

AN EXAMINATION PLAINTIFF'S ATTORNEY TELEVISION ADVERTISING AND CONSUMERS' ATTITUDES TOWARD LAWSUITS

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Abstract

This study sought to examine the relationship between attitudes toward plaintiff's attorney television advertising, vengeance and attitudes toward personal injury litigation. The study measured the same population targeted by this form of advertising; the sample included 200 adults, aged 18 and older, living in a Midwest metropolitan area. The results demonstrate that there is a statistically significant relationship between this form of television advertising and positive attitudes about the act of filing a personal injury lawsuit. The results further detail the statistically significant contribution of vengeance, advertising, and income on attitudes toward personal injury litigation. Previous studies have separately examined legal services advertising and vengeful behaviors. However, none has examined whether or not a desire for vengeance factors into the manner in which consumers receive and/or react to plaintiff's attorney advertising. These findings not only add to the literature related to legal services advertising but help expand the understanding of consumers' desire for vengeance and how marketing communication strategies may or may not affect their resulting behavior.

KEYWORDS: Attorney Advertising, Vengeance, Attitudes Toward Advertising, Attitudes Toward Personal Injury Litigation.

Introduction

Americans file approximately 13 million lawsuits per year, of which 15% are considered tort or personal injury cases (National Center for State Courts 2005). According to research from the Pacific Research Institute, lawsuits cost American businesses \$865 billion per year (Wells, 2008). Globally, America dramatically outspends its industrial competitors in personal injury disputes, with per capita malpractice claims running thirty to forty times higher than those in Britain (Johnston, 2007). Galanter (2004) determined that the number of cases reaching trial in federal and state courts actually decreased from 1962 to 2002, having reached its peak in the mid-1980s. However, the same research notes the overall number of filings increased five times during the same period. As a result, tort reform is a high profile issue which has been taken up by both state and federal legislative bodies.

This research examines whether personal injury law firm advertising may play a part in consumers' attitudes toward personal injury litigation, and, if so, if this connection can be examined using the construct of vengeance theory. For purposes of consumer protection, as well as to maintain the dignity of the legal profession, the nature of the messages communicated through legal services advertising is often subject to strict regulation. Though such guidelines differ by state, they generally prohibit the use of false, fraudulent, misleading, deceptive, self-laudatory or unfair claims. This includes use of information such as statistical data

related to past performance, endorsements from other lawyers, references to the quality of legal services, or appeals to an individual's fear, greed, or desire for revenge. Regulations aside, those who lobby in support of tort reform claim that aggressive advertising by attorneys factors significantly into the increase in litigation in the United States (Johnston, 2007; Edward, 2001). Public sentiment appears to echo this claim. A poll conducted by the California chapter of Citizens Against Lawsuit Abuse indicated that 75% of respondents believed that the personal injury lawyer ads themselves actually encourage people to sue, even if they have not been injured (Sick of Lawsuits, 2005). If this is the case, the resulting problem appears to be that this form of advertising may have motivated within consumers the very thing its regulations have sought to prevent: a desire for revenge.

Literature Review

The urgency of the "litigation explosion" (Laycock, 2002 as cited in Johnston, 2007, p. 179) is perhaps indicated by the growing interest in the psychology of litigation. Recent research into the psychological reasons why people file lawsuits has focused on a number of possible responses. In a natural experiment, Lindberg (2002) used a fictitious scenario in which participants were exposed to a dangerous chemical to examine the personality characteristics related to an individual's desire to sue a responsible party. The results indicated that those with high anger reactivity were most likely to sue. In their investigation into possible actions to be taken following an incident resulting in personal injury, Thimsen, Robbennolt, and Bornstein (2007) used a Vengeance Scale, designed to measure attitudes toward revenge, and surveyed college students on their reactions to various scenarios. Specifically, the researchers looked at the type of apology offered, the type of transgression, and the degree of familiarity among the parties. The team concluded that familiarity between victims and offenders did not decrease the likelihood of filing a lawsuit. They also found no significant two- or three-way interaction among the variables, suggesting that the propensity to file a lawsuit is not affected by variables directly associated with the severity or injurious nature of the event. On the other hand, Thimsen, Robbennolt, and Bornstein (2007) did indicate that individuals' propensity to sue may be related to their desire for vengeance. Stuckless and Goranson (1992) define revenge as "the infliction of harm in return for perceived wrong" (p. 25). Their research on the topic of vengeance has indicated that men have higher tendencies than women toward both vengeance and trait anger. In addition, Cota-McKinley, Woody, and Bell (2001) demonstrated that age was also a significant predictor of Vengeance Scale scores, with younger populations more likely to hold vengeful attitudes. Additional research used brain scans to examine gender differences in the neural reactions to people who have behaved fairly or unfairly (Singer, Seymour, O'Doherty, Stephan, Dolan, & Firth, 2006). The results identified men as being more likely to punish opponents who had behaved unfairly. In another investigation into an individual's predisposition toward vengeance and forgiveness, Brown (2004) determined that the most vengeful people are those who not only measured low in forgiveness but high in narcissism.

Professional services advertising was the subject of a 1987 study, the findings of which showed that advertisements for professional services seem to be perceived as less detrimental to the credibility of lawyers than to other professionals, such as doctors or accountants (Bush, Moncrief, & Ziethaml, 1987). Other studies have demonstrated the link between advertising and new business for attorneys, especially from the middle-to-lower income brackets. One study found that the return on the advertising investment was as much as four to six times the cost (Moser, 2005).

To date, research on the subject of plaintiff's attorney advertising has focused heavily on the descriptive characteristics of the target segment for these advertisers. For example, 1993 research conducted by the ABA, determined that women make up 60%-70% of the people who make the first call to inquire about legal services pertaining to automobile accident injuries (Paxson, 2002). The same study reported that those with the most favorable opinions of attorneys were most likely to be female, of either African American or Hispanic heritage, between the ages of 18 and 29. However, demographic variables may not be the sole contributing factor where advertising attitudes and a willingness to pursue a personal injury lawsuit are concerned. Dispositional factors, such as a desire for vengeance, could also serve to influence consumers' attitudes.

The Psychohistory of Vengeance

Vengeance and behavior is a little studied phenomenon, though Bechwati and Morrin (2003) note that vengeance can impact consumer decision behavior. Factors influencing a person's desire for vengeance can be both internal and external. From an internal perspective, research by McKee and Feather (2008) provides insights into the values and beliefs believed to be important by vengeful people. They determined that vengeance attitudes reflect "a focus on power values, emphasizing social power, authority, and a concern with the preservation of one's public image, while at the same time de-emphasizing values associated with understanding and tolerance" (p. 158). From an external perspective, an increase in societal hostility and belligerence can also affect vengeful attitudes and behaviors. Barry's (1999) *Social Rage* reviews the levels of anger and aggression which have become so prevalent in American society. Barry defines social rage as an "emotion, a cognition, or behavior" (p. 8), the source of which is social--meaning that it is caused by social forces and expressed through social actions. Social rage describes the aggressive or vengeful actions of individuals, motivated by irrational thoughts based more on beliefs rather than empirical observations and manifesting itself in a number of ways, including "rampant lawsuits" (Barry, 1999, p. 30). According to Barry (1999), the increase in aggressive social behaviors in the United States is influenced by a number of factors, including economic conditions, a narcissistic attitude, and the media. Montada (2002) further notes that people have a justice motive that is driven by self-interest and the desire to maximize their own individual interests and benefits.

Other research has studied a possible connection between vengeance and media, by examining means and ends motivations and sensitivity theory. Reiss and Havercamp (1998) identified 16 root factors to basic motivation, of which vengeance (defined as the desire to get even or win) is one. Applying sensitivity theory to the concept of basic motivations and media behaviors, Reiss and Wiltz (2004) suggest that aggressive people watch violent programs because such shows arouse feelings of vindication, which, in turn, satisfies their basic desire for vengeance.

Advertising Attitudes

Beyond personality factors, such as a desire for vengeance, however, attitudes and behaviors have also been shown to be the resulting of exposure to persuasive advertising. Hovland, Sherif and Harvey (1957) argued that attitude change was not a single response but rather a function of multiple sub-responses; these include attention, comprehension, learning, acceptance, and retention of the persuasive message and its conclusion. Extending this work, McGuire presented a framework for persuasion that recognizes that some variables can have the opposite effect on message reception and yielding (McGuire, 1969; Ajzen & Fishbein, 1980). McGuire's probabilistical model helps explain the cognitive processes which support a person's

response to the probable truthfulness of a logically formatted argument (McGuire, 1969; Eagly & Chaiken, 1993). In other words, more educated, experienced, or intelligent audiences may possess greater capacity for evaluating the truthfulness or legitimacy of an advertised claim than those with a more limited knowledge or experience base. Hence, those possessing greater mental faculties or social resources may feel more confident in their own ability to successfully negotiate a claim with an insurance adjuster after an accident and might be more likely to conclude they do not need to file a lawsuit in order to recover any damages or losses. Conversely, those who lack such resources--- like those in the target audience--- may be less apt to consider other alternatives and would, therefore, be more likely to accept the assertion of the advertising— that filing a personal injury lawsuit is the best or only feasible solution.

Since the results of Stuckless and Goranson (1992) and Singer, et al. (2006) suggest that men exhibit greater tendencies toward punishment, trait anger, and vengeance, it is useful to distinguish the ways men and women respond to relevant advertising. Hogg and Garrow (2003) demonstrated that the level of processing by either men or women was tied to the level of interest attached to the category of the advertised product. Perhaps the differences between male and female attitudes toward the act of filing a lawsuit can be better explained by each gender's assessment of a wrongful act by another. Males, for example, may be more cut-and-dry or heuristic in their evaluation that they have been wronged and that the responsible party must pay the consequences. Conversely, women may be more likely than men to evaluate a wider range of objective or subjective evidence before making their determination about whether or not to file suit. If this is the case, perhaps the advice provided by a legal counsel may factor greatly into a female's decision to sue, in which case the positive attitudes of women toward plaintiff's attorney advertising may be a function of their appreciation for the role attorneys play in helping them make decisions about their legal rights and options. With these thoughts in mind, any differences in the results of this research between men and women will provide useful insights into how advertising factors into the decision-making process for deciding whether or not to file a personal injury lawsuit.

Methodology

This research investigated the following question: *“What demographic and personality factors mediate the relationship between attitudes toward plaintiff's attorney advertising and attitudes toward personal injury litigation?”* Specifically, the study focused on legal services advertising communicated through the medium of local television advertising in a Midwest metropolitan area. According to the national legal think tank Lawyers Inner Circle, television provides a competitive advantage for those legal services advertisers who use the medium (Armbruster, 2007). The investigation sought to determine whether there are certain factors, such as gender and socio-economic status on the one hand, and personality traits such as a desire for vengeance on the other, that help shape a person's receptivity to attorney advertising encouraging people to pursue personal injury litigation. In other words, do such factors help explain why some people are more easily persuaded by these commercials to sue than others? With that in mind, the following hypotheses were posited:

H1: A high level of desire for vengeance will be positively correlated with favorable attitudes toward plaintiff's attorney television advertising.

H2: Lower household income, younger age, and female gender will be positively correlated with favorable attitudes toward plaintiff's attorney television advertising.

H3: Favorable attitudes toward plaintiff's attorney television advertising will be positively correlated with favorable attitudes toward personal injury litigation.

H4: Desire for vengeance, gender, income, age, and attitudes toward plaintiff's attorney television advertising can predict attitudes toward the act of filing a personal injury lawsuit.

To verify the hypotheses, a quantitative study was undertaken. A total of 285 surveys were distributed to adults, age 18+ in metropolitan Indianapolis. A total of 200 completed surveys were collected, for a participation rate of 70%. Participants were recruited from a variety of local community-service organizations, adult learning centers, churches, exercise centers, neighborhood associations, volunteer groups, and a variety of employers in the Indianapolis, Indiana metropolitan area. In contrast to the college student populations which have been surveyed by previous researchers, this study sought to focus on an adult population, as this is the segment which better represents the target of personal injury law-firm advertisers.

The data collection instrument included a survey designed to measure attitudes toward television advertising by plaintiffs' attorneys, as well as attitudes toward this type of legal action. Two separate attitude scales were used. The first was the Consumers Attitudes Toward Advertising Lawyers' Services Scale (Moser, 2005). The items on this 5-point Likert scale explore attitudes related to the information function of lawyer advertising, the importance of price in such ads, the deception in lawyer advertising, and the future of lawyer advertising. The revised scale is subsequently referred to as the Attitudes Toward Plaintiff's Attorney Television Advertising Scale (ATPATAS).

To measure attitudes toward personal injury litigation, the second scale utilized in the research was the Attitude Toward the Act Scale (ATAS). The purpose of the ATAS is to measure the favorableness of a person's attitude toward some specified behavior. This scale was first referenced by Maheswaran and (1991) in their study of attitudes toward behaviors related to undertaking a particular act, in this case taking a diagnostic blood test. The 7-point Likert scale was reported to have an alpha of 0.82, with no statements offered on the validity of the scale. The items on the ATAS were developed in such a way as to allow the behavior of interest to be inserted into the measurement item (Bruner, n.d.). The modified use of the ATAS was considered applicable for this proposed research, as it was originally developed to investigate favorable attitudes toward a potential future behavior following persuasive communication.

In addition to the attitude scales, the Vengeance Scale (VS) (Stuckless & Goranson, 1992) was used to measure participants' desire for vengeance. This scale uses a 7-point Likert scale allowing participants to express their opinions on 20 statements, which have demonstrated agreement with other research on vengeance-related constructs. The VS was reported to have internal consistency estimates of 0.92 and 0.90, across two separate samples, as well as a 5-week test-retest reliability of 0.90. Evidence of validity was related to a significant negative correlation with empathy and a significant positive correlation with trait anger.

Results

Descriptive statistics (presented in Table 1) were calculated for the demographic variables, including gender, age, and income, among others. The majority of the participants were female (112, 56.0%) and many were between the ages of 46–55 (51, 25.5%). Many participants reported their income to be between \$40,000–\$59,999 (44, 22.4%). The majority (137, 68.5%) of participants were White.

Table 1
Frequencies and Percentages for Demographic Variables and Research Characteristics

Research variable	<i>n</i>	%
Gender		
Male	88	44.0
Female	112	56.0
Age		
18–25	28	14.0
26–35	34	17.0
36–45	40	20.0
46–55	51	25.5
56–65	30	15.0
66 or older	17	8.5
Income		
Under \$15,000	19	9.7
\$15,000-\$24,999	16	8.2
\$25,000-\$39,999	30	15.3
\$40,000-\$59,999	44	22.4
\$60,000-\$79,999	33	16.8
\$80,000-\$99,999	21	10.7
Above \$100,000	33	16.8
Ethnicity		
American Indian or Alaskan Native	1	0.5
Asian	2	1.0
African American/Black	53	26.5
Hispanic or Latino	7	3.5
White	137	68.5

Total scores were calculated for each of the three main scales used in the survey: ATPATAS, ATAS, and the VS. The ATPATAS was composed of 14 questions and scores could range from 14 to 70 points; higher scores indicate a more positive attitude toward this form of television advertising. The ATAS was composed of four questions and scores could range from 4 to 28 points; higher scores indicate more favorable opinions toward personal injury litigation. The VS was composed of 20 questions and scores could range from 20 to 140 points; higher scores indicate a higher desire for vengeance among participants. On the ATPATAS, participants' scores ranged from 14.00–65.00 ($M = 40.53$, $SD = 8.99$). On the ATAS, participants' scores ranged from 4.00–28.00 ($M = 16.72$, $SD = 5.77$). On the VS, participants' scores ranged from 24.00–120.00 ($M = 58.67$, $SD = 19.27$). Means and standard deviations for the three scales are presented in Table 2. Cronbach's alphas were conducted to examine the reliability and internal consistency of the following scales: ATPATAS, ATAS, and the VS. The alpha coefficients are presented in Table 2, where the scales are shown to range from good to excellent according to the rules of thumb suggested by George and Mallery (2003), where $> .9$ –

Excellent, > .8 – Good, > .7 – Acceptable, > .6 – Questionable, > .5 – Poor, < .5 – Unacceptable. The results are presented in Table 2.

Table 2

Reliability, Internal Consistency, Means, Standard Deviation, and Ranges for ATPATAS, ATAS, and the VS

Scale	Items	N	M	SD	Observed range	Potential range	α
ATPATAS	14	193	40.53	8.99	14-65	14-70	.891
ATAS	4	199	16.72	5.77	4-28	4-28	.910
VS	20	194	58.67	19.27	20-140	24-120	.931

To assess Hypothesis 1, a Pearson product moment correlation was conducted to determine if a high desire for vengeance will be positively, statistically correlated with favorable attitudes toward plaintiff's attorney television advertising. Normality was assessed with a Kolmogorov Smirnov (KS) test and was significant for both variables, violating the assumption of normality. Homoscedasticity assumes that scores are normally distributed about the regression line and linearity assumes a straight line relationship between the independent and dependent variables (Stevens, 2009). Homoscedasticity was assessed by examination of scatter plots and did not meet the assumptions. Due to the assumption violations, the non-parametric equivalent, Spearman rho, was used to analyze the data. The correlation was not significant, $r_s(189) = 0.05, p = .259$, suggesting there is not a statistically significant relationship between a high desire for vengeance and favorable attitudes toward plaintiff's attorney television advertising.

To assess Hypothesis 2, a hierarchical multiple regression was conducted to determine if lower household income, younger age, and female gender will predict favorable attitudes toward plaintiff's attorney television advertising. The assumptions of linearity, normality, and homoscedasticity were assessed with the examination of scatterplots; the assumptions were verified. The assumption of absence of multicollinearity was assessed by examining the Variance Inflation Factors. No VIF was above 10, meeting the assumption for the absence of multicollinearity (Stevens, 2009). A correlation analysis was also conducted to further assess for multicollinearity and to be certain $r < .80$ was observed between variables; the assumption was met (Stevens, 2009). The results of the correlation analysis are presented in Table 3.

Table 3

Correlation Analyses Among Gender, Age, Income, and Attitudes Toward Plaintiff's Attorney Television Advertising

Variable	Attitudes	Gender	Age
Gender	-.10		
Age	.06	.02	
Income	-.20**	.17**	.10

Note. * $p < .05$, ** $p < .01$.

The first block of the hierarchical regression included gender (male vs. female) as a predictor. The second block of the regression added age (18–45 vs. 46 and over) to the regression. Age was re-coded into a dichotomous variable for this analysis because one assumption of a hierarchical multiple regression is that data either be continuous or dichotomous. The literature supported splitting the data into these two groups. The third block of the regression added household income (\$0.00-\$39,999 vs. \$40,000 and over). As was done with Age in the second block, Income was also recoded into a dichotomous variable. The regression examined the impact of the three predictor variables, in three steps, on attitudes toward plaintiff's attorney television advertising. All predictor variables were dichotomized to assess this research question. The third block of the regression is presented in Table 4. The first block was not statistically significant, $F(1, 188) = 1.85, p = .176$, suggesting that the overall model with gender was not a statistically significant predictor of attitudes toward plaintiff's attorney television advertising. The second block was not statistically significant, $F(2, 187) = 1.29, p = .278$, suggesting that the overall model with gender and age is not a statistically significant predictor of attitudes toward plaintiff's attorney television advertising. The third block was statistically significant, $F(3, 186) = 3.22, p = .024$, suggesting that the overall model with gender, age, and household income accounted for (R^2) 4.9% of the variance in attitudes toward plaintiff's attorney television advertising, indicating that an additional 3.5% of the variance can be attributed to the addition of household income to the model. The dichotomous variable, income (\$0.00-\$39,999 vs. \$40,000 and over), was the only independent variable that offered a significant contribution to the model, $B = -3.67, p = .009$. The participants in the lower income bracket tended to score 3.67 units higher on the attitudes toward plaintiff's attorney television advertising than those in the high-income bracket. The results of the regression are summarized in Table 4.

Table 4

Hierarchical Multiple Regression with Gender, Age, and Household Income Predicting Attitudes Toward Plaintiff's Attorney Television Advertising

Source	<i>B</i>	<i>SE</i>	β	<i>t</i>	<i>p</i>	R^2	ΔR^2	ΔF
Block 1						.01	.01	.176
Gender	-1.78	1.31	-0.10	-1.36	.176			
Block 2						.01	.00	.392
Age	1.12	1.30	0.06	0.86	.392			
Block 3						.05	.04	.009
Income	-3.67	1.39	-0.19	-2.64	.009			

To assess Hypothesis 3, a Pearson product moment correlation was conducted to determine if favorable attitudes toward plaintiff's attorney television advertising will be positively, statistically correlated with attitudes toward the act of filing a personal injury lawsuit. Normality was assessed with a Kolmogorov Smirnov (KS) test and was significant for both variables, violating the assumption of normality. Homoscedasticity was assessed by examination of scatter plots and did not meet the assumptions. Due to the assumption violations, the non-parametric equivalent, Spearman rho, was used to analyze the data. The correlation was statistically significant, $r_s(193) = 0.46, p < .001$, suggesting favorable attitudes toward plaintiff's attorney television advertising are positively, statistically correlated with favorable attitudes toward the act of filing a personal injury lawsuit. According to Cohen (1988), the effect size of 0.46 is approaching a medium or typical effect size, indicating a small to medium strength of the relationship.

To assess Hypothesis 4, a multiple linear regression was conducted to determine if desire for vengeance, gender, income, age, and attitudes toward plaintiff's attorney television advertising predict attitudes toward the act of filing a personal injury lawsuit. The assumptions of linearity, normality, and homoscedasticity were assessed with the examination of scatterplots; the assumptions were verified. The assumption of absence of multicollinearity was assessed by examining the Variance Inflation Factors. No VIF was above 10, meeting the assumption for the absence of multicollinearity (Stevens, 2009).

The overall regression was statistically significant, $F(5, 180) = 13.95, p < .001$, suggesting that desire for vengeance, gender, income, age, and attitudes toward plaintiff's attorney television advertising accounted for (R^2) 52.8% of the variance in attitudes toward the act of filing a personal injury lawsuit. Further analysis showed that desire for vengeance was a significant predictor of attitudes toward personal injury litigation, $B = 0.06, p = .005$, suggesting that for every one point increase in desire for vengeance, the attitudes toward the act of filing a personal injury lawsuit also increased by 0.06 points. In addition the results showed that attitudes toward plaintiff's attorney television advertising successfully predicted the attitudes toward the act of filing a personal injury lawsuit, $B = 0.30, p < .001$, suggesting that for every one point increase in attitudes toward plaintiff's attorney television advertising, attitudes toward the act of filing a personal injury lawsuit increased by 0.30 points. The results of the regression are summarized in Table 5.

Table 5

Multiple Linear Regression with Desire for Vengeance, Gender, Age, Household Income, and Attitudes Toward Plaintiff's Attorney Television Advertising Predicting Attitudes Toward the Act of Filing a Personal Injury Lawsuit

Source	<i>B</i>	<i>SE</i>	β	<i>t</i>	<i>p</i>
Desire for vengeance	0.06	0.02	0.19	2.87	.005
Gender	0.83	0.76	0.07	1.10	.275
Income	0.00	0.21	0.00	0.02	.985
Age	-0.03	0.25	-0.01	-0.10	.920
Attitudes toward advertising	0.30	0.04	0.48	7.34	<.001

Note. $R^2 = .53$ ($N = 186, p < .001$).

Discussion

This study investigated the relationship between attitudes toward plaintiff's attorney television advertising and attitudes toward personal injury litigation. It also examined the personality construct of vengeance to determine if there was a mediating factor affecting individuals' reactions to this form of advertising. Finally, the study analyzed how a desire for vengeance and key demographic variables combine with attitudes toward plaintiff's attorney television advertising to affect an individual's attitude toward personal injury litigation. The results demonstrate that there is a statistically significant relationship between this form of television advertising and positive attitudes about the act of filing a personal injury lawsuit.

Hypothesis 1 of the study posited that a high desire for vengeance would be positively correlated with favorable attitudes toward plaintiff's attorney television advertising. The results of the Spearman correlation revealed that there was not a statistically significant relationship between the two variables. The rationale for the H1 results is rooted in the findings of a number of prior published research studies. To begin, Wheeler,

Petty and Bizer (2005) revealed that matching products to individual self-schema generates greater cognitive elaboration and possibly favorable attitudes. In addition, the work of Hogg and Garrow (2003) on gender differences lends insights to the present findings. However, the difference in the reactions to this advertising category are best explained by the results from Singer et al. (2006), which reveal that men are more likely than women to use “an eye for an eye” judgment in deciding who gets empathy or who should be punished for unfair behavior. Consequently, they do not need to be positively persuaded by advertising.

Hypothesis 2 of the study examined three key demographic variables to determine if lower household income, younger age, and female gender predict favorable attitudes toward plaintiff’s attorney television advertising. Neither gender nor age served as a statistically significant predictor of attitudes toward plaintiff’s attorney television advertising. However, household income was statistically significant. Study participants in the lower income bracket tended to score 3.67 units higher on the Attitudes Toward Plaintiff’s Attorney Television Advertising Scale than those in a higher income bracket. However, it should be noted that the three variables together account for only 4.9% of the variance in attitudes toward plaintiff’s attorney television advertising. To explain the results of H2, it is valuable to make some comparisons to Moser’s (2005) longitudinal study examining attitudes toward attorney advertising. The results of the present study demonstrate that particular demographic variables may no longer be useful in distinguishing individuals’ attitudes toward attorney advertising. In addition, there is an overall downward trend in consumers’ attitudes toward this advertising category. Since household income remains a statistically significant variable, this trend will be examined more closely in the following. Specifically, Moser (2005) found in 1988 that the majority of all income groups agreed strongly with the statement that they would like to see more advertising by lawyers. In the low-income group, 46.2% strongly agreed they would like to see more of this type of advertising. However, in 2003, Moser noted that opinions had shifted. The majority of all income groups either strongly disagreed or disagreed that they would like to see more advertising by attorneys; by contrast, those in the lower income group were the least likely to disagree (50%). In the present study, the majority of both low- and high-income groups either disagreed or strongly disagreed with the statement that they would like to see more advertising by attorneys, 74% among the higher income group and 60% of the lower income group.

Hypothesis 3 of this study examined the correlation between attitudes toward plaintiff’s attorney television advertising and attitudes toward the act of filing a personal injury lawsuit. The results of the Spearman correlation test revealed that there was indeed a positive, statistically significant correlation. This finding supports the work of Eagly and Chaiken (1993) related to advertising relevance, indicating that attitudes toward advertising will serve as a strong predictor of behavior only if the individual recognizes the relevance of the advertising to the particular behavior. In other words, with respect to the present study, those who hold favorable attitudes toward plaintiff’s attorney television advertising are more likely to hold the belief that suing another party in response to being injured or wronged is an appropriate and justifiable behavior.

Hypothesis 4 of the study examined the connection between the key variables of vengeance, gender, income, age, and attitudes toward plaintiff’s attorney television advertising and their relationship to attitudes toward personal injury litigation. The statistically significant results revealed that these variables account for 33% of the variance in attitudes toward the act of filing a personal injury lawsuit. Two variables played a major role in predicting attitudes toward personal injury litigation. The first is desire for vengeance, which accounted for a .11-point increase in attitudes toward personal injury litigation. The second is attitudes toward plaintiff’s attorney advertising, which successfully predicted a .31-point increase in attitudes toward the act of filing personal injury lawsuits. The impact vengeance and plaintiff’s attorney television advertising have on attitudes

toward personal injury litigation is important given Barry's (1999) discussion of social rage. The findings of the present study reinforce Barry's (1999) claim that the factors that contribute to social rage--one of which is media--also figure prominently in attitudes toward personal injury litigation.

Limitations and Suggestions for Future Research

Several limitations related to the design of this research project exist. The primary limitation to this research can be found in the use of the Attitude Toward the Act Scale. The instructions on the survey instrument were intentionally vague, in that they did not provide respondents with any particular details related to a specific accident or wrong-doing which could result in a decision to file a lawsuit against another party. Based on a number of comments written in the margins of the completed surveys, it is clear that the participants in this study may have needed to consider the circumstances associated with the accident or injury before rendering their responses on the Attitude Toward the Act Scale. Upon further consideration of research which has incorporated the Attitude Toward the Act Scale, the previous use by Maheswaren and Meryers-Levy (1990) called for respondents to read a persuasive document related to the reasons for taking a diagnostic blood test, prior to completing the questions on the scale. However, the present research used as its reference point the existing body of plaintiff's attorney television advertising as its persuasive documentation, forgoing the details of any particular scenario which may motivate a person to file a lawsuit.

In addition to the effects the lack of a detailed injurious scenario may have had on respondents' responses to the Attitude Toward the Act Scale, there may also have been a carry-over effect related to the sensitive nature (McCosker, Barnard & Gerber, 2001) of the Vengeance Scale, which immediately followed the Attitude Toward the Act Scale in the layout of the survey document. It is possible that respondents may have required some external frame of reference against which to consider their reactions to acts of vengeance. In other words, even though the results of Thimsen, Robbennolt, and Bornstein (2007) found no significant correlation to the type of accident, apology, or degree of familiarity among the parties involved, use of a fictitious reference scenario could have served to put the respondents in the mindset that they were not necessarily commenting on their own possible vengeful behavior, but rather that of some fictitious third party.

This study employed a quantitative methodology which has been used frequently in studies related both to advertising attitudes and vengeance behavioral research. Future research, of a quantitative nature, could investigate the relationship between ethnicity and attitudes toward plaintiff's attorney television advertising, as well as attitudes toward personal injury litigation. Further analysis could also explore any differences in attitudes based on an individual's prior experience with personal injury litigation. Recognizing that the present study focused on television advertising, opportunities also exist to study other forms of media, such as Internet advertising or social networks. Conversely, additional research into the same topic could utilize a qualitative method, such as a case study designed to examine respondents who have been involved in the act of filing a personal injury lawsuit. Such research could incorporate use of the Vengeance Scale, as well as track attitudes toward plaintiff's attorney advertising. The qualitative nature of a case study research design would lend additional insights into the other factors which enter into the decision to file a personal injury lawsuit. Moreover, future research of a more quantitative nature could investigate the variables that contribute to positive attitudes toward plaintiff attorney advertising.

Conclusion

This research has examined the variables that play a significant role in the formation of attitudes toward personal injury litigation. The results demonstrate that both desire for vengeance and favorable attitudes toward this form of advertising serve as significant predictors of positive attitudes toward personal injury litigation. In other words, vengeful individuals and people who like this type of advertising are both likely to hold favorable attitudes about suing others. Placing this in a wider context, to the extent that the cultural forces that exacerbate social rage and vengefulness persist or grow, it is likely to think that people will continue to be positive about the act of suing others and that the social problem of frivolous lawsuits in this country will remain and the litigation explosion will continue to grow. This research is presented for use by attorneys, advertisers and those responsible for regulating the advertising messages of plaintiffs' attorneys.

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