Review of Motor Vehicle Tort Cases Across the Federal and State Civil Courts

by

William Nibbelin

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Executive Summary

A civil case in the United States is a legal dispute between two or more parties seeking compensation rather than criminal penalties for issues involving human rights, contracts, personal injury, product liability, property disputes, or family matters. A civil case filing may be settled out of court, go to trial, or be dismissed for legal or procedural deficiencies. If the case goes to trial, the judge or jury may award damages or actions to either the plaintiff or defendant, at which point either party may appeal to a higher court. Civil cases in the United States are handled by either the federal or state courts. Federal courts handle those civil cases involving federal laws, constitutional issues, and diversity of citizenship (i.e., citizens of different states) where the amount demanded exceeds $75,000[1]. At the state level, civil cases are directed to either the small claims court system or higher courts for more complex cases and those meeting a minimum monetary demand threshold. These thresholds vary by state but are typically $20,000 or more. These cases are also considered unlimited civil cases in all courts given there is no limited maximum monetary demand.

At the federal level, public data on civil cases is available through the government website for Federal Judicial Courts (FJC) of the United States[2]. At the state level, the availability of public data varies from state to state and from court to court, as do the definitions of terms and the completeness of case reporting. Given this inconsistency, previous research[3] by the University of Michigan Law School concluded that reasonable estimates based on court data can be drawn with caution. This paper interprets and extrapolates such data with a focus on tort cases involving motor vehicle accidents to better understand overall trends in civil cases on a relative basis countrywide.

Key Findings:

Federal Judicial Court Civil Cases

- From 1994 to 2003, 18.8% of all civil cases involved tort. This number increased to 33.8% from 2014 to 2023.
- From 1994 to 2003, 49.1% of all tort civil cases involved product liability. This number increased to 78.4% from 2014 to 2023.
- Excluding multi-district litigation (MDL) and product liability, the volume of total civil cases has been relatively flat from 1994 to 2023.
- On average, motor vehicle tort civil cases required one additional month to close from 2014 to 2023 compared to all civil cases (excluding MDL and product liability).
- From 2014 to 2023, the number of motor vehicle filings increased at a compound annual growth rate (CAGR) of 4.1% for no-fault states and at 5.5% for tort states.
- The volume of motor vehicle tort civil cases decreased at a CAGR of 2.6% from 1994 to 2008, remained relatively flat from 2008 to 2014 at 0.1%, and then rose to 4.9% from 2014 to 2023.
- Approximately 52.8% of disposed motor vehicle tort civil cases from 2014 to 2023 settled out of court, with only 7.4% receiving a judgement disposition.
- The average amount in controversy for judgements increased for all civil cases (excluding MDL and product liability) from $447,000 during the 1994 to 2003 decade to $875,000 during the 2014 to 2023 decade. During these same periods, the amount in controversy for judgement for motor vehicle tort civil cases remained flat, while the average amount in controversy for settlements decreased from $748,000 to $674,000.
- The excess value of motor vehicle tort filings is approximately $984.6 million from 2014 to 2023.

State Civil Cases

- There were an estimated 5.0 million motor vehicle tort state civil cases from 2014 to 2023.
- The excess value of motor vehicle tort state civil cases is approximately $41.8 billion.
- The combined excess value of motor vehicle tort filings across FJC and state civil cases from 2014 to 2023 is $42.8 billion.

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1. "Covering Civil Cases – Journalist's Guide," United States Courts.

2. "Civil Cases Filed, Terminated, and Pending from SY 1988 to Present," Federal Judicial Center, 2025.

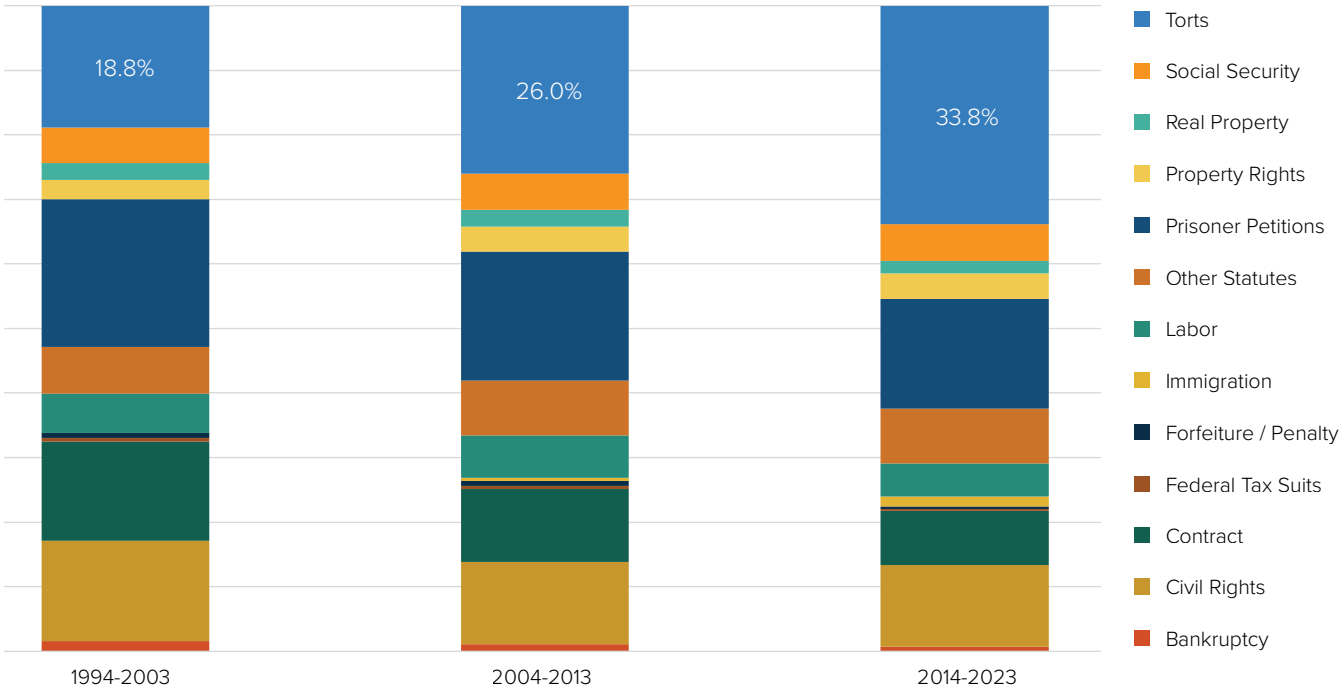
3. Eisenberg, Theodore and Margo Schlanger, "The Reliability of the Administrative Office of the U.S. Courts Database: An Initial Empirical Analysis," Notre Dame L. Rev. 78, no. 5 (2003): 1455-96.

Federal Judicial Court

Filings

Each Federal Judicial Court (FJC) civil case is assigned one and only one Nature of Suit code[4]. The Civil Cover Sheet[5] outlines the nearly 100 different Nature of Suit codes spread across 13 categories. Since 1994, the distribution of civil cases involving torts has steadily increased, surging to 33.8% as of 2023. Torts now represent the largest type of civil cases (Chart 1).

Chart 1: Distribution of All Federal Judicial Court Civil Case Filings by Nature of Suit by Filed Year, 1994-2023



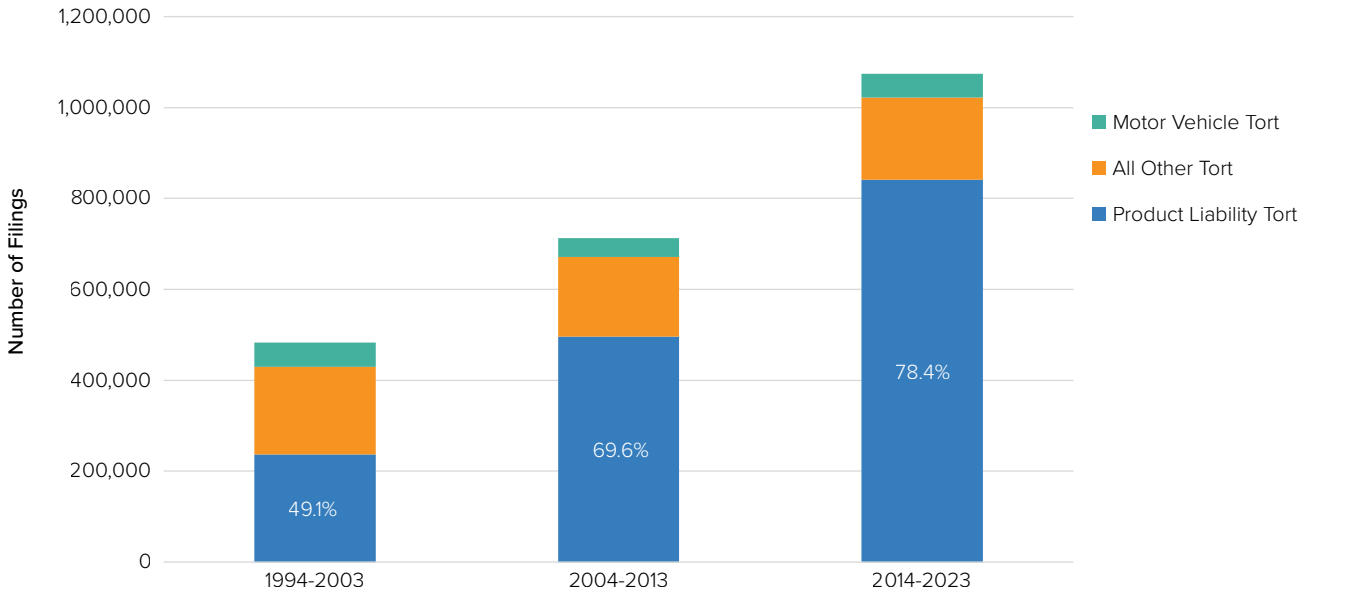
Source: Federal Judicial Court data – accessed March 2025 Civil cases filed, terminated, and pending from SY 1988 to present | Federal Judicial Center

Torts are a civil wrong resulting in damage to person or property. There are nearly 20 different categories of tort in FJC civil cases, including product liability, defamation, medical practice, and motor vehicle accidents. Since 1994, the distribution of tort civil cases involving product liability increased to 78.4%, representing the largest type of tort as of 2023. During this period, the distribution of tort cases involving motor vehicle tort more than halved, from 11.1% during the 1994 to 2003 decade to 4.9% during the 2014 to 2023 decade (Chart 2).

4. "New IDB Appeals Documentation - Civil Codebook 1988 Forward," Federal Judicial Center.

5. "Nature of Suit Code Descriptions," United States Courts, 2024.

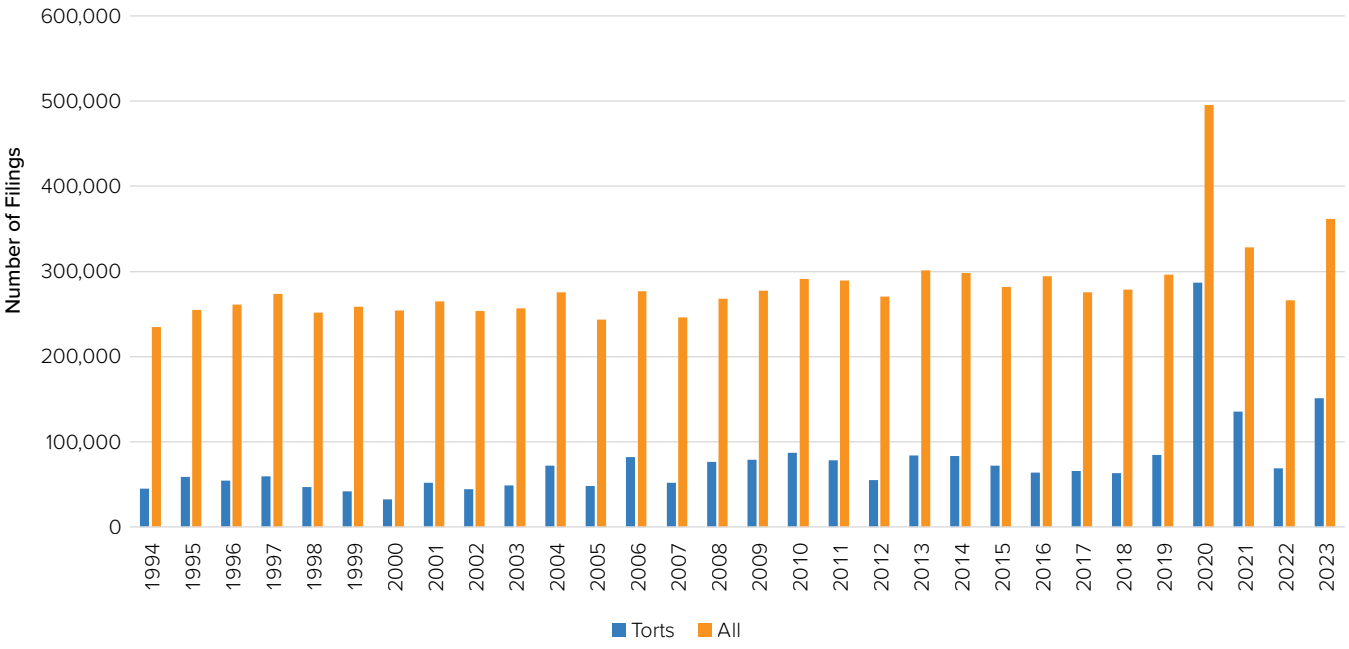
Chart 2: Federal Judicial Court Tort Civil Case Filings, 1994-2023



Source: Federal Judicial Court data – accessed March 2025 Civil cases filed, terminated, and pending from SY 1988 to present | Federal Judicial Center

From 1994 to 2019, the total number of civil case filings increased slightly at a CAGR of 0.9%. In 2020, that number increased by 67.0% year-over-year (Chart 3).

Chart 3: Number of Federal Judicial Court Civil Case Filings by Filed Year, 1994-2023



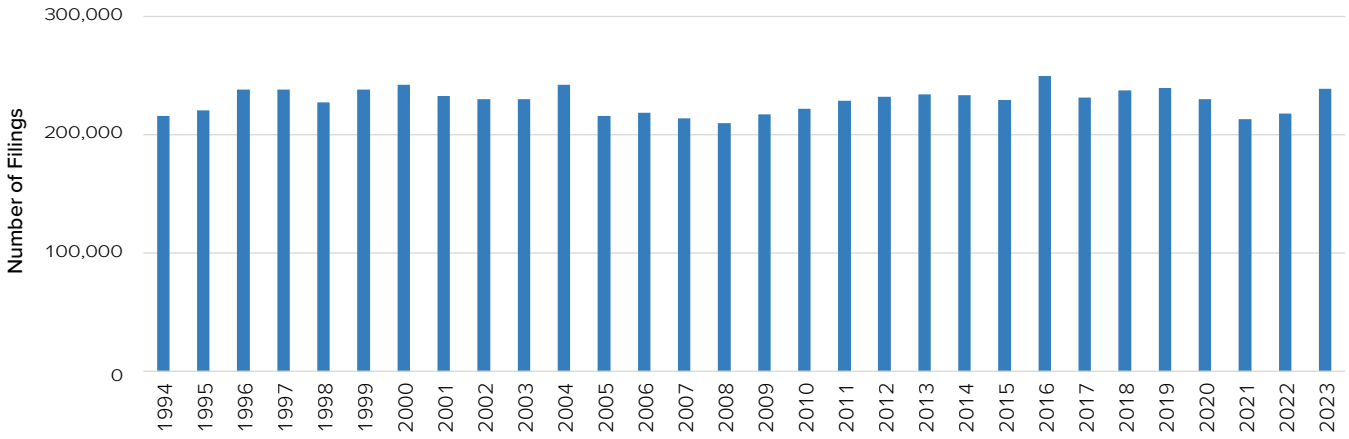
Source: Federal Judicial Court data – accessed March 2025 Civil cases filed, terminated, and pending from SY 1988 to present | Federal Judicial Center

The recent trend in all civil cases is distorted by significant litigation around product liability. As highlighted by the Supreme Court's *2023 Year-End Report on the Federal Judiciary*[6], earplug product liability and multi-district litigation (MDL) cases represented 25.8% of civil cases from fiscal year 2020 through fiscal year 2023. The explanation and growth of MDL cases during this study

6. Chief Justice John G. Roberts, Jr., "2023 Year-End Report on the Federal Judiciary," Supreme Court of the United States, 2023.

period have been reported on extensively including by Triple-I[7]. Because Federal Judicial Court does not provide an indicator of specific product liability types to this level of distinction, the influx in 2020 and the variance of cases year-over-year can be mitigated by excluding MDL and product liability civil cases. Removing these cases establishes a stabilized average of 229,000 a year from 1994 to 2023 with a relative standard deviation of only 4.4 (Chart 4).

Chart 4: Number of Federal Judicial Court Civil Case Filings Excluding Multi-district Litigation and Product Liability, 1994-2023

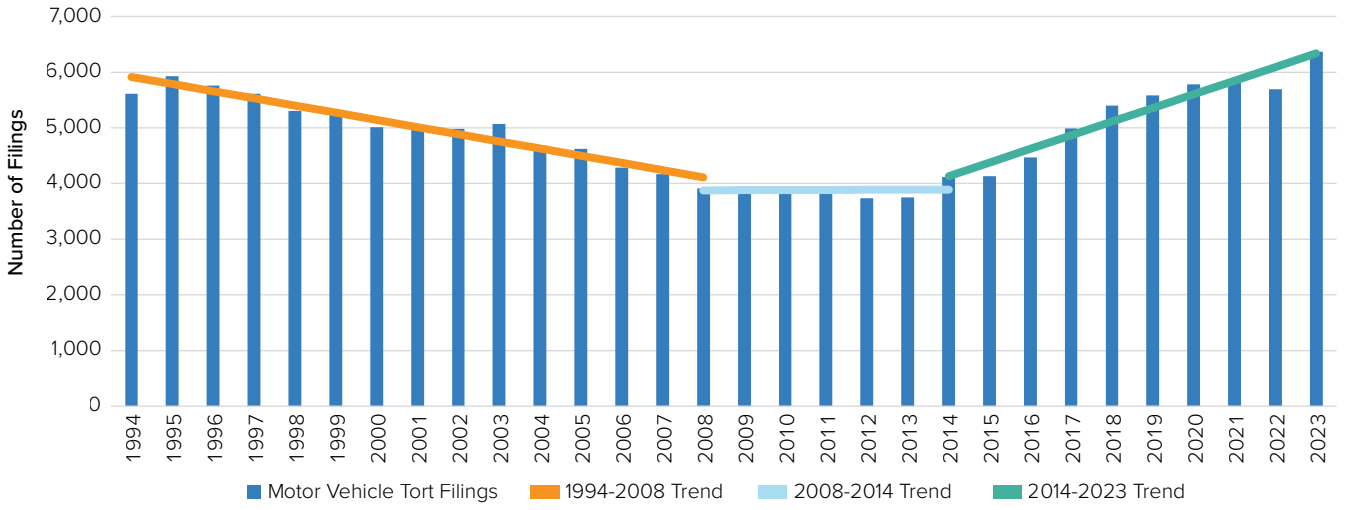


Source: Federal Judicial Court data – accessed March 2025 Civil cases filed, terminated, and pending from SY 1988 to present | Federal Judicial Center

Due to this extreme and abnormal variability, our report excludes MDL and product liability cases when assessing motor vehicle tort civil cases against total civil cases (see Appendix A).

Though motor vehicle civil cases declined at a CAGR of 2.6% from 1994 to 2008 and remained relatively flat from 2008 to 2014 at 0.1%, they later increased at 4.9% from 2014 to 2023. For purposes of determining the impact of this increase in 2014 to 2023 we use the time period from 2008 to 2014 as a steady state which has a flat trend (0.1%) in the volume of cases (Chart 5).

Chart 5: Number of Federal Judicial Court Motor Vehicle Tort Civil Case Filings by Filed Year, 1994-2023



Source: Federal Judicial Court data – accessed March 2025 Civil cases filed, terminated, and pending from SY 1988 to present | Federal Judicial Center

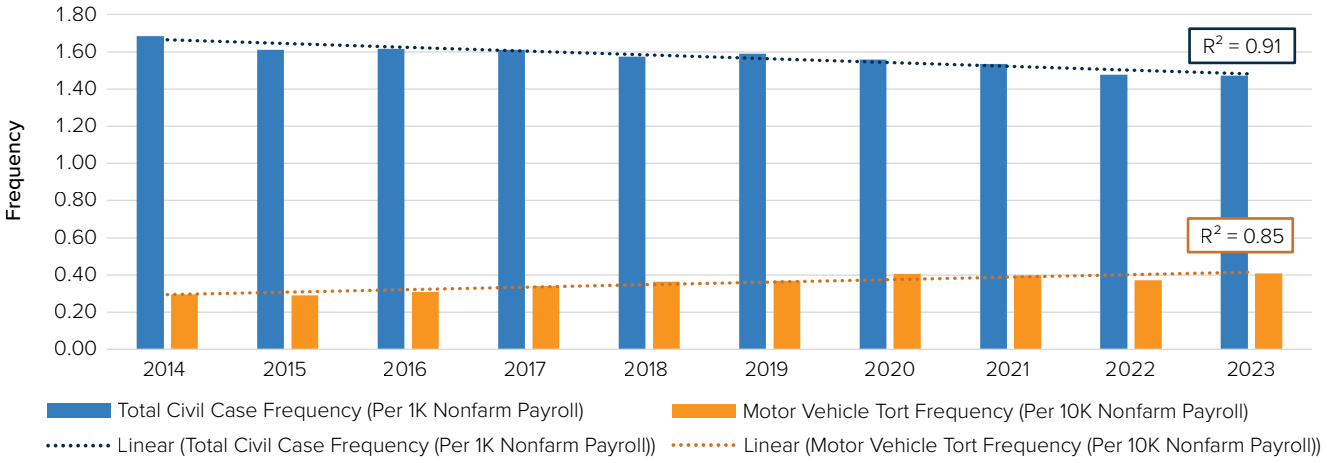
To calculate a measure of litigation frequency, we adjusted the number of cases for the size of the economy. Based on Total Nonfarm Payroll[8] employee counts, frequency for total civil cases declined at a CAGR of -1.5% from 2014 to 2023, whereas motor

7. Triple-I Issues Brief press release, "Legal System Abuse and Attorney Advertising for Mass Litigation: State of the Risk"

8. All Employees, Total Nonfarm (PAYNSA) | FRED | St. Louis Fed

vehicle tort cases increased at 3.6%. Note the strong correlation of -0.79 between total civil cases and motor vehicle tort cases during this period (Chart 6).

Chart 6: Frequency of FJC Total Filings (Per 1K Total Nonfarm Payroll) vs. Frequency of Motor Vehicle Tort Filings (Per 10K Nonfarm Payroll). 2014-2023

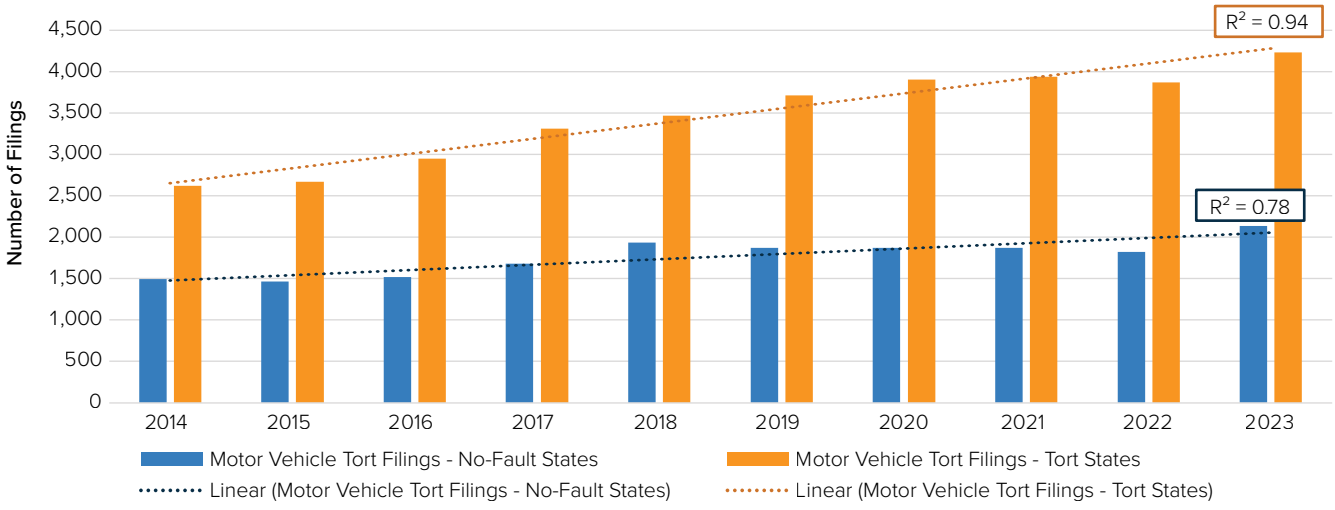


Source: Federal Judicial Court data – accessed March 2025 Civil cases filed, terminated, and pending from SY 1988 to present | Federal Judicial Center. Federal Reserve, All Employees, Total Nonfarm Payroll, Not Seasonally Adjusted - accessed June 2025, All Employees, Total Nonfarm (PAYNSA) | FRED | St. Louis Fed

Given the applicability of no-fault laws to motor vehicle tort civil cases, we also reviewed FJC filings between no-fault states and tort states. As noted in Appendix A, all 50 states and the District of Columbia, as indicated by the district of the FJC filing, are included in this study. No-fault auto insurance laws require every driver to file a claim with their own insurance company after an accident, regardless of fault. In its strictest form, the term "no-fault" applies only to state laws that both provide for the payment of no-fault first-party benefits and restrict the right to sue – the so-called "limited tort" option. The no-fault system aims to lower the cost of auto insurance by taking small claims out of the courts. A list of laws enacted by state is provided by the Triple-I website[9].

Twelve states maintain active no-fault laws as of 2025. From 2014 to 2023, the number of motor vehicle Filings increased at a CAGR of 4.1% for no-fault states and at 5.5% for tort states (Chart 7).

Chart 7: Number of FJC Motor Vehicle Tort Civil Case Filings by Filed Year, 2014-2023

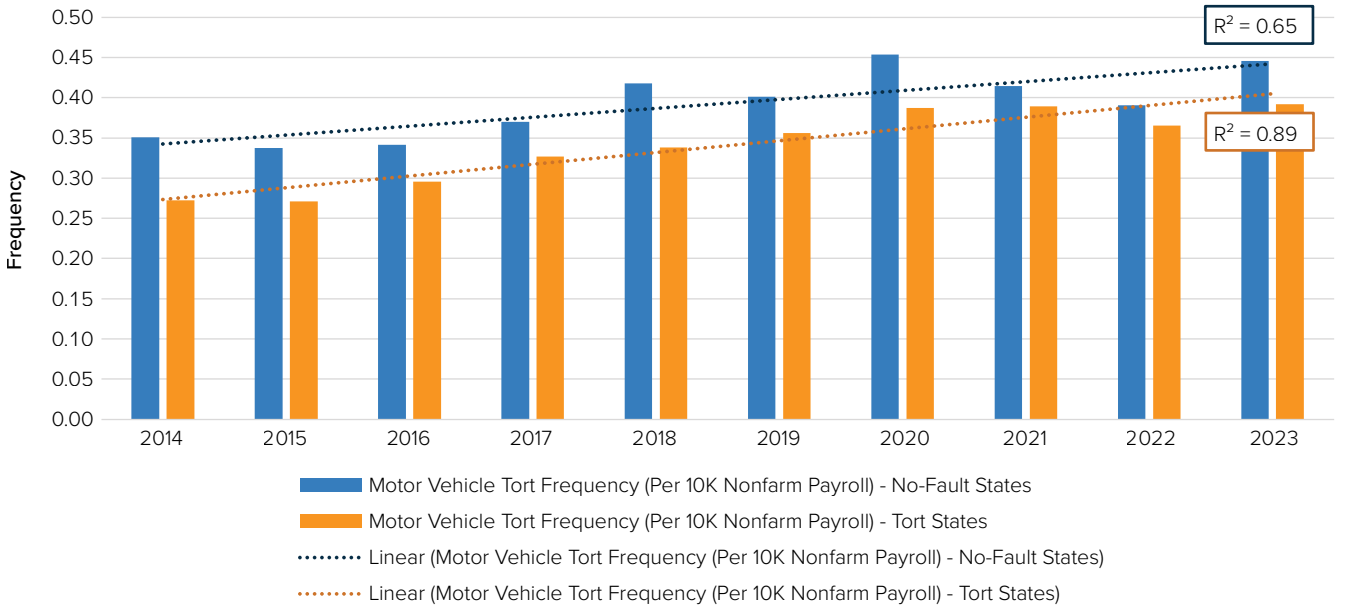


Source: Federal Judicial Court data – accessed March 2025 Civil cases filed, terminated, and pending from SY 1988 to present | Federal Judicial Center.
Triple-I no-fault auto insurance Background on: No-fault auto insurance | III

9. "Background on: No-fault auto insurance," Insurance Information Institute, November 2018.

Similarly, the frequency of motor vehicle tort filings for no-fault states using the total nonfarm payroll aggregate of those states also increased at a lower CAGR of 2.7% from 2014 to 2023, compared to the CAGR of 4.1% for tort states (Chart 8).

Chart 8: Frequency of FJC Motor Vehicle Tort Filings (Per 10K Total Nonfarm Payroll), 2014-2023

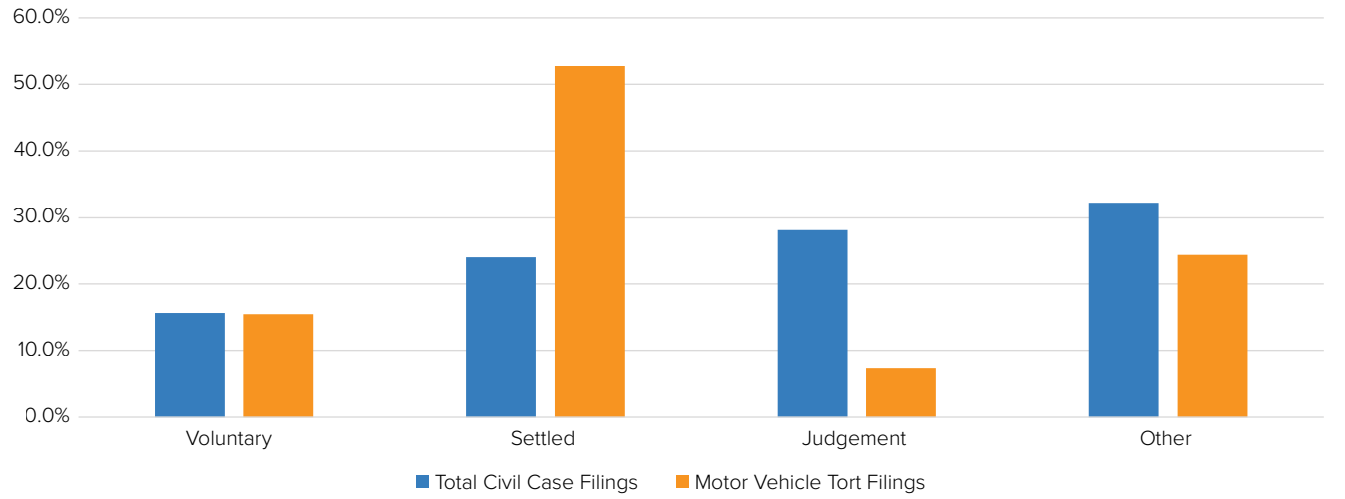


Source: Federal Judicial Court data – accessed March 2025 Civil cases filed, terminated, and pending from SY 1988 to present | Federal Judicial Center.
Federal Reserve, All Employees, Total Nonfarm Payroll, Not Seasonally Adjusted - accessed June 2025, All Employees, Total Nonfarm (PAYNSA) | FRED | St. Louis Fed.
Triple-I no-fault auto insurance Background on: No-fault auto insurance | III

Disposition

Civil case filings may be disposed voluntarily, by judgement, by settlement out of court, or due to case deficiencies or pursuit of criminal conviction. From 2014 to 2023, the distribution of dispositions by settlement for motor vehicle tort cases was 52.8% – more than double that for total civil cases, which was 24.0%. In contrast, the distribution of dispositions by judgement was only 7.4% for motor vehicle tort cases compared to 28.2% for total civil cases overall (Chart 9).

Chart 9: Distribution of FJC Civil Cases by Disposition Type, 2014-2023

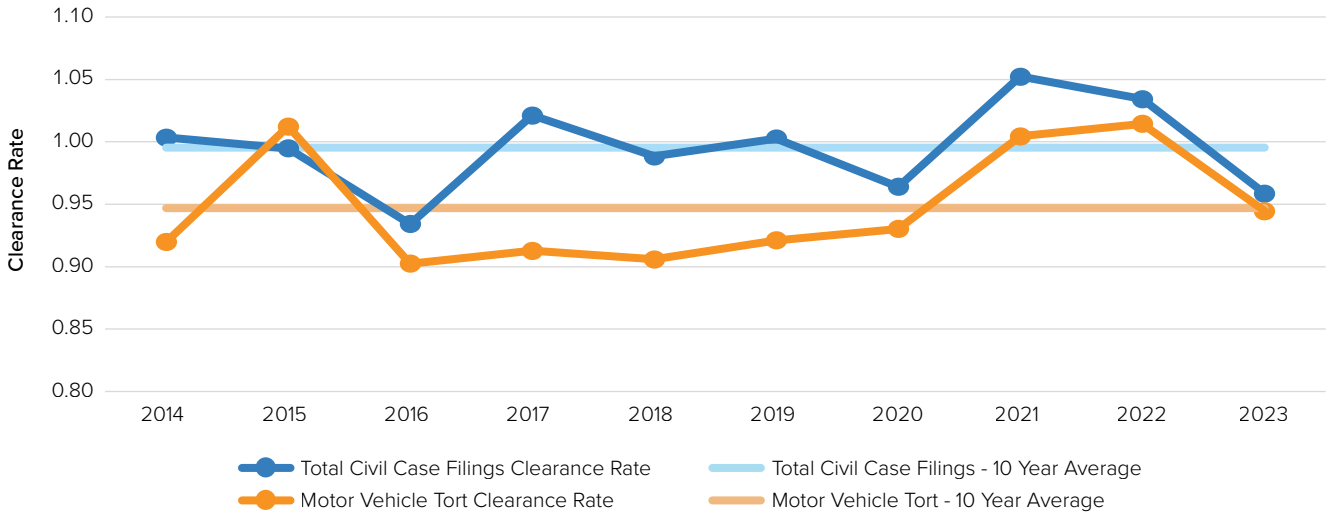


Source: Federal Judicial Court data – accessed March 2025 Civil cases filed, terminated, and pending from SY 1988 to present | Federal Judicial Center

The combined 10-year average distribution of settlements and judgements for motor vehicle tort cases from 2014 to 2023 is 60.2%. Segmenting FJC data between no-fault states and tort states results in 61.5% of motor vehicle tort dispositions by settlement or judgement for no-fault states and 59.5% for tort states. Using the rate of settlements and judgements per filing instead of rate per disposition as the basis, this is 59.5% for no-fault states and 55.7% for tort states.

According to the 2022 report *COVID-19 and the U.S. District Courts: An Empirical Investigation,*[10] clearance rates – the number of cases disposed divided by the number of cases filed in each twelve-month period – fluctuated during the COVID-19 pandemic and post-pandemic years. However, with the exception of 2015, the clearance rate for motor vehicle tort cases was lower than that for total civil cases each year from 2014 to 2023, at a 10-year average of 1.00 versus 0.95, respectively (Chart 10).

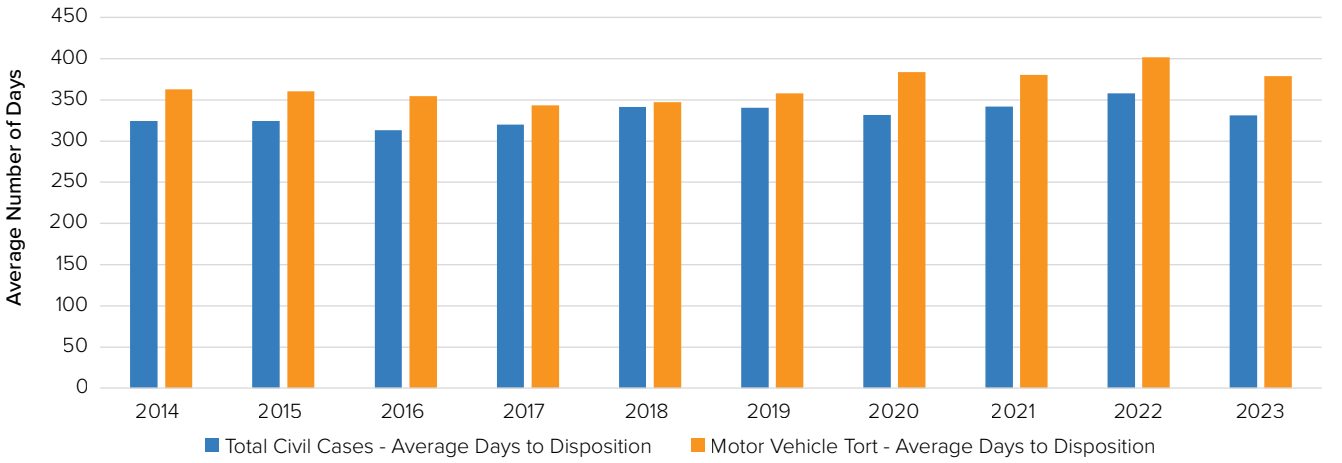
Chart 10: FJC Clearance Rate by Year, 2014-2023



Source: Federal Judicial Court data – accessed March 2025 Civil cases filed, terminated, and pending from SY 1988 to present | Federal Judicial Center

This slight but consistent backlog in cases for motor vehicle tort is also demonstrated in the time between filing and disposition per case. On average, motor vehicle tort civil cases require slightly more than one additional month, or 36 days, to be cleared compared to total civil cases from 2014 to 2023 (Chart 11).

Chart 11: Average Number of Days to Disposition - FJC Total Civil Cases vs. Motor Vehicle Tort, 2014-2023



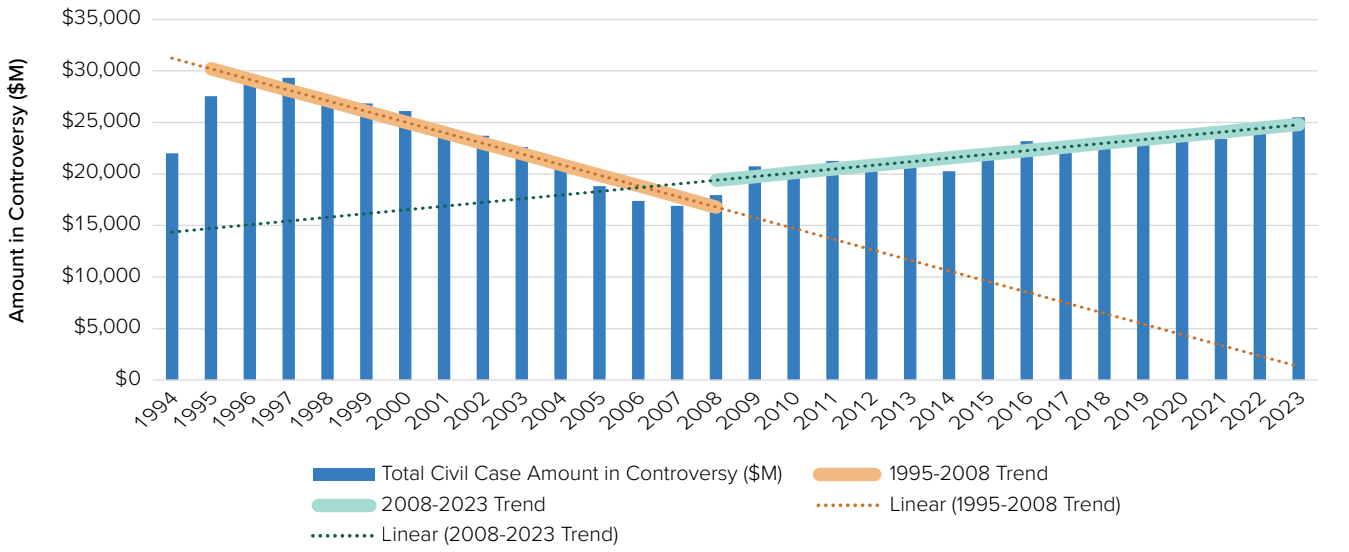
Source: Federal Judicial Court data – accessed March 2025 Civil cases filed, terminated, and pending from SY 1988 to present | Federal Judicial Center

10. Roy Germano, Timothy Lau and Kristin Garri, "COVID-19 and the U.S. District Courts: An Empirical Investigation," Federal Judicial Center, October 2022.

Amount in Controversy

In simple terms, the amount in controversy denotes the amount at stake in a case. Compared to other elements of FJC data, the amount in controversy is the most error-prone, as discussed in the Michigan Law paper noted earlier in this report. Their methodology for analyzing this trend involved using non-zero and non-'9999' coded amounts in controversy for both demand and award. Applying this methodology, our report uses the term "amount in controversy" to refer to both the plaintiff's demanded claim and/or the amount awarded for those cases with a disposition of judgement in which the judge or jury ruled in favor of the plaintiff (see Appendix A). We found that the amount in controversy declined at a CAGR of 3.2% from 1995 to the 2008 financial crisis. Since 2008, this trend has reversed, increasing through 2023 at a CAGR of 2.4% (Chart 12).

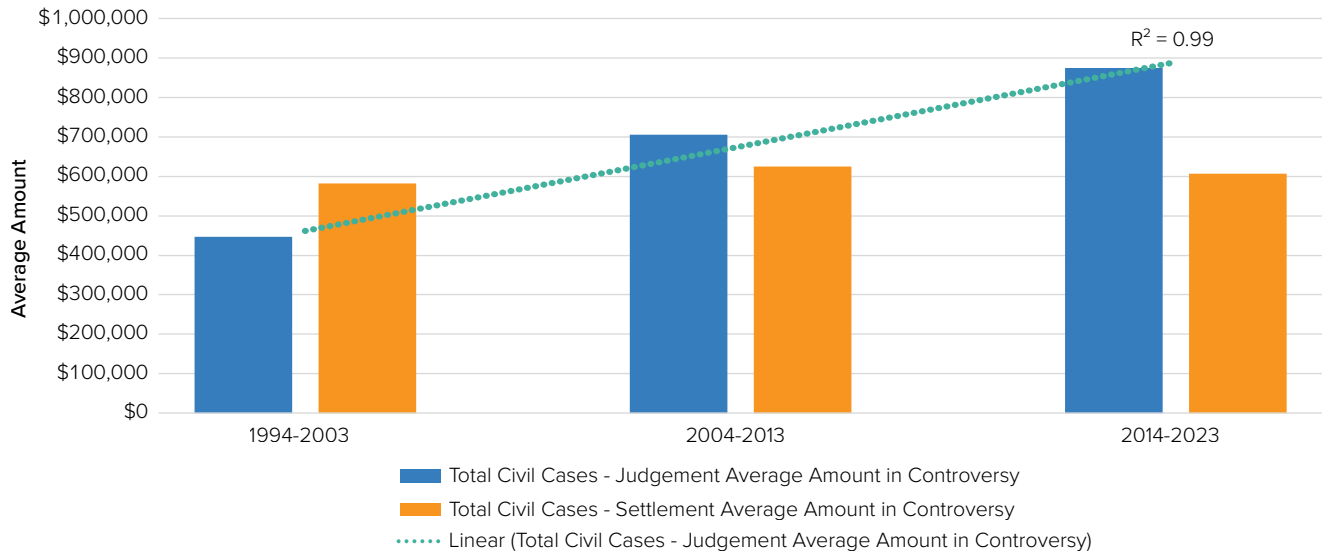
Chart 12: FJC Total Civil Cases - Total Amount in Controversy, 1994-2023



Source: Federal Judicial Court data – accessed March 2025 Civil cases filed, terminated, and pending from SY 1988 to present | Federal Judicial Center

The average amount in controversy for total civil cases involving a disposition of Judgment increased 57.8% between the 1994-2003 and 2004-2013 decades – or from $447,000 to $705,000. This average rose an additional 24.0% during the 2014 to 2023 decade to $875,000. For a disposition of settlement, the average amount in controversy remained relatively flat in comparison at 4.2% during the entire period from 1994 to 2023 (Chart 13).

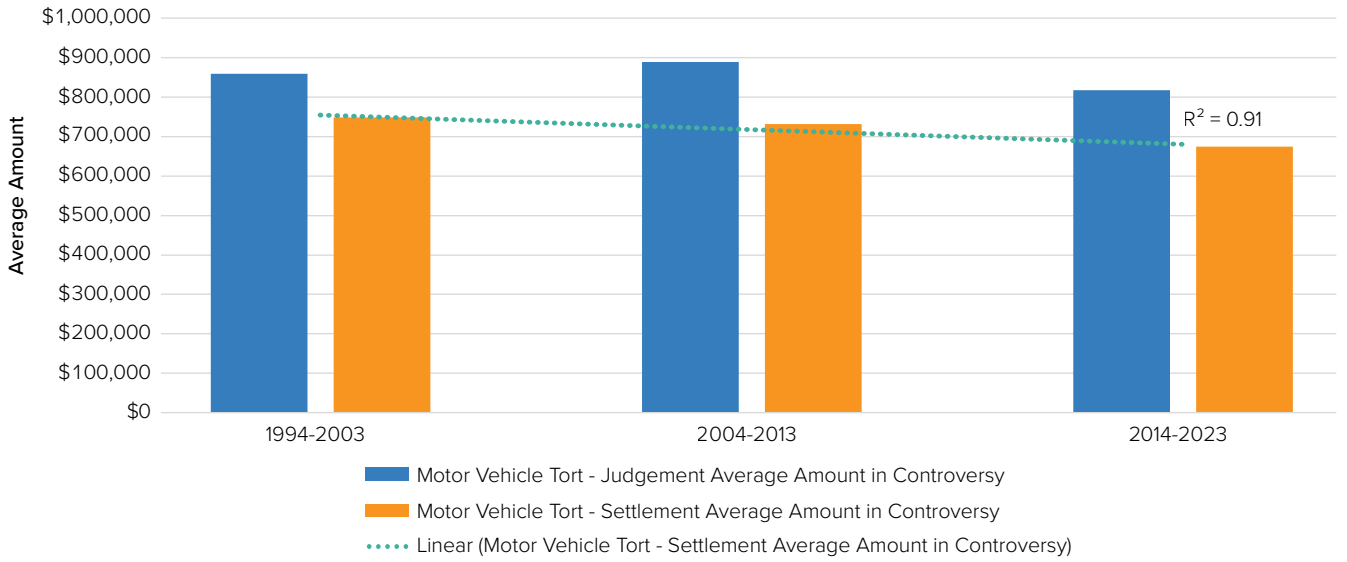
Chart 13: FJC Total Civil Cases - Judgement vs. Settlement Average Amount in Controversy



Source: Federal Judicial Court data – accessed March 2025 Civil cases filed, terminated, and pending from SY 1988 to present | Federal Judicial Center

Focusing on motor vehicle tort civil cases, the average amount in controversy for dispositions of judgement fluctuated around $850,000 across the three decades. For dispositions of settlement, the average amount in controversy decreased -2.3% from the 1994-2003 to 2004-2013 decades and fell an additional -7.8% during the 2014-2023 period (Chart 14).

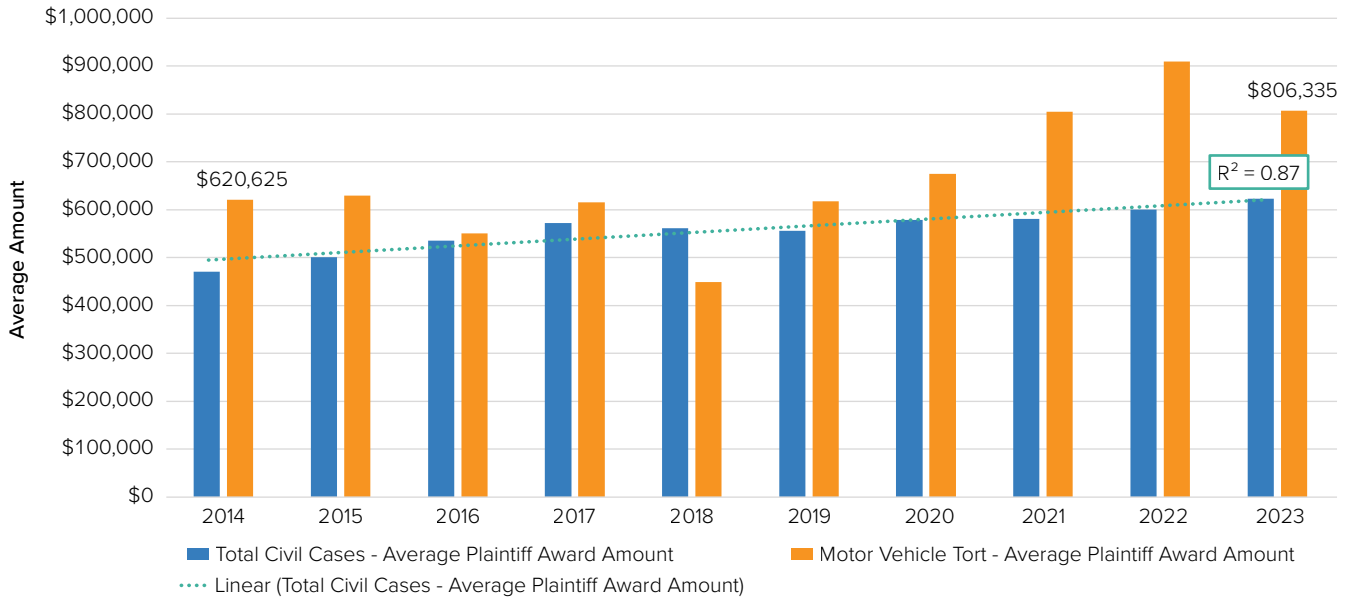
Chart 14: FJC Motor Vehicle Tort - Judgement vs. Settlement Average Amount in Controversy



Source: Federal Judicial Court data – accessed March 2025 Civil cases filed, terminated, and pending from SY 1988 to present | Federal Judicial Center

Isolating civil cases in favor of the plaintiff and using a three-year smoothing method to remove year-over-year fluctuation, the average amount awarded for total civil cases increases from $470,000 in 2014 to $623,000 in 2023, at a CAGR of 3.2%. During this period, motor vehicle tort cases received a higher award every year (excluding 2018) (Chart 15).

Chart 15: FJC Judgement in Favor of Plaintiff - Average Amount Awarded, 2014-2023



Source: Federal Judicial Court data – accessed March 2025 Civil cases filed, terminated, and pending from SY 1988 to present | Federal Judicial Center

From 2014 to 2023, the 10-year average amount in controversy for motor vehicle tort settlements and judgements in favor of the plaintiff was $674,000. Analyzing this finding against no-fault state regulations reveals an average amount of $725,000 for no-fault states, which is 11.5% higher than the $650,000 average for tort states.

The Value of Federal Judicial Court Motor Vehicle Tort

From 2014 to 2023, the total number of motor vehicle tort cases filed in the FJC was 17,666 for states with no-fault laws and 34,667 for tort states. Applying the disposition rate of settlement and judgements to these volumes and then multiplying by the average amount in controversy and the excess percentage of filings above the previous established flat trend in the years prior results in an excess value of $984.6 million (Chart 16).

Chart 16

		No-fault states	Tort states	Combined
[1]	Federal Judicial Court motor vehicle tort filings	17,666	34,667	**52,333**
[2]	Disposition rate of settlements and judgements	59.5%	55.7%	
[3]	Average amount in controversy	$725,000	$650,000	
[4]	Excess percentage of filings above trend	4.0%	5.4%	
[5]	Total excess value	$305,808,000	$678,775,000	**$984,583,000**

[1] = All motor vehicle tort Federal Judicial Court filings, 2014 to 2023

[2] = Federal Judicial Court motor vehicle tort dispositions resulting in settlement or judgement / all Federal Judicial Court motor vehicle tort filings, 2014 to 2023

[3] = Average amount in controversy across the demanded amount for dispositions resulting in settlements and the awarded amount for dispositions resulting in judgement in favor of the plaintiff for Federal Judicial Court motor vehicle tort dispositions, 2024 to 2023

[4] = The CAGR of Federal Judicial Court motor vehicle tort filings from 2014 to 2023 over the prior period

[5] = [1] x [2] x [3] x [4]

State Courts

Data

Because states maintain different definitions and criteria for data collection, most state civil case data is either unavailable or incomplete. Some states have technology or resource limitations while tort states, such as Illinois, are not subject to the Freedom of Information Act[11]. According to a 2020 article by the Pew Charitable Trust,[12] the collection, breadth, and quality of civil court data are widely inconsistent across jurisdictions and generally not accessible by courts, researchers, policymakers, and others who need it to understand court problems and identify effective solutions. Nevertheless, this study applies FJC analysis results to available state civil case data to determine an aggregate estimate of the value of motor vehicle tort civil cases, with the goal of estimating a total excess value across all state filings. Given the data integrity issues of aggregating civil case data across states – some of which lack any publicly available civil case data – this study's results should be regarded with caution.

The National Center for State Courts[13] aggregates available state civil cases and provides data publicly to help drive innovation and progress in the justice system. However, this data is limited in scope across all states compared to FJC data. To supplement, we conducted research to gather civil case data across states from 2014 to 2023. Though we found data for civil cases involving

11. "General Provisions (5 ILCS 140) Freedom of Information" - Illinois General Assembly

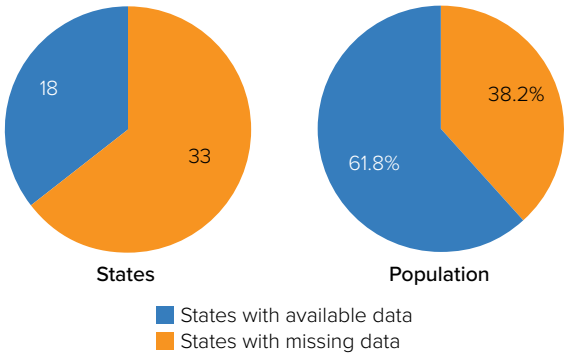
12. "How to Make Civil Courts More Open, Effective, and Equitable," The Pew Charitable Trusts, September 2023.

13. "Resources for courts," National Center for State Courts (NCSC).

motor vehicle tort for only 18 states, such states represented 61.8% of the U.S. population in 2023 and 61.1% of total nonfarm payroll the same year. Appendix A provides an explanation of the methodology used to assess which state civil cases were included. Appendix B provides a summary of pertinent source information by state (Chart 17).

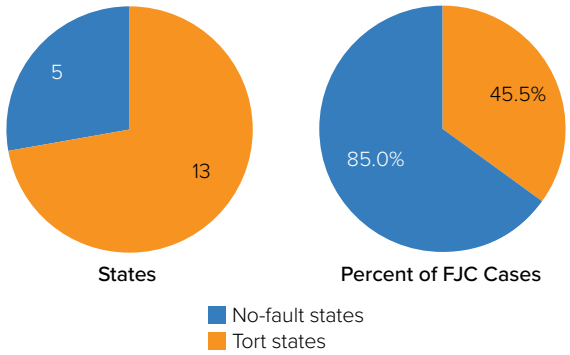
Of the 12 no-fault states, five are represented in our state civil case data. These five comprise 85.0% of FJC motor vehicle tort cases, while the remaining 13 states for which we found data comprise 45.5%. Combined, the 18 states comprised 59.0% of FJC motor vehicle tort cases from 2014 to 2023 (Chart 18).

Chart 17: Number of States with Available Motor Vehicle Tort Filing and Disposition Data vs. Percentage of U.S. Population



Source: Federal Judicial Court data – accessed March 2025 Civil cases filed, terminated, and pending from SY 1988 to present | Federal Judicial Center. Federal Reserve, U.S. population, not seasonally adjusted Population (B230RC0A052NBEA) | FRED | St. Louis Fed. State civil case data sources, Appendix B.

Chart 18: Number of States with Available Data by No-fault Status vs. Percentage of Federal Judicial Court Motor Vehicle Tort Cases, 2014-2023

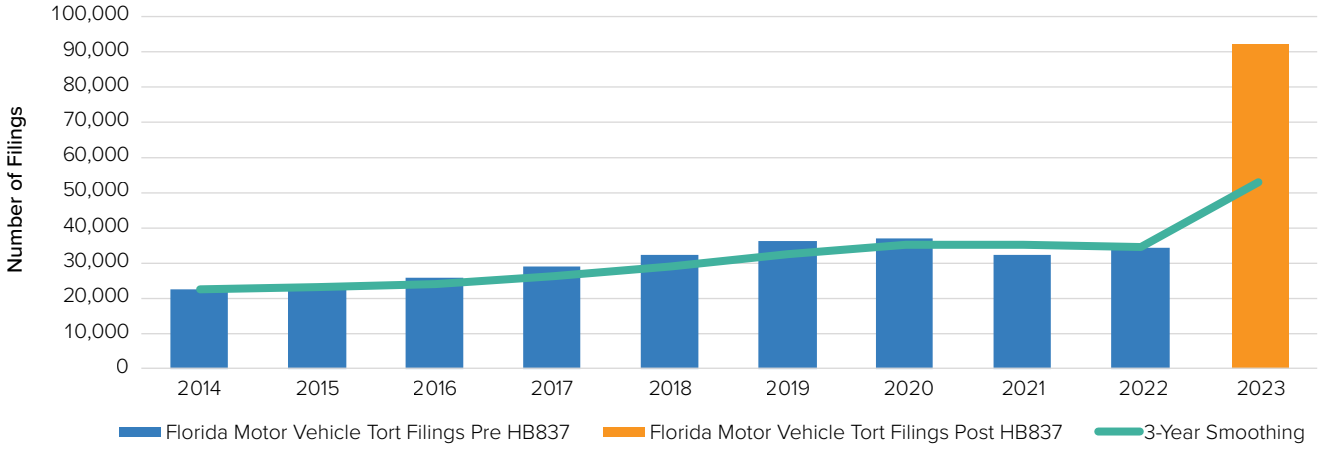


Source: Federal Judicial Court data – accessed March 2025 Civil cases filed, terminated, and pending from SY 1988 to present | Federal Judicial Center. State civil case filing sources (Appendix B) - accessed March 2025

Prior to extrapolation, we applied a three-year smoothing method for known motor vehicle tort state filing volumes each year to remove year to year fluctuation pre-extrapolation. The smoothing method was particularly important for Florida.

Florida legislature passed and immediately implemented HB 837[14] titled *Civil Remedies* in March 2023. HB 837 was intended to address lodestar fees, attorney fees, statute of limitations for negligence, claims in excess of policy limits, and other civil case matters. Prior to the passage of HB 837, the volume of motor vehicle tort civil case filings in Florida steadily increased from 23,000 in 2014 to a high of 37,000 in 2019 and then down to 34,000 in 2022. The volume immediately increased in 2023 to 92,000 filings of which 72,000 were filed in March just before passage (Chart 19).

Chart 19: Florida Motor Vehicle Tort filings, 2014-2023



Source: Florida Circuit Court data – accessed March 2025 Trial Courts - Circuit – Florida Courts

14. House Bill 837 (2023) - The Florida Senate

Extrapolation of Motor Vehicle Tort Civil Case Filings

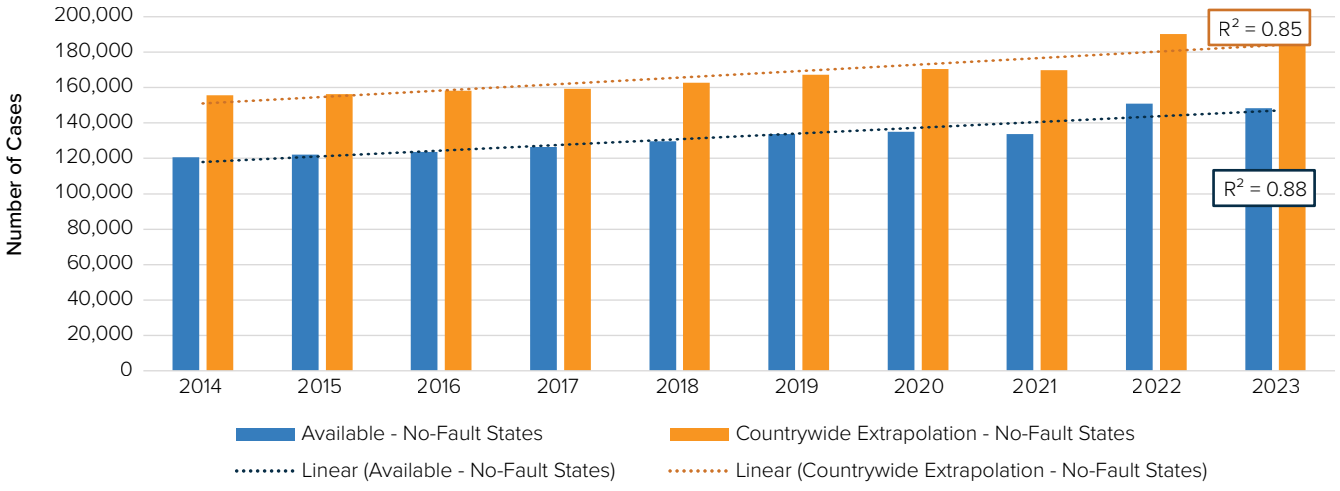
To develop a calculation for state filing volumes that included states without publicly known civil case data, we extrapolated the ratio:

known Federal Judicial Court volumes for states with known data / known state volumes

for both no-fault states combined and for tort states combined. The FJC volumes for no-fault states with no available data were then multiplied by the no-fault ratio, and similarly for the tort states.

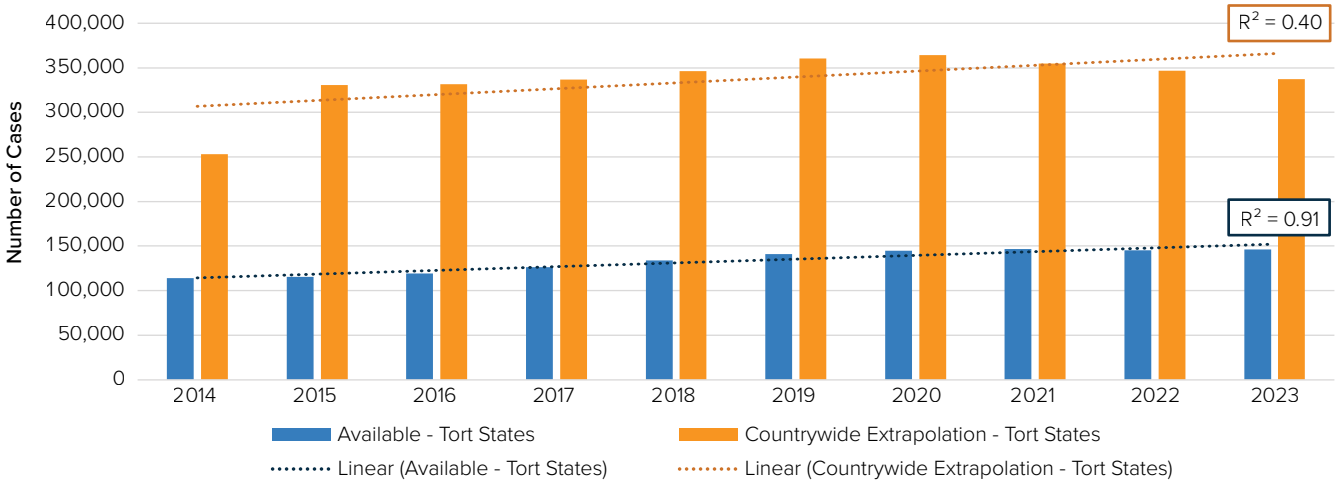
From 2014 to 2023, motor vehicle tort state cases increased at a CAGR of 2.6%. After applying our extrapolation method, this number remained at 2.8%. For no-fault states, motor vehicle tort state cases from 2014 to 2023 increased at a CAGR of 2.3%, which lowered slightly to 2.1% after extrapolation. For tort states, the CAGR increased slightly from 2.8% to 3.1% after extrapolation (Chart 20 and Chart 21).

Chart 20: Motor Vehicle Tort Across all No-Fault States, 2014-2023



Source: Federal Judicial Court data – accessed March 2025 Civil cases filed, terminated, and pending from SY 1988 to present | Federal Judicial Center.
State civil case filing sources (Appendix B) - accessed March 2025

Chart 21: Motor Vehicle Tort Across all Tort States, 2014-2023



Source: Federal Judicial Court data – accessed March 2025 Civil cases filed, terminated, and pending from SY 1988 to present | Federal Judicial Center.
State civil case filing sources (Appendix B) - accessed March 2025

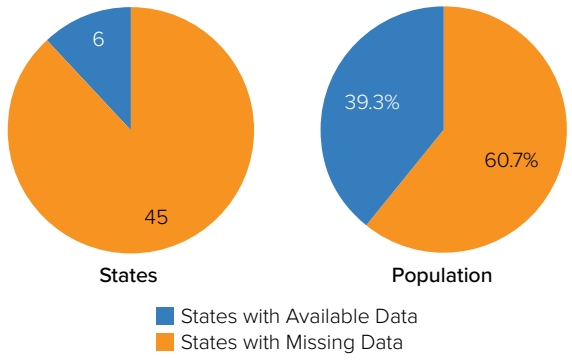
Based on this methodology, the total estimated number of motor vehicle tort state cases from 2014 to 2023 is 5.04 million, with 1.56 million from no-fault states and 3.48 million from tort states.

Extrapolation of Motor Vehicle Tort Civil Case Dispositions

We found only six states providing public data for motor vehicle tort civil cases with a count of cases resulting in settlement or judgement from 2014 to 2023: California, Texas, Florida, New York, North Carolina, and New Jersey. In aggregate, these states represent 39.3% of the population in 2023 and 38.9% of total nonfarm payroll in 2023. These states also represent 34.4% of FJC motor vehicle tort filings from 2014 to 2023, including 56.9% of no-fault states and 22.7% of tort states (Chart 22).

The average disposition rate of settlements and judgements of motor vehicle tort state civil cases for these six states is 42.1%, with no-fault states at a rate of 36.3% and tort states at a higher rate of 48.3%.

Chart 22: Number of States with Available Motor Vehicle Tort Settlement and Judgement Disposition Data vs. Percentage of U.S. Population



Source: Federal Judicial Court data – accessed March 2025 Civil cases filed, terminated, and pending from SY 1988 to present | Federal Judicial Center. Federal Reserve, U.S. population, not seasonally adjusted Population (B230RC0A052NBEA) | FRED | St. Louis Fed. State civil case data sources, Appendix B.

Amount in Controversy for State Civil Cases

Publicly available data on amount demanded or awarded in motor vehicle tort state civil cases is either incomplete or does not exist. As previously noted, the minimum threshold for the amount in controversy for civil cases to escalate to FJC is $75,000, which Congress established through the Federal Courts Improvement Act of 1996[15] to reduce the number of civil cases filed at the federal level. Each state court system, however, applies its own minimum threshold for courts above small claims courts. Mississippi maintains the lowest at $3,500 and Washington has the highest at $75,000. Twenty-seven states have a minimum at or above $20,000, while the minimums of the remaining 24 states and the District of Columbia fall below $20,000. Eliminating any outliers, these amounts are far less than the actual average amounts demanded by settlement cases or awarded to plaintiffs.

Per Federal Rules of Civil Procedure,[16] the specified state of an FJC civil case filing is held in the same general jurisdiction as state civil cases. Given a lack of data surrounding demand and award amounts of motor vehicle tort state civil cases – as well as the likely jurisdiction overlap between cases tried within the FJC and at state level – this report applies the calculation for average amount in controversy across states at the FJC level to motor vehicle tort cases at the state level.

To mitigate potential errors, we included only filings for explicitly identified settlements in the disposition rate to account for those motor vehicle tort state civil cases that required additional deliberation to reach settlement. Our methodology contrasts from prior studies like the 1992 U.S. Department of Justice report on state courts[17], which included unknown settlement volumes listed as "voluntary dismissal," meaning agreements reached among parties in early stages post-filing (because such agreements are assumed to be for much lower amounts). Additional efforts to mitigate the unknown average amount in controversy at the state level are noted in Appendix A.

15. "H.R.3968 - Federal Courts Improvement Act of 1996," U.S. Congress, 1996.

16. "Federal Rules of Civil Procedure," United States Courts, December 2022.

17. "Tort Cases in Large Counties," the U.S. Department of Justice Office of Justice Programs.

The Value of State Motor Vehicle Tort

To determine the excess value of motor vehicle tort in aggregate across all states, we applied the same algorithm used to determine the excess value of FJC motor vehicle tort. The excess value of motor vehicle tort cases across all states is estimated at $41.8 billion (Chart 23).

Chart 23

		No-fault states	Tort states	Combined
[1]	State aggregate motor vehicle tort filings	1,558,326	3,477,435	**5,035,760**
[2]	Disposition rate of settlements and judgements	36.3%	48.3%	
[3]	Average amount in controversy	$725,000	$650,000	
[4]	Excess percentage of filings above trend	2.0%	3.1%	
[5]	Total excess value	$8,237,346,000	$33,553,574,000	**$41,790,920,000**

[1] = Countrywide aggregate of motor vehicle tort state civil case filings, 2014 to 2023

[2] = Countrywide aggregate of motor vehicle tort state civil case dispositions resulting in settlement or judgement / countrywide aggregate of all motor vehicle tort state civil case filings, 2014 to 2023

[3] = Average amount in controversy across the demanded amount for dispositions resulting in settlements and the awarded amount for dispositions resulting in judgement in favor of the plaintiff for Federal Judicial Court motor vehicle tort dispositions, 2024 to 2023

[4] = The CAGR of countrywide aggregate motor vehicle tort state civil case filings from 2014 to 2023

[5] = [1] x [2] x [3] x [4]

Conclusion

The results of this analysis present an excess value of $42.8 billion in motor vehicle tort civil cases across the FJC and state civil courts from 2014 to 2023. This estimate aligns with the increasing inflation quantification by Triple-I and the Casualty Actuarial Society in their joint report *Increasing Inflation on Auto Liability Insurance Impact as of Year-end 2023*[18] of $118.9 billion for 2014 to 2023, which represents both social inflation – closely related to legal system abuse – and economic inflation. Though many factors facilitate legal system abuse, Triple-I has reported[19] extensively on the excessive or fraudulent tactics used in auto claims litigation that keep upward pressure on auto insurance costs.

Given the lack of uniformity and availability of civil case data across states – especially with regards to the amount in controversy – these results should be regarded with caution. Whereas this report aims to assess the average excess across all verdicts, previous research[20] into nuclear verdicts – or those of $10 million or more – found that the mean size of nuclear verdicts for auto accidents between 2013 and 2022 was $46.4 million. Also of note is their finding that juries in state courts, rather than federal courts, produced most of these verdicts. Conversely, the averages in this report are largely based on federal data due to the absence of public state civil case data.

The overwhelming conclusion of this research emphasizes the need for complete, publicly available data on civil cases for every state to promote the same data integrity as that found in FJC data. Such data is essential to identifying and understanding national civil case trends, particularly as they relate to U.S. civil case legal system abuse.

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18. Jim Lynch, Dave Moore, William Nibbelin, and Dale Porfilio, "Increasing Inflation on Auto Liability Insurance – Impact as of Year-end 2023," Insurance Information Institute, 2024.

19. "Stop Legal System Abuse," Insurance Information Institute.

20. "Nuclear Verdicts: An Update on Trends, Causes, and Solutions," U.S. Chamber of Commerce Institute for Legal Reform (ILR), May 2024.

Appendix A – Methodology and Glossary of Terms

Methodology

The methodology of our analysis focuses on the years 2014 to 2023 for the following reasons:

1. To avoid data limitations, as many states lack published 2024 data;
2. To avoid potential extended clearance rates and delays in disposition timing of new filings in 2024, which would delay or minimize actual volumes and therefore impact 2024 disposition rates; and
3. To compare results with the Triple-I and CAS joint report on Increasing Inflation conducted across 2014 to 2023.

The results in this report are based on several sources of information. Federal Judicial Court civil case data is sourced from the Federal Judicial Center's tab-delimited Civil Case Cumulative File (including all cases terminated 1988 through March 31, 2025) and Integrated Data Base Civil documentation to identify fields and code mappings. The Nature of Suit field is used to identify motor vehicle tort cases, product liability cases, and all other cases on an aggregate basis. The Disposition field is used to identify settlements, judgements, multi-district litigation, and all other dispositions. The Judgement field is used to identify judgments in favor of the plaintiff. The Monetary Amount Demanded field is used to identify the aggregate value of the amount in controversy, and the Amount Received field is used to identify the aggregate value of the amount rewarded for judgement in favor of plaintiff cases. The Filing Date field is used to identify the year of filing and the Termination Date field is used to identify the year of disposition. The District Field is used to identify the state of jurisdiction for the FJC filing. Only the fifty states and the District of Columbia are used in this analysis. Acquiring more detailed data through Public Access to Court Electronic Records (PACER[1]) on a case-by-case basis is beyond the scope of this project.

The Gross Domestic Product and Total Nonfarm Payroll amounts are sourced from the Federal Reserve Bank of St Louis. Each are the annual average amounts and not seasonally adjusted as accessed.

State civil case data is sourced from state court system databases available online. Standardization of data across states, including for the minimum threshold for demanded amount in controversy and for the name and structure of the court system itself, does not exist. A summary of state court systems, minimum thresholds, and civil case data availability is provided in Appendix B, along with links to judicial court websites[2] by state. Specific data on the number of dispositions settled outside of court or of dispositions judged in favor of the plaintiff with verified dollar amounts is extremely limited and therefore unusable for this analysis. Additionally, we did not find an aggregate value for the amount in controversy for settled cases or for cases judged in favor of the plaintiff in state civil case data, which aligns with a 2001 Maryland Courts report[3] that concluded over half of all states offer little to no electronic access to court records.

Given the dependency of the overall algorithm for excess value on the average amount in controversy, several attempts were made to mitigate the impact or at least better understand the average amount in controversy trends. A credibility weighted method on state-by-state FJC settlement and judgement counts for motor vehicle tort was applied with a commonly accepted actuarial standard of 1,082[4]. The intent being to apply a credibility weighted average amount in controversy by state rather than an aggregate by no-fault or other. Using this standard, no specific state-year combination was fully credible. This method revealed that the states with missing data tended to be states with lower average amounts in controversy and lower credibility. This resulted in a larger average amount in controversy. Each attempt to lower the credibility standard increased the overall average amount in controversy. Subsequently this method was abandoned to help mitigate the excess value overall.

Another method we reviewed to mitigate the average amount in controversy used was a severity trend approach similar to the frequency trend method used in the final outcome. However, the severity trend of motor vehicle tort average amounts

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1. Public Access to Court Electronic Records | PACER: Federal Court Records
2. The term "Auto Negligence" appears in some states to refer to Motor Vehicle Tort cases.
3. Deborah Eisenberg, Chris Rahl, Marcia Reinke, and Warren Weaver, "State and Federal Policies on Electronic Access to Court Records."
4. "An Introduction to Credibility Theory", L.H. Longley-Cook

of insurance, though slightly trending upward across the period of study, did not have a statistically sound coefficient of determination indicating a poor fit across time. An attempt was made to remove specific year outliers, but without sufficient data these outliers could not be explained. Ultimately, this method was abandoned as the result also produced a much larger amount in controversy while adding additional assumptions.

Additional methods to understand the average amount in controversy were discussed but not pursued. One such example was creating a relativity between the minimum threshold for motor vehicle tort claims to be pursued in unlimited civil cases at the state level to the minimum $75,000 requirement of the FJC. This relativity would then be applied to the FJC amounts. This method would have produced an overall lower average amount of controversy, however given the size of these thresholds being substantially lower than the average amounts themselves calculated at the FJC level this method was abandoned with the conclusion there was no applicable linear relationship based on these minimum thresholds. Future research could investigate this relationship further.

Future research on countrywide motor vehicle tort civil cases would benefit tremendously from state specific civil case data either in aggregate with similar fields as the FJC data across years and all segments analyzed or from a statistical sample of cases for each state with the same linear extrapolation methodology only to determine the total cases in each state. A deidentification process to remove any personal identification information would be paramount in such an analysis given state laws on privacy protection. The average amount in controversy applicable in the current algorithm could then be based on the state results rather than FJC.

An alternative approach to acquiring state data through a collection of all or a sample of actual civil cases would be the use of insurance claims data. This would need to be conducted by a non-profit organization in the interest of transparency with insurance carrier participation representing the majority of the personal auto and commercial auto markets. Similar to actual civil case data, a deidentification process to remove any personal identification as well as carrier identification would be paramount in such an analysis.

Glossary of Terms

Amount in Controversy: For this report, the amount in controversy refers to both the plaintiff's demanded claim and/or the amount awarded for those cases with a disposition of judgement in which the judge or jury ruled in favor of the plaintiff. Per the methodology employed in prior research, we use only non-zero and non-'9999' entries to measure the value of the amount in controversy to avoid outliers and potential errors in the data.

Disposition: All civil cases are considered disposed, or terminated, by either settlement, judgement, or other. We separate dispositions by judgement cases between judgement in Favor of plaintiff cases and all remaining Judgement cases.

Disposition Rate: For this report, we calculate disposition rate as the sum of dispositions of settlements and judgements divided by the total volume of civil cases.

Excess Percentage of Filings Above Trend: The excess percentage of filings above trend refers to the compound annual growth rate (CAGR) of filings for the study period over the CAGR of a prior and consistent time period. For motor vehicle tort, the CAGR remained relatively flat from 2008 to 2014 – i.e., the prior time period – whereas the study period ranges from 2014 to 2023.

Excess Value: The excess value is the product of four multiplied variables: the number of filings; the disposition rate of settlements and judgements; the average amount in controversy; and the excess percentage of filings above trend.

Frequency: For this report, we define frequency as the volume of filed civil cases divided by employment using Total Nonfarm Payroll counts (i.e., the number of civil cases filed by the workforce).

Total Civil Cases: Total civil cases refers to all civil case filings other than multi-district litigation (MDL), product liability, and motor vehicle tort cases. We use this definition to isolate and compare motor vehicle tort cases to other civil cases without the extreme year over year variability of multi-district litigation and product liability cases. Note the distinction between this term and "all civil cases," which – unless otherwise noted – does include MDL, product liability, and motor vehicle tort cases.

Appendix B – Summary of Motor Vehicle Tort Civil Case Information by State

State	Court[1]	Amount in Controversy[2]	Availability of Data	No-Fault	Link
Alabama	Circuit	$10,000	No	No	https://judicial.alabama.gov/
Alaska	Superior	$10,000	No	No	https://alaskacourtrecords.us/civil-court-records/find/tort/
Arizona	Superior	$10,000	Yes	No	https://www.azcourts.gov/statistics/Interactive-Data-Dashboards/Superior-Court-Filings-and-Terminations
Arkansas	Circuit	$25,000	Yes	No	https://www.courtstatistics.org/court-statistics/interactive-caseload-data-displays/csp-stat-nav-cards-first-row/csp-stat-overview
California	Supreme	$35,000	Yes	No	https://courts.ca.gov/system/files/file/2025-court-statistics-report.pdf
Colorado	District	$25,000	No	No	https://www.coloradojudicial.gov/court-services/research-and-data
Connecticut	Superior	$25,000	Yes	No	https://www.courtstatistics.org/court-statistics/interactive-caseload-data-displays/csp-stat-nav-cards-first-row/csp-stat-overview
Delaware	Superior	$15,000	No	No	https://courts.delaware.gov/superior/
District of Columbia	Superior	$10,000	No	No	https://code.dccouncil.gov/us/dc/council/code/sections/50-2204.52.html
Florida	Circuit	$50,000	Yes	Yes	https://www.flcourts.gov/Publications-Statistics/Statistics/Trial-Court-Statistical-Reference-Guide
Georgia	Superior	$25,000	Yes	No	https://research.georgiacourts.gov/data-and-statistics/
Hawaii	Circuit	$40,000	No	Yes	https://www.courts.state.hi.us/news_and_reports/reports/reports
Idaho	District	$10,000	No	No	https://icourt.idaho.gov/
Illinois	Circuit	$50,000	No	No	https://www.illinoiscourts.gov/public/
Indiana	Circuit	$10,000	No	No	https://www.in.gov/courts/help/trial-statistics/
Iowa	District	$10,000	Yes	No	https://www.courtstatistics.org/court-statistics/interactive-caseload-data-displays/csp-stat-nav-cards-first-row/csp-stat-overview
Kansas	District	$25,000	No	Yes	https://kscourts.gov/Cases-Decisions/Case-Statistics
Kentucky	Circuit	$5,000	No	Yes	https://www.kycourts.gov/AOC/Information-and-Technology/Analytics/Pages/Caseload-Yearly-by-Category.aspx
Louisiana	District	$35,000	No	No	https://www.louisiana.gov/government/judicial-branch/
Maine	District	$5,000	No	No	https://www.courts.maine.gov/about/reports-data.html
Maryland	Circuit	$30,000	Yes	No	https://www.mdcourts.gov/publications/annualreports
Massachusetts	District	$50,000	No	Yes	https://www.mass.gov/orgs/district-court
Michigan	Circuit	$25,000	Yes	Yes	https://www.courtstatistics.org/court-statistics/interactive-caseload-data-displays/csp-stat-nav-cards-first-row/csp-stat-overview
Minnesota	District	$20,000	No	Yes	https://mncourts.gov/About-The-Courts/PublicationsAndReports.aspx
Mississippi	Circuit	$3,500	No	No	https://www.courts.ms.gov/research/reports/reports.php
Missouri	Circuit	$5,000	Yes	No	https://www.courtstatistics.org/court-statistics/interactive-caseload-data-displays/csp-stat-nav-cards-first-row/csp-stat-overview
Montana	District	$12,000	No	No	https://courts.mt.gov/courts/statistics/

[1] Civil cases may be tried in courts higher than the court listed in each state

[2] The minimum threshold for unlimited civil case amounts demanded.

Available Data - No-fault State
Available Data - Tort state
Data Not Available - No-Fault State

State	Court[1]	Amount in Controversy[2]	Availability of Data	No-Fault	Link
Nebraska	District	$57,000	Yes	No	https://www.courtstatistics.org/court-statistics/interactive-caseload-data-displays/csp-stat-nav-cards-first-row/csp-stat-overview
Nevada	District	$15,000	No	No	https://nvcourts.gov/home_page
New Hampshire	Superior	$25,000	No	No	https://www.courts.nh.gov/media/data-reports
New Jersey	Superior	$20,000	Yes	Yes	https://www.njcourts.gov/public/publication-reports-statistics
New Mexico	District	$10,000	No	No	https://nmcourts.gov/resources/
New York	Supreme	$50,000	Yes	Yes	https://ww2.nycourts.gov/caseload-trends-36966
North Carolina	Superior	$25,000	Yes	No	https://www.nccourts.gov/documents/publications/civil-overall-caseload-activity-report
North Dakota	District	$15,000	No	Yes	https://www.ndcourts.gov/public-access
Ohio	Common	$15,000	No	No	https://www.supremecourt.ohio.gov/courts/services-to-courts/court-services/dashboards/
Oklahoma	District	$10,000	No	No	https://oklahoma.gov/occ/court-dockets/docket-results.html
Oregon	Circuit	$10,000	No	No	https://www.courts.oregon.gov/about/pages/reports-measures.aspx
Pennsylvania	Common	$12,000	Yes	Yes	https://www.pacourts.us/news-and-statistics/research-and-statistics/caseload-statistics
Rhode Island	Superior	$10,000	No	No	https://casetext.com/cases/risuper
South Carolina	Circuit	$7,500	No	No	https://www.sccourts.org/about/statistics-reports/annual-reports/
South Dakota	Circuit	$12,000	No	No	https://sdlegislature.gov/Statutes/20-9
Tennessee	Circuit	$25,000	No	No	https://www.tncourts.gov/media/statistical-reports
Texas	District	$10,000	Yes	No	https://www.txcourts.gov/statistics/annual-statistical-reports/
Utah	District	$20,000	No	Yes	https://www.utcourts.gov/en/court-records-publications/publications/court-statistics.html
Vermont	Superior	$10,000	Yes	No	https://www.courtstatistics.org/court-statistics/interactive-caseload-data-displays/csp-stat-nav-cards-first-row/csp-stat-overview
Virginia	Circuit	$25,000	Yes	No	https://virginiacourtdata.org/
Washington	Superior	$75,000	No	No	https://www.courts.wa.gov/caseload/
West Virginia	Circuit	$10,000	No	No	https://www.courtswv.gov/
Wisconsin	Circuit	$10,000	No	No	https://www.wicourts.gov/publications/statistics/circuit/circuitstats.htm
Wyoming	District	$50,000	No	No	https://ag.wyo.gov/law-office-division/tort-litigation-division

[1] Civil cases may be tried in courts higher than the court listed in each state

[2] The minimum threshold for unlimited civil case amounts demanded.

Available Data - No-fault State
Available Data - Tort state
Data Not Available - No-Fault State

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