

Forum

A monthly publication reporting on issues affecting the insurance industry in Ohio

April 2002



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The terrorist attacks of Sept. 11 profoundly influenced America's civil justice system by reducing the number of cases that went to trial in 2001. As a result, the number and value of multi-million-dollar jury awards dropped, according to a study published by *Lawyers Weekly USA*.

USA Today reported that researchers found numerous trials across the nation were postponed after the attacks, as courts came to grips with new security measures and travel problems experienced by judges, lawyers and witnesses. The authors of the annual study of the nation's 10 largest jury awards also suggest that some lawyers moved to postpone trials until this year, fearing that the horror of the attacks had left jurors less sympathetic to injuries suffered by many plaintiffs.

In an average year, four of the 10 largest verdicts come in the year's last four months, but last year, only one did, according to Paul Martinek, editor of *Lawyers Weekly USA*.

The total dollar amount in the nation's 10 largest awards by juries rose to \$5.7 billion last year, more than double the previous year's total. But last year's total was skewed by two verdicts that totaled more than \$4 billion — one against a cigarette maker and another against an industrial polluter. The numbers in the remaining cases, mostly product liability and medical malpractice claims, showed a downward trend.

The median amount awarded for the 10 largest awards fell to \$186 million, a drop of 31 percent from 2000. The median amount awarded in punitive damages plummeted to \$47.5 million from \$150 million the previous year. Punitive damages made up more than 85 percent of the jury awards on the top 10 list, *Lawyers Weekly USA* says. □

Accident data from the National Highway Traffic Safety Administration (NHTSA) finds that when it comes to driving, 16-year-old-girls are becoming almost as bad as 16-year-old boys. Teenage girls are driving more and the youngest drivers are involved in an increasing number of accidents. As a result, insurance companies have started closing the gap on the rates charged for teenage girl and teenage boy drivers.

NHTSA says that in 2000, 16-year-old girls were involved in 175 crashes per 1,000 licensed drivers. That's up from 160 crashes in 1990. The crash rate for 16-year-old boys dropped to 210 per 1,000 licensed drivers in 2000 from 216 in 1990.

Though the rate at which 16-year-old girls are involved in fatal crashes and non-fatal accidents is growing faster than that for boys, the same isn't true for 17-, 18- and 19-year-old girls. That suggests girls drive more safely once they get experience, and that teen boys continue to drive aggressively even after several years behind the wheel.

Jury Awards

Sept. 11 events profoundly influenced justice system

Teenage Drivers

Gap narrows between insurance rates for boys and girls

Teenage Drivers

Continued

Motorcyclists

Deaths are on the increase for older riders

Insurance industry statistics show that girls 16 to 19 are driving 70 percent more than in 1975, averaging 6,870 miles a year. Teen boys are driving 16 percent more, averaging 8,200 miles a year. □

After years of going down, motorcycle deaths are on the rise, according to a report by the Insurance Institute for Highway Safety (IIHS), published in its *Status Report*. Between 1990 and 1997, fatalities dropped 34 percent, but since then they've gone back up 36 percent. There's more than a reversal of a trend going on. There's also a demographic shift — deaths are rising fastest among cyclists 40 and older, which is pushing up the average age of cyclists killed.

"Increasingly, the motorcycle riders who are getting killed are in their 40s, 50s, and 60s, and fewer are in their teens and 20s," says Susan Ferguson, the Institute's senior vice president for research. "This is a big change from 10 or 20 years ago, when motorcycle deaths were at their highest and a very high proportion of the fatalities were young people."

"Over the last three years, the number of motorcycle deaths has gone up 68 percent in the 40-and-older group but only 20 percent among people younger than 40," Ferguson notes. As a result, the proportion of all fatally injured riders 40 and older stands at 40 percent, up from 14 percent in 1990. The median age of bikers killed is now about 36 years old, up from 27 in 1990.

This shift doesn't reflect the aging of the population. It reflects the changing demographics of motorcycle buyers and riders. Surveys show motorcycle owners increasingly aren't young. They're older, affluent professionals. According to the Motorcycle Industry Council, the typical U.S. bike owner is now about 38 years old, earns \$44,250, is married, and has a professional, managerial or technical job. This compares with the typical owner in 1980, who was a 24 year-old earning \$17,500. □

In 2000, the number of toy-related injuries treated in U.S. emergency rooms was 191,000. This was its highest point in five years. A *USA Today Snapshot*® shows that in 1996, there were 130,000 toy-related injuries treated in U.S. emergency rooms. The U.S. Consumer Product Safety Commission found that the increase was due primarily because of an increase in incidents involving unpowered scooters. □

Dangerous Toys

Cause of 191,000 trips to the emergency room



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