



Phone: 202-463-5682 | 888-249-NEWS | E-mail: [press@uschamber.com](mailto:press@uschamber.com)

**INSTITUTE FOR LEGAL REFORM**  
U.S. Chamber of Commerce



**FOR IMMEDIATE RELEASE** – September 12, 2017      Contact: Justin Hakes, 202-463-3156

## **Survey: Delaware Dethroned As Best State Lawsuit Climate**

*Record High 85 Percent of Business Leaders Say a State's Lawsuit  
Environment Impacts Location, Growth Decisions*

**WASHINGTON, D.C.** — After ranking as the top state in every previous survey, Delaware's lawsuit climate ranked number 11 out of 50 in a new national survey released today by the U.S. Chamber Institute for Legal Reform (ILR). South Dakota replaced Delaware as the top-ranked state.

[\*2017 Lawsuit Climate Survey: Ranking the States\*](#) surveyed senior business executives on their experiences with state lawsuit environments.

This perception of Delaware's poor litigation climate is critical—an all-time high 85 percent of survey participants said that a state's lawsuit environment is likely to impact their company's decisions about where to locate or expand.

“Delaware no longer lives up to its nickname as the ‘First State,’” said ILR President Lisa A. Rickard. “As the competition between states to enact legal reforms gets tighter, Delaware is losing ground.”

Delaware is getting passed by. The state's main business court has remained solid, repeatedly refusing to approve bogus settlements where lawyers get all the money. But while other states are busy passing tort reforms, Delaware's legislature is siding more with the plaintiffs' lawyers than businesses.

Harris Poll, a global polling firm, conducted the *2017 Lawsuit Climate Survey* through more than 1,300 telephone and online interviews between March 31 and June 26, 2017. Participants were senior business lawyers and executives in companies with annual revenues of at least \$100 million. The survey asked participants to rank the fairness of state lawsuit environments across 10 categories including their laws, courts, judges, and juries.

To promote the survey, ILR is conducting a national public awareness campaign. The national and key state online and broadcast ads can be seen [here](#).

In tandem with the survey, ILR today released [\*101 Ways to Improve State Legal Systems\*](#), listing key legal reforms that states can adopt to improve their lawsuit climates.

ILR seeks to promote civil justice reform through legislative, political, judicial, and educational activities at the national, state, and local levels.

The U.S. Chamber of Commerce is the world's largest business federation representing the interests of more than 3 million businesses of all sizes, sectors, and regions, as well as state and local chambers and industry associations.

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U.S. Chamber of Commerce  
1615 H Street, NW  
Washington, DC 20062-2000  
[www.uschamber.com](http://www.uschamber.com) | [www.freeenterprise.com](http://www.freeenterprise.com)