TRAFFIC SIGNALS

WHAT SAFER ROADS COULD MEAN FOR YOUR PERSONAL INJURY PRACTICE

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First, the good news.

Generally speaking, our nation's roads are safe and getting safer. More and more drivers are surviving auto accidents that might previously have been fatal. It should go without saying that this trend is a blessing for the lives and safety of everyone on the road.

It all started back in 2006. That year, the National Highway Traffic Safety Administration (NHTSA) began seeing a dramatic decrease in traffic fatalities. This decrease has continued unabated for nearly a decade with the number of traffic fatalities dropping over 23 percent between 2006 and 2014.

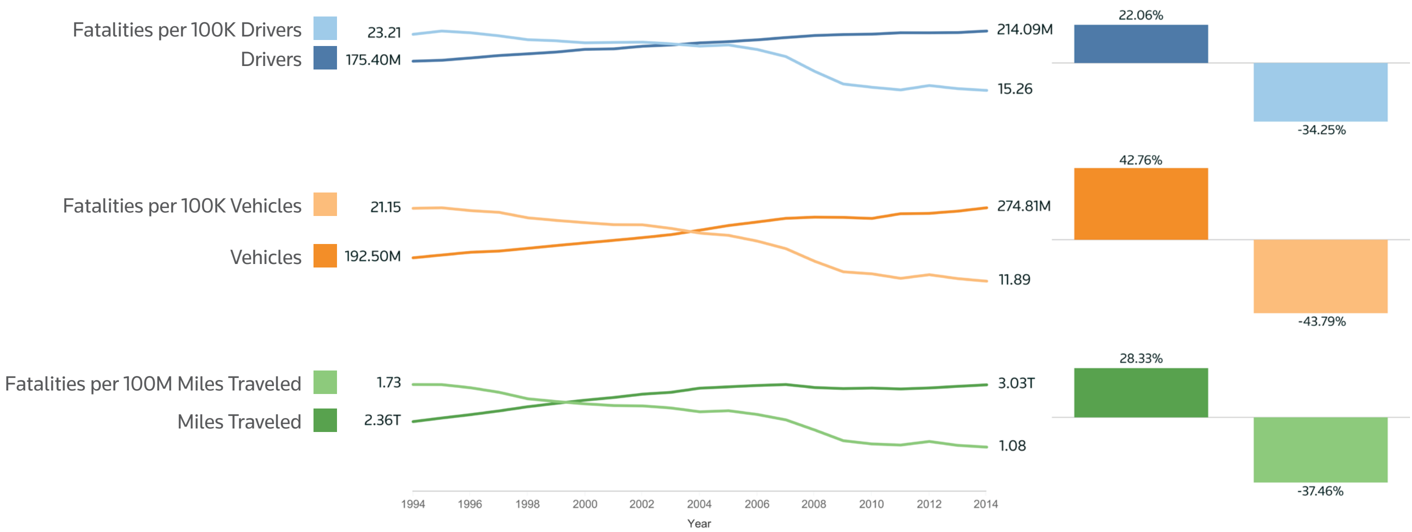
It gets even better.

During that time, not only did the amount of deaths decrease, so did nonfatal traffic-related injuries. Admittedly, these numbers are more difficult to quantify. Many injuries go unreported and reporting standards are inconsistent across the whole of the United States. Nevertheless, the Centers for Disease Control continues to research the figures, and their crude rate for vehicle occupants – that is the total number of injuries occurring throughout the U.S. without reference to an individual or subgroup – dropped approximately 17 percent during the same nine-year period.

Defying the odds.

Historically, increased traffic has gone hand in hand with increased motor vehicle crashes and fatalities, and today our roads are busier than ever. Both the national population and the number of licensed drivers are on the rise, resulting in a record number of highway miles being driven. In fact, the NHTSA reported that approximately 3.1 trillion miles were driven in 2015, a greater than 50 percent increase since the early 1990's. What's more, all signs point to continued population growth and driver activity over the next few years.

Looking at all of the data, there is a direct correlation between miles driven and motor vehicle related deaths. At 3.1 trillion miles, 2015 was a record-breaking year on America's roads. With that activity came an uptick in motor vehicle fatalities for the first time in years. While the verdict is still pending, this recent blip does not negate the broader trend discussed above.



Roadway activity 1994-2014, NHTSA (2016)

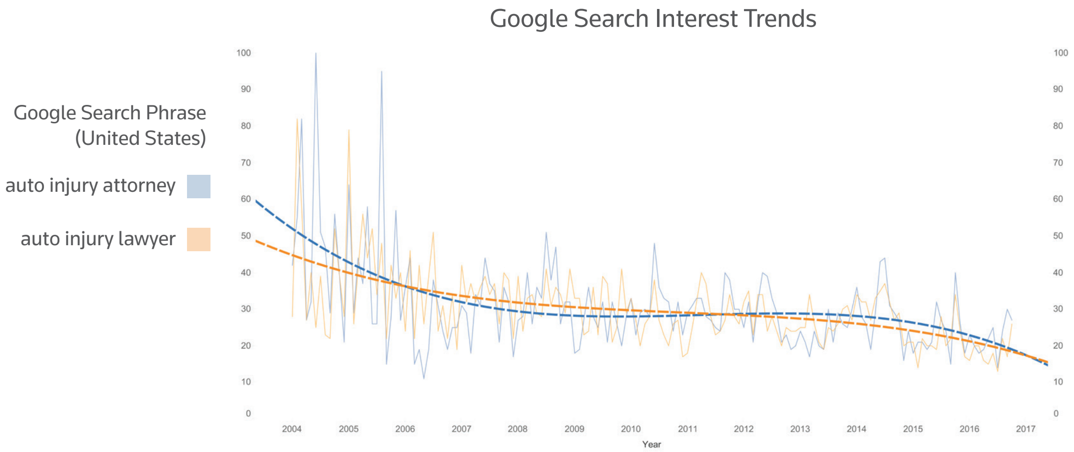
Now, the bad news.

Those odds being defied? Many law firms were betting on them.

Even with safer cars keeping us alive, the math seemed simple: More drivers plus more survivors should equal more injuries requiring legal representation, right? Unfortunately, law firms that have staked their futures on motor vehicle accident (MVA) injuries or fatalities may face significant business challenges on the horizon unless they prepare now.

One need look no further than the cost of pay-per-click keywords. In 2016, Search Engine Watch revealed that 78 percent of the 100 most expensive Google Adwords keywords were in the legal industry – and six of the top ten were MVA-related. Certainly, keyword costs are only one metric, but these numbers reveal that a significant amount of law firms are paying big money for their chance to be front and center among MVA prospects searching online.

Over the last 12 years, the volume of internet searches for key personal injury terms has flattened. MVA searches may not be "out," but they're most definitely down since the mid-2000's. Combine this with the aforementioned trends in keyword costs and you have a picture of a highly-competitive market that is getting harder – and more expensive – to reach.



What's causing the change?

Frankly, causation is complex and multifaceted. It's difficult for researchers to conclusively demonstrate what has spurred this trend toward improved safety. Several studies have cited design and technology enhancements as well as education. Researchers also point to improvements in vehicle crash-worthiness and roadway design as well as social campaigns like those aimed at reducing drunk driving or increasing seatbelt use. It's also worth noting that innovations like blind-spot monitoring, back-up cameras and even autopilot features are more and more commonplace among modern automobiles. Simply put, cars aren't becoming more dangerous.

Planning your next move.

For attorneys facing these challenges in an already competitive marketplace, there are a lot of variables in play. Improved safety trends, leveled-off consumer search interest and increased legal advertising are all working against them. The market has changed, making it more important than ever to act strategically when attempting to connect with potential clients.

For example, directory advertising could mitigate the risk of decreased search engine traffic by leveraging the reach and performance of established websites like FindLaw.com. In fact, organic MVA-related traffic to FindLaw.com increased 77 percent between 2013 and 2015 while MVA searches on the lawyer directory jumped 62 percent during that same period.

In contrast, law firms that already struggle to sustain an MVA-focused practice may want to consider more efficient methods of acquiring clients like paid lead generation, or pursuing other related practice areas to help address this change. This is by no means a call to abandon ship. It is, however, a warning that the market they're currently facing may be far more competitive and expensive than their businesses can afford. The MVA industry isn't going extinct, but achieving success in this practice area isn't likely to get any easier.

Watch the data. Think long-term.

Attorneys should prepare for challenges like this by developing their inner statistician and adopting a more data-minded approach to their business. Monitoring the trends that are most relevant to their firms would be a good start. An even better move would be choosing a business partner that has the knowledge and ability to steer their firms to success, even when the road gets bumpy.