

Arizona Preliminary Report
Dec. 2011

Defining “Legal Services”

Arizona Foundation for
**LEGAL SERVICES
& EDUCATION**

Executive Summary

The mission of the Arizona Foundation for Legal Services & Education (Foundation) is to “promote access to justice for all Arizonans” by offering technical and financial assistance to organizations and institutions providing civic education and legal services to Arizonans. While, the phrase ‘civic education’ seems widely understood, the term *legal services* is often met with the question: “what do you mean by *legal services*?”

One avenue towards understanding the nature and scope of what *legal services* means is to look at the work of the three legal aid agencies in Arizona: Community Legal Services, DNA People’s Legal Services, and Southern Arizona Legal Aid. These agencies provide direct *legal services* to ~17,500 low-income Arizonans annually, not only by providing legal representation, advice and monetary recoveries for individuals, but also by providing information through outreach activities and educational materials distributed across Arizona.

This chart highlights the activities and impressive impact of the three Arizona legal aid agencies in 2010. Nearly six million dollars in recovered funds defines the meaning of *legal services* and is strong evidence of the value individuals and communities receive through the *legal services* these agencies provide.

2010 IMPACT	
Outreach activities	4,822
Educational/self-help materials distributed	93,005
For Clients - Dollars recovered/amounts not required to pay/tax refunds/tax earning credit received	\$5,832,151

Asking those that receive or seek *legal services* provides even further understanding. Following an anonymous online survey over the last several months, the Foundation has received feedback from Arizonans requesting legal help. The survey, launched on the AZLawHelp.org website, focused on all areas of civil legal need: housing; consumer, family law & domestic violence; immigration; discrimination; and public benefits. This preliminary report focuses on only four areas of the greatest civil legal need: Housing, Consumer, Family Law and Domestic Violence. In those four areas, this preliminary report¹ show just how great the need for legal intervention can be:

- The most frequently reported civil legal challenges for renters in Arizona were related to health and safety disputes and included: lack of properly working heating/cooling appliances, neglected plumbing or electrical repairs and infestations of cockroaches, mice and/or other pests.
- 46% of 18-29 year old respondents reported having disagreements/difficulties with their student loans.
- 38% of all survey respondents answered that in the last twelve months they needed legal assistance with a family issue.
- For those that reported having experienced domestic violence, 57% stated that their greatest legal need was assistance in obtaining an order of protection.

In the pages that follow, the statistics begin to tell their story. While the survey focused on defining the actual need for civil legal assistance, it did not measure whether the individuals were able to obtain the *legal services* they needed. The Legal Services Corporation estimates that nationally, two of every four people seeking legal services are turned away due to limited resources. This report clarifies the meaning of *legal services* and makes the need for *access to justice* self evident.

¹ Full report with all areas of legal need and input from every county will be completed in the Spring of 2012

Methodology

Survey developed utilizing commercial survey tools and technology as outreach

The research survey was developed with commercial software, Survey Monkey. The feedback from the public was sought and achieved through the Arizona legal help websites. This survey targeted only those Arizonans seeking information and/or assistance with a legal issue they experienced over the last twelve- month period.

Confidence Level and Margin of Error

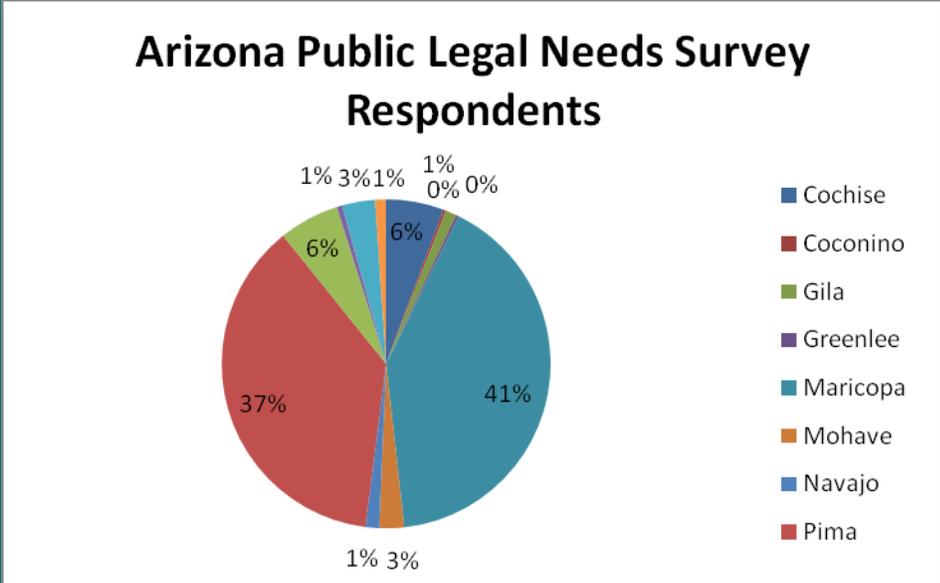
The sample size for the public need survey is over 700 survey participants. This sample size is verified as valid using calculations supplied by the commercial survey company: The survey is completed with a 95% confidence level and a 5% margin of error.

Study Design

The survey is modeled primarily following the legal needs survey instruments of other states' legal aid agencies and with the input of Arizona's three legal aid agencies funded and regulated by the Legal Service Corporation: Community Legal Services, DNA-People's Legal Services, and Southern Arizona Legal Aid. The legal need survey queried basic demographic information and legal needs including the following areas of law: housing, consumer, family, domestic violence, and benefits. Further, the survey targeted those individuals searching for legal information or seeking legal assistance.

Demographics

The results encompass the broad geographic areas of Arizona but, as the chart below indicates, there are still three rural counties unrepresented: Apache, Graham, and La Paz. The plan is to continue outreach to these counties to assure that the residents there have their legal needs identified.



The tables below offer the demographics of the public survey participants. It is important to remember that the participants to the public survey were either visiting one of the Arizona legal information websites (<http://www.azlawhelp.org>, <http://www.lawforseniors.org>, or <http://www.lawforkids.org>) or seeking assistance from a legal aid agency.

Race/Ethnicity	Survey
White	62.4%
Black or African American	8.2%
American Indian and Alaska Native	2.3%
Asian	1.1%
Native Hawaiian and Other Pacific Islander	0.0%
Some other race	2.5%
Hispanic or Latino (of any race)	18.9%
Gender	Survey
Female	64%
Male	32%
Income Level	Survey
< \$10,000	38.3%
\$11,000 to \$20,000	24.1%
\$20,000 to \$40,000	24.9%
\$40,000 to \$60,000	3.5%
\$60,000 to \$80,000	2.7%
>\$80,000	0.8%

House Hold Type	Survey
Single	28.80%
Single w/children	26.10%
Married or Partners	10.50%
Married or partners w/children	21.80%
Multi-generational (parents adult children)	7.30%
Multi-generational (grandparents parents with children)	5.40%
Age	Survey
18 to 29	21.60%
30 to 45	38.90%
46 to 59	24.80%
60 to 70	10.10%
71 and up	3.50%

The demographic statistics allows the reader to see a broad picture of the Arizonans in need of legal aid. The following sections will reveal a more detailed view of the households facing crises and their need for legal assistance.

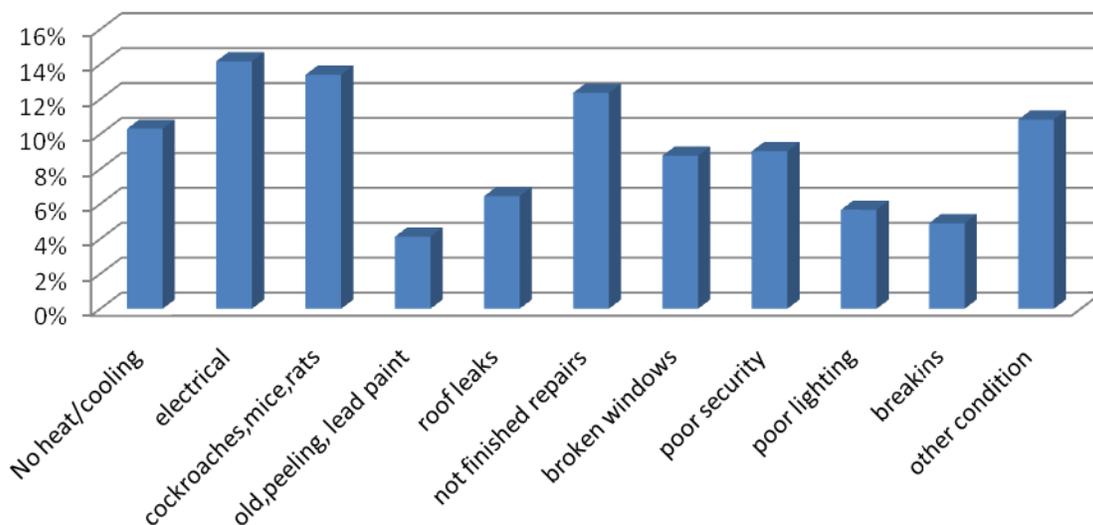
Note: not all respondents chose to answer demographic information resulting in percentages not equaling 100%

Housing

“My apartment manager entered my apartment without consent and stole purchased items from me and returned them for cash. The apartment owners told me they could not help me and to file a civil suit.”

46% of the people responding to the survey are renters. 47% of renters reported having a dispute had multiple concerns. The most serious were the issues relating to health and safety. The age groups with the highest percentages having to deal with no heat or cooling, electrical or plumbing problems, and cockroaches, mice or rats were the young (18 to 29 years old) and the elderly (over 71). Each of the issues presented are basic housing standards, yet these renters were seeking legal advice to secure health and safety in housing.

Health & Safety Disputes Reported



Beyond the building standards, renters found themselves at odds with property owners over the understanding of their obligations under the terms of the lease agreement. 30% of tenants had disagreements ranging from the amount of rent owed, specific lease terms, security deposits, and other issues that were, for most, not resolved and ended with them not remaining in their home. While 8% were evicted for not paying rent, another 13% left due to unresolved issues with their landlord other than money disagreements or the inability to pay their rent.

Having to move from your home is always a stressful situation, when you are a homeowner the loss is compounded. 38% of the survey respondents had a mortgage or owned their own home. 22% of the homeowners could have benefited from legal aid with at least one of the following problems that existed for them:

- The mortgage was sold and couldn't reach a contact to discuss payments - 27%
- The escrow payments were not applied to taxes and house insurance payments – 7%
- A need to short sale the property – 34%
- Foreclosure notice was sent when they had been told a loan modification was in the works – 54%
- Given an eviction notice and told the house had been auctioned without receiving notice of a foreclosure pending – 17%
- Neighborhood association made demands not included in association guidelines – 20%

The age group of 60 to 70 years had the highest percentage (75%) with their homes needing a short sale. The 46 to 59 age group had the highest percentage (71%) experiencing foreclosure notices sent when they had been told a loan modification was in process.

The household type that had the greatest percentage of short sales and foreclosure notices sent when they had been told a modification was in process were married or partners with children still living at home. The category of single people had the highest percentage (44%) of difficulty with neighborhood associations making demands not in the association guidelines, but also experienced difficulty with their mortgage being sold while not being able to reach a contact to discuss payments and needing to short sale their property (33% each).

The problems described above could be mitigated or halted when the homeowner can access legal assistance and as the 22% could attest, can lead to loss of your home when you can't.

“Foreclosure pending (30 days) no word from bank - active loan modification application - bank did not offer unemployment forbearance”

Consumer

“lost my business of 25 years: lost house of 17 years; had to file Chapter 7; working one full time (but not secure job) and one part time (but not secure job) looking for 3rd part - time job and donating plasma 3 times a month. And still 35K short of what I was making. I am 57 years old with nothing..”

Nearly 50% of the survey respondents reported legal consumer problems. The issue is not just a complaint that there is a debt or an overdrawn bank account. The need for legal assistance arises when there is a disagreement about the terms and conditions of handling the funds or debt. The top issues needing legal assistance include:

- Debt collectors/collection agencies - 35%
- Bank accounts – 34%
- Credit card accounts – 31%
- Student loans – 25%

Renters generally had more consumer legal issues than homeowners. Renters reported 50% higher than homeowners in the following areas: problems with student loans; working with payday loans; debt consolidation plans; wage garnishment; dissatisfaction with items or services purchased; obtaining earned income credit; loss of drivers license; and, ID theft or financial exploitation. Homeowners experienced higher percentages of consumer legal issues in the following: credit cards; suing on a contract; and, filing or enforcing bankruptcy.

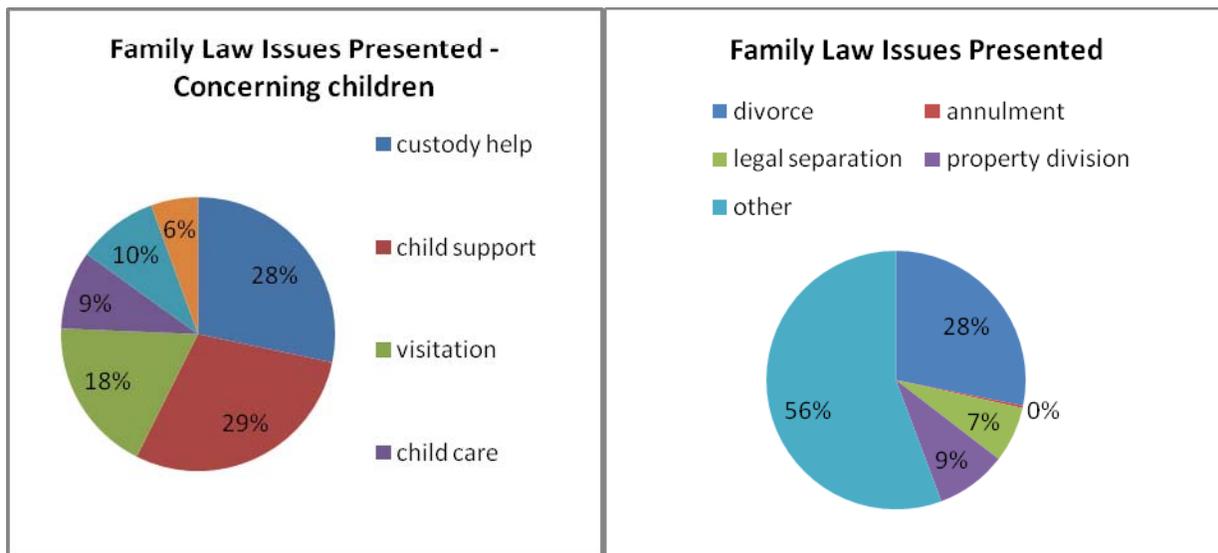
A clear difference of greatest area of need for consumer legal issues can be seen when looking at the incomes of households. Those families with annual incomes of less than \$10,000 experience the highest percentage (40%) of problems with their bank accounts. The greatest hardship with debt collectors and collection agencies were with households earning between \$20,000 and \$40,000 (44%) and households with incomes between \$40,000 and \$60,000 (37%). 46% of 18 to 29 year old households listed having student loan problems and the issue coming in with the second highest percentage for this age group was bank account problems (39%). The table below lists the highest area of legal needs for the various age groups and demonstrates the complexities of financial matters or falling prey to mistakes or scams do not diminish with age.

Highest Legal Consumer Needs by Age Groups				
	Debt Collectors	Student Loans	Bank Accts	Credit Card Accts
18 to 29	37%	46%	39%	30%
30 to 45	42%	32%	42%	35%
46 to 59	25%	20%	28%	27%
60 to 70	33%	8%	38%	29%
71 <	25%	8%	25%	25%

Family

“I need help so badly. You have no idea how much I wish I could get a lawyer somehow. I came into my marriage with a good job, mobile home, car, savings, all the dishes and things you need to have a house. I leave responsible for over 100,000 in debt, a horribly upside down house, no working vehicles, not having been employed for 18 years due to being a stay at home mom with disabled children. I have nothing, I can't get a lawyer. I have no way to protect myself. I know there will be no justice but I wish I could find some way to not have it keep getting so much worse.”

38% of all survey respondents answered that in the last twelve months they needed legal assistance with a family issue. Of the people needing family law help, the largest number listed ‘other’ as the legal issue rather than any of the issues listed in the chart below. The category of ‘other’ was then described in numerous explanations: A spouse wasn’t following through with the court degrees; confusion about what a court document required; and, a long list of few words trying to understand what the ‘legal process’ expected from them or could do for them in the middle of their personal sorrows.



The personal sorrows and need for legal assistance does not have a gender bias: 68% of the female and 63% of the male respondents stated that they needed family legal help with the issues cited in the charts above.

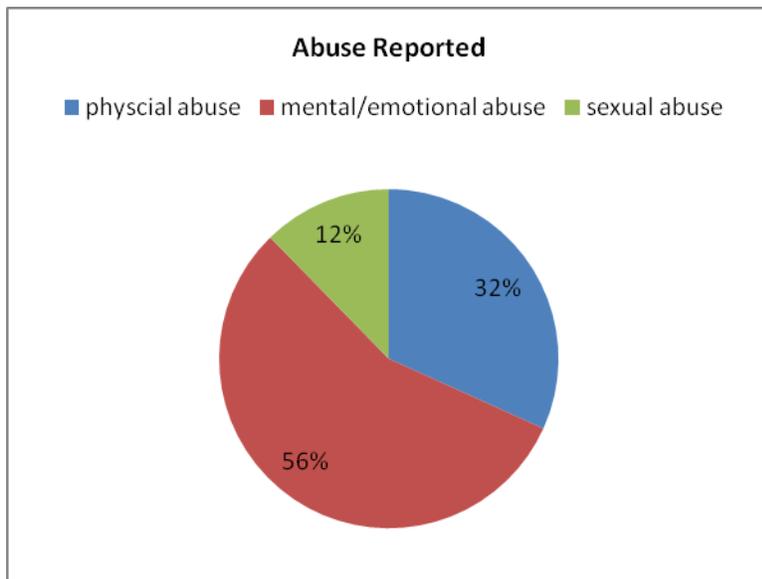
Domestic Violence

“my ex was abusive physically, emotionally, verbally, and sexually towards myself.”

Domestic Violence, though, seems to hold a gender unbalance: 43% of females reported having dealt with domestic violence in the past twelve months and 19% of males reported domestic violence issues. The table below shows all ages can be victims of abuse and the chart shows there are many forms of domestic violence that victims are suffering.

Getting an order of protection or restraining order was the greatest problem reported with 57% reporting this issue. Enforcing an order of protection was second with 41% reporting this difficulty.

The Victim of Abuse	
A child(ren)	27%
Adult	87%
Elderly (over 65)	5%



The legal issues stemming from abuse are compounded as the victims often need to leave their homes, lose their financial security, and incur costs while they re-establish their lives.

Beyond the need for safety, a victim needs legal assistance in navigating the challenges that come with trying to become a survivor and rebuilding a life without fear.

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