



CONSUMER ATTORNEYS OF CALIFORNIA

Seeking Justice for All

Stats show no “litigation explosion” in California

Civil filings in Golden State were 38% below national median in 2010

SACRAMENTO (Oct. 30, 2012) – New data from the National Center for State Courts’ Court Statistics Project show California is far from the lawsuit-obsessed state that the corporate lobby portrays it to be – at least as far as civil lawsuits filed by consumers are concerned.

A recently-released report, “Examining the Work of State Courts: An Analysis of 2010 State Court Caseloads,” includes the number of civil suits filed in 29 states and the District of Columbia in 2010, the most recent year for which figures are available. Of those 30 jurisdictions, California ranks 28th in the number of civil suits per capita, 38% below the median of the group. (The chart is on page 9 of [the report](#).)

“This data flies in the face of the story we’ve been sold for years by the corporate lobby that California is somehow an overly litigious state,” said Brian Kabateck, incoming president of Consumer Attorneys of California. “That story is part of an ongoing attempt to intimidate Californians and their elected representatives into surrendering legal rights that protect consumers who have been injured or cheated.”

The report [goes on to show](#) that the civil court dockets in many states are dominated by corporate plaintiffs. In the 17 states that maintain adequate records, 61% of their civil cases in 2010 were contract cases, typically filed by businesses and often against other businesses. Tort cases, including those involving personal injury, wrongful death and medical malpractice, made up just 6% of those states’ civil caseloads in 2010.

California does not publish the number of contract suits as part of the Judicial Council of California’s annual Court Statistics Report. However, the category “Other civil complaints & petitions” includes such business vs. business lawsuit categories as breach of contract and intellectual property as well as business vs. consumer categories such as collections.

In fiscal year 2009-10, the latest year for which numbers are available in the 2011 Court Statistics Report, there were 162,297 “other civil complaints & petitions” statewide, compared to just 49,891 suits filed for personal injury, property damage or wrongful death, a ratio of more than three-to-one. Both numbers reflect suits in the “unlimited” category with a value of \$25,000 or more. (Numbers are taken from [the report](#) on page 91 of the PDF.)

“The same business community that is pushing to strip consumers of their legal rights is happily utilizing the courts for their own purposes,” Kabateck said. “We don’t disagree with their right of individual businesses to use our courts, just with the on-going push by the U.S. Chamber of Commerce and others to deny consumers of their constitutional legal rights. All Californians should have equal access to justice.”

Kabateck noted that one point of common ground between CAOC and business interests is in supporting Proposition 30, Gov. Jerry Brown’s tax measure. Without the burst of annual revenue it would bring as the state recovers from the Great Recession, he said, “our court system faces unprecedented hard times – endless delays, court closures and justice denied.”

Consumer Attorneys of California is a professional organization of plaintiffs’ attorneys representing consumers seeking accountability against wrongdoers in cases involving personal injury, product liability, environmental degradation and other causes.

For more information:

**J.G. Preston, CAOC Press Secretary, 916- 669-7126, jgpreston@caoc.org
Eric Bailey, CAOC Communications Director, 916-669-7122, ebailey@caoc.org**