

WELCOME



And its counsel from
Liskow & Lewis



RESEARCH FINDINGS

Opinions & Perceptions Study

regarding

Attorney Advertising

presented by



Objective and Methodology

- Provide insight with respect to opinions and perceptions of Louisiana residents, as well as of Louisiana State Bar Association (LSBA) members with respect to Louisiana attorney advertising and related issues.
- This research project consisted of three phases.
 - telephone interviews among Louisiana residents
 - conducted via telephone from SCI's C.A.T.I. call center in Baton Rouge
 - 600 targeted completions to 7 Louisiana geographic areas - stratified by population
 - web-based interviews among members of the LSBA
 - conducted via web-based email invitation to participate - sent to all LSBA members for whom an email address was available
 - 600 to 800 completions expected – 3,889 actually completed the interview
 - focus groups among Louisiana residents
 - conducted in three areas (New Orleans, Lafayette, Shreveport)
 - 6 to 10 participants targeted for each group

Objective and Methodology

- PHASE 1 – Telephone Interview Details
 - All calls were made from SCI's 70-station, C.A.T.I. (Computer Assisted Telephone Interviewing) call center, located in Baton Rouge, LA, using SCI's proprietary software.
- Respondents were selected from a randomly generated list of Louisiana residential phone numbers within 7 geographic regions of the State. →

**QUANTITATIVE
RESEARCH**
(telephone interviews)



SCI's
Computer
Assisted
Telephone
Interviewing
facility

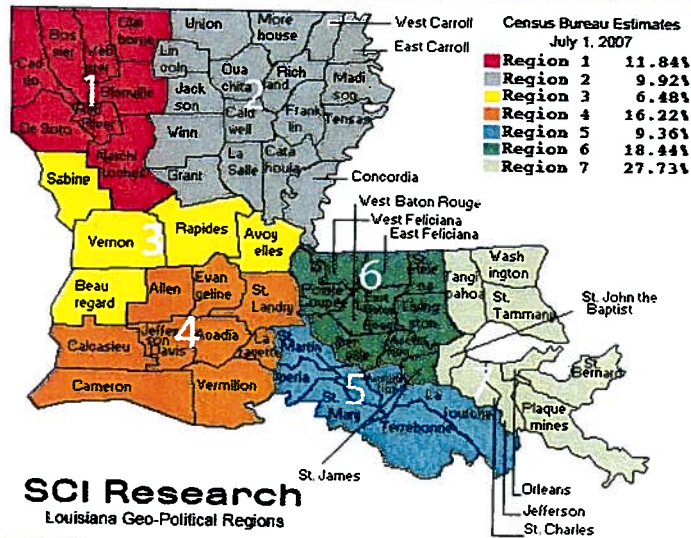


**QUALITATIVE
RESEARCH**
(focus groups)



RESEARCH FINDINGS

Opinions & Perceptions Study Regarding Attorney Advertising
Telephone Interviews / Web-based Interviews / Focus Groups



SCI Research
www.SCIresearch.com

SURVEY COMMUNICATIONS, INC

Objective and Methodology

- PHASE 1 – Telephone Interview Details
 - All calls were made from SCI’s 70-station, C.A.T.I. (Computer Assisted Telephone Interviewing) call center, located in Baton Rouge, LA, using SCI’s proprietary software.
- Respondents were selected from a randomly generated (RDD-Epsem) list of Louisiana residential phone numbers within 7 geographic regions of the State.
 - 40,654 call attempts were made, resulting in . . .
 - 600 completed interviews (margin of error +/- 4.0% at the 95% confidence level)
 - The average time per completed interview was exactly 12 minutes, 24 seconds. →

Objective and Methodology

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-----
| SURVEY COMMUNICATIONS ON-LINE MONITOR SYSTEM | Ver: 4.01 |
| DATE: 01-11-2009 | Survey: ba801 Scan Freq. 30 Sec | TIME 21:06:19 |
-----
| Q7-1 No Answer | Q7-7 Ans Mach/Serv | | |
| 15708 39% | 5064 12% | | |
| 1** | 7** | | |
-----
| Q7-2 Busy | Q7-8 Non-Residence | | |
| 1866 5% | 1899 5% | | |
| 2** | 8** | | |
-----
| Q7-3 Respon Refuse | Q7-9 CONTINUE MALE | | |
| 3259 8% | 257 1% | | |
| 3** | 9** | | |
-----
| Q7-4 Disconnected | Q7-10 CONTIN FEMALE | | |
| 9826 24% | 510 1% | | |
| 4** | 10** | | |
-----
| Q7-5 Respon Unaval | COMPLETE MALE | | SurveyAbort as a % |
| 1194 3% | 256 4% | | 30.6 |
| 5** | 11** | | 23** |
-----
| Q7-6 Lang/Hx/Fri-D | COMPLETE FEMALE | | AveMin/Comp Survey |
| 971 2% | 344 5% | | 12.4 |
| 6** | 12** | | 24** |
-----
| TOTAL CALLS MADE=40654 | AGREE TO SURVEY=867 | TOTAL SURVEYS COMPLETED=600 |
| COMMAND : 'Q=Quit, S=Scan Freq., N=New, M=More | Page : 1 AC: 968 |
-----
    
```

Objective and Methodology

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SURVEY COMMUNICATIONS ON-LINE MONITOR SYSTEM Ver: 4.01
DATE: 01-11-2009 Survey: ba601 Scan Freq. 30 Sec TIME 21:06:22
-----
REGION 1 71 REGION 7 166 Q8-1 AutoTerminate TotalAutoTerminate
71 124A25 ON 166 284A21 ON 101 124 106
**25** **21** **37** **42**
REGION 2 60 Q8-3 AutoTerminate Other Terminates
60 104A26 ON 5 14 161
**26** **28** **44**
REGION 3 39 TOTAL Terminates
39 64A27 ON 267
**27** **45**
REGION 4 97 AutoTerm INCIDENCE%
97 164A28 ON 87.6
**28** **46**
REGION 5 56 AgreeCmpl INCIDENCE%
56 94A29 ON 69.4
**29** **47**
REGION 6 111 Attempt/Completion
111 194A20 ON 67.5
**30** **48**
TOTAL CALLS MADE=40654 AGREE TO SURVEY=867 TOTAL SURVEYS COMPLETED=600
COMMAND : 'Q=Quit, S=Scan Freq., N=New, M=More Page : 2 AC: 968
    
```

Objective and Methodology

- PHASE 1 – Telephone Interview Details
 - All calls were made from SCI's 70-station, C.A.T.I. (Computer Assisted Telephone Interviewing) call center, located in Baton Rouge, LA, using SCI's proprietary software.
- Respondents were selected from a randomly generated (RDD-Epsem) list of Louisiana residential phone numbers within 7 geographic regions of the State.
 - 40,654 call attempts were made, resulting in . . .
 - 600 completed interviews (margin of error +/- 4.0% at the 95% confidence level)
 - The average time per completed interview was exactly 12 minutes, 24 seconds.
- Region targets and completions were as follows:
 - region 1 target 71; completed **71**
 - region 2 target 60; completed **60**
 - region 3 target 39; completed **39**
 - region 4 target 97; completed **97**
 - region 5 target 56; completed **56**
 - region 6 target 112; completed **112**
 - region 7 target 165; completed **165**



Objective and Methodology

- PHASE 2 – Web-based Interview Details
 - All web-based interviews were conducted using SCI's proprietary software and were completed by members of the LSBA utilizing SCI's in-house servers.
- The LSBA sent SCI its list of members with email addresses.
 - 17,762 LSBA members were given the opportunity to participate in the survey and were sent an introductory email containing the secure link to the survey instrument.
 - The survey was open from December 31, 2008 through January 11, 2009.
 - Approximately 1,566 emails were not delivered due to a bad address, mailbox full, etc.
 - At closing, 110 LSBA members had partially completed their surveys, which were discarded by SCI.
 - 3,889 LSBA members completed the interview, resulting in a 24.2% response rate.
 - The completion detail follows on the next page.



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Date	12-1a	1-2a	2-3a	3-4a	4-5a	5-6a	6-7a	7-8a	8-9a	9-10a	10-11a	11a-12p	12-1p	1-2p	2-3p	3-4p	4-5p	5-6p	6-7p	7-8p	8-9p	9-10p	10-11p	11p-12a	Totals	
12.30.2008 Tuesday																										
12.31.2008 Wednesday																2										2
01.01.2009 Thursday	1	1	2	1				2	3	9	4	5	6	2	5	3	3	15	11	11	6	6	1	4	101	
01.02.2009 Friday	1					1	8	43	102	56	80	49	24	25	15	33	25	13	15	9	6	7	14	526		
01.03.2009 Saturday	1	1		1		1	3	9	19	17	20	28	17	16	28	11	11	8	7	3	7	5	9	2	224	
01.04.2009 Sunday	2	1					2	5	9	15	18	17	22	14	23	19	30	18	21	17	9	8	26	6	282	
01.05.2009 Monday	6	2	3	1	3	4	7	54	192	253	159	137	132	97	121	75	104	68	22	11	18	16	11	12	1508	
01.06.2009 Tuesday	5	5	2	3	3	2	7	28	74	160	95	56	34	49	38	37	41	33	11	9	5	9	2	3	711	
01.07.2009 Wednesday	3				1		1	7	16	23	14	20	8	15	20	14	21	4	7	6	3	2	2	1	188	
01.08.2009 Thursday							2		6	8	9	10	6	7	4	12	5	7	2	2		7	2		89	
01.09.2009 Friday	1	1			1		1	4	6	9	3	5	3	15	9	3	7	5	4		1	3	2		83	
01.10.2009 Saturday							1	3			1	1	2		1			1		1		1		1	13	
01.11.2009 Sunday						1		1	1	2	1	2	1	1	5	2	1			1	4	1	1		25	
Totals	20	11	7	6	9	7	26	120	369	598	380	361	280	240	320	216	299	198	103	84	60	64	68	43	3889	

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Objective and Methodology

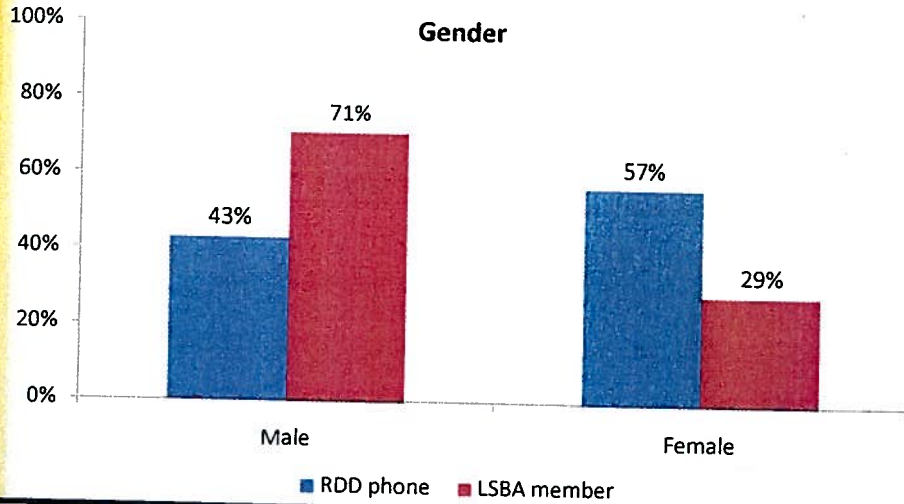
- PHASE 3 – Focus Group Details
 - Focus groups among the general public were conducted in New Orleans (1/13/09), Lafayette (1/14/09), and Shreveport (1/15/09).
 - 6 to 10 participants were targeted for each group and recruited from SCI's call center in Baton Rouge.
 - A total of 25 Louisiana residents participated; 9 in New Orleans, 9 in Lafayette, and 7 in Shreveport.
 - All focus groups were moderated by SCI's John Boston.

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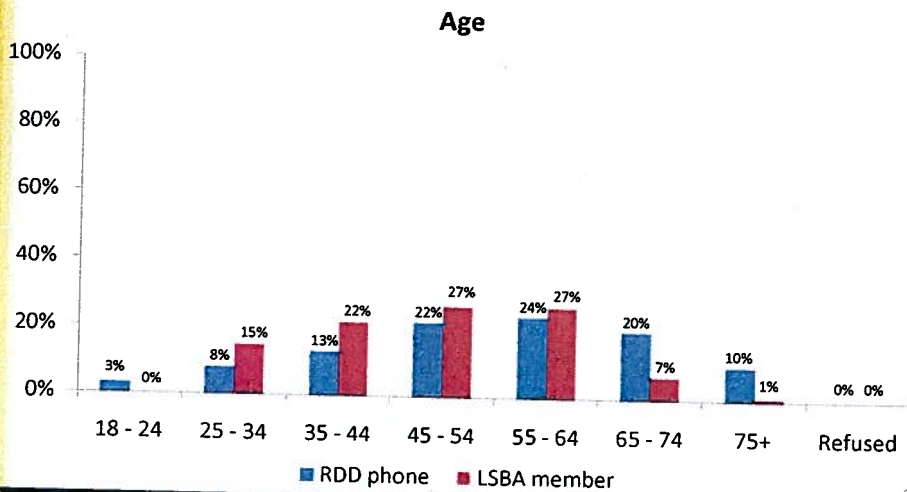
NOTE: we will first review quantitative results (the phone surveys from the general public, as well as the web-based surveys from members of the Louisiana State Bar Association). Focus group results will follow.

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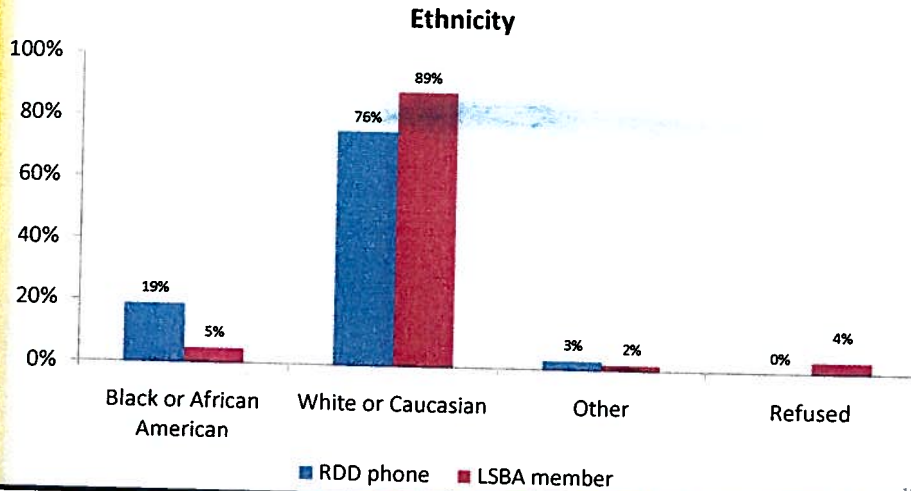
Demographics (phone & web surveys)



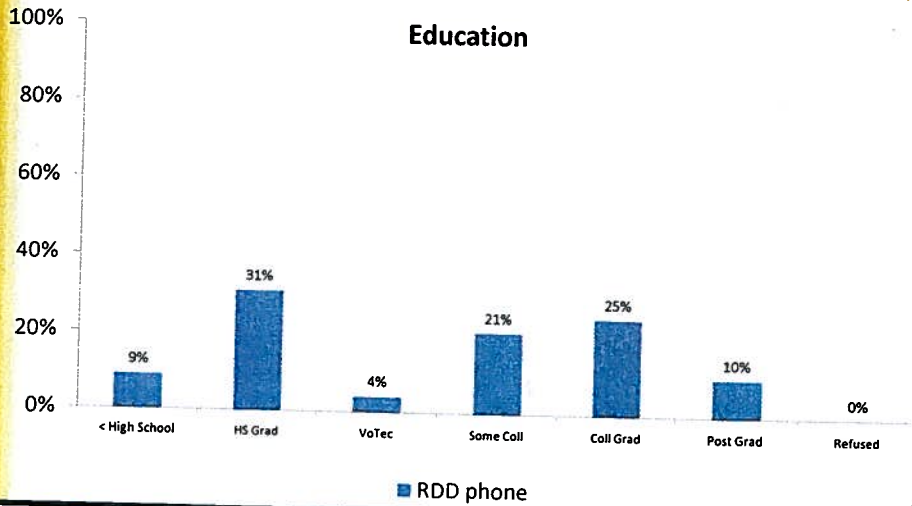
Demographics (phone & web surveys)



Demographics (phone & web surveys)

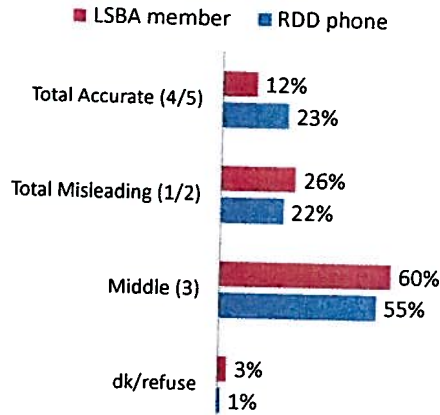


Demographics (phone surveys)



Questions/Answers (phone & web surveys)

On a scale of 1 – 5, where 1 is completely misleading and 5 is completely accurate, how would you rate advertisements in general for products and services?

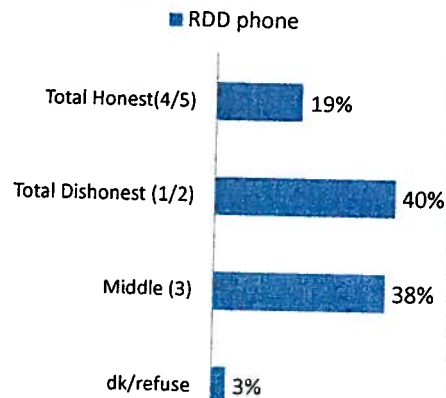
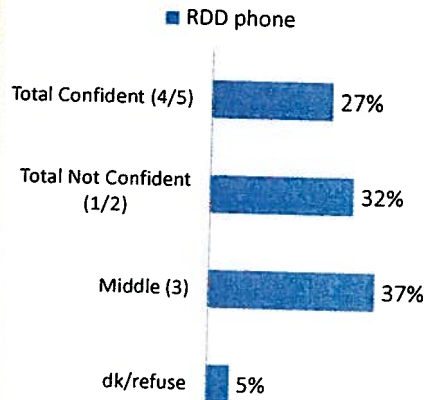


20

Questions/Answers (phone surveys)

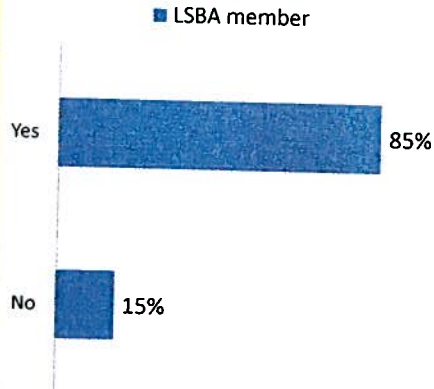
On a scale of 1 – 5, where 1 is no confidence and 5 is complete confidence, how would you rate your confidence in Louisiana courts?

On a scale of 1 – 5, where 1 is completely dishonest and 5 is completely honest, how would you rate lawyers in Louisiana?



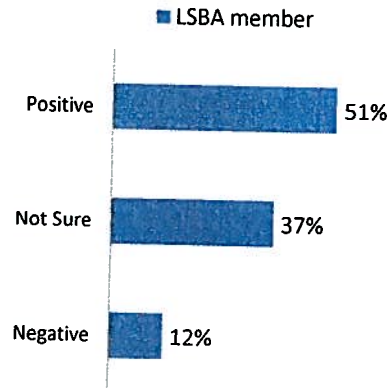
21

Are you aware of the revisions to the Louisiana Rules of Professional Conduct that deal with lawyer advertising and solicitation which will take effect on April 1, 2009?

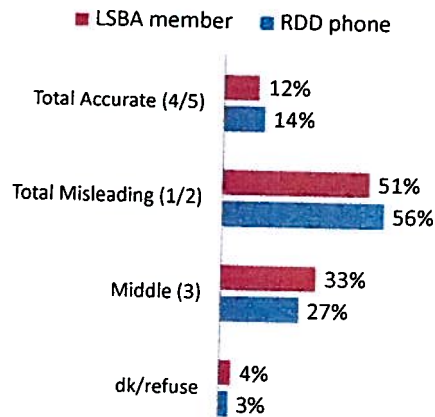


Questions/Answers (LSBA surveys)

Overall, do you think the revisions to the Louisiana Rules of Professional Conduct that deal with lawyer advertising and solicitation are positive or negative changes?

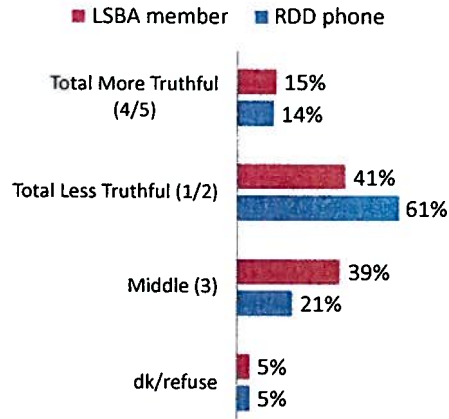


With respect to lawyer advertising that you may have seen, heard, or read: on a scale of 1 - 5, where 1 is completely misleading and 5 is completely accurate, how would you rate lawyer advertising in Louisiana?



Questions/Answers (phone & web surveys)

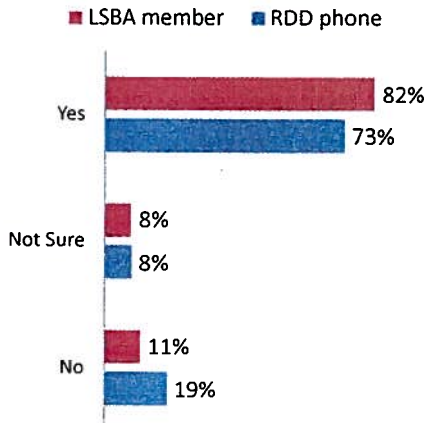
In general, would you say that lawyer advertising in Louisiana is [ROTATE] more or less truthful than advertisements for other businesses?



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Questions/Answers (phone & web surveys)

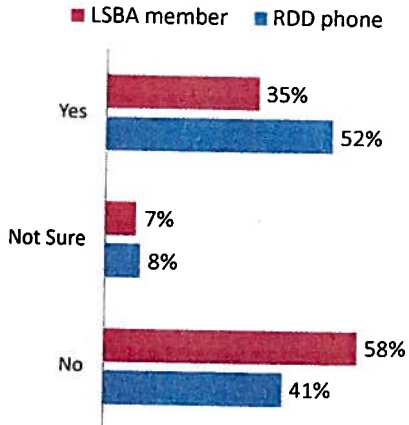
Have you ever seen or heard a disclaimer used in a print, a television, or a radio advertisement? (Note: definition of disclaimer was read to all RDD phone respondents.)



25

Questions/Answers (phone & web surveys)

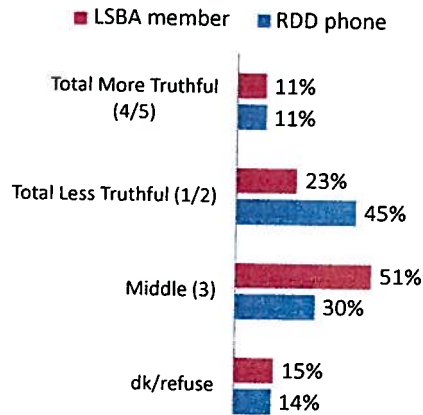
In general, are you able to clearly read, hear, or understand disclaimers in advertising? (Note: definition of disclaimer was read to all RDD phone respondents.)



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Questions/Answers (phone & web surveys)

Do you think the use of disclaimers in lawyer advertising is [ROTATE] more or less truthful than the use of disclaimers in advertising for other businesses?



27

Questions/Answers (phone & web surveys)

phone – I’m going to read a series of statements from Louisiana lawyer advertisements. As I read each one phone & web – please tell me/indicate if you have ever heard or seen the statement.

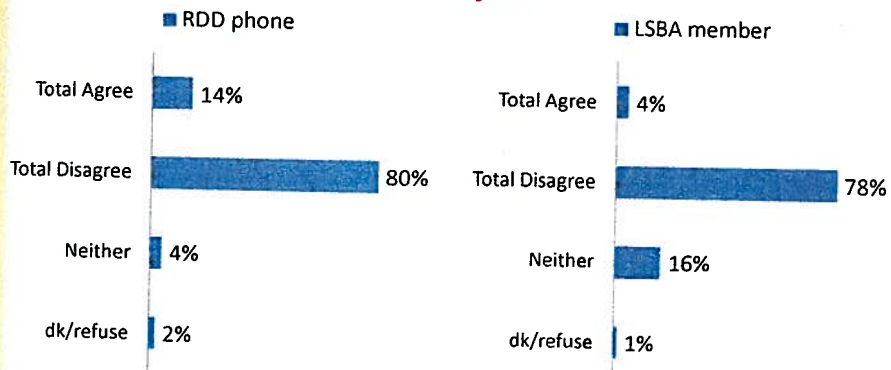
	RDD phone			LSBA member		
	Yes	No	dk/ref	Yes	No	dk/ref
One call, that’s all.	91%	8%	1%	89%	8%	3%
The strong arm.	54%	45%	2%	61%	31%	8%
I’ll make them pay.	81%	18%	2%	71%	17%	12%
Get the E guarantee.	58%	42%	1%	73%	23%	4%
Tell them you mean business.	59%	39%	3%	42%	34%	24%
Before you accept a quick check, check w/ me.	82%	18%	1%	81%	13%	6%
Don’t get muscled around.	35%	62%	3%	14%	60%	26%
What big results? Call us.	72%	25%	3%	28%	45%	28%
Where a fair settlement is no accident.	47%	49%	4%	26%	50%	24%

Questions/Answers (phone & web surveys)

With respect to the (previous) statements you said you recognized, please tell me/indicate to what extent you [ROTATE] agree or disagree with the following . . . [probe for strongly or somewhat]

The lawyer ads that contain the statements I recognized raise my confidence in Louisiana courts.

The public’s confidence in Louisiana courts is raised by the lawyer advertisements that contain the statements I recognized.

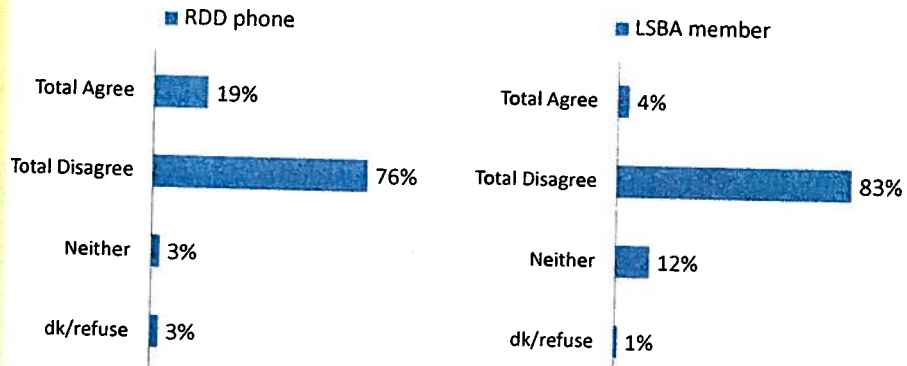


Questions/Answers (phone & web surveys)

With respect to the (previous) statements you said you recognized, please tell me/indicate to what extent you [ROTATE] agree or disagree with the following ... [probe for strongly or somewhat]

The lawyer ads that contain the statements I recognized raise my opinion of the integrity of Louisiana lawyers.

The lawyer ads that contain the statements I recognized raise the public's opinion of the integrity of Louisiana lawyers.



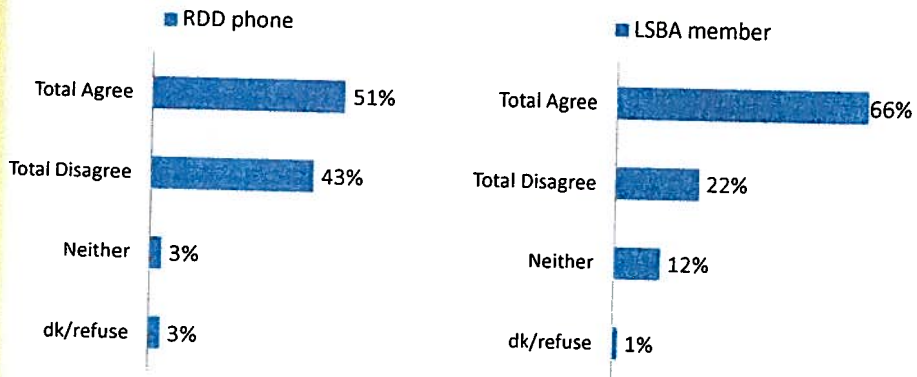
31

Questions/Answers (phone & web surveys)

With respect to the (previous) statements you said you recognized, please tell me/indicate to what extent you [ROTATE] agree or disagree with the following ... [probe for strongly or somewhat]

In the lawyer ads that contain the statements I recognized, I am able to tell who is a lawyer and who is an actor.

The lawyer ads that contain the statements I recognized are implicitly misleading.



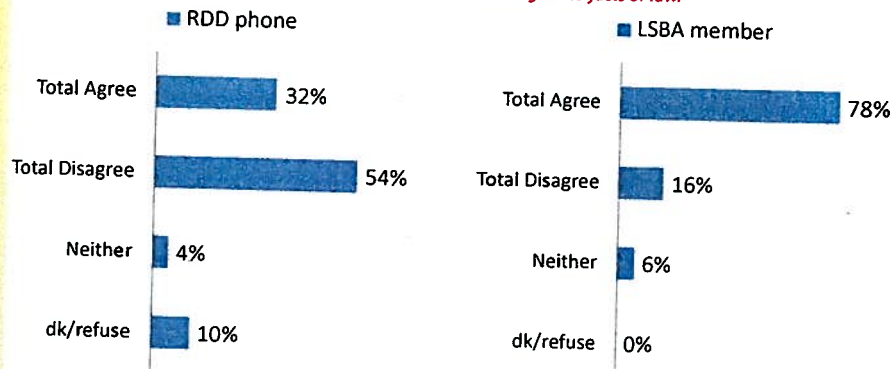
32

Questions/Answers (phone & web surveys)

With respect to the (previous) statements you said you recognized, please tell me/indicate to what extent you [ROTATE] agree or disagree with the following ... [probe for strongly or somewhat]

In the lawyer ads that contain the statements I recognized, these lawyers have more influence over Louisiana courts than other lawyers.

The lawyer ads that contain the statements I recognized imply that the lawyers advertised can obtain favorable results without regard to facts or law.

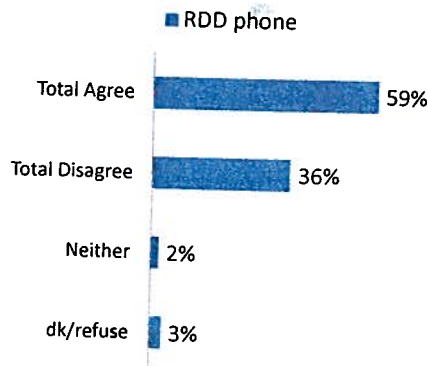


33

Questions/Answers (phone surveys)

With respect to the (previous) statements you said you recognized, please tell me/indicate to what extent you [ROTATE] agree or disagree with the following ... [probe for strongly or somewhat]

The lawyer ads that contain the statements I recognized imply that Louisiana courts can be manipulated by the lawyers in the ads.

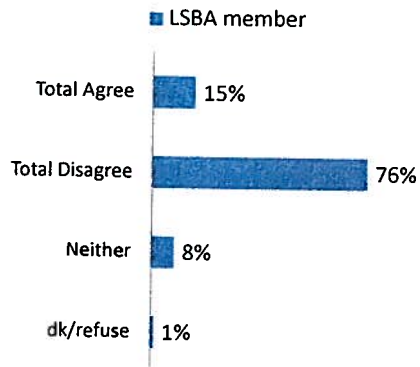


34

Questions/Answers (web surveys)

With respect to the (previous) statements you said you recognized, please tell me/indicate to what extent you [ROTATE] agree or disagree with the following ... [probe for strongly or somewhat]

The public is not misled by the lawyer ads that contain the statements I recognized.

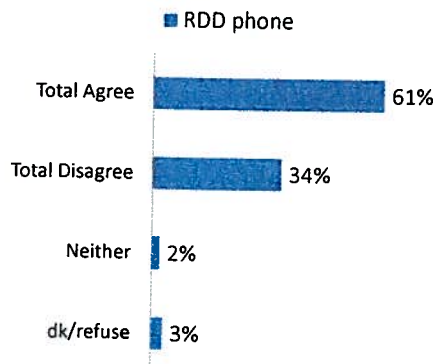


35

Questions/Answers (phone surveys)

With respect to the (previous) statements you said you recognized, please tell me/indicate to what extent you [ROTATE] agree or disagree with the following ... [probe for strongly or somewhat]

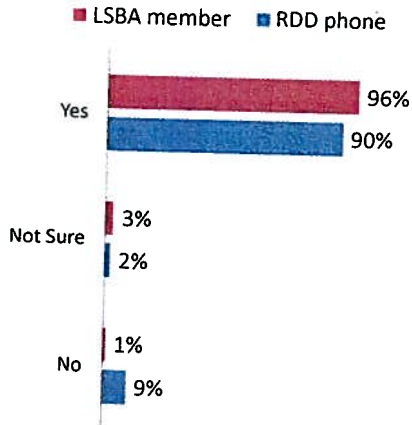
The statements in the lawyer ads I recognized promise the lawyer will achieve a positive result.



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Questions/Answers (phone & web surveys)

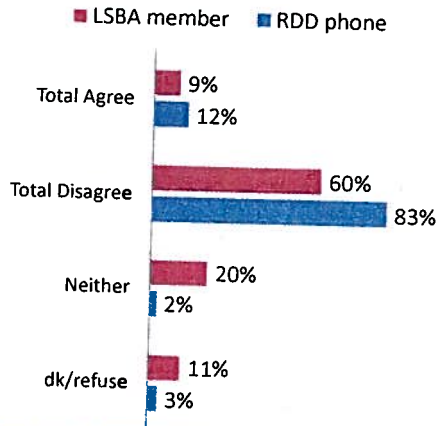
Have you ever seen or heard a lawyer advertisement that included a client testimonial?



Questions/Answers (phone & web surveys)

For the next questions about client testimonials, please tell me/indicate whether you [ROTATE] agree or disagree with the statement. [probe for strongly or somewhat]

Client testimonials in lawyer advertisements are completely truthful.

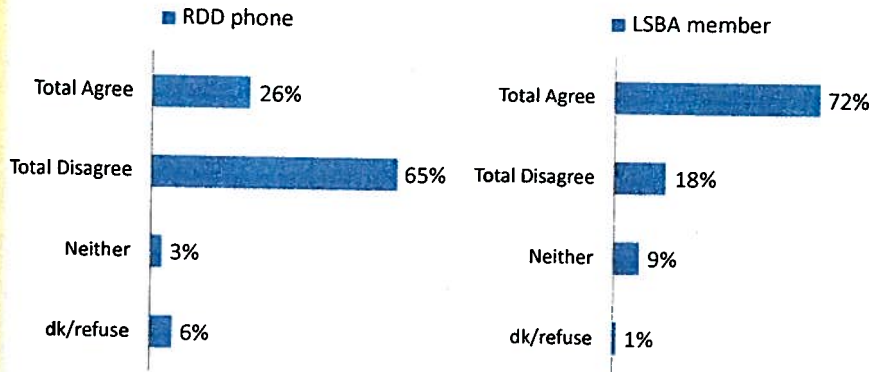


Questions/Answers (phone & web surveys)

For the next questions about client testimonials, please tell me/indicate whether you [ROTATE] agree or disagree with the statement. [probe for strongly or somewhat]

Lawyers endorsed by a testimonial have more influence on Louisiana courts than other lawyers.

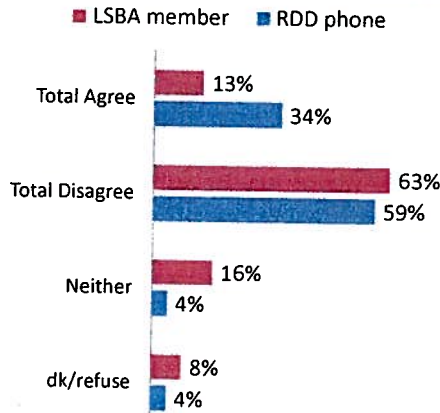
Client testimonials imply that the endorsed attorney can obtain a positive result without regard to facts or law.



Questions/Answers (phone & web surveys)

For the next questions about client testimonials, please tell me/indicate whether you [ROTATE] agree or disagree with the statement. [probe for strongly or somewhat]

I can always tell if a testimonial in a lawyer advertisement is made by a client and not by an actor.

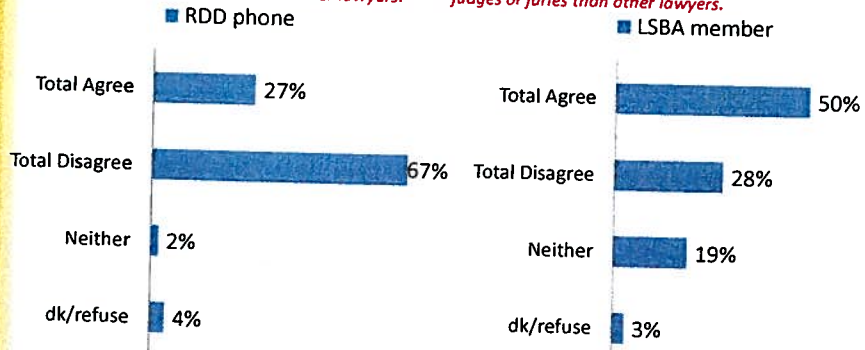


Questions/Answers (phone & web surveys)

The next few questions talk about lawyer ads that involve portrayals of a judge or a jury, lawyer ads that involve endorsements by a celebrity or 'well known' person, and lawyer ads that involve accident scenes or accident victims. Please indicate whether you [ROTATE] agree or disagree with these statements. [probe for strongly or somewhat]

When I see a lawyer ad that portrays a judge or a jury, I assume the lawyer being advertised has more influence on Louisiana courts than other lawyers.

Lawyer ads that portray a judge or a jury imply to the public that the lawyer advertised can assert more influence over judges or juries than other lawyers.



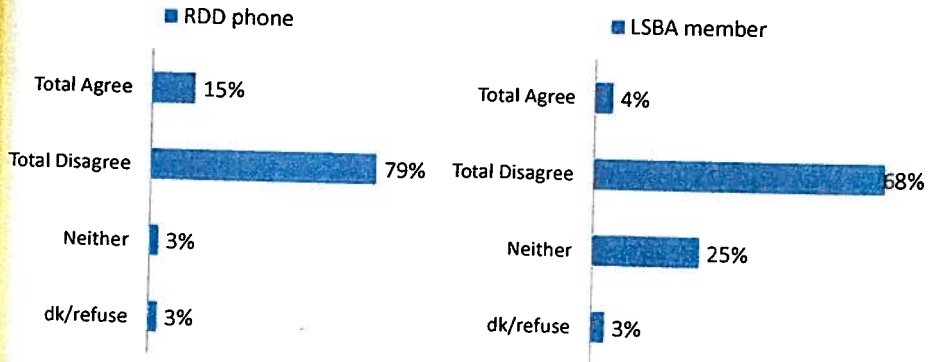
41

Questions/Answers (phone & web surveys)

The next few questions talk about lawyer ads that involve portrayals of a judge or a jury, lawyer ads that involve endorsements by a celebrity or 'well known' person, and lawyer ads that involve accident scenes or accident victims. Please indicate whether you [ROTATE] agree or disagree with these statements. [probe for strongly or somewhat]

Lawyer ads that portray judges or juries raise my confidence in Louisiana courts.

Lawyer ads that portray judges or juries raise the public's confidence in Louisiana courts.



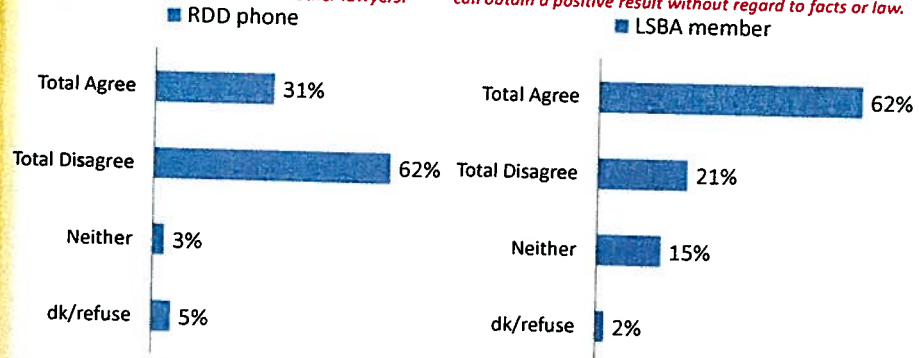
42

Questions/Answers (phone & web surveys)

The next few questions talk about lawyer ads that involve portrayals of a judge or a jury, lawyer ads that involve endorsements by a celebrity or 'well known' person, and lawyer ads that involve accident scenes or accident victims. Please indicate whether you [ROTATE] agree or disagree with these statements. [probe for strongly or somewhat]

Lawyer whose ads include endorsements by a celebrity or 'well known' person have more influence on Louisiana courts than other lawyers.

Lawyer ads that include endorsements by a celebrity or 'well known' person imply to the public that the lawyer advertised can obtain a positive result without regard to facts or law.

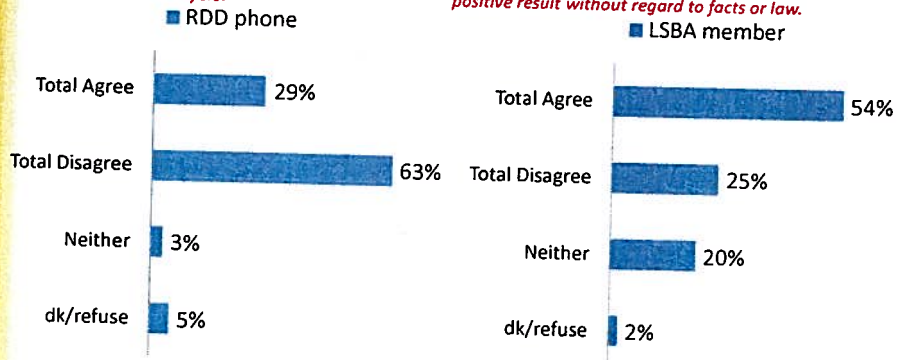


Questions/Answers (phone & web surveys)

The next few questions talk about lawyer ads that involve portrayals of a judge or a jury, lawyer ads that involve endorsements by a celebrity or 'well known' person, and lawyer ads that involve accident scenes or accident victims. Please indicate whether you [ROTATE] agree or disagree with these statements. [probe for strongly or somewhat]

Lawyer whose ads include scenes of accidents or accident victims have more influence on Louisiana courts than other lawyers.

Lawyer ads that include scenes of accidents or accident victims imply to the public that the lawyer advertised can obtain a positive result without regard to facts or law.

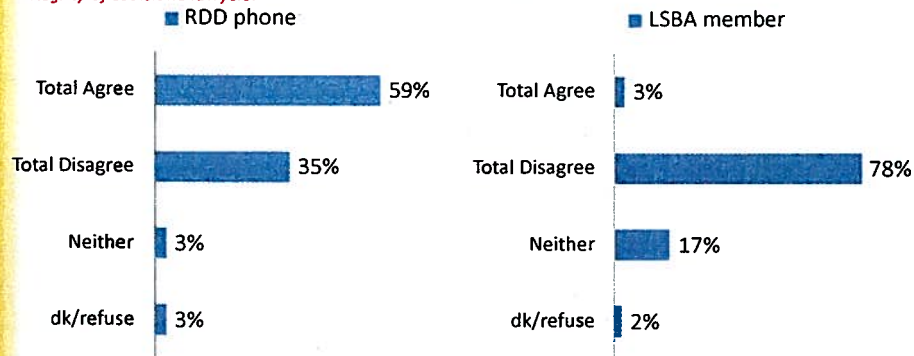


Questions/Answers (phone & web surveys)

The next few questions talk about lawyer ads that involve portrayals of a judge or a jury, lawyer ads that involve endorsements by a celebrity or 'well known' person, and lawyer ads that involve accident scenes or accident victims. Please indicate whether you [ROTATE] agree or disagree with these statements. [probe for strongly or somewhat]

Lawyer ads that include scenes of accidents or accident victims lessen my confidence in the integrity of Louisiana lawyers.

Lawyer ads that include scenes of accidents or accident victims raise the public's opinion of the integrity of Louisiana lawyers.



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NEXT: we will review qualitative results (the focus groups from the general public).

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Questions/Answers (Focus Groups)

Focus Group Questionnaires

jot down the first four local television ads that come to your mind.

Out of eighty-two (82) commercials mentioned (unaided), twenty-five (25) were for attorney advertisements. This represents 30.49% of the total commercials mentioned.

As to TV advertisements for products and services, on a scale of 1 to 5, where 1 is completely misleading and 5 is completely accurate, how would you rate local TV advertisements in general for products & services?

*New Orleans mean: 3.44
Lafayette mean: 3.11*

*Shreveport mean: 3.00
Mean of Means: 3.20*

On a scale of 1 to 5, where 1 is completely misleading and 5 is completely accurate, how would you rate TV advertisements in general for Louisiana lawyer services?

*New Orleans mean: 2.44
Lafayette mean: 2.22*

*Shreveport mean: 2.43
Mean of Means: 2.36*

On a scale of 1 - 5, where 1 is no confidence and 5 is complete confidence, how would you rate your confidence in Louisiana courts? AND On a scale of 1 - 5, where 1 is completely dishonest and 5 is completely honest, how would you rate lawyers in Louisiana?

*Confidence in courts
• New Orleans mean: 2.67
• Lafayette mean: 3.00
• Shreveport mean: 2.43
• Mean of Means: 2.72*

*Honesty of lawyers
• New Orleans: 2.78
• Lafayette: 2.56
• Shreveport: 2.43
• Mean of Means: 2.60*

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Questions/Answers (Focus Groups)

*Have you ever seen or heard a disclaimer used in a print, a television, or a radio advertisement?
Every person in the focus groups had seen or heard a disclaimer used in an advertisement*

In your mind, is a disclaimer a positive or a negative thing? What specifically makes it a positive or negative thing?

If negative: does that mean the disclaimer is misleading to you?

Negative answers included

- "The print is very small and usually you don't have time to read them..." (WF)*
- "...it's almost like they're showing you the big pretty picture, but they tell you all the bad stuff at the bottom" (WF)*
- "That's what I mean by negative. It gives you a positive image, but when you read the fine line you get wiped out." (BM)*
- "...when I see a disclaimer, to me that commercial is telling me: I'm advertising this product, but what you see is not necessarily what you receive." (BM)*

If positive: does that mean the disclaimer makes the ad clear to you?

Positive answers included

- "I've seen disclaimers on TV that I can read without my glasses. I can read results are not typical." (BF)*
- Disclaimers make advertisements more real and authentic. (WF)*
- "I think it's a positive in that it discloses what you should be cautious about..." (BF)*
- "[Disclaimers are] sometimes positive. Like in an insurance commercial; you learn a lot of stuff you didn't know." (BM)*

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Questions/Answers (Focus Groups)

Have you ever seen or heard a disclaimer used in a print, a television, or a radio advertisement for a Louisiana lawyer? Some of the participants had seen or heard a disclaimer used in a lawyer advertisement

In your mind, is a lawyer's disclaimer a positive or a negative thing? What specifically makes it a positive or negative thing?

If negative: Does that mean you feel a disclaimer is misleading to you?

Negative answers included

- "Yeah, it is [misleading]. If you have reps that say, you got me X or one that said Y, but you didn't get that - that is misleading." (BM)
- "I think when I see an ad and they're pumping it up and up and then there is a disclaimer - that takes away from everything they've been hyping." (WM)
- "I do think its misleading. I think it's very misleading." (WF)
- "Why can't they just advertise what they can do? Why do they have to make promises like rainbows and all this? Why can't they just say: hey, I'm Tom Jones and I can handle divorces, bankruptcies and accident cases? Why can't they just be up front? Why do they have to have actors?" (WF)

If positive: Does that mean you feel the disclaimer makes the ad clear to you?

Positive answers included

- "It depends on the disclaimer...[some] say, 'results not typical,' and those are not so negative, because, you know, every lawyer is not going to win every case they get into." (WF)
- "I can always read them. They don't use lawyer talk, not in their disclaimers." (BM)
- "I think it's positive. Because again, at least they let you know up front that it's not what you necessarily think. You might not get what you expect...At least you know up front." (BM)

Questions/Answers (Focus Groups)

Why do advertisers put disclaimers in their ads?

Responses were very similar and included:

- The law (BF)
- Legalities (WF)

Why do lawyers put disclaimers in their ads?

Responses included:

- "Because they know you're not going to get that amount and they want you to be aware of it." (WF)
- "To keep them from being sued. If you're doing what you're supposed to do, why do you need a disclaimer?" (BF)
- "Because not every case is the same." (WF)
- "I don't think it's necessarily covering themselves...one of the disclaimers they use is... 'not actual clients.' So, if it's not an actual client, how can anyone prove that anyway? But if you don't have an actual client, they're just possible cases and figures...it's just being informative." (BM)
- "...ultimately, there are people who will see the disclaimer and still think they're going to get top dollar for the service." (BF)

First TV Advertisement (Ed Womac)

Raise or lower confidence in LA courts?

- **New Orleans consensus: neutral**
- **Lafayette:**
 - 3 people said their opinion was lowered
 - "It lowers it in a way. You're saying: 'I can get this through the court system. Like you got a hold on somebody down the river. I don't care for that sort of thing.'" (WM)
 - "If any non-experienced attorney could go to court and win that kind of money, then I wouldn't have confidence in the courts." (BM)
 - The remaining participants felt the ad neither raised nor lowered their confidence
- **Shreveport consensus: neutral**
 - "It doesn't raise my confidence, but there's no way it could lower my confidence. It's the bottom of the barrel as far as I'm concerned. I would love something to raise my confidence in LA courts." (WM)

Questions/Answers (Focus Groups)

Raise or lower opinion of LA lawyers?

- **New Orleans consensus: neutral**
- **Lafayette:**
 - **Consensus: lower**
 - One participant felt the ad neither raised nor lowered his opinion
- **Shreveport:**
 - One participant felt the ad lowered his or her opinion
 - The remaining participants appeared to feel the ad neither raised nor lowered their opinions
 - It's the same. "Cause I don't think much of them." (BF)

First TV Advertisement (Ed Womac)

Adjectives to describe the ad

- **New Orleans**
 - "Sneaky" (WF)
 - "Misleading" (BM)
 - "Quick-speaking" (BF)
- **Lafayette**
 - "Sensational" (BM)
 - "Unrealistic" (BF)
 - "She got \$750,000 and it fixed her car, I mean what kind of accident was she in that got her \$750,000? That was unreal."
 - "Misleading" (WF)
 - "Exaggerated" (BM)
- **Shreveport**
 - "Far-fetched" (WF)
 - "Liars" (WF)
 - "They didn't get that much money. That's a lie."

Questions/Answers (Focus Groups)

Is this lawyer more or less likely to win than other lawyers?

- **New Orleans consensus: no more likely to win than other lawyers**
- **Lafayette**
 - Some participants felt this lawyer was less likely to win than other attorneys
 - "I think less likely, because if he wanted to portray his professionalism, each person couldn't have gotten \$750,000" (WF)
 - Some participants felt this lawyer was neither more nor less likely to win than other lawyers
- **Shreveport consensus: no more likely to win than other lawyers**

First TV Advertisement (Ed Womac)

Questions/Answers (Focus Groups)

What kind of injury deserves the money amount stated in the ad?

Were the people in that ad clients, lawyers or actors?

• All participants seemed to agree that the injury must have been very serious to warrant awards of that size [\$725,000-\$750,000].

• New Orleans:

- New Orleans:
 - "It's going to have to be pretty serious." (WF)
 - "And you won't be able to get up there and say, 'he got me \$750,000...'" (BF)
 - "Far \$750,000 I'd have to be dead." (WF)
 - "But, that could've been two years ago." (BM)
- Lafayette:
 - "You'd have to lose a limb." (WF) and (WM)
 - "She looked very healthy." (WF)
- Shreveport:
 - "Lose a limb." (BF)
 - "None of those people look like they lost a limb, not unless they've been in the hospital for 3 years and had rehab." (WF)

- Consensus: actors
 - "Maybe not even actors. Maybe just someone who got a little money." (BM)
 - "They didn't even say." (BM)
- Lafayette:
 - Consensus: actors or employees
- Shreveport
 - Consensus: actors
 - One participant felt the people in the ad were not actors
 - "The second time I saw it, it said they weren't." (BM)

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Second TV Advertisement (William Gee)

Questions/Answers (Focus Groups)

Raise or lower confidence in LA courts?

Raise or lower opinion of LA lawyers?

• New Orleans

• New Orleans

- Consensus: neutral
- Lafayette
 - One participant felt this ad lowered her confidence in LA courts.
 - "It does seem he would manipulate the system more. Lower." (WF)
 - The other participants felt this ad neither raised nor lowered their confidence in LA courts.

• Consensus: neutral

• Shreveport

• Lafayette:

• Consensus: neutral

- One participant felt the ad raised his opinion
 - "I think it raises. If I hire an attorney I really want them to fight for me. I don't want them to go there and beg. I want them to go there with boxing gloves." (BM)
- The consensus of remaining participants was neutral
- Shreveport:
 - One participant felt the ad raised his opinion
 - "It raises my opinion, because if you have an actor doing a commercial for you, I feel the actor wouldn't put himself out for you if there wasn't a guarantee that he's a good lawyer. Because when an actor stands there and represents someone, that tells me a lot." (BM)
 - The consensus of remaining participants was neutral

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Questions/Answers (Focus Groups)

Second TV Advertisement (William Gee)

Were the people in this ad clients, lawyers, actors?

• New Orleans:

- Asked: do you think William Gee should have come on camera himself?
 - "You're going to represent me. Okay, I don't know who you are. You're giving me people who've gone through you and an actor as evidence." (BF)
 - "It's better [if you see the attorney in the ad] because you know who is going to represent you." (BM)
 - "You need to see William Gee, I think." (WF)

• Lafayette:

- "The people on the screen were very real. I worked on a rig. I can tell you those were real guys, not actors." (WM)
- "It's not honest if he's [Robert Vaughn] doing it [appearing in commercials] for everyone. He's not sincere. He's doing it all over. He's getting paid for what he's doing. He's doing it for other attorneys." (WF)
- "William Gee wasn't even in his own commercial. It was an actor. I don't even know who William Gee is." (WF)

• Shreveport:

- "He's not a client and he's never worked offshore." (WF)
- "[He's] desperate if he has to use an actor or public figure to bring attention to his law office." (WM)

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Questions/Answers (Focus Groups)

Second TV Advertisement (William Gee)

Is this lawyer more or less likely to win than other lawyers?

• Lafayette:

- Five of nine participants felt this lawyer was more likely to win than other lawyers
 - "I think in that particular ad, his field, his background is in that one area of work. Especially in South Louisiana. I spent 20 years on a rig, I would go to that man." (WM)

• Shreveport:

- Two of seven participants felt this lawyer was more likely to win than other lawyers
 - "In an offshore case." (BM)
- The consensus of remaining participants was neutral

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Questions/Answers (Focus Groups)
Third TV Advertisement (E. Eric Guirard)
Raise or lower confidence in LA courts?

- The consensus for each location was neutral. However, in Shreveport one (1) participant felt the ad raised his confidence in LA courts

Raise or lower opinion of LA lawyers?

• New Orleans:

- Initially, five (5) participants indicated their opinions were raised
 - "Well, maybe not LA lawyers, but it raises my opinion of him as a lawyer individually." (WF)
 - The above five participants then indicated that they, too, meant their opinion was raised of Guirard individually.
 - Final consensus: neutral

• Lafayette:

- Two (2) participants felt this ad raised their opinions
 - "He didn't promise the moon and the sky and \$750,000 so he's not saying, 'I'll give you all the wealth you desire.'" (WF)
- The remaining participants felt this ad neither raised nor lowered their opinions

• Shreveport

- Six (6) participants felt this ad raised their opinions
 - "There wasn't a disclaimer in that one, and usually that steers me away..." (WM)
- One (1) participant felt her opinion was neither raised nor lowered

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Questions/Answers (Focus Groups)
Third TV Advertisement (E. Eric Guirard)
Adjectives to describe the ad

• Lafayette:

- "Negative" (BM)
 - "He didn't state none of his qualifications. I don't know what kind of cases he's handled before [or] how long he's been an attorney."
- "Not impressive" (BF)
- "He was confident" (WF)

• Shreveport

- "I liked this ad" (WF)
- "Honest" (BM)

Are the people in this ad clients, actors, lawyers?

• Lafayette:

- Four (4) participants indicated they believed Guirard was a lawyer
- One (1) participant indicated she couldn't tell (BF)

• Shreveport:

- Consensus: lawyer

What's the E Guarantee?

• New Orleans:

- "His best. Working hard." (WF)
- "E guarantee means he will settle in some way, shape, or form. He may not go to court, but he will settle with someone on his client's behalf." (BM)
- "It's not misleading, because he can guarantee you something. It may not be what you want as a client. But it's a guarantee. He may settle out of court. You gonno get something." (BM)

• Lafayette:

- "The E Guarantee is that he's going to fight for you." (WF)
- "He's guaranteeing he'll go to trial if the results from the insurance were not what is acceptable." (WF)

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Questions/Answers (Focus Groups)

Fourth TV Advertisement (Jack Bailey)

Raise or lower confidence in LA courts?

- New Orleans:
 - Consensus: neither
- Lafayette:
 - Consensus: neither
- Shreveport:
 - Consensus: neither

Raise or lower opinion of LA lawyers?

- New Orleans:
 - Consensus: neither
- Shreveport:
 - Consensus: neither
- This question was not asked in Lafayette

Adjectives to describe the ad

- New Orleans:
 - "Cheap"
 - "General"
- Lafayette:
 - "Bland" (WF)
 - "Milquetoast" (WF)
 - "Upscale," "professional" (BM, BM, BF)
- Shreveport:
 - "Confrontational" (BF)
 - "He was showing lots of awards, and that's fair if it's true." (BM)

Questions/Answers (Focus Groups)

Fourth TV Advertisement (Jack Bailey)

Is this lawyer more or less likely to win than other lawyers?

- New Orleans:
 - Consensus: neutral
- Lafayette:
 - Six (6) participants felt this attorney was more likely to win than other lawyers
 - "To me it was more or less about our shared opinion of insurance companies and he has that in his mind. He'll go for a fair deal. He wasn't promoting himself; he understands the process. (BM)
 - One (1) participant felt this attorney was no more likely to win than other attorneys
 - "I didn't see anything about this man that would make an insurance company give him a fair deal versus other ads I've seen tonight." (WF)
- Shreveport:
 - Consensus: neutral

Was the ad misleading?

- New Orleans:
 - "He mentions his firm has awarded their clients over \$1 billion - what kind of claim is that?" (BF)
 - "Money awards were scrolling across the bottom. I had to keep squinting to see it." (WF)

Was the monetary award crawl misleading?

- Lafayette:
 - "Sure! He was hollering about fair, but how fair is it to get \$36 million?" (WF)
 - "I couldn't see the scroll, but if I could, I would think it's unrealistic." (BF)

Should the monetary award crawl along the bottom be there?

- Shreveport:
 - "Yes, if it's true, it should be there." (BM)
 - M: How can you tell?
 - "You can't." (BM)

Questions/Answers (Focus Groups)

Fifth TV Advertisement (Greg Dileo)

Raise or lower confidence in LA courts?

- **New Orleans:**
 - Consensus: neutral
- **Lafayette:**
 - Consensus appeared positive
 - "I think it raises it. There was information there showing me how they look at a case. The sensationalism of some of the others wasn't there." (WF)
 - "I would say raises it to a certain extent. It was a good commercial. Very professional." (BM)
- **Shreveport:**
 - Consensus: neutral

Raise or lower opinion of LA lawyers?

- **New Orleans:**
 - One (1) participant felt her opinion was raised
 - "It improved my opinion of lawyers, but didn't affect my opinion of the courts...he seemed competent. This is what you need to do." (BF)
 - The remaining participants felt their opinions were neither raised nor lowered
- **Lafayette:**
 - Four (4) participants felt their opinions were raised
 - "He knows the law and it's something I was involved in myself personally...so I think this raises my opinion." (WM)
 - The remaining participants felt their opinions were neither raised nor lowered
- **Shreveport:**
 - Some participants felt their opinions were raised
 - "It might raise it. Because he mentions more details on what needed to be done. He'd be more apt to check into everything." (WF)

Questions/Answers (Focus Groups)

Fifth TV Advertisement (Greg Dileo)

Adjectives to describe the ad

- **Lafayette:**
 - "Stupid" (WF)
 - "Liar" (BF)
 - "Bull" (BM)
 - "Dead honest" (BM)
 - "Impressed" (WF)
 - "Informative" (WM)
 - "I'm just saying how this ad affected me. This man might know what he's talking about." (WF)
 - "I liked it, and I don't like lawyer commercials very often. I think there was some education involved. He told you, if this happens, do this and this and this, these are the kinds of accidents we win and don't win..." (WF)
- **Shreveport:**
 - "Informative" (BM)
 - The participants seemed to generally agree with this

Is this lawyer more or less likely to win than other lawyers?

- **New Orleans:**
 - Consensus: neutral
 - But, six (6) participants felt this attorney was more likely to win than other attorneys if the issue was an 18-wheeler case
 - "He's very knowledgeable, he drives that point home. He knows what areas he needs to know to win, and that comes across in his ad." (BF)
- **Shreveport:**
 - Some participants felt this attorney would be more likely to win, while others felt this attorney was no more likely to win than another attorney
 - "From his commercial, yes, because he gives details of what needs to be done...I know I've been in an accident, and they haven't been done..." (BM)

Questions/Answers (Focus Groups)

Sixth TV Advertisement (Morris Bart/New Orleans)

Raise or lower confidence in LA courts?

- **New Orleans:**
 - **Consensus: neutral**
- **Lafayette:**
 - **Two (2) participants felt the ad lowered their confidence in LA courts.**
 - "Lawyers. I don't respect that commercial. If they're going with someone that is that flamboyant and think that's smart...if the court system is impressed with that flamboyance, I'm not." (WF)
 - "He also said, 'it's that easy' – he'll get you what you want, 'it's that easy.' So that would make the courts look lower. If that clown can walk in there and get you what you want, that isn't good for the courts." (WF)
 - **The remaining participants felt their confidence was neither raised nor lowered**
- **Shreveport:**
 - **Consensus: neutral**

Raise or lower opinion of LA lawyers?

- **New Orleans**
 - **One (1) participant felt this ad lowered her opinion of LA lawyers (BF)**
 - **The remaining participants felt their opinions were neither raised nor lowered**
- **Lafayette:**
 - **Six (6) participants felt their opinions were lowered by this ad**
 - **Two (2) participants felt their opinions were neither raised nor lowered by this ad**
- **Shreveport:**
 - **One (1) participant felt this ad lowered her opinion of LA lawyers (WF)**
 - "He's got way too many offices and associates. I could talk to him, but he's not going to be the one representing me. That lowers my opinion."
 - **The remaining participants felt their opinions were neither raised nor lowered**

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Questions/Answers (Focus Groups)

Sixth TV Advertisement (Morris Bart/New Orleans)

Adjectives to describe the ad

- **New Orleans:**
 - "That's offensive." (BF)
- **Lafayette:**
 - "Lousy" (BF)
 - "Sensational" (BM)
 - "Questionable" (BM)
 - "Boisterous and bragging" (WF)
 - "He says, 'you know me from TV.' Shouldn't I know you from your reputation?"
 - "Unprofessional" (BF)
 - "Ambulance Chaser" (WF)
- **Shreveport:**
 - "Cheesy" (M)
 - "Boy, was that a production" (M)

Note: the New Orleans group recognized Antoinette Kado, but did not appear affected negatively by her appearance in the advertisement

Is this lawyer more or less likely to win than other lawyers?

- **New Orleans:**
 - "It might encourage people because he says, 'this is my home town' and because he's an attorney, people might think he has inside connections with some judges..." (WF)
 - "Like, I can get through the back door." (BF)
 - "I'm thinking he's trying to express he has more influence on the courts than other lawyers." (WF)
 - "When he says, 'these are my people,' he's saying he's familiar with the court system and he'll be able to maneuver more than other lawyers." (BM)
- **Lafayette:**
 - **Six (6) participants felt this attorney was less likely to win than other attorneys.**
 - "He looks like he wants to have a good time." (BF)
 - "...we know him from TV, is he an actor or lawyer?" (WF)
 - "Does he have a law degree, did he pass the bar exam? It didn't look like it from that commercial." (WF)
- **Shreveport**
 - **Consensus: no more likely to win than other lawyers**

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Questions/Answers (Focus Groups)

Seventh TV Advertisement (Michael Hingle)

Raise or lower confidence in LA courts?

- The consensus for all three groups was neutral

Raise or lower opinion of LA lawyers?

- New Orleans:
 - Consensus: neutral
- Lafayette:
 - Five (5) participants felt their opinions of LA lawyers were lowered by this ad
 - Three (3) participants felt their opinions of LA lawyers were neither raised nor lowered by this ad
- Shreveport:
 - Five (5) participants felt their opinions of LA lawyers were lowered by this ad
 - "It was distasteful – the scenes behind him." (WF)
 - M: The accident scenes?
 - "Yes."

Adjectives to describe the ad

- Lafayette:
 - "Arrogant" (BF, BM)
 - "Morbid" (WF)
 - "Because of the bells tolling as if it were a funeral."
 - "Too quick" (WM)
- Shreveport:
 - "Boring" (WM)
 - "Short" (BM)
 - "I think if I got a good check, I wouldn't need to check with him." (WF)

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Questions/Answers (Focus Groups)

Seventh TV Advertisement (Michael Hingle)

Is this lawyer more or less likely to win than other lawyers?

- New Orleans:
 - Consensus: this attorney is no more likely to win than other attorneys
 - "He wants to show you he can win in an accident where your car has been smashed." (BF)
 - "Anybody can win that." (WF)
- Lafayette:
 - Four (4) participants felt this attorney was less likely to win than other attorneys
- Shreveport:
 - Consensus: this attorney is no more likely to win than other attorneys

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Questions/Answers (Focus Groups)**Eighth TV Advertisement (Morris Bart/Lafayette)***Raise or lower confidence in LA courts?*

- The consensus for all three groups was neutral

Raise or lower opinion of LA lawyers?

- The consensus for all three groups was neutral

Is this lawyer more or less likely to win than other lawyers?

- New Orleans:
 - Consensus: neutral
- Lafayette:
 - One (1) participant felt this attorney was less likely to win than other attorneys
 - The remaining participants appeared to think this attorney was no more likely to win than other attorneys
- Shreveport
 - Consensus: neutral

Are the people in this ad clients, actors, lawyers?

- New Orleans:
 - "He sounded like he was reading a script." (BF)
 - "Acting." (BM)
 - "I think he was an actual client." (BM)

What do you think about the use of client testimonials in lawyer ads?

- Shreveport:
 - "If you're using the actual person, then yes [it's a good thing]. But if you're just paying people to lie, that's way down." (BM)
 - "And I think if they're going to be used down there...does anybody check out these things to make sure they're true?" (WM)
 - "I'm sure the lawyers do...because then they'd come out with another commercial saying, 'he's a liar.' Other lawyers in the courtroom, too." (BM)

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Questions/Answers (Focus Groups)**Disclaimer Review***New Orleans:*

- "I saw some disclaimers, but I could not read any." (BM)
- "They put them in as small as possible knowing most of the people they're trying to catch will not...it's too small." (BF)
- "And sometimes you can't understand them either. I don't know how anyone can read that fast." (WF)

Lafayette:

- "My opinion is they really don't want you to read them, until you say, 'well you said you could get me', and they say, 'oh, no, no, didn't you see my disclaimer?'" (WF)
- "Any person looking at that is going to know all cases are not the same." (BM)
- "They don't set a guideline for how big it has to be or how long it has to be on the TV. As long as it's there, it's there." (WF)
- "I would rather see a lawyer say, 'I've been in business this long, I've won this percent of my cases, this is where my experience is.'" (WM)

Shreveport:

- "...they say it so fast you can't hear it. It's bah bah bah bah bah, what was all that? So the disclaimers aren't clear." (BM)
- "I honestly haven't seen a disclaimer at the bottom." (WM)

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Questions/Answers (Focus Groups)

Accident Scenes

New Orleans (scene in Hingle ad):

• "If you got out of that car, alive, he'd have a check for you. IF you got out." (BF)

Lafayette (scene in Bart/Lafayette ad):

• Seven (7) participants think the portrayal of accident scenes is a bad thing

• "It's not a good thing. It's a bad thing. It's not necessary and I think of my children." (WF)

• "It's a bad thing because...if you're a good lawyer, I want to know the reasons you're a good lawyer rather than replay the accident or the sounds or commotion. I don't need to see it or hear it. I just need to know you can help me through this." (WF)

• M: Do you think the use of accident scenes is always undesirable?

• "I think it cheapens the profession." (WF)

• "It's ambulance chasing" (BM)

Shreveport (scene in Hingle ad):

• "It was distasteful – the scenes behind him." (WF)

• "[I] wouldn't want to see an attorney right there at an accident like an ambulance chaser." (WM)

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Questions/Answers (Focus Groups)

Attorney Ads that Include Portrayals of Judges and Juries

*Do such portrayals raise or lower your opinion of LA lawyers?**Shreveport:*

• "I can say this, that [unintelligible] has a commercial like that and it made me feel more confident in him. Just that particular commercial, that he did have a commercial like that, where you see a judge and a jury. And I felt different when I saw that commercial. It gave me more confidence that he could possibly win a case for me." (BF)

*Do such portrayals raise or lower your opinion of LA courts?**Lafayette:*

• "Lowers it. Makes them seem like they're on the take." (BM)

• "Either way [whether it's a real judge or an actor]. It gives the impression that the judge could be bought by this attorney." (BM)

• "Why is he in this particular lawyer's ad?" (WF)

• "I don't think we can [tell if a judge or juror in an ad is an actor] because we can't tell which lawyers are real and not real sometimes, so how're we supposed to know? Or, you know, how is anyone supposed to know?" (WF)

• "I don't think courts belong in attorney ads." (WF)

• "It makes a difference if they're in the background or if they're interacting with the lawyer. If they're in the background, then the focus is on the attorney, not on the judge or the court system and it's just a setting. If they're interacting, then I have to judge whether this judge is only for this attorney." (WF)

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Questions/Answers (Focus Groups)

Extra Discussion

Do you think the general public thinks all lawyers are like those that are on TV?

Lafayette:

- "That's my fear." (BF)
- "I hope not." (WF)
- "It cheapens the profession. You're always taught to revere an attorney...it's an honorable profession...and then you see commercials like this...do they need clients that bad?" (WF)
- "They seem to be desperate for clients - those who advertise." (BF)
- "Doctors don't re-enact dying scenes!" (WF)

Confidence in Courts

Shreveport

"I've been to court for different things, several things...and I've never...I usually always come out smelling good, but I don't have faith in this court system in Louisiana and I don't know why. To me, especially here in Caddo parish, it seems like it's a money gig. Like if you've got the money, you get you a high-priced lawyer where that lawyer can divide a little bit up among the others involved in this process and make the judge a big smile on his face, then you're good to go." (WM)

Do you think there's a possibility that the high-powered lawyer hires other people to help with the case or do you think that someone's getting some money under the table?

"Like a graft or something. I think, in certain cases, yes. I don't think it's all the way across the board, though. But in some cases, yes." (WM)

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Questions/Answers (Focus Groups)

Extra Discussion

If you were standing in front of the committee that makes the rules regarding attorney advertising, what one regulation would you suggest?

New Orleans:

- "Monetary amounts." (WF)
- "If you have to put in a disclaimer, make it visible and clear and readable." (BF)
- "Make them informative like that One was." (WF)
 - "Like Dileo." (BF)
 - "Dileo was a good advertisement. It was informative and not misleading to anyone." (WF)

Lafayette:

- "State your name, your record, your percentage of wins, but leave the money off it completely." (WM)
- "State your record, leave all the drama and the bells and all that out. Don't say anything that MAKES you put a disclaimer..." (BM)
- "And if you're required to put a disclaimer, make sure we can read it. If it's necessary to put a disclaimer, make it clear, concise and so that we can understand it." (BF)
- "Courts should add a disclaimer, 'This person's commercial will not affect your outcome.'" (WF)
- "I think they should be more sincere, not so flashy...be honest." (WF)
- "Nothing we've heard improved our opinion of the courts." (BM)

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RESEARCH FINDINGS

Opinions & Perceptions Study Regarding Attorney Advertising
Telephone Interviews / Web-based Interviews / Focus Groups

Questions/Answers (Focus Groups)

Extra Discussion

If you were standing in front of the committee that makes the rules regarding attorney advertising, what one regulation would you suggest?

Shreveport:

- "I'd like for them to be more honest in their commercials." (WF)
- "If they're going to use the actual award amount, I think they should be more realistic about what most people get..." (WF)
- "I would ask them to leave the money out period and just say, 'we will get you the best.'" (BF)
- "I just think all those people who advertise are ombulance chasers. The committee needs to check the facts." (WF)
- "The committee could check the ads." (BM)
- "Honest lawyers don't advertise. You get them from word of mouth." (WF)
- "They should leave the money amount out because they don't sound realistic. I watch them day in and out...I think all amounts should be left out. Because you never know if it's true or not." (BF)
- "I knew someone who was a claims adjuster and he says you have to be really badly hurt to get that amount, and they don't look hurt to me." (WF)

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RESEARCH FINDINGS

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