

Selling Your Products Liability Defense

Products liability litigation is heavily influenced by jurors' preexisting attitudes on personal responsibility, their specific beliefs about safety, product labeling and testing, as well as the way they see the relationship between large corporations and individuals. Based on a nationwide survey of 406 jury-eligible respondents we conducted in the summer of 2012, as well as past surveys and mock trial experiences, we examine the ways these attitudes and beliefs translate into challenges and opportunities for the products liability defendant. Specifically, we provide recommendations on better trial messages and more strategic jury selection in product defense. Topics include:

- Beliefs and attitudes on the adequacy of product testing
- Views on whether consumers follow consumer warnings
- Perceptions on whether manufacturers and consumers are placing product performance over product safety
- Attributions and self-perceptions on whether product labels are read, skimmed or ignored
- Bias against larger companies as it relates to products manufacturers or sellers
- Overarching beliefs on personal responsibility or collective responsibility as it relates to product disputes
- Identifying the wrong kind of juror for products defense
- Adapting your message to today's product attitudes

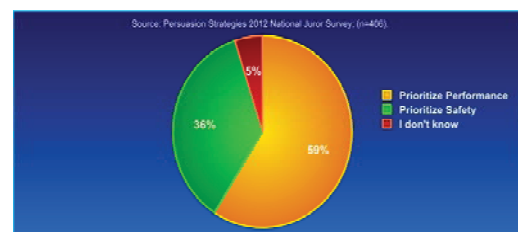
If you suffered a significant bodily injury while using a typical consumer product, would you pursue a lawsuit against the company that made the product?



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Does a typical manufacturer prioritize product safety or product performance when making products?



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