

# TALS

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**NASHVILLE, Tn., March 3, 2004**—A new study released by the Tennessee Alliance for Legal Services (TALS) revealed that of the one million low-income Tennesseans who qualify for legal assistance, over 70 percent experience one or more civil legal needs in the course of a year.

The Statewide Comprehensive Legal Needs Survey for 2003 was prepared by the University of Tennessee College of Social Work, Office of Research and Public Service (SWORPS). The study was commissioned by TALS, which is a statewide association of legal service advocates, including four legal aid programs funded by the Legal Services Corporation. TALS also includes representatives from the Tennessee Bar Association, the Administrative Office of the Courts, the Tennessee Bar Foundation, private attorneys, and others committed to equal access to justice.

“This is our first analysis since 1991. We engaged in this year-long study to determine the availability of civil legal services for Tennesseans,” said Jim Deming, executive director of TALS. “This study is an indication of where our state stands in its efforts to provide civil equal justice for older and low-income Tennesseans.”

The survey revealed that of the 700,000 individuals who had experienced at least one civil legal problem within the last 12 months, 43 percent reported more than three civil legal problems within that same time period.

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The most prevalent types of civil legal problems included:

- Conflicts with predatory lending practices such as excessive fees and aggressive collections on car, credit card, payday and title loans;
- Medical bills and health insurance such as recent, ongoing changes to TennCare eligibility requirements and management procedures, uninsurability, underinsurance for many medical procedures, and confusion about appeal rights and bureaucratic procedures;
- Utility issues such as ability to pay deposits and make payments for gas, water, electricity, etc. People often struggle to avoid service cutoffs while making payment arrangements.

While 15.7 percent of survey respondents turned to a legal aid organization for assistance, legal aid programs were only able to serve slightly more than half of those individuals because of the limited number of attorneys and resources.

“These numbers tell us that the need is critical,” said Jackie Dixon, chairman of the Board of Directors for TALS. “Many low-income families in our state live so close to the margin that one health or job-related incident can put them in jeopardy. One unresolved legal problem can mean a real crisis.

“With only 75 legal aid attorneys across the state, we are simply not able to serve all of those who need help.”

There are currently 20 different legal aid offices around the state. In addition to providing civil legal representation, the offices offer numerous community education materials and workshops in an effort to help low-income Tennesseans help themselves.

In addition to legal aid attorneys, private attorneys, referred through legal aid organizations or through the Access to Justice Program at the Tennessee Bar Association, help fill some service gaps. Twenty-four percent of survey respondents turned to private attorneys for assistance with civil legal needs.

Beyond identifying the overwhelming civil legal needs of Tennessee’s poor population, the report revealed a profile of low-income Tennesseans with unexpected

findings. Namely:

- 55 percent of survey respondents are home owners; 33 percent are working full or part-time; 11 percent have been laid off; 20 percent are retired;
- one in four respondents have some college education;
- 23 percent of respondents are disabled;
- households identified as “working poor”—those with employment income but still at or below 125 percent of the 2003 USDHHS Poverty Guidelines—reported significantly more problems than did the non-working poor;
- 43 percent of survey respondents had access to the Internet;
- younger persons reported more civil legal problems than older persons.

“This profile tells us that some stereotypical assumptions about poor people are not accurate,” said Tom Galligan, Dean of the University of Tennessee School of Law and chairman of the Strategic Planning Committee on TALS’ Board of Directors.

“According to this survey—and in our daily interactions with clients across the state—we see that poor Tennesseans are employees, home owners and taxpayers.

“Yet they are still not able to make ends meet and face a barrage of civil legal issues. Hopefully this report will enlighten public policy makers and put a human face on the issue of poverty in Tennessee.

“In consumer law, housing law and healthcare, especially, the decisions made on Capitol Hill really do impact low-income Tennesseans.”

In surveying low-income Tennesseans, the study used the Legal Services Corporation’s income standard for determining household eligibility for legal assistance. Based on this standard, both of the following would qualify for legal services and, therefore, for the Legal Needs Survey:

- A single-person household with an annual income of \$11,000 or less;
- A family of four with an annual income of \$23,000 or less.

Full copy of the Executive Summary and Report are available online at [www.tals.org](http://www.tals.org).