



**Local Legal
Services Advertising**

2019 – Quarters 1 and 2

Philadelphia, Pennsylvania

Trial lawyers and aggregators increasingly spend large sums of money on television, digital, and print advertising to recruit new clients for class action lawsuits. In the first half of 2019 alone, it is estimated that \$422 million were spent on nearly 6.9 million ads for local legal services or soliciting legal claims across the United States. Much of this advertising is conducted by aggregators: businesses that recruit potential plaintiffs and then sell their information to law firms.

Consumers see doomsday ads about the lethal effects of medications or even general medical injury, and consequently stop using their medicine. This is often done without consulting a doctor, causing health problems for the patients and increasing litigation risk for the product manufacturers.

These over-the-top advertisements from personal injury attorneys with catchy jingles and toll-free numbers pose a serious danger. These ads undermine the simple notion that physicians and health care providers, not personal injury lawyers or the “aggregators” who run the ads for the lawyers, should dispense medical advice.

The reason why trial lawyers pump significant money into these ad buys is because, armed with more clients, they can boost settlements and payouts when they go after large corporations. This leads to larger contingency fees for themselves.

The ads do more than help recruit clients, however. They also have the ability to influence the thinking of citizens who may serve on a jury in lawsuits. A survey conducted by [Trial Partners, Inc.](#) found that 90% of jurors would be somewhat or very concerned if they saw an advertisement claiming that a company’s product injured people. Additionally, 72% of jurors agreed somewhat or strongly that if there are lawsuits against a company claiming its products have injured people then there is probably truth to the claim – showing just how great an impact these ads can have.

While this study by the American Tort Reform Association is focused on Philadelphia, trial lawyer advertising is not an issue isolated in one community or in one state. Rather, trial lawyers across the United States identify jurisdictions friendly to their work and relentlessly pursue new clients in search of the next large payout from a trial or settlement. Without a national solution, this problem will persist for communities across the nation.

While there are not enough bandages to cover the injuries trial lawyer advertising has caused, we can take steps to inform the general public. Through education we can shine a spotlight on the aggregators who mislead consumers and sell their information to law firms. By arming everyday Americans with this knowledge, we can help push back against trial lawyers and engage with our local leaders for potential solutions and policy changes.

Local Legal Services TV Advertising in Pennsylvania

Philadelphia

1st and 2nd Quarters of 2019

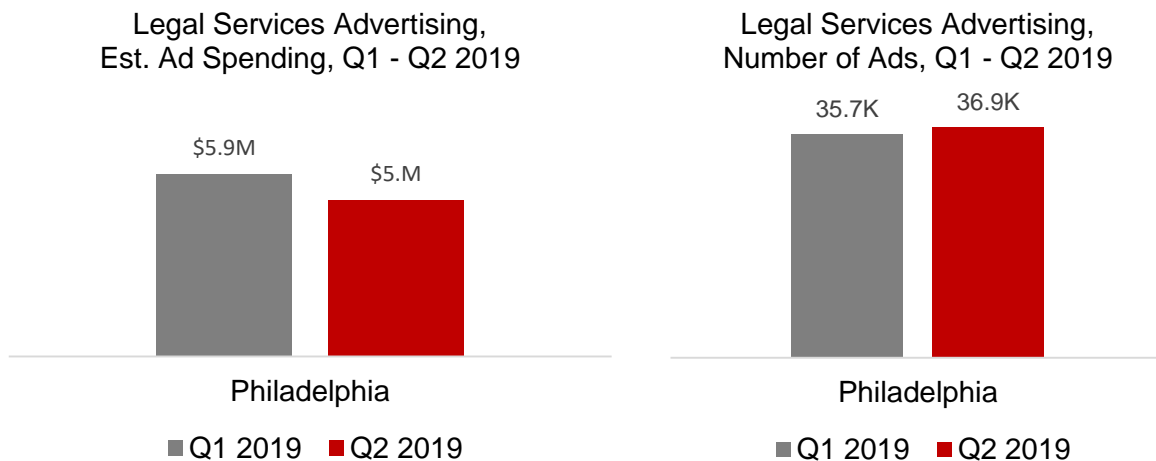
January – June 2019

In the first half of 2019, from January through June, approximately 6.9 million advertisements for legal services and/or soliciting legal claims aired on local broadcast networks in the 210 local media markets across the United States at an estimated cost of \$422 million. An analysis and discussion of the legal services advertising volume and spending in Philadelphia follows.

With nearly 13 million residents, Pennsylvania is the fifth most populous state in the nation and its largest city, Philadelphia, encompasses the fourth-largest media market in the country with 2.8 million homes with televisions.¹

In the first half of 2019 – January through June – a legal services ad aired on local Philadelphia broadcast networks every four minutes on average. During this time, television viewers were exposed to approximately 73,000 of these advertisements. The ads were purchased at an estimated cost of \$10.9 million.²

Local legal services advertising volumes in Philadelphia were fairly consistent when comparing the first and the second quarters. There were approximately 3%, or 1,200, more ads in the latter period of April through June than in the January through March period. However, spending on these ads decreased by an estimated 14%, or \$830,000. This likely was due to fewer ads airing during higher-rated timeframes and thus more expensive advertising blocs (i.e. Prime Time).

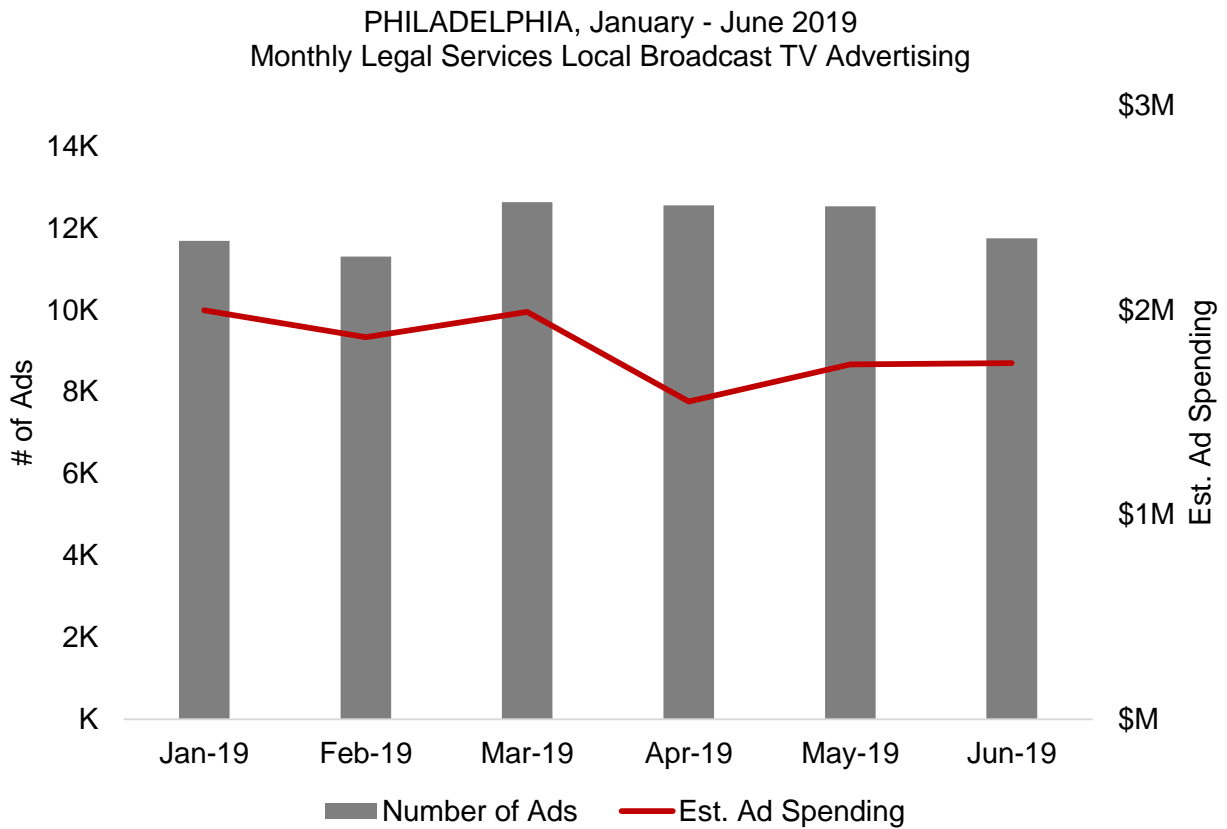


¹ Nielsen's ranking of local television markets and estimates of their size for the 2018-2019 television season can be found at: <https://mediatracks.com/resources/nielsen-dma-rankings-2019/>

² Data analysis by X Ante utilizing Kantar CMAG data.

Local TV advertising captures ads related to legal services and/or the solicitation of legal claims on local broadcast networks. Ad spending figures are estimates based on publicly-available ad rate information. Data are estimates and may vary over time due to revisions to account for duplicates or errors and the availability of updated ad rate information.

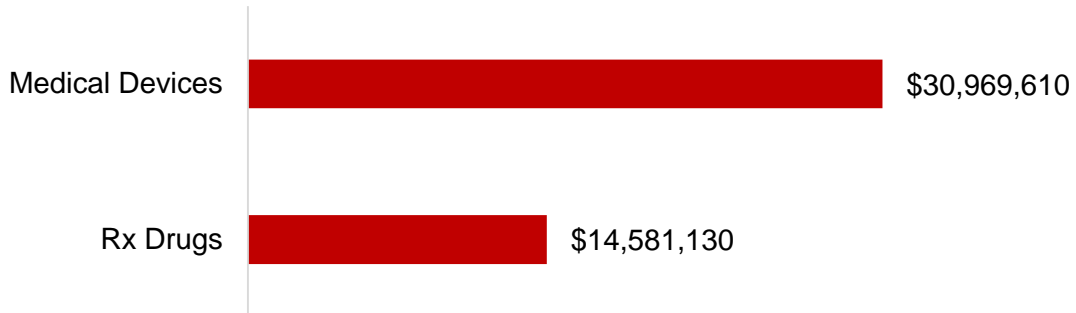
More legal services ads aired locally in March – 12,645 – than in any other month in the first half of 2019. The highest spending period was in January with nearly \$2 million in estimated ad spending.



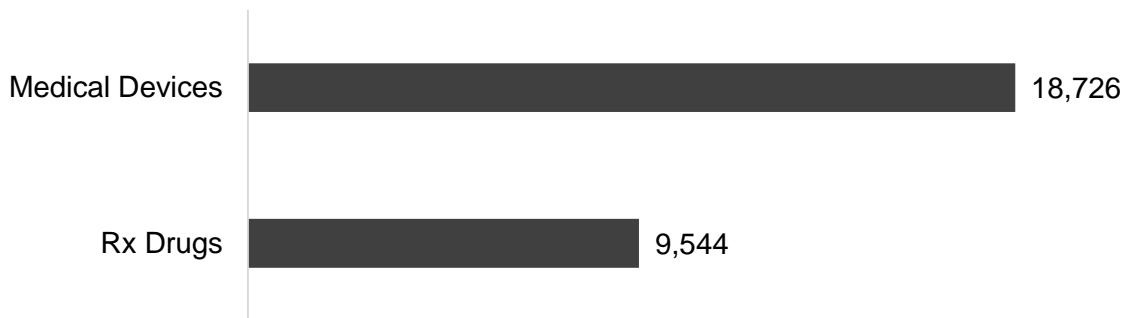
Local legal services ads in Philadelphia aired more frequently than ads for many popular advertisers in the first half of 2019. Local legal services ads aired locally twice as often as ads for furniture stores. Approximately 12 local legal services ads aired for every local clothing store ad and local litigation services ads aired 44 times as often as ads for home centers and hardware stores.

In addition to local advertising, television viewers in Philadelphia were also exposed to more than 28,000 ads soliciting claims related to alleged injuries caused by pharmaceutical products and medical devices airing nationally on national broadcast and cable networks and during nationally syndicated programming. It is estimated that more than \$45 million was spent on this advertising.³

NATIONAL, January - June 2019
 Monthly Legal Services Subcategories Local Broadcast TV Advertising
 Est. Ad Spending



NATIONAL, January - June 2019
 Monthly Legal Services Subcategories Local Broadcast TV Advertising
 Number of Ads



³ National TV advertising includes: Cable TV - ads airing nationally on any of the monitored cable networks (e.g. USA, AMC, CNN); Network TV - ads airing nationally on any of the national broadcast networks (e.g. ABC, CBS, FOX, NBC); Spanish Lang Network - ads airing nationally on any of the Spanish-language national broadcast networks (e.g. Telemundo, Univision); and Syndication - ads airing nationally on syndicated programs wherever they are broadcast across the country.

Local broadcast TV advertising or “Spot TV” includes ads airing on local broadcast networks (e.g. A TV ad that airs on WJLA during the 5PM evening news is seen only by viewers in the Washington, DC media market or designated market area (DMA)).

Source material

Data analysis in this report provided by X Ante used data from Kantar Media CMAG. X Ante monitors and reports on advertising and monitoring by lawyers, law firms and other soliciting legal claims on television, radio, online, social media and elsewhere. The television advertising coverage includes expenditures and commercial occurrences by attorneys and law firms in 210 media markets and on 12 national broadcast networks, 8 Spanish-language networks, and more than 80 national cable networks. X Ante has provided this data and analysis to prominent law firms and Fortune 500 companies.

Materials reviewed

In compiling this report, X Ante examined comprehensive data sets on commercial occurrence and expenditure information for television advertisements sponsored by attorneys and/or law firms seeking claimants on local broadcast television networks in the selected media markets.

The data examined included monthly totals of estimated spending on legal services advertising and the number of times these ads aired each month from January through June 2019.

The data was gathered and provided by the Campaign Media Analysis Group (CMAG), a Kantar Media Solution, that monitors, codes and aggregates television advertising information 21 hours a day (5:00 AM - 2:00 AM) utilizing the MediaWatch Technology – an automated, patented and proprietary system. The monitored stations constitute the principal stations in each market, typically including the network affiliates and major independents.

CMAG staff watch, review, and code every ad to determine the messages used in each and the content information is merged with the automated placement and spending information.

The system is designed to capture new commercials as they first air and then track every succeeding airing of each commercial across the universe of TV platforms outlined above.

The spot occurrence and placement data are automatically assigned by the system. The spending rates are estimated according to quarterly polling by Kantar Media of television stations and advertising industry sources to determine average 30-second advertising daypart-level rates and program rates for sports and special programming for the upcoming quarter. To account for the time it takes for any given rate to populate within the system, CMAG uses an average cost function based on rates from historical program averages airing in the same market on the same station during the same daypart. These temporary estimates are updated with actual sourced rates when they become available.

Several weeks after the local data is produced, Kantar Media receives the results from a national broadcasting industry survey conducted monthly by the Television Bureau of Advertising (TVB). This new information provides a national advertising growth trend as reported by responding stations. Expenditures are adjusted to reflect these industry spot revenue patterns. Once this final rate data is available, all temporary rates calculated using the average cost function are replaced with the final data.