

Lawyer rankings either do not matter for litigation outcomes or are redundant

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BACKGROUND

- Within a variety of markets for professional services, rankings are used. Particularly in the UK and US where there is a competitive market for rankings of lawyers.
- The rankings are used to provide consumers with a better awareness of the value and degree of standing of particular lawyers.

METHODOLOGY

- Test the relationship between lawyer rankings and litigation outcomes through investigating outcomes in tax cases between 1996 and 2010 in England and Wales.
- Build on the research concerning the connection between attorney skill and the outcomes of cases.

KEY FINDINGS

- In order for better ranked lawyers to have an effect they would have to receive cases which are more difficult, which is unlikely.
- If lawyers who have a higher ranking do not receive cases that are systematically more difficult than other lower-ranked lawyers, then the rankings in relation to litigation cases are irrelevant. Adopting bivariate and multivariate analysis presents no compelling and positive effect.

POLICY ISSUES

- The complexity of the case must be able to be determined by consumers ex ante, with them able to choose a lawyer based upon this. This is an immensely onerous requirement. Prior to the case commencing lawyers conclude the probability of success, which in the vast majority cases they do so incorrectly. Moreover, consumers who are able to do this will not need to use the rankings anyhow.

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