

Executive Summary: Highlighted Findings from the Statewide Comprehensive Legal Needs Survey for 2003

January 2004

*PREPARED FOR THE
Tennessee Alliance for Legal Services*

TALS



**THE UNIVERSITY OF TENNESSEE
COLLEGE OF SOCIAL WORK
OFFICE OF RESEARCH AND PUBLIC SERVICE**

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Executive Summary: Highlighted Findings from the Statewide Comprehensive Legal Needs Survey for 2003

According to figures from the 2000 United States Census, slightly more than a million Tennessee residents have incomes below 125.0% of federal poverty guidelines.¹ These Tennessee residents, who represent more than 18.0% of the state's total population, are generally the least able to afford assistance to resolve civil legal matters that affect their households.

The Tennessee Alliance for Legal Services (TALS) is a statewide, nonprofit organization. TALS's primary purpose is to support the availability and effectiveness of civil legal services for Tennessee residents who must contend with severely limited resources as they face legal challenges. In order to better achieve this goal, TALS has contracted with The University of Tennessee College of Social Work Office of Research and Public Service (SWORPS) to conduct a statewide assessment (Statewide Comprehensive Legal Needs Survey) of the civil legal needs among Tennessee's low-income population. The findings presented in this summary represent only *highlights* from the statewide assessment. For more detailed data or survey information, the reader is directed to the full report.

Description of Surveyed Households

The Legal Services Corporation's income standard that determines household eligibility for legal assistance is a household income that does not exceed 125.0% of the U.S. Department of Health and Human Services (USDHHS) poverty guidelines

¹ U.S. Census Bureau. (2003). *American FactFinder: Census 2000 summary file 4 (SF4)*. Retrieved November 24, 2003, from <http://www.aspe.hhs.gov/poverty/03computations.htm>

as determined by household size. In accordance with this standard, survey participants were drawn from a targeted listed sample of identified households in Tennessee with annual incomes of \$35,000 or less. The final telephone survey sample consisted of 824 Tennessee households with incomes equal to or less than 125.0% of the federal poverty guidelines for 2003. For example, based on these guidelines, a single-person household with an annual income of \$11,000 or less and a family of four with an annual income of \$23,000 or less would both qualify for legal services and, thus, for the Statewide Comprehensive Legal Needs Survey. From respondent information, the survey team then divided the households into 2 subgroups based on severity of poverty—Extremely Low-Income Households (i.e., at or below 62.5% of poverty guidelines) and Low-Income Households (i.e., more than 62.5% but equal to or less than 125.0% of poverty guidelines). Of the 824 surveyed households, 454 (55.1%) were Low Income and 341 (41.4%) were Extremely Low Income. Sufficient income information was unavailable for the remaining 29 surveyed households.

Number of Civil Legal Problems Reported

Through a brief 15-minute telephone survey, respondents were asked detailed questions about 37 types of common civil legal problems that they or someone in their households may have experienced during the previous 12 months. The 824 survey participants reported that their households had experienced between 0 and 21 such problems during the year, with an overall average of 3.3 problems per household. Of the 824 households, 575 or 69.8% had experienced at least 1 civil legal problem. Figure 1 records the number of civil legal problems reported per household for all survey participants. Please note that the percentages in this figure do not total 100.0% because of rounding during the data analysis process.

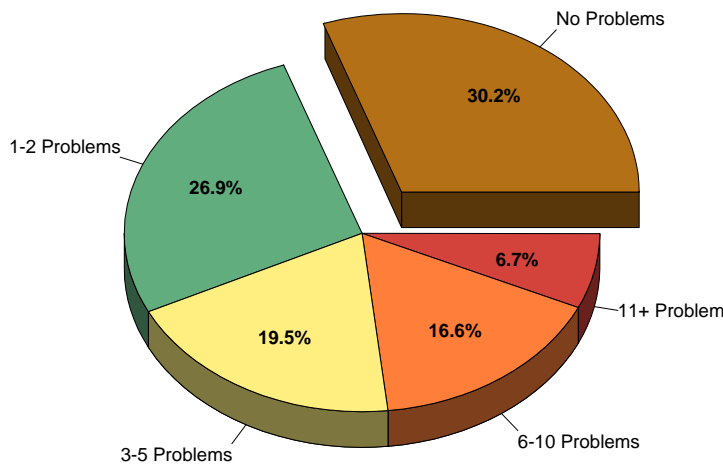


Figure 1. Number of Civil Legal Problems Per Household within the Previous 12 Months as Reported for All Survey Participants (n=824)

Further analysis points to the following:

- ◆ *No statistically significant* relationship was identified between the number of problem areas reported per household and the identification of that household as either Low Income or Extremely Low Income.
- ◆ A statistically significant relationship was identified between the size of the household and the number of problem areas reported by that household. Generally, as the size of the household increased, the number of reported problem areas increased.
- ◆ White respondents were significantly more likely to report *fewer* problem areas than were Hispanics/Latinos, Blacks, or other races.
- ◆ Households with individuals aged 60 years or older reported significantly fewer problems than households with all members less than 60 years old.
- ◆ Households identified as “working poor” (i.e., a household that has employment income but is still at or below 125.0% of the 2003 USDHHS Poverty Guidelines) reported significantly more problems than did the non-working poor.

Types of Civil Legal Problems Reported by Each Household

Data collected by the survey for the prevalence of specific legal problems should be examined with caution. For example, reports regarding domestic violence or abuse of an elderly relative are dependent on the respondent’s proximity to the abuser. If the respondent is the abuser, he/she is unlikely to admit such abuse to a surveyor. Moreover, if the respondent is the abused individual, he/she may fear that reporting such behavior could prompt or increase the abuse. Similarly, immigrants, especially undocumented immigrants, may be reluctant to report problems with immigration for fear of jeopardizing their continued residency in this country.

Of the 37 civil legal problem areas addressed by the survey, all problem areas reported by 5.0% or more of the 824 respondents are listed in Figure 2. The problems that were reported by less than 5.0% of households are as follows: issues that pertain to unemployment or worker’s compensation (4.7%); unsafe working conditions (4.7%); domestic violence (4.5%); receiving pay from employment (4.5%); unfair treatment at work (3.2%); wills, estates, or trusts (2.5%); lawsuits (2.4%); pension or retirement benefits (2.2%); removal of a child from the home (1.5%); veteran’s issues (1.2%); abuse of an elderly relative (1.1%); immigration issues (0.8%); institutional care of an elder (0.5%); unfair treatment as an immigrant (0.5%); and treatment received by an institutionalized youth (0.2%).

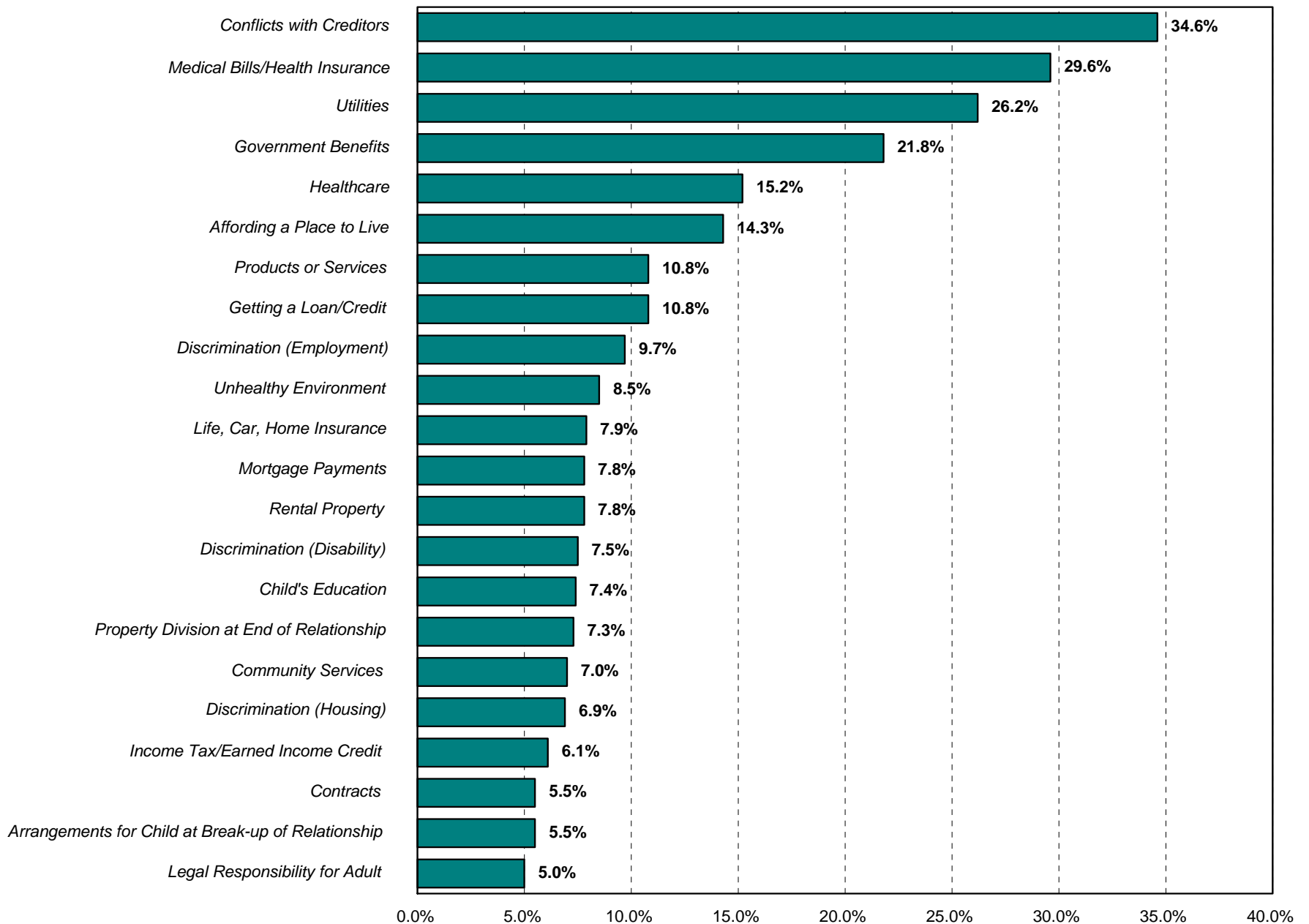


Figure 2. Percentages of Households that Experienced Specific Types of Civil Legal Problems during the Previous 12 Months (n=824)

Most Troublesome Problem Categories

The 575 respondents who reported that their households had experienced one or more civil legal problems during the previous 12 months were then asked to identify which of these was the “biggest problem” for their households. For analysis purposes, the biggest problems were then collapsed into 11 categories. A total of 511 survey participants responded to this question, as reported in Figure 3. The following should be noted when reviewing this figure: First, because problems with discrimination were often reported as part of other categories (i.e., housing, employment, etc.) the data that describe the Discrimination Category are at least partially duplicative of other data recorded in Figure 3. Second, the Family/Relational category includes a wide-range of problems stemming from such issues as divorce, child custody, and division of property. Finally, as previously advised, caution must be taken when viewing any data pertaining to reports of immigration problems, domestic violence, or elderly abuse, primarily because of the

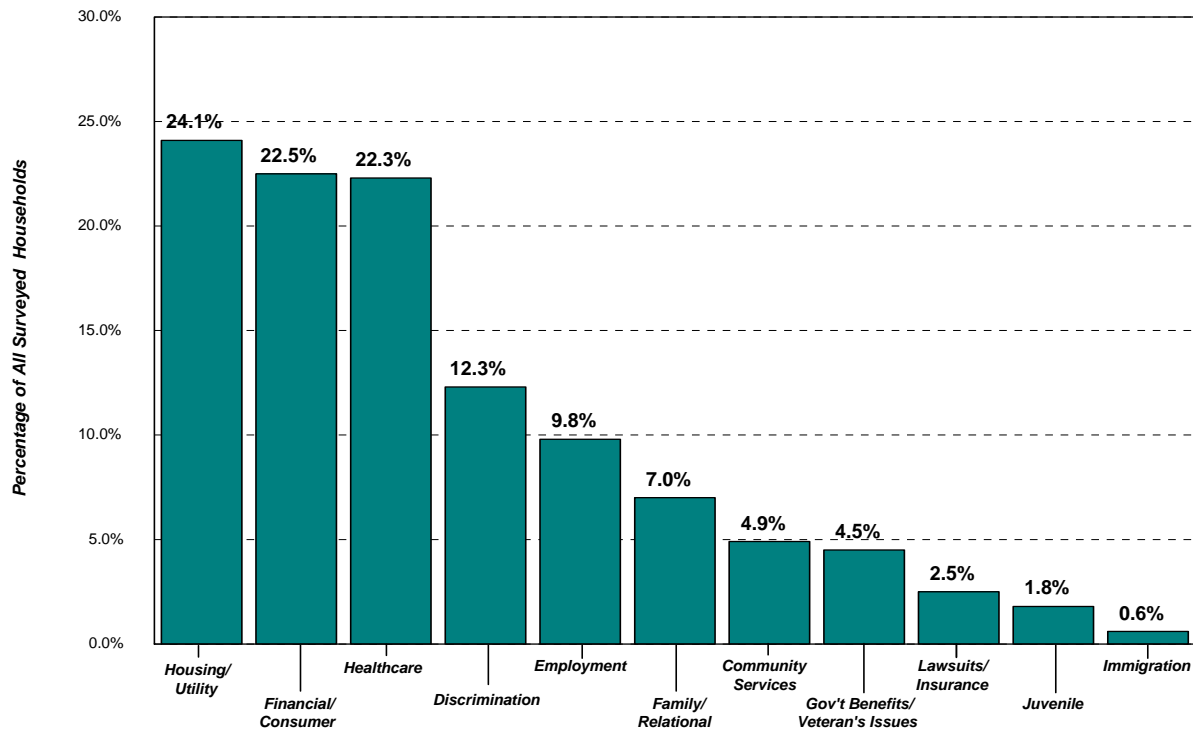


Figure 3. The Problem Categories that Caused the “Biggest Problems” for Respondent Households (n=511)

Using a 3-point scale in which 1=not much trouble, 2=some trouble, and 3=a lot of trouble), 503 respondents rated the *level* of trouble that their “biggest” problems actually caused their households to resolve. Of these 503 respondents, 250 (49.7%)

rated their problems as causing “a lot of trouble” to resolve. No statistically significant relationship, however, could be established between the level of trouble caused by any problem category and such variables as size of the household, severity of poverty, race of respondent, or the identification of the household as “working poor.”

Using the above 3-point scale, average levels of trouble experienced by households were determined for all 11 problem categories, including Discrimination (Figure 4). Of note is the contrast between Figures 3 and 4. A total of 123 (24.1%) of the 511 respondents reported that issues from the Housing/Utility category caused the biggest problem for their households. However, respondents then awarded a relatively low rating (2.2 or “some trouble”) for the level of trouble that this problem actually caused their households to resolve. Although the Housing/Utility category ranked first in the *number* of household reports for biggest problem, it ranked only tenth in the *level of trouble* it in fact caused each household.

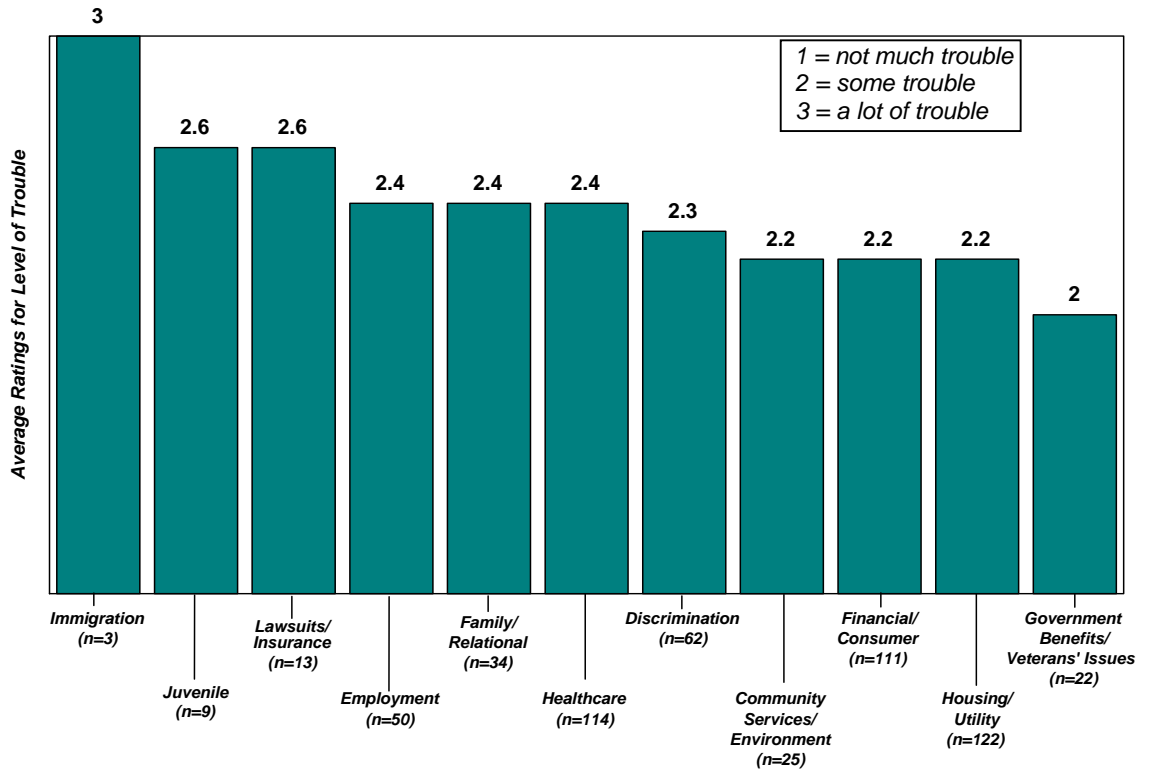


Figure 4. Average Level of Trouble Caused for Households by the Eleven Problem Categories (n=503)

Household Response to “Biggest” Civil Legal Problem

The 511 households that identified their biggest civil legal problems were then asked what action they took to resolve those particular problems during the past 12 months. Of these 511 households, 125 (24.5%) took no action at all. Figure 5 presents the four most frequently reported reasons given by the 125 respondents whose households took no action.

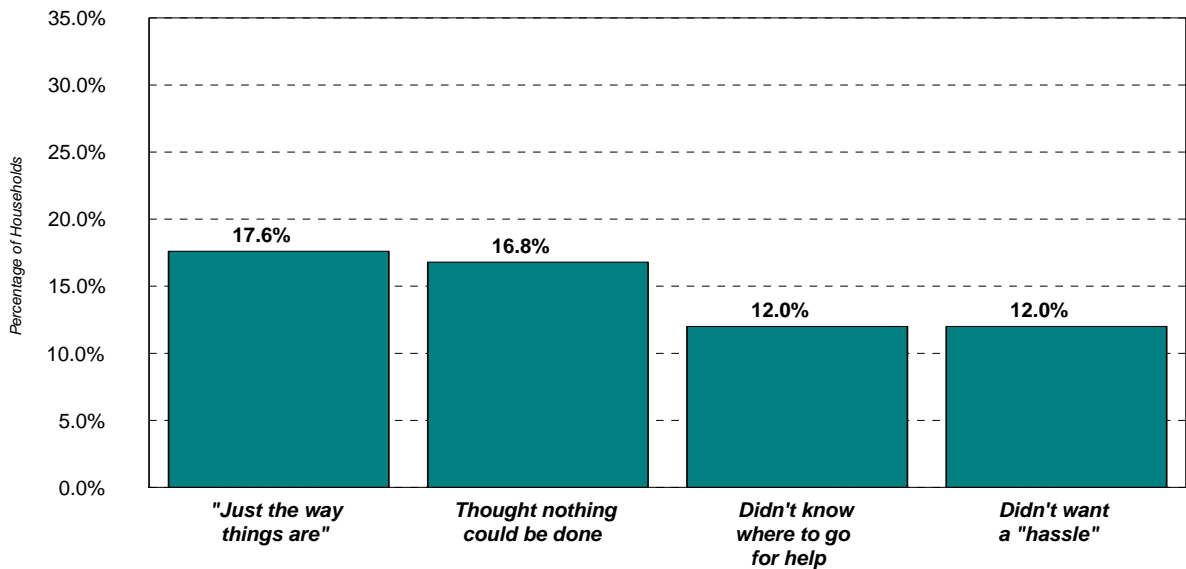


Figure 5. Primary Reasons Households Took No Action to Resolve Their “Biggest” Civil Legal Problems (n=125)

Although 386 (75.5%) of the 511 households took one or more actions to resolve their “biggest” civil legal problems, descriptions of these actions were only reported for 382 of these households. Figure 6 describes the four most frequently reported actions taken by these households.

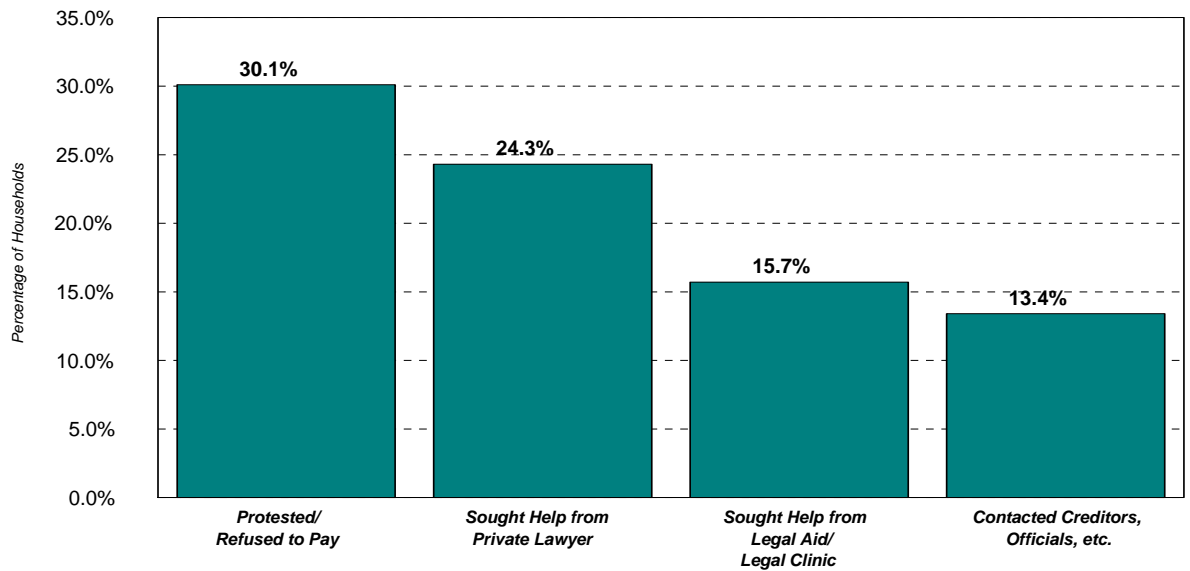


Figure 6. The Four Most Common Actions Taken by Households to Resolve Their Most Troublesome Civil Legal Problems (n=382)

Assistance Provided to Households by Legal Aid Organizations or Legal Clinics

Of the 382 households that took action to resolve their “biggest” civil legal problems, 60 (15.7%) reportedly turned to a legal aid organization or to a legal clinic for help. The organizations were then able to assist more than half (55.0%) of the 60 households. Figure 7 presents the most frequently reported actions taken by these groups to assist households with their legal problems.

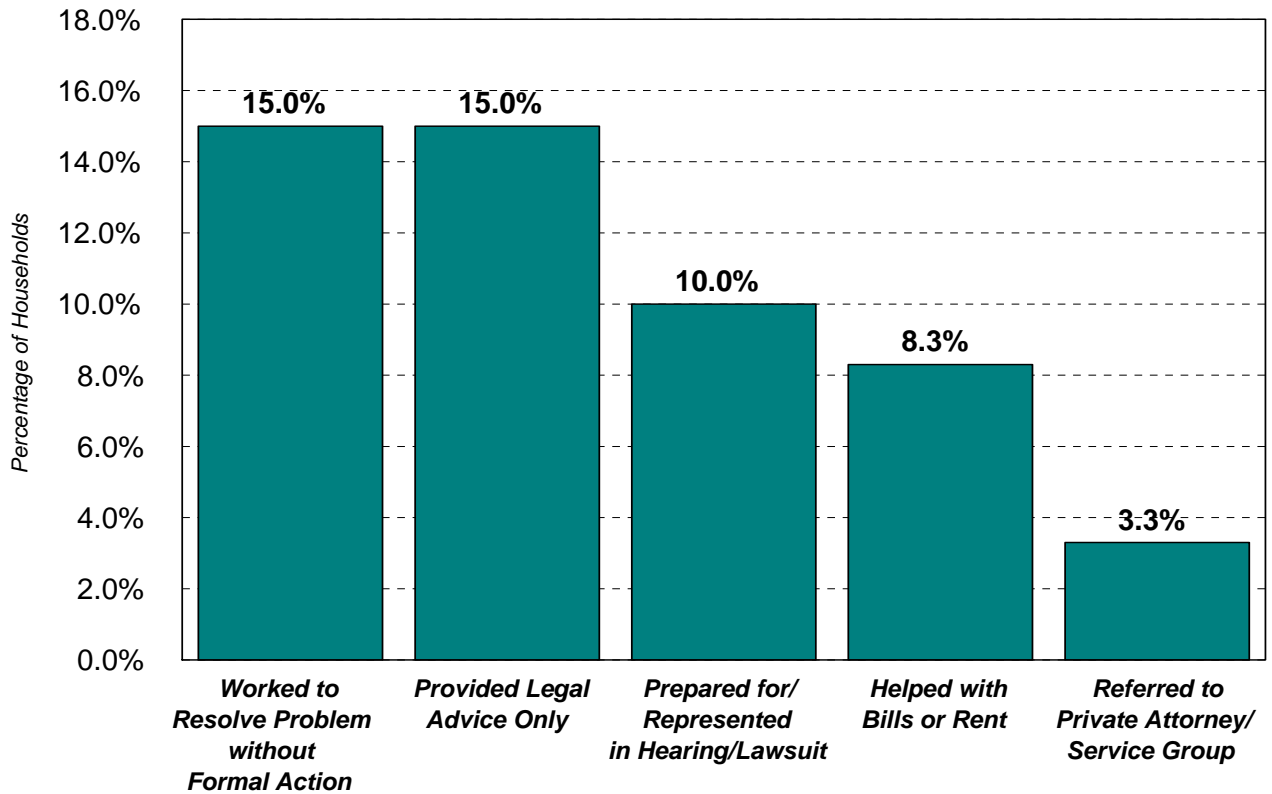


Figure 7. Assistance Given to Households (n=60) by Legal Aid Organizations or Legal Clinics

Knowledge of and Access to Legal Assistance

The survey also addressed respondents' awareness of legal resources and access to services like transportation or to quick information sources such as the Internet and/or email. Of the 824 households surveyed,

- ◆ 651 (79.0%) of the households had a car.
- ◆ 354 (43.0%) of the households had access to the Internet.
- ◆ 254 (30.8%) of the households had access to email.
- ◆ 175 (21.2%) of the households were aware of a source of free civil legal assistance for low-income households.
- ◆ 82 (10.0%) of the households had easy accessibility to bus service.

Final Notes

Findings from the Statewide Comprehensive Legal Needs Survey can be generalized to households across Tennessee at a 95.0% level of confidence with a $\pm 3.5\%$ margin of error. The following statements are based on these generalizations:

- ◆ Nearly 70.0% of poor or near-poor Tennessee households (i.e., households at or below 125.0% of the USDHHS poverty guidelines for 2003) faced one or more civil legal problems during the previous year.
- ◆ Based on the survey findings, the 824 participating households experienced an average of 3.3 civil legal problems during the previous year. These 824 households represent 2,282 individuals and an average of 1.2 civil legal problems per person. Projecting these findings onto the larger poor or near-poor population in Tennessee, approximately 1 million individuals would be estimated to have experienced an average of 1.2 civil legal problems during the 12-month period.²
- ◆ Less than 30.0% of poor/near-poor households are aware of sources of assistance with their civil legal problems.
- ◆ An estimated 43.0% of poor or near-poor households in Tennessee have access to the Internet. In fact, 38.4% of Extremely Low-Income Households (i.e., incomes at or below 62.5% of USDHHS poverty guidelines for 2003) have Internet access. If access continues to grow, the Internet may prove to be fertile ground for increasing awareness about the availability of legal services and a means for families to obtain basic legal information that can enable them to resolve their least difficult legal problems on their own. However, at this time, more than 60.0% of households identified as Extremely Low Income *do not have* Internet access and must, therefore, receive information or legal assistance through some other more traditional means.

Other conclusions to be drawn from the survey include the following:

- ◆ Because of limited resources that are available to assist poor or near-poor households with their civil legal problems, policy choices may need to be made between helping a large number of people with common but less difficult problems versus helping a small number of people with less common but more difficult problems.

² The estimated average number of problems experienced per individual (each household member) is most likely an undercount. This undercount exists primarily because of the inability to accurately calculate the number of household members that experienced a specific problem that had been reported for the household as a whole.

- ◆ Although this study addressed the actions taken by poor or near-poor Tennessee households to resolve their civil legal problems, *no* information was gathered that identified the households' satisfaction with the outcomes of their actions. Simply supplying information about and access to legal services does not guarantee successful resolutions to legal problems. Further evaluation that identifies outcomes to specific services and also gauges the level of success of those outcomes would further benefit TALS's program and service planning, thus allowing for the most effective allocation of limited resources.