

ATRA

March –  
December

COVID-19  
Legal Services  
Television Advertising

National and Select State Data

2020

# INTRO

Trial lawyers and aggregators increasingly spend large sums of money on television, digital, and print advertising to recruit new clients for class actions targeting a variety of industries. As the COVID-19 pandemic reached the United States, entrepreneurial personal injury lawyers saw yet another opportunity to profit off of a national crisis.

Early on, a coalition of national law firms specializing in mass tort litigation formed a "Coronavirus Litigation Task Force" to identify targets and theories for litigation. Law firm web-sites sprung up, inviting people to blame their illness or family member's death on someone rather than on the virus. Some websites provide a roadmap for suing for contracting COVID-19 at work. Others attempt to prompt lawsuits against nursing homes or others. One website, "Top Class Actions," uses that familiar language often heard on billboards and late-night TV ads: "If you believe that your rights were violated by a company as a result of the coronavirus pandemic, you may be entitled to compensation." From March through December of 2020, 176,053 advertisements for legal services and/or soliciting legal claims mentioning COVID-19 or coronavirus aired in the United States at an estimated cost of \$34.4 million. As of February 1, 2021, 8,200 lawsuits related to COVID-19 have been filed in the United States.

Thus far, COVID-19 exposure lawsuits have primarily targeted those that have experienced outbreaks, such as cruise ships (including those who did not become ill) and nursing homes. Lawsuits filed by employees of retailers, meat processing plants, supermarkets, and healthcare providers are also mounting. In addition, some plaintiffs' lawyers have filed class actions alleging that the business's operation – a fast-food

restaurant, golf course, office building, or shipping facility – poses a risk of transmitting COVID-19 and is a public nuisance. As doors open and operations move back toward “normal,” more lawsuits are likely to target schools, daycare centers, offices, stores, factories, and others.

The following study by the American Tort Reform Association shows the trial bar’s intention to profit off of the pandemic. Plaintiffs’ lawyers have spent millions of dollars on COVID-19 related advertising across the country and will continue to do so. The data shows just how important it is for state legislatures to seek legislative solutions to support health care providers, businesses, and their employees who have been on the frontlines, responding to the pandemic. To date, 21 states and the District of Columbia have enacted some level of COVID-19 liability protections.

Recent polling shows broad bipartisan support for elected officials to respond to pandemic-related issues – rather than trial lawyers filing lawsuits to address such concerns. Key findings show 74% of respondents said the government should support small businesses affected by COVID-19 with grants or loans, versus 6% who said lawyers should help small businesses pursue legal claims instead.

Despite the lack of public support for COVID-19 litigation, law firms advertised regardless. An analysis by the Wall Street Journal found that dozens of top law firms received millions in Paycheck Protection Program (PPP) loans. Some firms spent those dollars to increase their advertising, including U.S. powerhouse personal injury law firm, Morgan & Morgan. This report shows Morgan & Morgan as the top sponsor for COVID-19 legal services TV ads from March through December, airing approximately 70,000 ads at a cost of \$10.5 million.

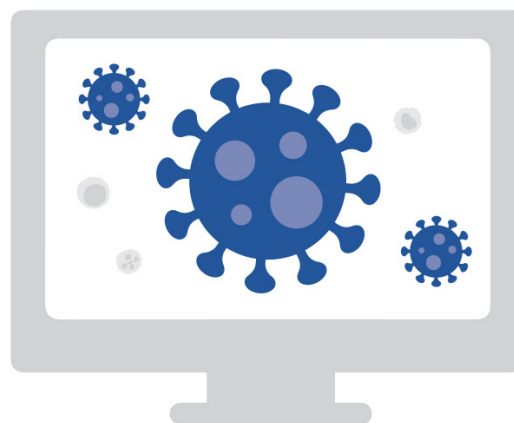
FEBRUARY 2021

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# COVID-19 Legal Services TV Advertising

From March through December of 2020, 176,053 advertisements for legal services and/or soliciting legal claims mentioning COVID-19 or coronavirus aired in the United States at an estimated cost of \$34.4 million.

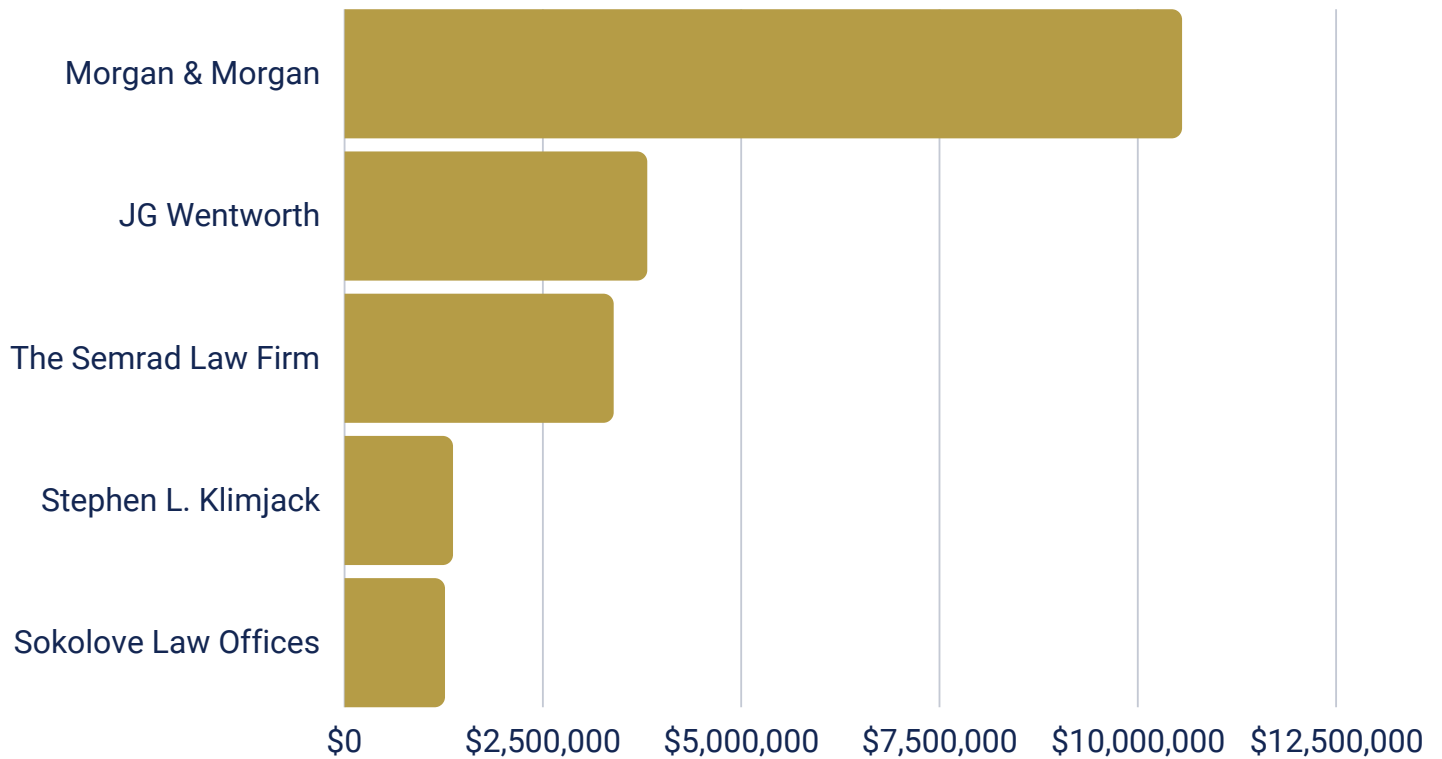
**Three times** as many COVID-19 legal services ads ran as ads soliciting medical device claims.



Nearly **600** legal services ads mentioning COVID-19 aired every day at a daily average cost of over **\$100K**.



# Top Ad Sponsors



**Top Ad Sponsors by Estimated Spending, March-December 2020**

COVID-19 TV ads were sponsored by 180 legal services advertisers from March through December 2020.

# Top Ad Sponsors

Top advertiser and powerhouse plaintiffs' firm Morgan & Morgan received millions of dollars from the COVID-19 federal Paycheck Protection Program, according to the *Wall Street Journal*<sup>1</sup>.

This money was meant to help struggling businesses cover operating expenses including rent and employee salaries and benefits, but at least some of the money was used by law firms to recruit potential plaintiffs for future litigation.

Morgan & Morgan applied for and received \$12 million to \$27 million in relief from five different states. During this same time period, the firm increased its advertisement spending from \$50,000 per day to \$300,000 per day<sup>2</sup>.

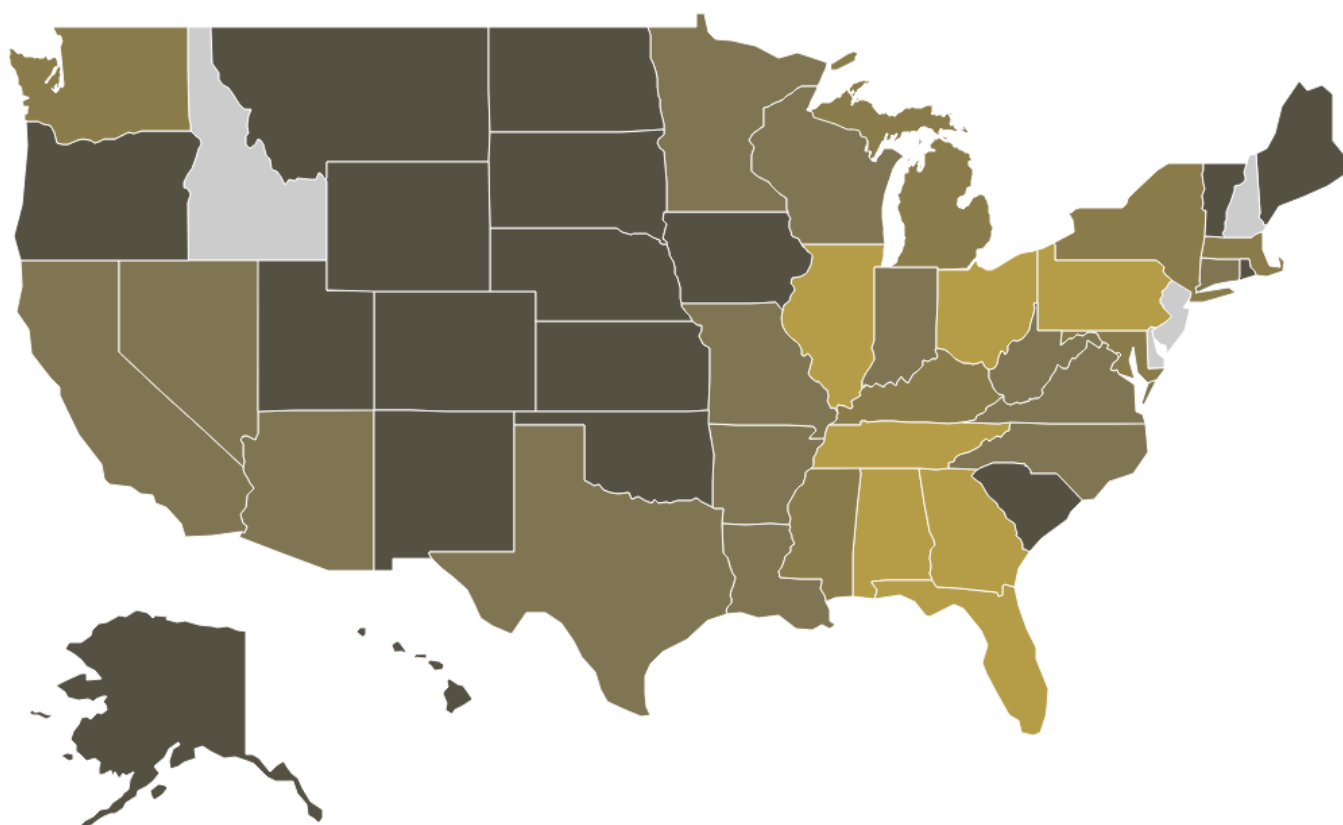


**Top Ad Sponsors by Spot Count, March-December 2020**

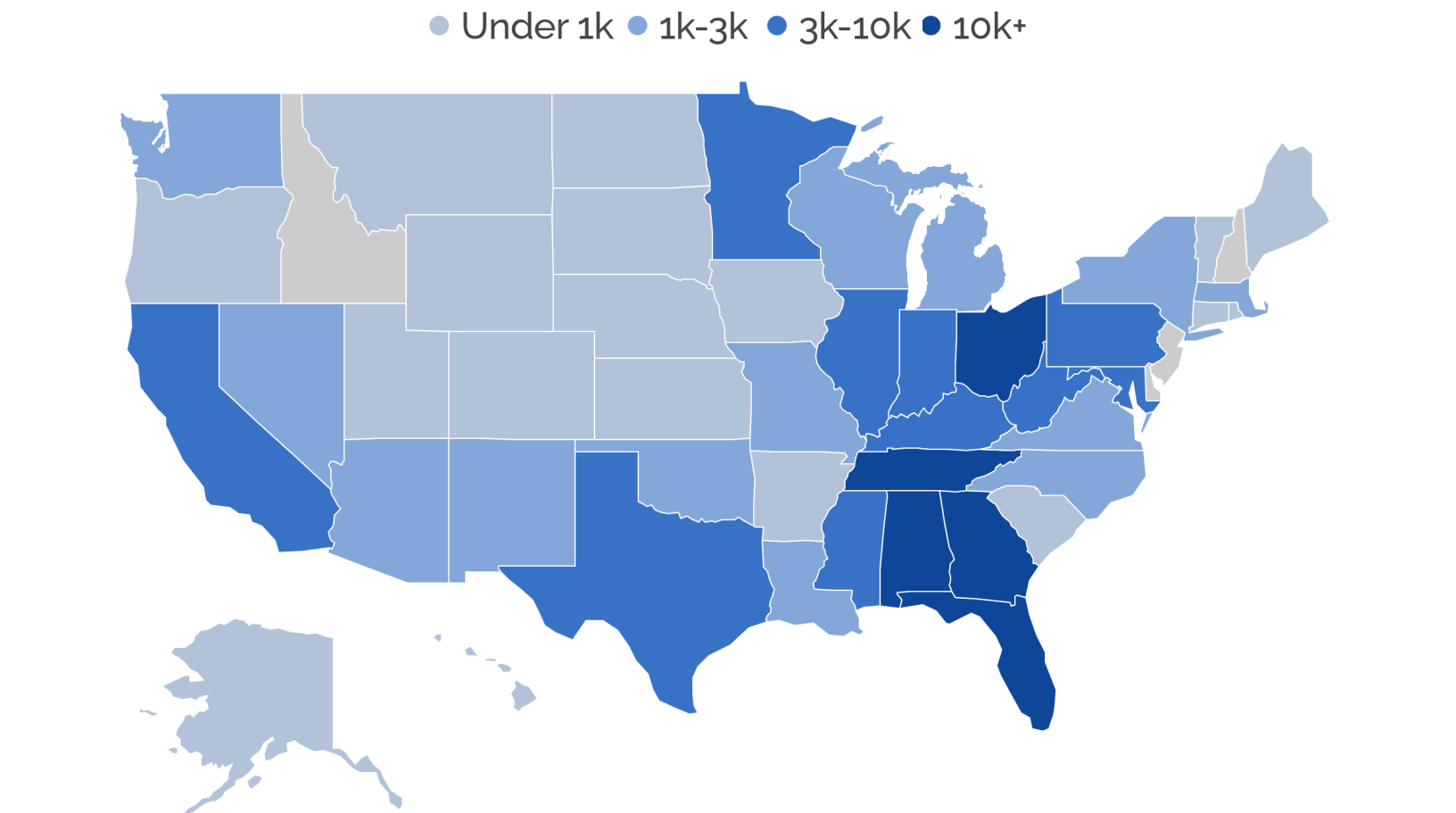
# Ad Spending by State

From March through December 2020, advertisers spent **\$3,160,860** to air **3,604** legal services advertisements mentioning COVID-19 or coronavirus on **national cable** channels. During that same time period, they spent **\$1,620,940** to air **149** legal services advertisements mentioning COVID-19 or coronavirus on **national TV networks**.

● Under \$100k ● \$100-500k ● \$500k-\$1M ● \$1M+



Estimated Ad Spending by State



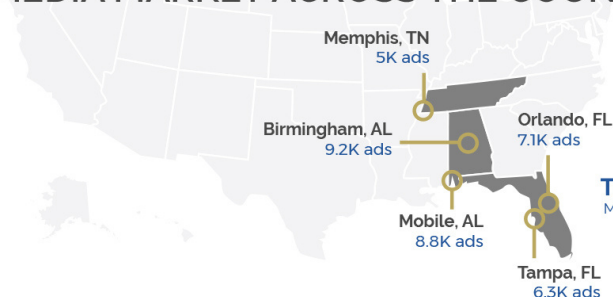
### Estimated March-December 2020 Ad Count by State



# Top States by Ad Amount

More than half (52.6%) of all legal services TV ads mentioning COVID-19 or coronavirus that aired from March through December 2020 aired in Florida, Alabama, Tennessee, Ohio and Georgia, all of which aired between 11,500 and 34,300 ads during that time period.

## NATIONAL AND LOCAL COVID-19 LEGAL SERVICES TV ADS AIRED IN NEARLY EVERY MEDIA MARKET ACROSS THE COUNTRY.



**TOP MARKETS:**  
MARCH-DECEMBER 2020

## Florida Media Markets

Florida accounted for nearly 20% of all legal services TV ads mentioning COVID-19 or coronavirus that aired from March through December 2020 with a total of 34,321 ads.

Orlando  
7,389 Ads

Tampa  
6,345 Ads

Miami  
4,703 Ads

Tallahassee  
4,509 Ads

Jacksonville  
4,356 Ads

West Palm Beach  
2,700 Ads

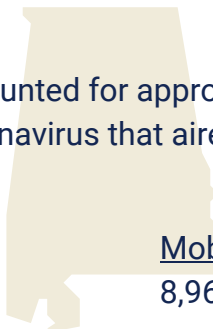
# Top States by Ad Amount

## Alabama Media Markets

With 21,456 ads aired, Alabama accounted for approximately 12% of all legal services TV ads mentioning COVID-19 or coronavirus that aired from March through December 2020.

Birmingham  
9,343 Ads

Mobile  
8,964 Ads



## Ohio Media Markets

Ohio accounted for just under 7% of all legal services TV ads mentioning COVID-19 or coronavirus that aired from March through December 2020, with 12,221 ads.

Columbus  
4,599 Ads

Youngstown  
2,774 Ads

Cleveland  
2,433 Ads

Toledo  
2,174 Ads

Dayton  
232 Ads

Cincinnati  
7 Ads

Lima  
2 Ads



## Georgia Media Markets

Georgia accounted for just under 6.5% of all legal services TV ads mentioning COVID-19 or coronavirus that aired from March through December 2020, with 11,535 ads.

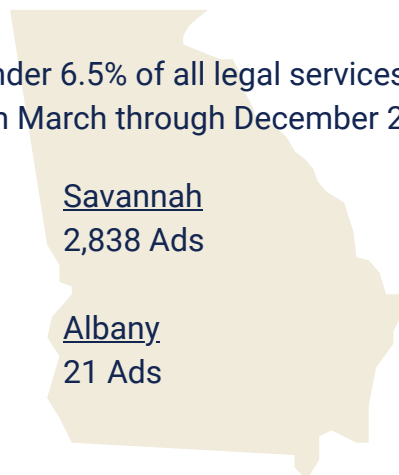
Atlanta  
4,209 Ads

Savannah  
2,838 Ads

Columbus  
2,642 Ads

Augusta  
1,825 Ads

Albany  
21 Ads



# Top States by Spending

Nearly half (48%) of all spending on legal services TV ads mentioning COVID-19 or coronavirus that aired from March through December 2020 was spent in Florida, Illinois, Alabama, Georgia and Pennsylvania.

## Florida Media Markets

Florida accounted for more than 20% of all spending on legal services TV ads mentioning COVID-19 or coronavirus that aired from March through December 2020 with total estimated spending in Florida at \$6,645,910.

### Orlando

\$1,884,900

### Tampa

\$1,344,690

### Miami

\$1,273,130

### West Palm Beach

\$674,420

### Tallahassee

\$525,830

### Jacksonville

\$470,350

## Illinois Media Markets

Illinois accounted for more than 9% of all spending on legal services TV ads mentioning COVID-19 or coronavirus that aired from March through December 2020. The Chicago media market saw the highest dollar amount spent in a single media market in the United States, second only to spending on national cable channels. Total estimated spending in Illinois during this time period is \$3,040,230.

### Chicago

\$3,006,400

### Champaign

\$17,730

### Peoria

\$11,530

### Rockford

\$4,460

### Quincy

\$110

# Top States by Spending

## Alabama Media Markets

Alabama accounted for nearly 8% of all spending on legal services TV ads mentioning COVID-19 or coronavirus that aired from March through December 2020 with estimated spending at \$2,560,420.

Birmingham  
\$1,219,820

Mobile  
\$984,850

Montgomery  
\$273,360

Huntsville  
\$55,680

Dothan  
\$26,710

## Georgia Media Markets

Georgia accounted for more than 5% of all spending on legal services TV ads mentioning COVID-19 or coronavirus that aired from March through December 2020 with \$1,872,960 in estimated spending.

Atlanta  
\$1,190,000

Savannah  
\$306,880

Columbus  
\$183,880

Augusta  
\$176,870

Albany  
\$15,330

## Pennsylvania Media Markets

Pennsylvania accounted for 5% of all spending on legal services TV ads mentioning COVID-19 or coronavirus that aired from March through December 2020 with \$1,666,690 in estimated spending.

Philadelphia  
\$1,130,230

Pittsburgh  
\$299,780

Harrisburg  
\$133,950

Wilkes Barre  
\$54,230

Johnstown  
\$40,750

Erie  
\$7,750

# Additional States

## Arizona

1,664 Ads  
\$114,130 Estimated Spending



## Kentucky

8,717 Ads  
\$803,120 Estimated Spending



## Maryland

3,159 Ads  
\$656,670 Estimated Spending



## Missouri

1,890 Ads  
\$408,440 Estimated Spending



## Texas

3,536 Ads  
\$427,020 Estimated Spending



## West Virginia

3,306 Ads  
\$264,960 Estimated Spending



# Endnotes

<sup>1</sup>Randazzo, Sara, and Inti Pacheco. “Dozens of Top Law Firms Got PPP Loans.” Wall Street Journal, 7 July 2020, [www.wsj.com/articles/dozens-of-top-law-firms-got-ppp-loans-11594123202](https://www.wsj.com/articles/dozens-of-top-law-firms-got-ppp-loans-11594123202).

<sup>2</sup>Fisher, Daniel. “Did Taxpayers Just Fund a Lawyer Advertising Boom?” Legal Newsline, 15 July 2020, [legalnewsline.com/stories/542626361-did-taxpayers-just-fund-a-lawyer-advertising-boom](https://legalnewsline.com/stories/542626361-did-taxpayers-just-fund-a-lawyer-advertising-boom).

State and city TV advertising data cited in this report does not include legal services TV advertisements broadcast nationally on national cable and broadcast networks or during nationally syndicated programming nor does it include local cable television broadcasts. Data and analysis on television advertisements in this report are provided by X Ante using Kantar CMAG data.

Ad spending figures are estimates based on publicly-available ad rate information and industry surveys. 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.

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)).