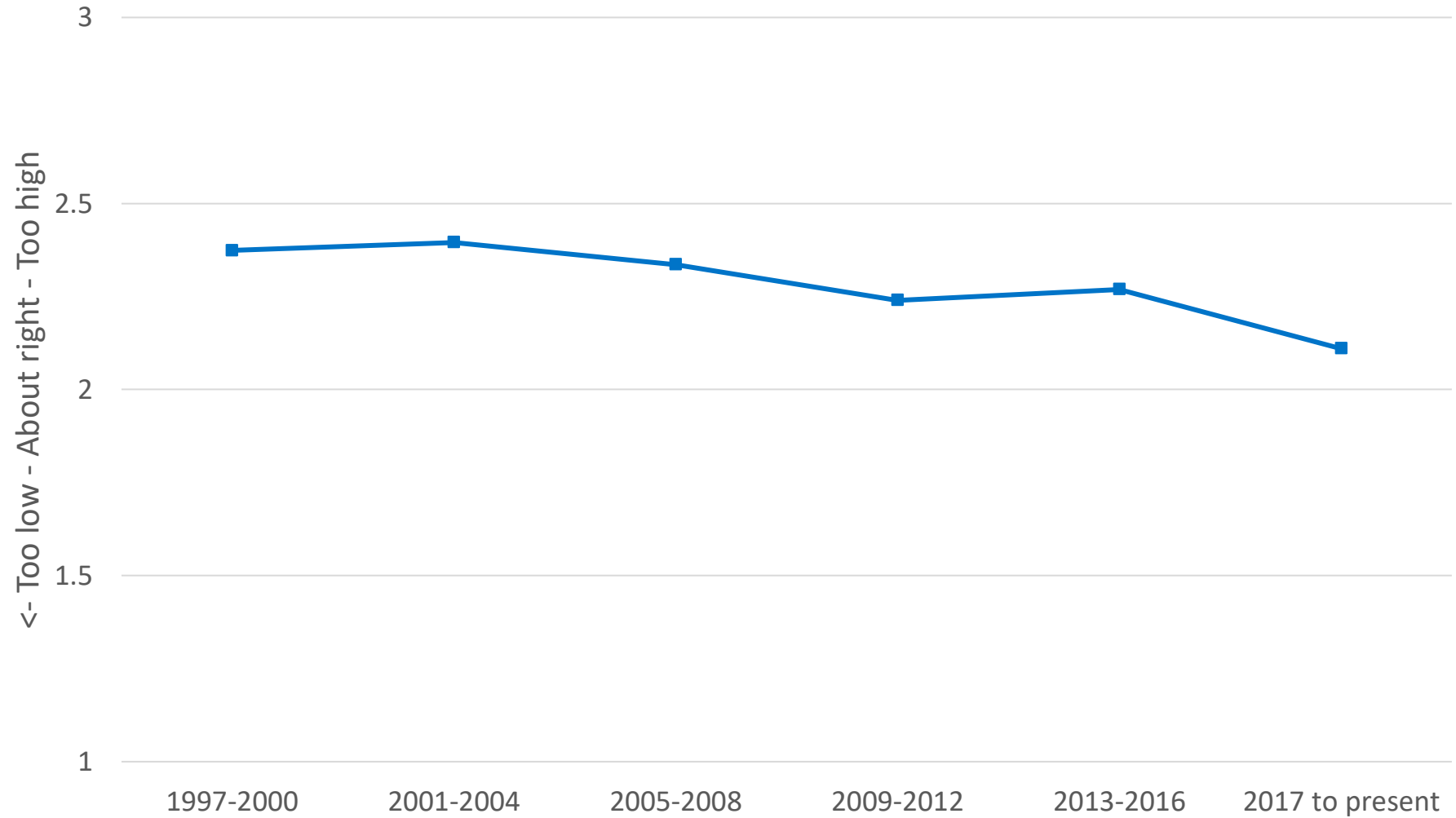
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# In your opinion, are damages awarded in lawsuits:

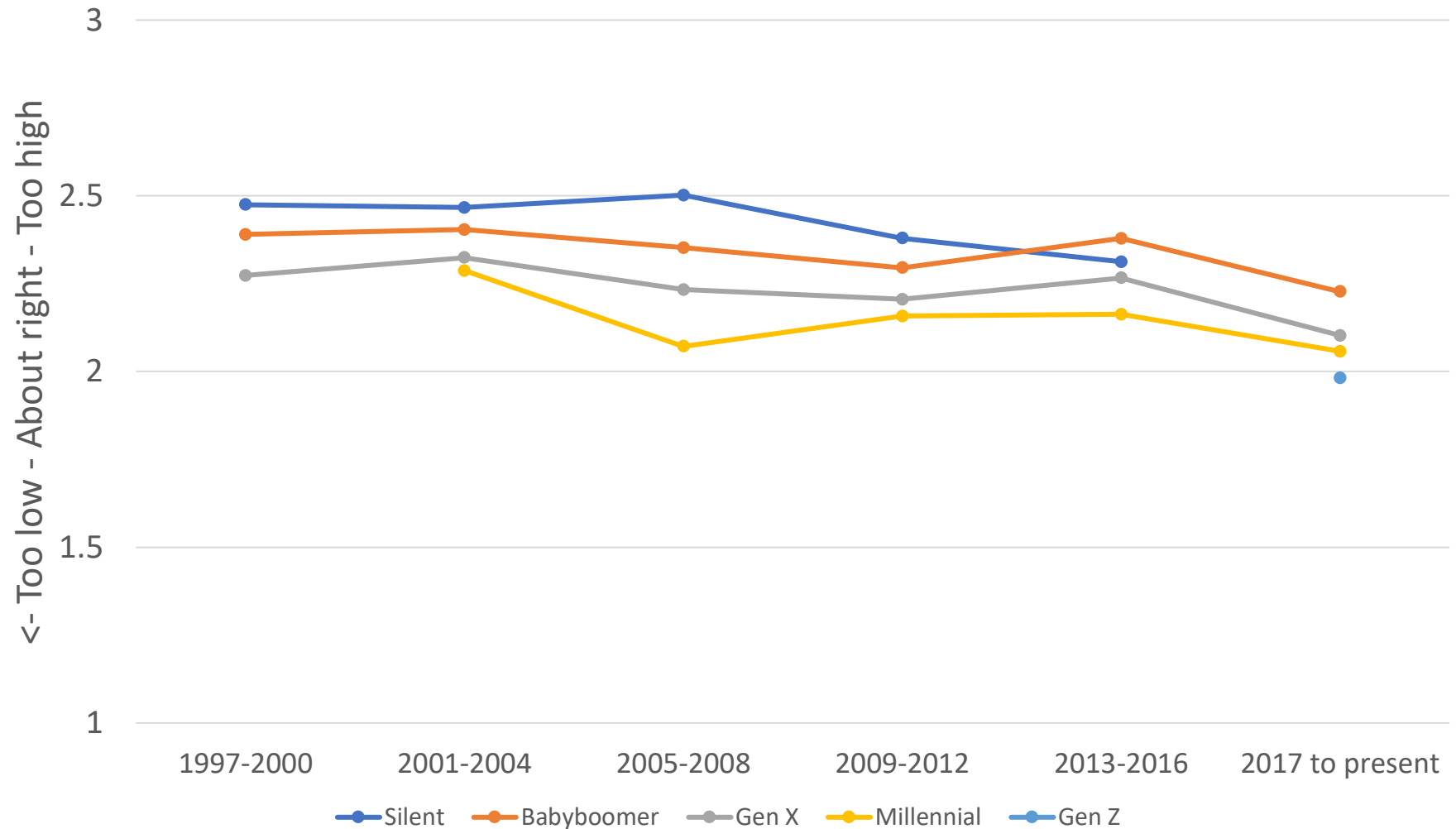


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## By cohort:





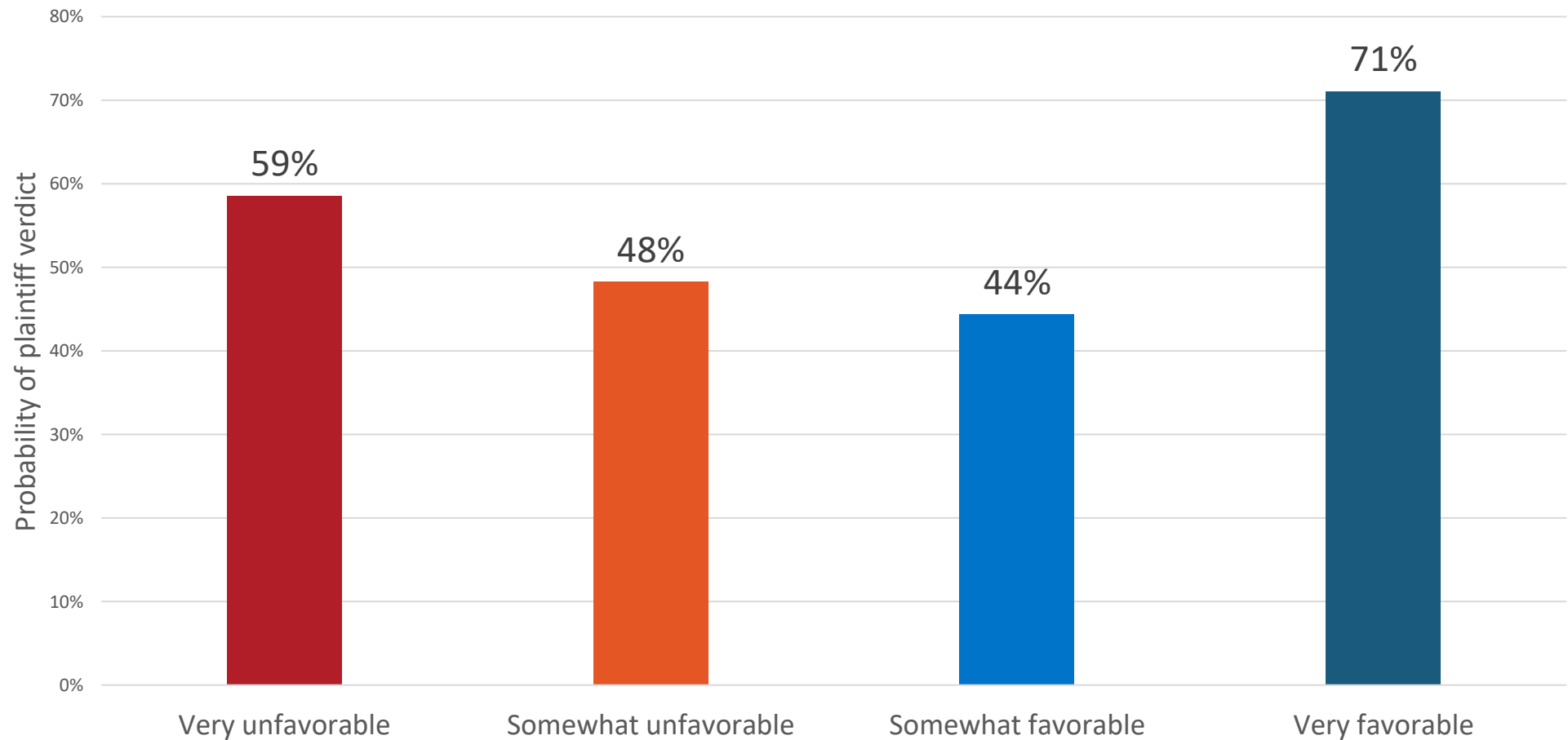
# Verdict Probabilities

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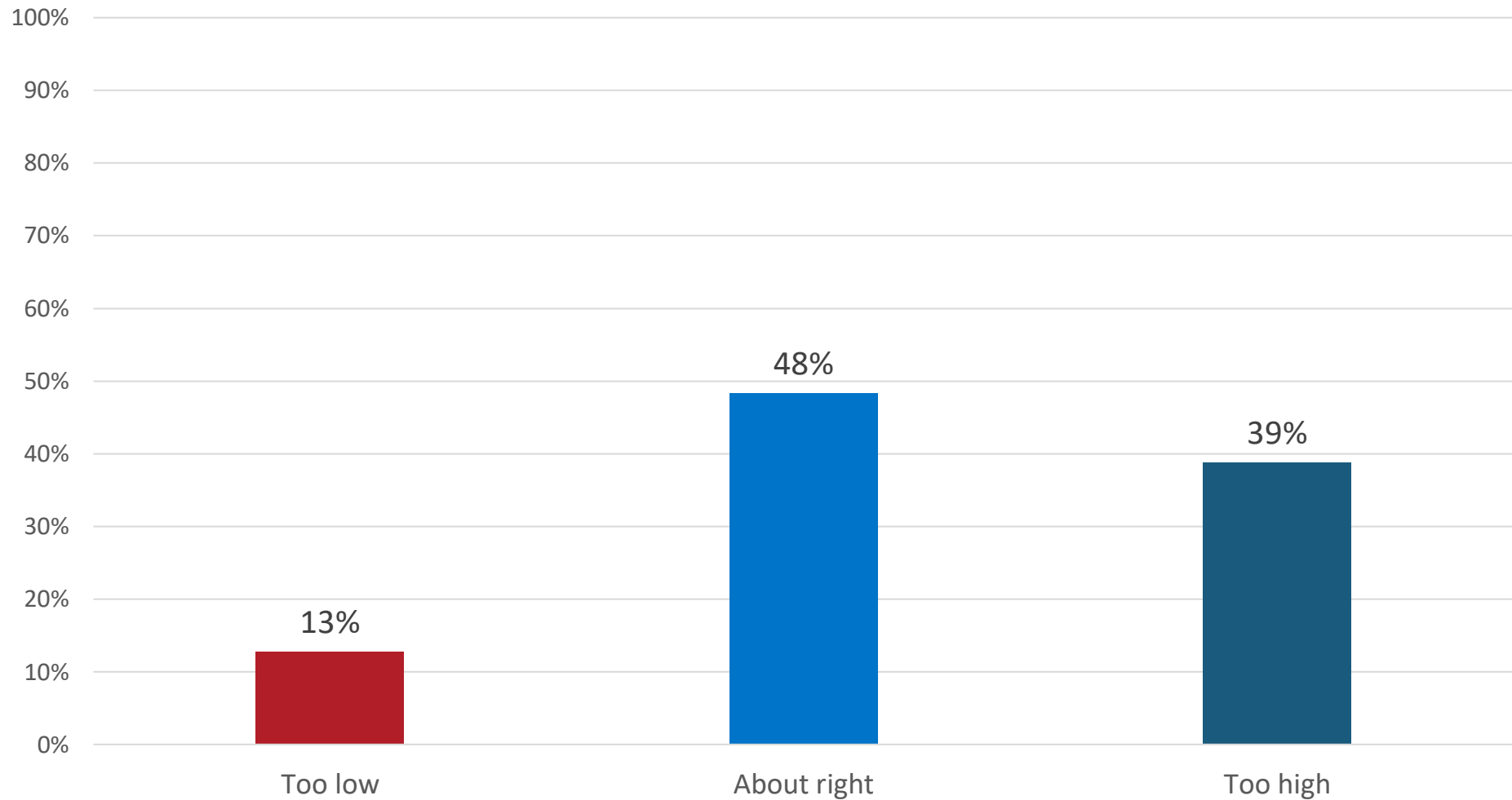
- Generalized pro-plaintiff/pro-defense tendencies.
- Three cases per survey, nine total, two repeated
- Average plaintiff “win” rate = 50.6%
- What factors increased or decreased the probability of a plaintiff win?

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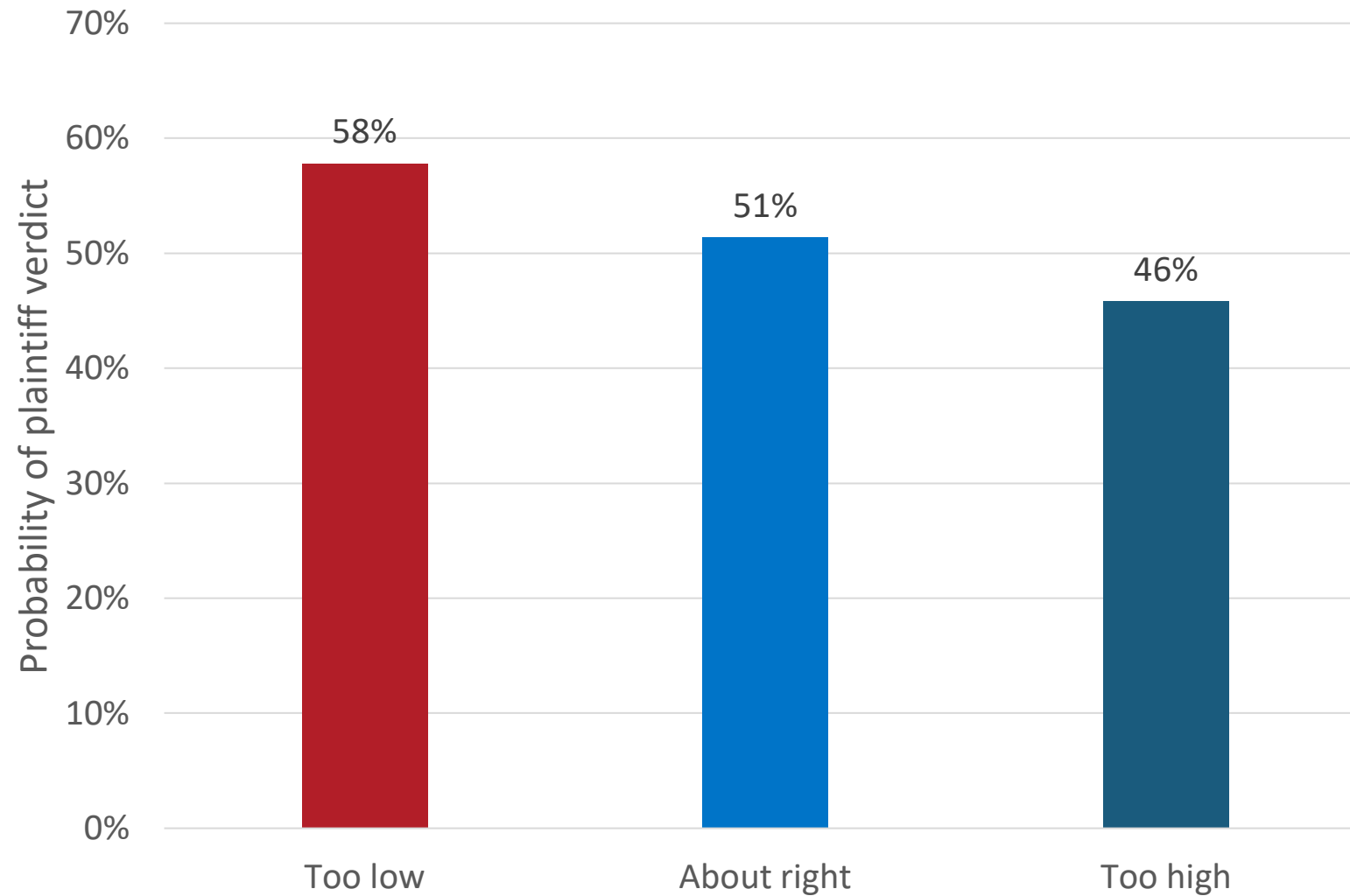
## By verdict probability



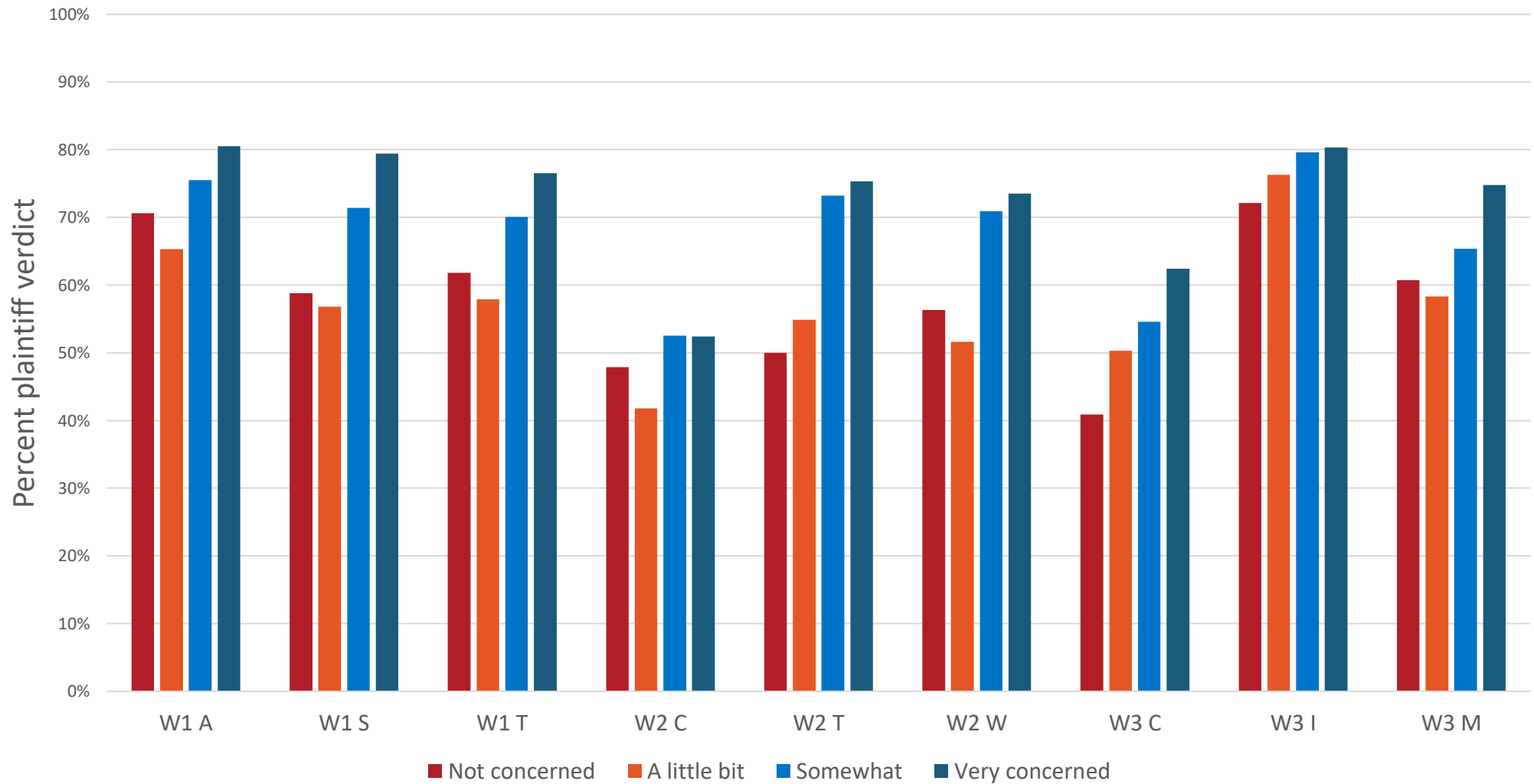
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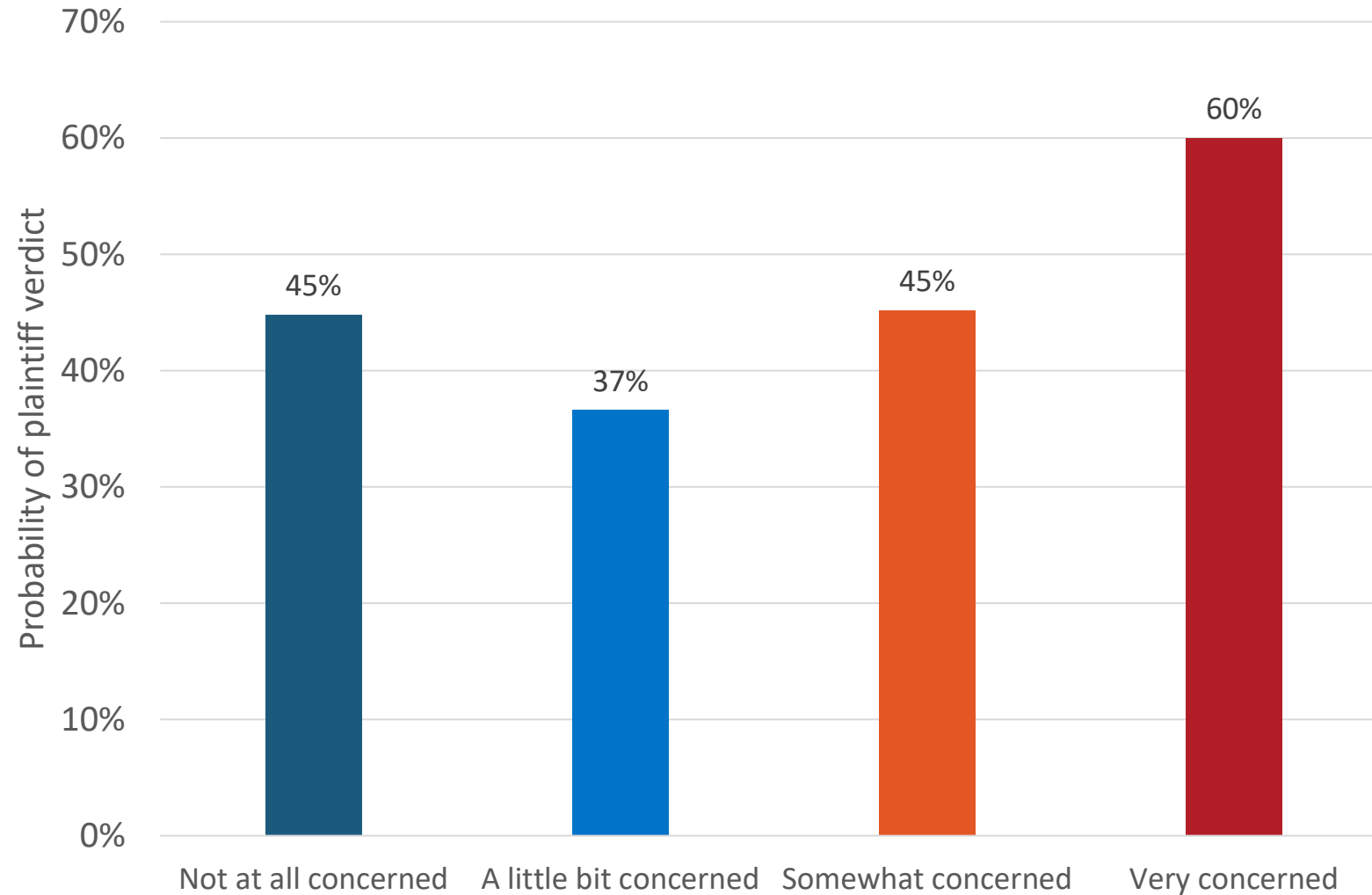


# How concerned are you that you or someone you know will be infected with the coronavirus? By verdict probability



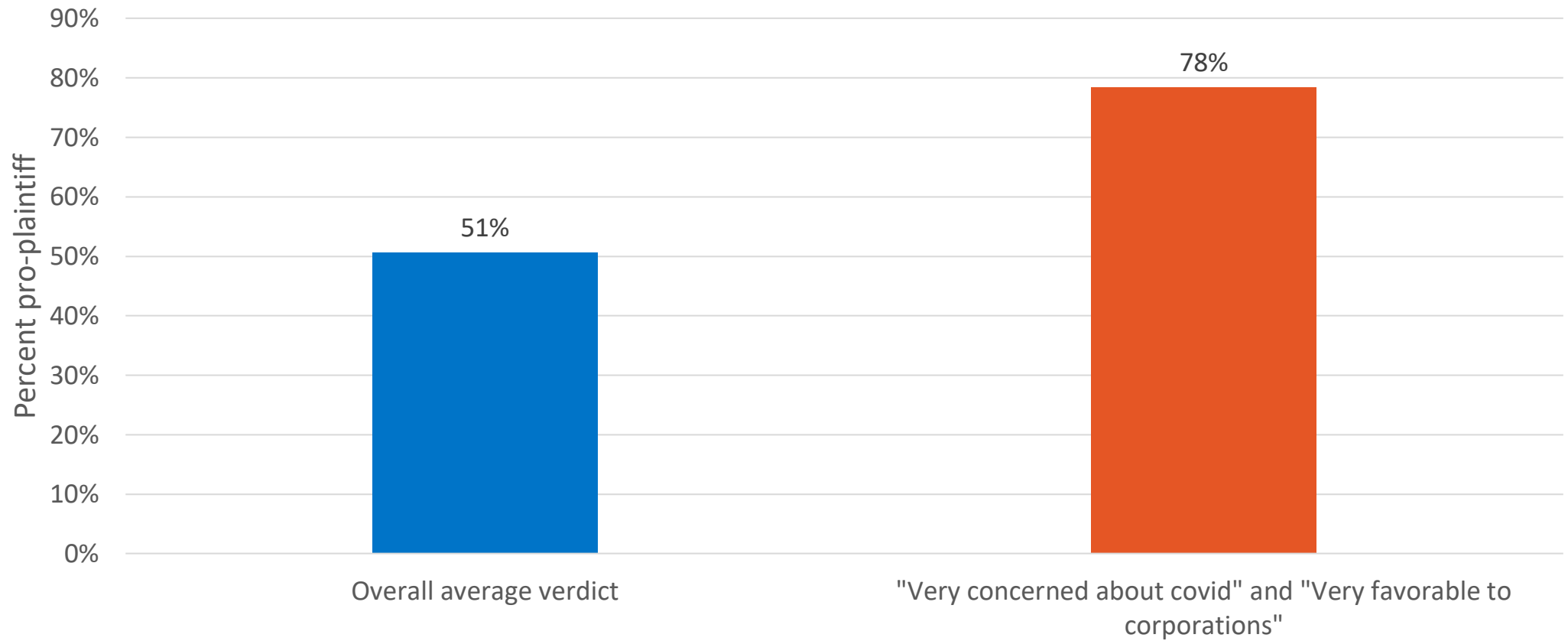
# How concerned are you that you or someone you know will be infected with the coronavirus? By verdict probability, N=2784

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# Verdict Probabilities

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## Summary

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- The ABCs of pandemic reactions
- Longer term trends
- Immediate impacts on jury decision making
- CONTROL MOTIVATION





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