



The Damage Report: Assessing Millennials' Views of Businesses.

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Background

- Like Gen X and Baby Boomers, Millennials are a cohort defined by their generation's shared experiences. Millennials are defined as those aged 22-37 in 2018 (Dimock, 2018) and constitute a sizable segment of the jury eligible population.
- Millennials are often associated with many stereotypes (e.g., disruptive to the status quo, skeptical of big business, concerned with safety, narcissistic, lazy, and entitled, but also compassionate, fairness-focused, and empathetic; Schaeffer, Wolfe, & Mills, 2017; Twenge, 2014)
- The overall population generally holds anti-corporate biases (Greene & Bornstein, 2003; Hans, 2000). Millennials may hold more pronounced anti-corporate biases, as Millennials report less confidence in government and large institutions (Twenge, Campbell, & Carter, 2014) and hold more negative views of large corporations compared to Baby Boomers measured at the same age (Twenge, 2014).
- Jury forepersons tend to be more highly educated than other jurors (Devine, 2012). According to Pew Research Center, Millennials are more highly educated than previous generations with more Females (36%) and Males (29%) completing at least a Bachelor's degree compared to Gen X (Females: 28%; Males: 24%) and Baby Boomers (Females: 20%; Males: 22%; Fry, et al., 2018).

Sample

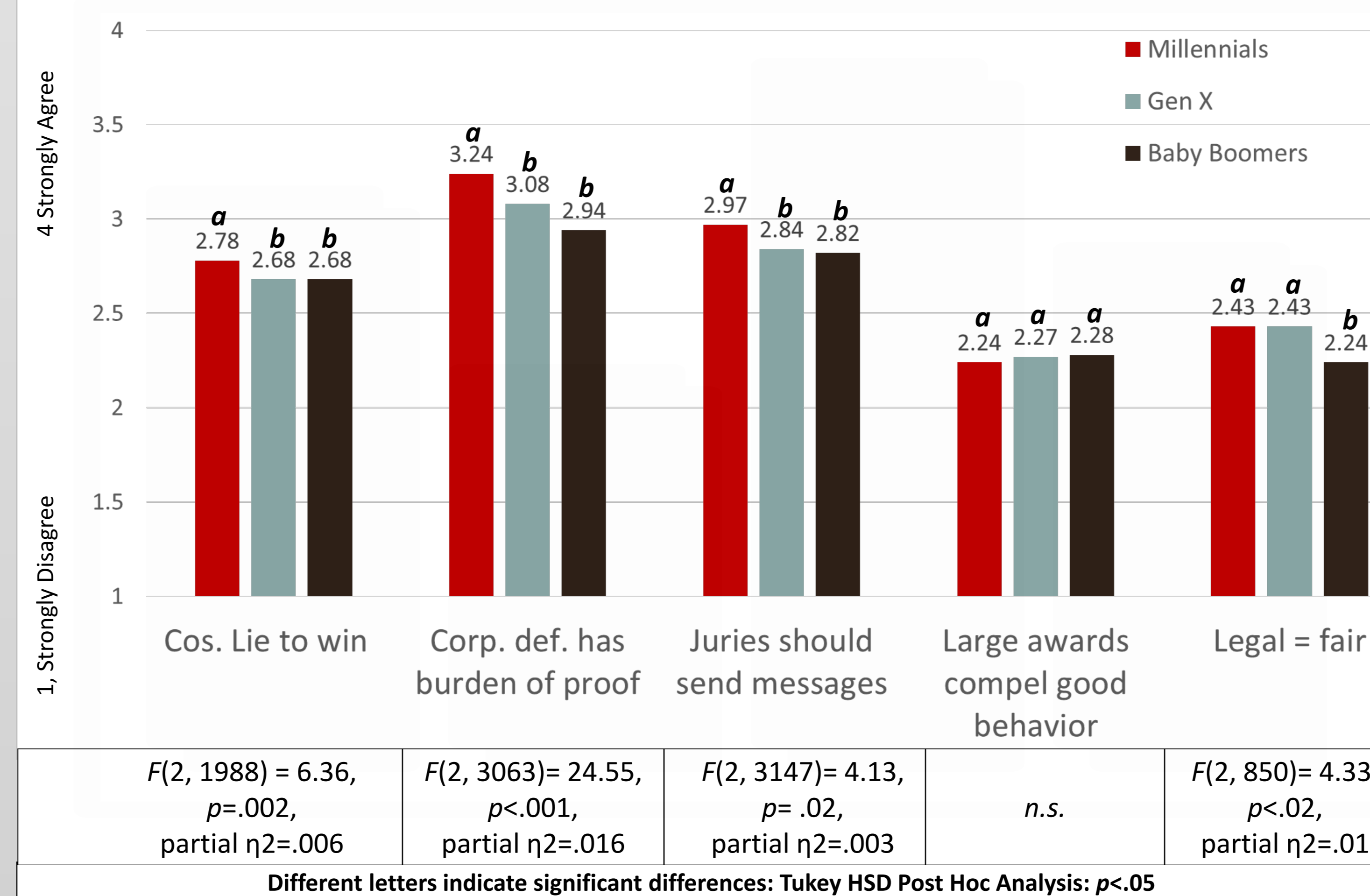
- Data for this project was obtained from a large proprietary database that includes mock jurors from civil mock trial research projects collected in various cities nationwide from January 2013 to October 2017.
- Mock jurors were recruited using a modified stratified sampling technique in which each project sample was matched to jury venires in the corresponding venue.
- Participants with insufficient data and those with insufficient cohort sizes (i.e., < 21 years old and > 73 years old) were removed.
- The final sample consisted of 4,002 mock jurors
 - Gender: 50.8% Female
 - Race: 45.6% White, 23.1% Hispanic, 16.4% Black, 10.7% Asian, 4.2% Other/Mixed

This research collaboration made possible, in part, through the Tammy and John Allen University of Nebraska-Lincoln's College of Arts and Sciences' Partnership Seed Funding Award

Method

- We examined anti-corporate attitudes and demographic information collected from a pre-stimulus survey.
- Participants were categorized based upon their age in 2018 according to Pew Research Center's generational classifications (Fry, 2018): Millennials (22-37 years old), Gen X (38-53 years old), Baby Boomers (54-72 years old)
- IV: Generational categorization
 - Millennials (27.1%; n=1,083)
 - Gen X (34.5%; n=1,380)
 - Baby Boomers (38.5%; n=1,539)
- DVs: Business opinions and attitudes – All responses on a 1 (Strongly Disagree) to 4 (Strongly Agree) Likert Scale:
 - Juries should send messages: "An important function of juries in America is to send messages to corporations to improve their behavior"
 - Cos. lie to win: "Large companies will lie to win in a lawsuit"
 - Corp. def. has burden of proof: "A company that is sued should have to prove that it has done nothing wrong"
 - Legal = Fair: "Everything is fair in business as long as it is legal"
 - Large awards compel good behavior: "The best way to make companies do the right thing is to force them to pay multimillion-dollar awards in lawsuits."

Corporate Views by Generation



Education Level

		Millennials	Gen X	Baby Boomers
Less than HS/ High School Grad	Female	10.81%	9.52%	9.96%
	Male	13.78%	10.27%	7.87%
Some College/ AA/Tech	Female	20.29%	18.96%	21.20%
	Male	21.82%	17.98%	16.82%
College Grad/ Post Grad	Female	17.51%	23.26%	20.66%
	Male	15.79%	20.02%	23.49%

Results and Conclusions

- Millennials view large businesses as more likely to lie to win a lawsuit compared to Gen X and Baby Boomers. Those representing a corporate defendant should spend more time at trial establishing the trustworthiness of their client and its representatives to combat this potential bias. Further research is needed to determine if this is a successful strategy.
- Millennials are also more likely to endorse the belief that businesses should have to prove that they did nothing wrong if sued. To address this, those representing corporate defendants should reiterate that the Plaintiff holds the burden of proof and the existence of a lawsuit is not prima facie evidence of wrongdoing.
- Millennials view a role of juries as sending a message to businesses to improve their behavior. Those representing the Plaintiff against a corporate defendant may benefit from using this as a case theme to appeal to Millennial jurors. Those representing a corporate defendant should identify and combat this bias in *voir dire* (e.g., by establishing a basis for a cause challenge), during trial (e.g., educating jurors about their role and expectations), and prior to deliberations (e.g., reigning in Millennials' pro-punitive attitudes).
 - Despite this view, Millennials did **not** view large lawsuit awards as the best way to compel businesses to do the right thing to a greater extent than older jurors. Millennials may favor other forms of encouraging businesses to do the right thing (e.g., government regulations, a 'carrot' instead of a 'stick' approach). Further investigation is needed to help explain these seemingly contradictory viewpoints.
- Contrary to stereotypes (e.g., Millennials value equality and fairness), Millennials and Gen X were more likely to endorse the view that legality equates to fairness in business. Millennials, who grew up in a world with more strict rules (e.g., more rigid airport security post-9/11), may view legal rules and regulations as a proxy for fairness. Further examination is necessary to parse and understand the factors that drive this seemingly tolerant view of corporate behavior.