



## Jury Verdict Research in Virginia

by Hazel L. Johnson

A trial lawyer's quest for information to assess potential damages in a lawsuit often resembles a session with a Ouija Board. While numerous resources in print, on the Internet, through Westlaw and LEXIS, and from "pay as you go" research services exist to help with this type of research, none can be classified as comprehensive or balanced.

Due to the sheer number of cases that involve verdicts and/or settlements, comprehensive reporting is not possible. Consequently, most verdict research publishers depend upon trial counsel to submit verdict reports. Thus, research into verdicts can produce skewed results because this type of self-reporting includes primarily verdicts that are positive for the plaintiff's lawyer or involve very large awards.

Of the more than 60 publications that track jury verdicts, only a few report Virginia data. *Metro Verdicts Monthly* (JAS Publications, \$295 per year in print) focuses on Virginia, Maryland and District of Columbia verdicts and settlements. The publisher states that it "seeks to identify all personal injury civil jury verdict cases in the urban area" and then contacts the lawyers involved to obtain case details. Searches of its verdicts database (1987 to date) on its Web site (<http://www.verdicts.com>) are free. Retrieval of case summaries is priced on a sliding scale with several combination pricing plans available. The publisher also offers custom searches of the database. This database is available on both LEXIS and Westlaw.

My second choice for Virginia verdicts research is the *Virginia Lawyers Weekly* Web site (<http://www.valawyersweekly.com/>). Access to the newspaper's archive from 1993 to date is available free to VLW subscribers (\$249 per year). You can perform basic searches of the entire paper or specific portions. Attorneys submit reports of verdicts.

The Web site, Morelaw, (<http://www.morelaw.com>) offers free searching of its database that dates back to 1995. Trial counsel submit verdict reports. Search capabilities are very limited on the site, but reported verdicts appear to be very recent.

Jury Verdict Review Publications is one of the more prolific verdict publishers. It offers a number of specialized "pay as you go" services, including "Verdict Finder" (publisher will perform a search based on your parameters) and "Case Evaluation" (case facts are analyzed and probability of a plaintiff win and probable verdict amounts are provided). The company focuses primarily on the northeastern states, but the database includes some Virginia verdicts. The data also can be accessed through LEXIS and Westlaw.

A unique resource available through the Cornell Law School (<http://teddy.law.cornell.edu:8090/questata.htm>) offers a database of statistical information on civil cases from the federal district courts. It includes data on five million cases terminated over the last 22 fiscal years. Compiled by the administrative office of the U. S. Courts, the database offers analysis based on the federal "Nature of Suit" codes, specific federal district court, and mean or median amounts demanded and awarded in "then" dollars as well as "year 2000" dollars.

These are but a few of the many jury verdict services available to the trial lawyer. Used with the aforementioned caveats in mind, these resources can be useful in determining the potential dollar value of a pending claim. ☞

*Hazel L. Johnson is a Law Librarian at McGuireWoods, L.L.P. in Richmond.*