A flawed civil justice system which generates exorbitant levels of damages or numbers of awards and which is unpredictable in its outcomes may result in negative impacts through the misallocation of society’s scarce economic and human resources. Tort reform can lead to substantial economic benefits, and states which have implemented reforms have seen improved judicial efficiency and measurable advancement in economic performance.

All major industry groups are negatively affected, with the retail trade, business services, health services, and other services industries typically experiencing the greatest losses.

The Perryman Group estimates that excessive tort litigation in the State of California results in:

- $11.6 billion in direct costs annually
- $18.5 billion in gross product annually
- $961.0 million in State revenues annually
- $804.7 million in local government revenues annually
- 197,776 jobs

Excessive tort litigation in the San Francisco-Oakland-Hayward MSA results in:

- $2.220 billion in direct costs annually
- $4.069 billion in gross product annually
- $2.654 billion in personal income annually
- 37,855 jobs

Excess costs result in a “tort tax” of

- $855.95 per person

Notes:
The economic effects of excessive tort costs take into consideration dynamic multiplier effects. The “tort tax” is defined as the per capita loss of gross product in the area. The Perryman Group compared California’s tort costs to those in the benchmark state used in this study (Ohio), which has enacted notable reforms and exhibits an average level of tort costs, to quantify the amount of excess costs as of 2018. Costs were allocated to the San Francisco-Oakland-Hayward Metropolitan Statistical Area (Alameda, Contra Costa, Marin, San Francisco, and San Mateo counties) based on relative legal costs in the area and economic and demographic patterns. Tort reform can reduce or eliminate these costs. Thus, these results may also be viewed as a measure of the benefits of reasonable reform measures.