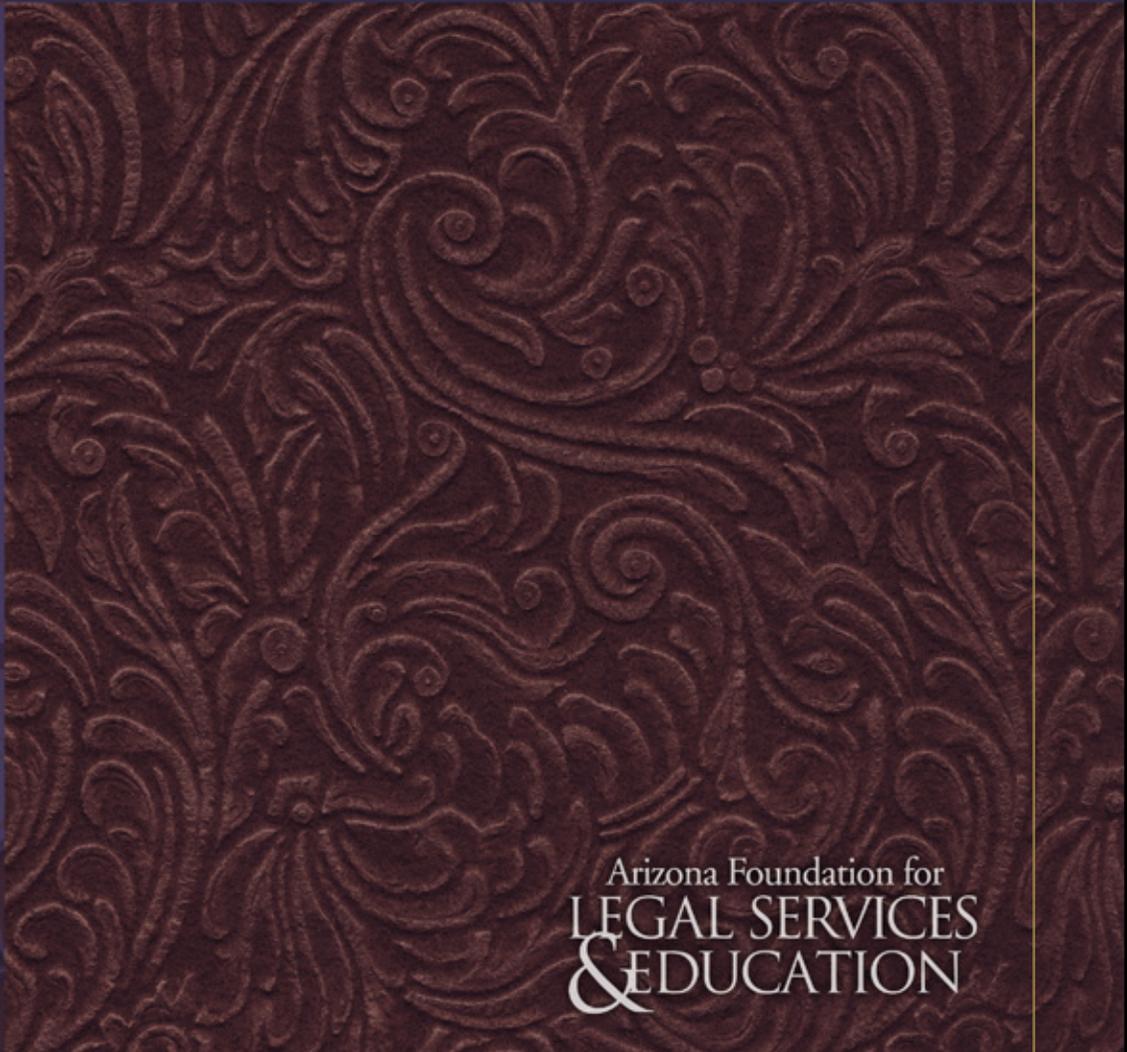
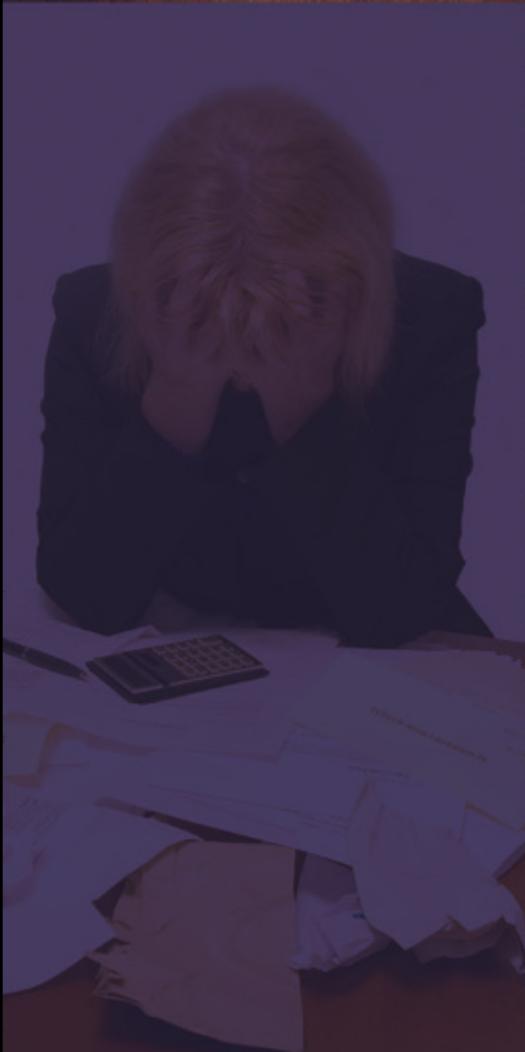


# VOICING A NEED FOR JUSTICE

Survey Results on Legal Aid Access in Arizona



Arizona Foundation for  
**LEGAL SERVICES  
& EDUCATION**



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## EXECUTIVE SUMMARY

National studies have found that three out of four people requesting legal services cannot be helped because of a lack of resources in legal aid agencies. Arizona legal aid agencies have also reported offering limited services or turning away 75% of persons seeking direct legal aid representation, both because of a lack of resources and because those requesting assistance fall outside the service criteria for those agencies. However, the information in Arizona has to date been largely anecdotal. Concerned about the reports of large gaps in civil legal services, and mindful of Arizona's unique demographics and culture, the Arizona Foundation for Legal Services and Education requested an independent, statewide study to identify the civil legal needs of Arizonans, how those needs are being met, and whether there is a gap between the needs and the services that are available.

The Foundation retained Fieldwork Quant Group in Chicago, Illinois to conduct the study. Fieldwork Quant Group conducted a telephone survey of 1,067 persons during the summer of 2006. The study has a 95% confidence level and a 3% margin of error. The survey addressed only civil legal needs and did not address criminal law needs and services.

The study found that approximately 32 % of the persons interviewed reported that they had a civil legal problem. Unfortunately, large numbers of Arizonans do not believe that they could afford a private attorney to assist with their legal needs:

- Over 71% of households with a total income of \$25,000 or less believed that they could not afford an attorney;
- Even in those households with an income of as much as \$47,000, more than half (over 56%) believed that they could not afford an attorney.

The study further found that the problems caused by the inability to afford a lawyer are made worse by a lack of knowledge regarding the available legal services:

- 81% of the persons interviewed did not know where to go for legal services when they had a civil legal problem.
- Of those 32 % reporting a civil legal problem, only 25% got help from a person or agency. 41% attempted to take care of the problem themselves, and 21% took no action at all (13% chose not to answer this question).

Participants also identified the following major areas of legal need:

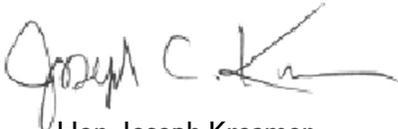
- Consumer issues
- Housing issues
- Family and juvenile civil legal issues
- Government benefits
- Discrimination issues
- Employment issues

The results set forth above and rest of the study clearly reflect that:

(1) Many Arizonans have civil legal needs; (2) the majority of Arizona households do not believe they can afford a private attorney to assist them with these needs; (3) even those who do seek help do not know how to easily find it; and (4) as a result, a large number of Arizonans do not get the civil legal assistance they need.

There is thus a significant "gap" between the civil legal needs of Arizonans and their ability to access the tools necessary to address these needs. Identifying the existence of this gap and the reasons for it provides an opportunity to take concrete steps to close the gap by providing Arizonans with the knowledge, tools and resources to access the justice system. Preceding the study is an Action Plan developed under the guidance of the Foundation utilizing the expertise and experience shared by multiple stakeholders within the Arizona Justice System.

### For the Foundation:



Hon. Joseph Kremer  
Board President 2007

## ACTION PLAN PROPOSAL<sup>1</sup>

The American Bar Association passed the Standards for the Principles of a State Delivery System for the Delivery of Civil Legal Aid in 2006. With these principles as goals, and utilizing them with the findings of the 2006 Arizona legal needs study, the following action plan is proposed:

**A. Principle: A state's system for the delivery of civil legal aid provides services to the low-income and vulnerable populations in the state.**

**Problem:** 81% of the study respondents do not know who to call when needing legal aid assistance.

**Action Plan:**

1. Establish 800-number statewide service call center where referrals can be appropriately made and initial information can be coordinated.
2. Enhance current coordination, outside the legal realm, with entities to increase delivery of legal assistance to populations in need (e.g., DV shelters, medical clinics).
3. Explore additional partnerships with others outside the legal realm to provide and promote further outreach (e.g., housing nonprofits, homeless shelters, centers assisting farm workers).
4. Increase use of mass media and computer technology to inform members of the public of their basic rights, answer legal questions, inform about the services provided through legal aid, and provide informational resources in a consistent and unified approach.
5. Support the creation and continuation of state cadres focusing on specific areas of the law (e.g., steering committee, immigration law committee, DV, Housing, etc.).

**B. Principle: A state's system for the delivery of civil legal aid provides a full range of services in all forums.**

**Problem:** 41% of the population attempts to take care of their legal problems by themselves. 21% do nothing to represent themselves or defend their side in a legal situation.

**Action Plan:**

1. Ensure self-help centers and web-sites are available in every county and on tribal reservations.
2. Pursue stable and adequate funding for self-help services.
3. Pursue strategies to remove any unnecessary barriers to access for self-represented litigants.
4. Support the creation and/or continuance of legal-aid offices in each county and on each tribal reservation.
5. Support the creation and/or continuance of support from volunteer lawyers and/or Tribal Advocates in each county and tribal court.

**C. Principle: A state's system for the delivery of civil legal aid provides services of high quality in an effective and cost efficient manner.**

**Problem:** In the 2006 Arizona legal needs study, there were over 100,000 legal issues reported by those respondents earning less than \$15,000 annually. The number of legal issues reported by all those stating they could not afford private representation totaled nearly a half million. With this great stated need, effective and cost efficient delivery is a basic necessity.

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<sup>1</sup>The Action Plan proposed is to be a statewide effort requiring all the expertise and commitment of the many stakeholders. While the plan is detailed with ideas and programs which will assist in the promotion of equal access to justice there are two priorities which must be kept in the forefront: 1) the number one priority must be to increase funding for support of legal aid so that those who are currently unable to have professional representation will have the voice they need; and, 2) the legal aid agencies, and their staff, must be recognized as an integral component to success toward the state having an equal justice system.

Furthermore, while this Action Plan focuses on civil legal needs, that focus should not ignore the need for criminal defendants to properly understand the collateral civil consequences of a criminal conviction. Where possible, the Action Plan should encourage collaboration among legal aid providers and the public defenders, prosecutors and other advocates in the criminal justice system.



**Action Plan:**

1. Ensure the provision of continuing legal education for legal aid attorneys and volunteer lawyers so that they will best be able to serve the clients in the areas of law needed.
2. Place as a priority, funding projects that facilitate collaboration between agencies and reduce administrative costs.
3. Support the development and maintenance of a legal advocate assistance web-site where forms are available, case law can be accessed, and a list-serve is available for direct questions/answers for legal advocates relating to assisting his/her clients.
4. Strengthen the statewide technology infrastructure to facilitate broader and more effective development of new delivery mechanisms.
5. Ensure that azlawhelp.org, lawforseniors.org and other websites are used in assisting with the state’s legal aid delivery system. The websites, by answering basic legal questions, will assist with freeing intake lines for those who need direct legal assistance.
6. Support the expansion of the use of hotlines as an effective way to answer direct client questions in specific areas (e.g., Elder hotline, NELL – Native Education Legal Line).
7. Consider legislation to regulate the use of the term “Legal Aid” to avoid confusion among consumers.
8. Evaluate and develop best practices for innovative and affordable delivery methods of legal aid.
9. Develop and support programs and services designed to encourage and assist private lawyers to serve modest means clients.

***D. Principle: A state’s system for the delivery of civil legal aid provides services in sufficient quantity to meet the need by seeking and making the most effective use of financial, volunteer, and in-kind resources dedicated to those services.***

**Problem:** The top legal issues identified include a wide area of public issues: consumer, housing, family and juvenile, and discrimination. These top legal issues demonstrate that the scope of those who are impacted and may be willing to assist with financial, volunteer, and in-kind resources are beyond the legal arena and, they have yet to be approached.

Consumer issues	14.7%	323,991 households;
Housing/Utility	14.4%	317,377 households;
Family and Juveniles	9.2%	202,769 households;
Employment concerns	8.8%	193,952 households; and,
Discrimination	5.3%	116,813 households.

**Action Plan:**

1. Explore partnerships with funders interested in addressing the social needs surrounding the legal issues identified to increase support for legal aid addressing those specific needs.
2. Promote training social service providers to enhance their ability to identify legal issues and determine when/where referrals should be made.
3. Establish benchmarks for community health relating to access to legal aid (e.g., community health for homeownership is normally identified when 65% - 70% of residents own homes.)
4. Increase and support volunteer lawyer programs to assure availability across the state.

5. Explore development of corporate access to justice funding initiatives to support legal aid.
6. Pursue local and state government general funding for legal service provision.
7. Work with groups to establish cost comparisons for communities when legal aid is not available (e.g., \$60,000 could shelter 100 homeless people in Phoenix for one month or keep 300 people from being wrongfully evicted by funding one legal-aid attorney position). These statistics will be used in communicating the value and impact of legal aid.

***E. Principle: A state's system for the delivery of civil legal aid fully engages all entities and individuals involved in the provision of those services.***

Problem: When asked who assisted you with your legal need 28.9% stated they relied on friends and relatives and 3.9% went to their doctor or the hospital for legal help. The resolution satisfaction for those not receiving assistance was 39% to 75% lower than those who received help (varying with the legal need identified.)

**Action Plan:**

1. Develop programs and partnerships in communities with attorneys and local support agencies to identify needs, establish appropriate referral systems, and work toward cost effective means of providing legal aid and education.
2. Support the creation and continuation of state legal-aid cadres focusing on specific areas of the law (e.g., steering committee, immigration law committee, DV, housing, etc.). Encourage outreach to community partners to increase public awareness of resources.
3. Pursue strategies to increase funding and support for the provision of legal aid from a broad base of resources including the general public, state appropriations, and private foundations.
4. Promote awareness of self-help centers, legal information websites, and hotlines.

***F. Principle: A state's system for the delivery of civil legal aid makes services fully accessible and uniformly available throughout the state.***

Problem: In all areas of the state 50% or more people responded they could not afford private representation. In 5 counties (Pinal, Greenlee, Apache, Graham, and Coconino) the percentage was 70% and higher.

**Action Plan:**

1. Make it a priority to support the availability of legal aid and volunteer attorneys in rural areas of the state.
2. Ensure that the legal aid offices meet Americans with Disabilities Act requirements.

3. Encourage use of an 800 number and hotline services to access information and legal aid services.
4. Assure each county and tribal reservation has a self-help center.
5. Support the development of fellowship programs and special incentives for legal aid attorneys working in remote areas of the state.

***G. Principle: A state's system for the delivery of civil legal aid engages with clients and populations eligible for civil legal aid services in planning and in obtaining meaningful information about their legal needs, and treats clients, applicants and those receiving services with dignity and respect.***

Problem: Addendum-I of the study reports results of legal aid clients in special needs categories: domestic violence victims; individuals who only speak Spanish; farm workers; and those living on tribal reservations. This addendum indicates that the needs of these groups can be varied; thus, their input is necessary to provide quality legal aid. For example, tribal residents, DV victims and Spanish speaking clients all state the highest legal need as family matters, but for farm workers the greatest need is employment issues. Also, computer and email access varies greatly among these targeted populations.

**Action Plan:**

1. Support efforts that enhance legal aid through availability of multi-lingual and culturally competent-service providers.
2. Utilize the websites and call center to assist in identifying client needs through questions submitted and issues reported.
3. Promote and support client feedback evaluation tools to be used by legal aid providers.
4. Promote and support client feedback evaluation tools to be used by self-help centers.

***H. Principle: A state's system for the delivery of civil legal aid engages and involves the judiciary and court personnel in reforming their rules, procedures and services to expand and facilitate access to justice.***

Problem: The survey results indicated that many Arizonans are dealing with their legal crisis without the needed legal help. 83% of the minimum wage earners stated they could not afford private legal assistance. For the households whose economic means fell below \$47,000 annually, the gap of need was still higher than 50%.



### **Action Plan:**

1. Explore amending the rule for licensed Arizona attorneys living outside of the state to contribute toward legal aid if it is not possible to provide the recommended number of pro bono hours due to their out of state residency.
2. Develop a partnership with the courts to develop and provide access to justice training (including the use of cy pres awards) to judges and justices of the peace.
3. Explore strengthening the wording in the Rule recommendation and the reporting requirements of pro bono work for Arizona attorneys.

***1. Principle: A state’s system for the delivery of civil legal aid is supported by an organized bar and judiciary that is providing leadership and participating with legal aid providers, law schools, the executive and legislative branches of government, the private sector and other appropriate stakeholders in ongoing and coordinated efforts to support and facilitate access to justice for all.***

**Problem:** Again, the survey results indicated that many Arizonans are dealing with their legal issues without the needed legal help. 83% of the minimum wage earners stated they could not afford private legal assistance. For the households whose economic means fell below \$47,000 annually, the gap of need was still higher than 50%.

### **Action Plan:**

1. Explore increased revenue through changes of court rules/procedures (e.g., admission on motion, cy pres, pro hac vice, etc) as a source of support for legal services. )
2. Further develop the partnership with state law schools and the Foundation to increase support for the recruitment and retention of legal aid attorneys.
3. Increase communications between the Foundation, organized bar, judiciary, legal aid providers, law schools, executive and legislative branches of government, private sector, and other stakeholders to assure, at a minimum, quarterly correspondence or communication pertaining to legal access to justice issues of Arizona.
4. Implement use of American Bar Association ‘Standard of Civil Legal Aid’ evaluation tool and/or the LSC’s Performance Criterion, annually with representatives of each entity listed above and publish results of survey.
5. The Foundation and State Bar leaders will collaboratively explore avenues to expand and create bar member programs that will increase funding for legal aid services.
6. Explore the possibility of quarterly meetings of representatives from each entity listed above to share information, report on action plan progress, and promote increased support of legal aid.

## METHODOLOGY

### Independent Professional Research Organization Conducted Survey

The research survey was conducted by Fieldwork Quant Group in Chicago, Illinois. With eleven research offices based around the country they offer an advanced resource for high quality data collection and project management. Specializing in all aspects of quantitative research, the Quant Group offers projects a direct line to respondents, day or night via phone, internet or mail. The supervisors direct a team of over 150 interviewers, employing strict quality control procedures to ensure that each project is completed according to specifications. Bilingual and bicultural Hispanic supervisors and interviewers specialize in reaching the fastest growing ethnic segment in the country.

### Confidence Level and Margin of Error

Sample size of 1,067 survey participants was verified as valid by using calculators found at the Marketing Research Association (MRA) website: this study is completed with a 95% confidence level and a 3% margin of error.

### Study Design

The survey was modeled primarily after the Washington and Oregon legal needs survey instrument. There were additional questions added to the original survey in order to address specific concerns of Arizona. Those additions included a question regarding the impact of AIMS testing and questions relating to consumer issues. There were 49 questions asked in regard to the individual's situations in the last year with additional follow up questions for clarification if the individual responded that there was a situation that could present a legal need in a specific area. Included in these questions were a few which researched the issues relating directly to tribal courts. Other than the tribal court questions, the questions presented did not ask the respondent to determine if there was legal content in the situation reported or if their household had a 'legal need', rather the questions asked if they had particular prior situations. The survey was conducted in this matter to follow the wisdom of the other states' surveys across the nation over the last ten years and avoid 'leading' any of the participants into a directed response. In addition to the situational questions, there were six (6) demographic questions and two (2) questions designed to ascertain technology resources and one which asked directly if they would be able to hire an attorney if their household was in need.

The societal issues where someone was questioned and identified as needing legal assistance included: housing and utility services; family or juvenile issues; employment; education; immigration; discrimination; government assistance; military; and consumer issues. The demographic questions included: gender; race; age; family size; family type; income; zip code; and education level.

### Targeted Service Appendix

Recognizing that a broad survey of the generalized population (limited also to those who have listed phone numbers) will understate the needs of the lower income, a second survey was completed that targets specialized populations where past experience has shown that legal needs are most often not being met. These targeted populations include legal service clients who fit into the following categories: domestic violence victims; English as a second language speaking households; farm workers; and residents of tribal reservations. The survey respondents for the targeted service Appendix was 5% of the total number of the general survey.

### Respondents Personal Demographics

As the chart on page 8 indicates, the respondents of the survey vary in differing areas from the general demographics of Arizona's population. The variations indicate that the results of the survey could be lower than the actual need due to the following: 1) There was a 17.1% higher respondent rate for Caucasians than general population and the study results indicate there is a higher rate of need with minority populations; 2) There was higher respondent rate for the population obtaining education with some college or graduate levels and the study results indicate there is a higher rate of need for the lower-educated population. The income level variances are not factored because 23% of survey respondents did not report income.

**TABLE I - DEMOGRAPHICS: STATE GENERAL POPULATION VS SURVEY RESPONDENTS**

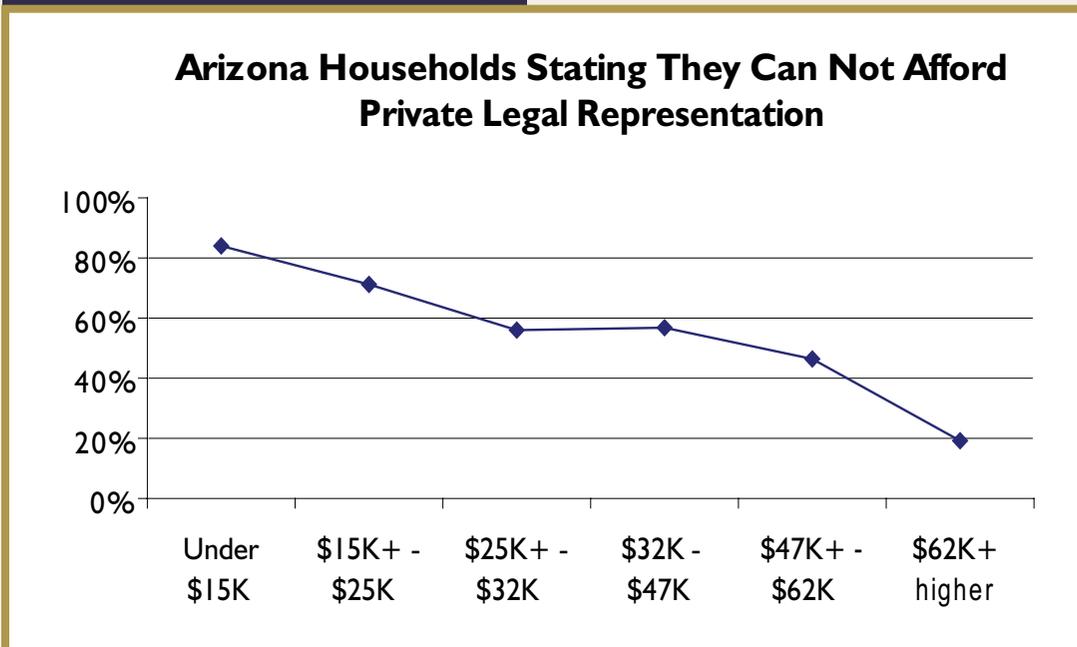
Race/Ethnicity	State	Survey	Var.	Marital Status	State	Survey	Var.				
White	59%	76.3%	17.1%	Never married (single)	31.1%	18.1%	-13%				
Black or African American	2%	3.1%	0.7%	Married	55.2%	59.8%	4.6%				
American Indian and Alaska Native	4%	3.0%	-0.7%	Separated	1.5%	1.3%	-0.2%				
Asian	2%	1.2%	-0.5%	Widowed	2.4%	9.9%	7.5%				
Native Hawaiian and Other Pacific Islander	0%		-0.1%	Divorced	9.9%	8.4%	-1.5%				
Some Other Race	9%		-8.8%	Unknown		3%	2.5%				
Two or More Races	2%	1.4%	-0.4%	<p><b>Note:</b> The survey's higher percentages of Caucasians and higher rate of college graduates than the general Arizona population, and the overall population growth since 2006 are reasons to consider that the need presented is actually higher than the survey results indicate.</p>							
Hispanic or Latino (of any race)	22%	10.7%	-11.6%								
<b>Gender</b>											
Female	50%	61%	11%								
Male	50%	39%	-11%								
<b>Income Level</b>								<b>Education</b>	<b>State</b>	<b>Survey</b>	<b>Var.</b>
< \$15,000	13.5%	8.6%	-4.9%					> 9th Grade (study 8th)	6.9%	2%	-4.9%
\$15,000 to \$25,000	25.5%	7.8%	-17.7%					9th to 12th Grade	9.3%		-9.3%
\$26,000 to \$50,000	29.2%	27.8%	-1.4%	High School GED	25.6%	25.9%	0.3%				
> \$50,000	44.5%	32.5%	-12.0%	Some College	32.7%	20.1%	-12.6%				
Unknown		23%	23.3%	Bachelor's	16.2%	32.9%	16.7%				
				Graduate or Professional	9.3%	14.8%	5.5%				
				Trade School		1.7%	1.7%				
				Unknown		3%	3%				

# LEGAL NEED OF HOUSEHOLDS IN ARIZONA

The survey results indicated that many Arizonans are dealing with their legal crisis without the needed legal help. 83% of minimum wage earners stated they could not afford private legal assistance. For the households whose economic means fell below \$47,000 annually, the gap of need was still higher than 50%. The 46.3% of those with incomes of \$47K - \$62K reflect there are other factors considered in forming the opinion as to whether one is able to afford private legal representation even when annual earnings are above average. **Chart I** – Legal Service Need Gap indicates the Arizona households who can not access legal services when they are needed.

2007 Federal Poverty Guideline	
Persons in Family or Household	48 contiguous States and D.C.
1	\$10,210
2	13,690
3	17,170
4	20,650
5	24,130
6	27,610
7	31,090
8	34,570
For each additional person add ___	<b>3,480</b>

**Chart I – Legal Service Need Gap**

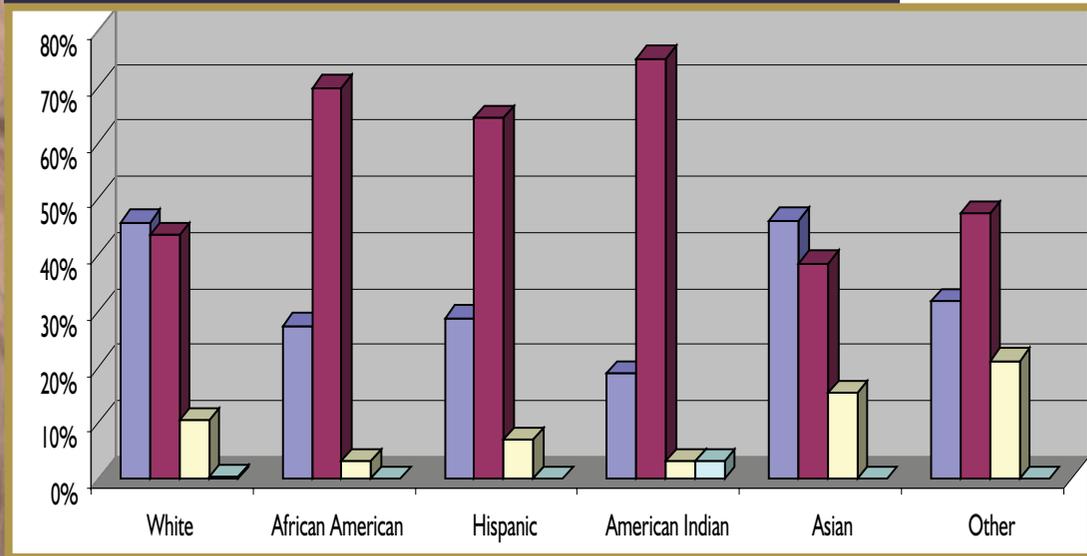


Under \$15K.....	83.7%
\$15K+ - \$25K.....	71.4%
\$25K+ - \$32K.....	56.1%
\$32K - \$47K.....	56.7%
\$47K+ - \$62K.....	46.3%
\$62K+ higher.....	19.6%

SOURCE: Federal Register, Vol. 72, No. 15, January 24, 2007, pp. 3147-3148

The following charts show the differing results between demographic populations when asked if they could afford a private attorney to meet their legal needs.

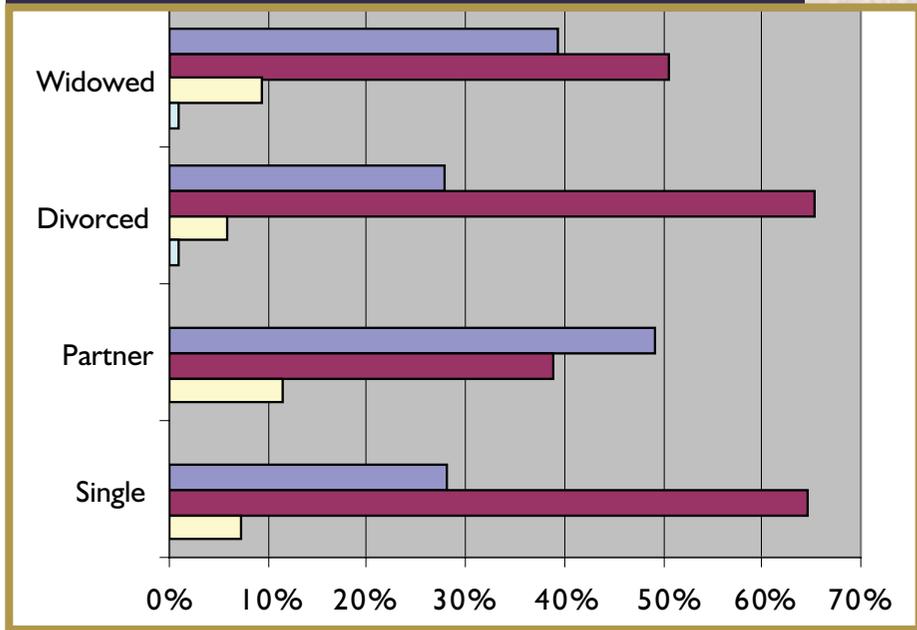
**Chart II – Comparison of Legal Need Gap by Race/Ethnicity**



***...would you be able to afford a private attorney?***

■ Yes   
 ■ No   
 ■ Not Sure   
 ■ Refused

**Chart III – Comparison of Legal Need Gap by Family**



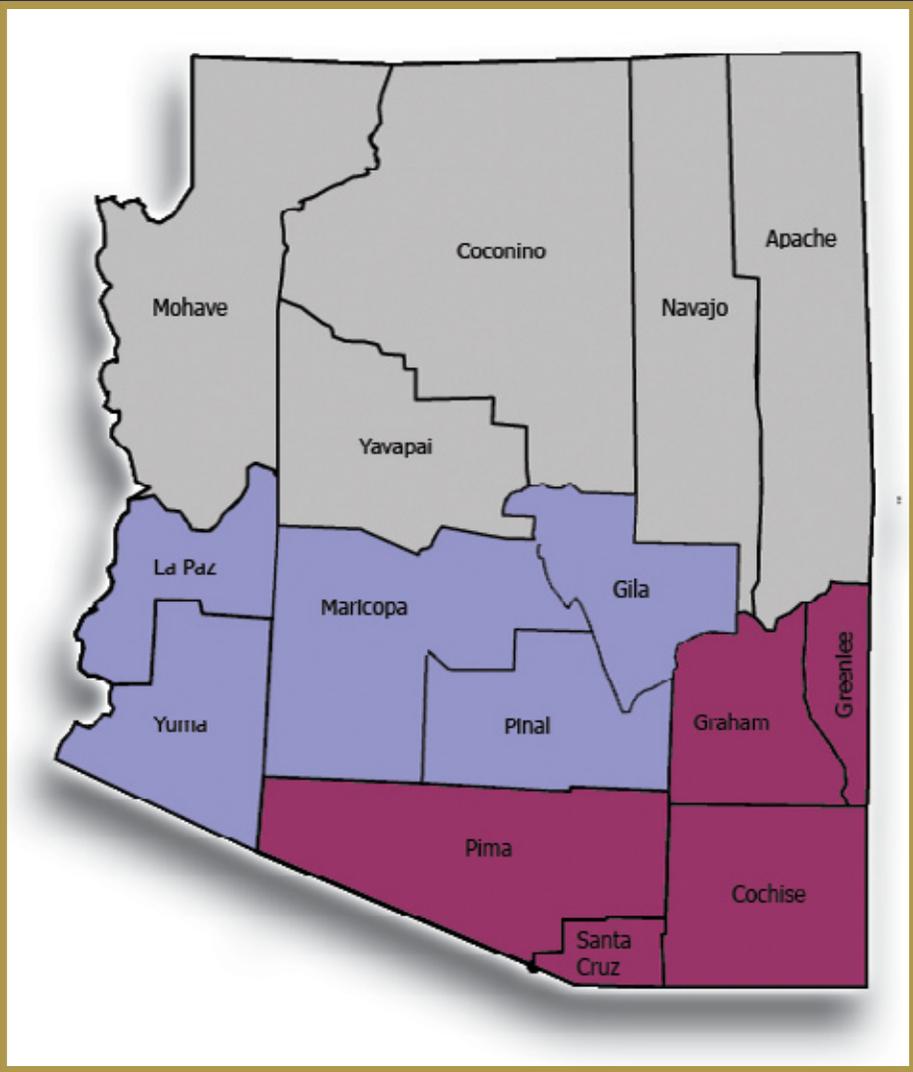
***...would you be able to afford a private attorney?***

■ Yes   
 ■ No   
 ■ Not Sure   
 ■ Refused

**Counties w/70% and greater stating they can not afford a private attorney**

Pinal.....	70%
Greenlee.....	75%
Apache.....	78%
Graham.....	80%
Coconino.....	81%

**Chart IV – Comparison of Legal Need Across Arizona<sup>2</sup>**



**Percentage stating they can not afford private attorney**

Northern Arizona .....	63%	Southern – East.....	54%
Central - West.....	50%		

<sup>2</sup>The original map, before color coding by region, was provided through work of US Department of Census 1990



## LEGAL ISSUES IDENTIFIED

The survey results demonstrate the encompassing need for legal assistance across a wide spectrum of societal issues. As Table II – Detailed Legal Need Issues identifies, when trying to ‘face the challenges of daily life’ Arizona households hit a brick wall when they need professional legal services in moving through the barriers that are blocking their path to family stability.

**See Table II on page 13.**

The table lists the Issue/problem separately outside of the Legal Category to better understand the specific issues within each category. When placing the Legal Issues back into the Legal Category, the total percentages of Arizona households dealing with problems, generalized to the Arizona population are as follows:

Consumer issues	14.7%	323,991 households;
Housing/Utility	14.4%	317,377 households;
Family and Juveniles	9.2%	202,769 households;
Employment concerns	8.8%	193,952 households; and,
Discrimination	5.3%	116,813 households.

The survey went into further detail with specific Legal Issues where responses could be specified into areas of exact problem faced within the Legal Issue. These detailed areas are shown in the charts below and will assist in providing understanding of the specific problems of Arizona households.

As each of the previous charts illustrates the problems Arizona households reported are varied and complex. There were households who reported multiple problems as one issue can spiral to other complications. For example a ‘lemon’ car purchase can lead to problems at work, which can affect your pay, which can impact your housing, which then can lead to family relationship problems.

There were many detailed issues offered and many responses when asked ‘what action was taken.’ The following section addresses the responses of what action they took to resolve the issues, where did Arizonans go for help if they sought assistance, and if they didn’t take action why they didn’t.

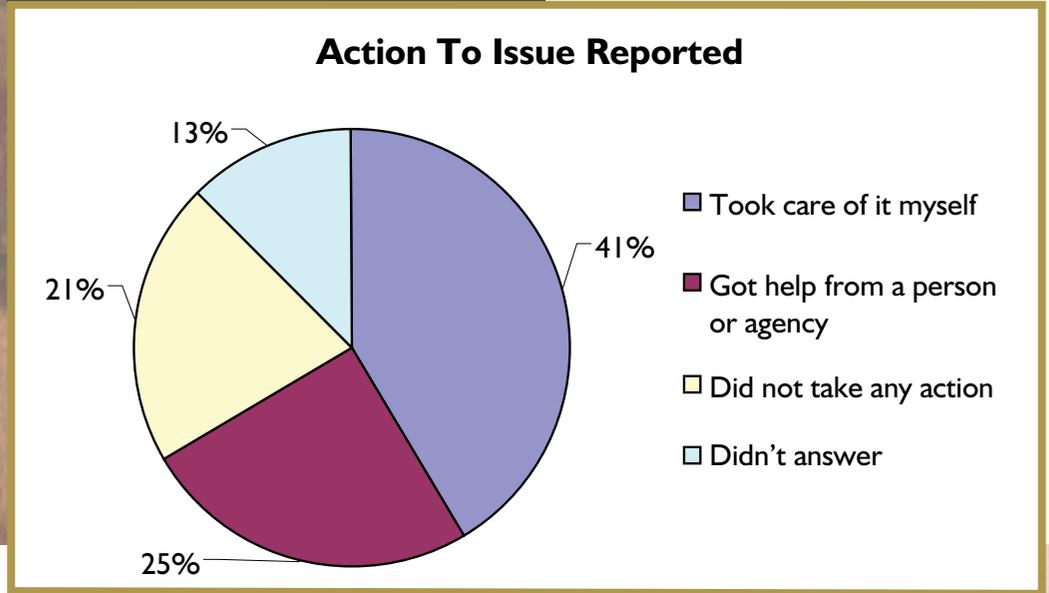
<b>TABLE II - CATEGORY &amp; DETAIL ISSUES</b>			
<b>Legal Category</b>	<b>Issue - Problem</b>	<b>Percent</b>	<b>Generalized to Arizona Population Households</b>
Consumer	Bill Collectors	7%	145,465
Housing	Utilities	6%	138,853
Family/Juvenile	Civil Legal Family Matter	6%	121,221
Discrimination	Discrimination	5%	116,813
Consumer	Purchases or Services	4%	90,365
Consumer	Bankruptcy	4%	88,161
Family/Juvenile	Juvenile Justice System	4%	81,548
Education	School issues: Discipline or Special Needs	4%	80,006
Housing	Housing: Rental	4%	79,344
Housing	Mortgage Loan	3%	74,936
Government Benefits	Government Assistance	3%	72,732
Other Legal	Other Legal Matters	3%	72,732
Employment	Employer - Pay or Withholding	3%	61,712
Employment	Other on Job	3%	57,304
Employment	Unemployment Comp	2%	41,876
Employment	Pension/Retirement	2%	33,060
Housing	Housing: Mobile Home	1%	24,244
Immigration	Immigration	1%	22,040
Veterans	Veteran issues	0.03%	661
Education	AIMS: Resulted in Delay/Prevented Graduation	0.01%	220

## ARIZONANS' RESPONSE TO PROBLEMS REPORTED

### Who took action:

Responses to Problem, Chart V, documents that many Arizonans are being left to their own devices or the fate of their inaction when trying to cope with major problems of housing, consumer finances, discrimination, etc. while still managing the responsibilities of daily living and work.

Chart V – Responses to Problem



### Rate of Satisfaction Comparison:

The survey followed the question of 'did you receive help', with a question regarding if the respondent was satisfied with the outcome. The following table compares the satisfaction rate of those who stated they received assistance to those who did not indicate that they received help. The table is separated by the legal issue that the respondent was dealing with to demonstrate the gap in available assistance for varying legal needs and the resulting outcomes for the individuals and families due to that gap.

**TABLE III - SATISFACTION COMPARISON**

Comparing satisfaction of results with those who received assistance and those who did not receive assistance	Group 1 Stating They Received Help	Group 2 NOT Stating They Received Help
Legal Issues:	Percent who were SATISFIED w/results	Percent who were SATISFIED w/results
Housing	93%	28%
Civil Family, & Juvenile	100%	25%
Employment	80%	25%
Gov. Benefits	67%	43%
Consumer Issues	88%	23%
Other Legal Issues	100%	41%

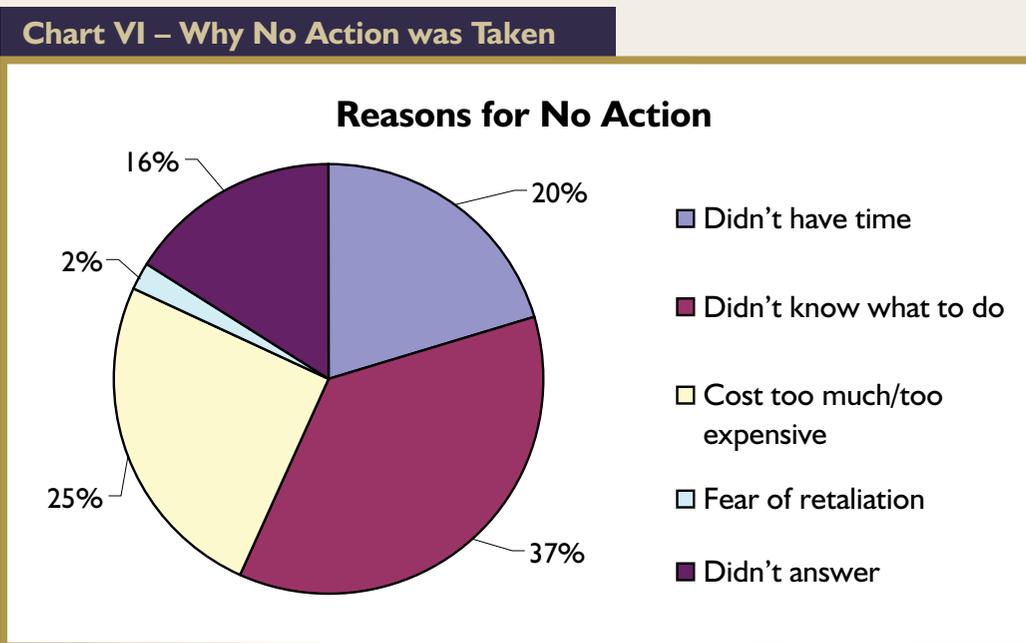
**Where they Sought Help:**

The 25% of those with problems who did seek help from a person or agency were asked where they got the help they needed. The following chart details those replies.

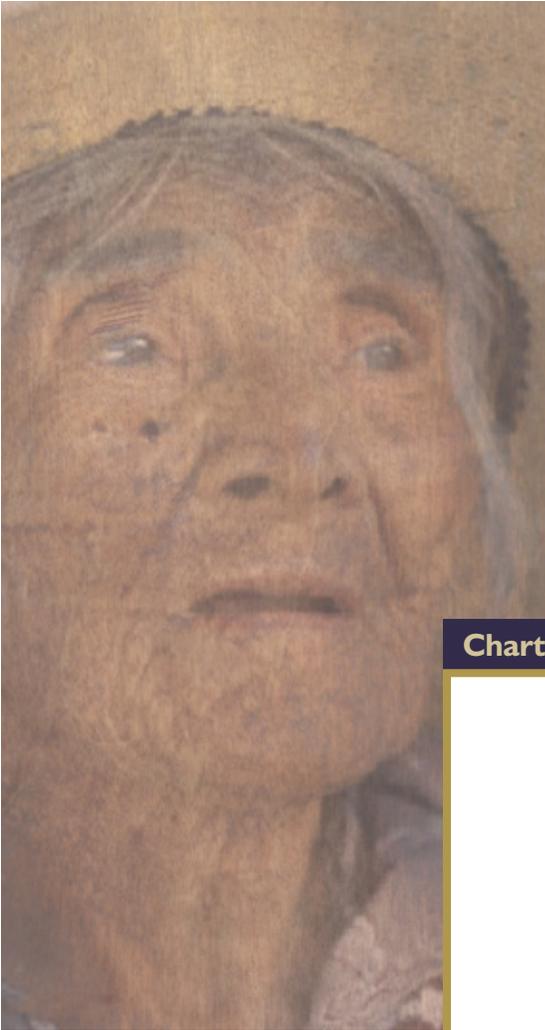
TABLE IV - WHO ASSISTED WITH PROBLEMS	
Who Assisted	Percent
Tribal Court Advocate	1.3%
Courts	3.9%
Doctor or Hospital	3.9%
Arizona Bar Association	5.3%
Government Office (e.g., Attorney Gen.)	5.3%
Legal Service Agency	5.9%
Don't know- couldn't remember name	11.8%
Other mentions (e.g. friends, relatives)	28.9%
Private attorney	33.6%

**Why they did not take action:**

After the participants were asked if they took action to resolve the issue they had reported, those who responded they had not taken action were asked to explain why they did not. Over 38% of those not taking action had reasons so varied they could not be categorized. For example, lack of transportation; they moved instead; their spouse wouldn't let them; job schedules, etc. **Chart VI – Why No Action was Taken** only outlines the answers that could be grouped into broader categories.



Legal service providers will need to consider different actions according to the various responses given for 'no action taken.' As stated in the introduction, 81% of all survey participants, including those who did not have a legal problem, didn't even know who helped people with civil legal problems.



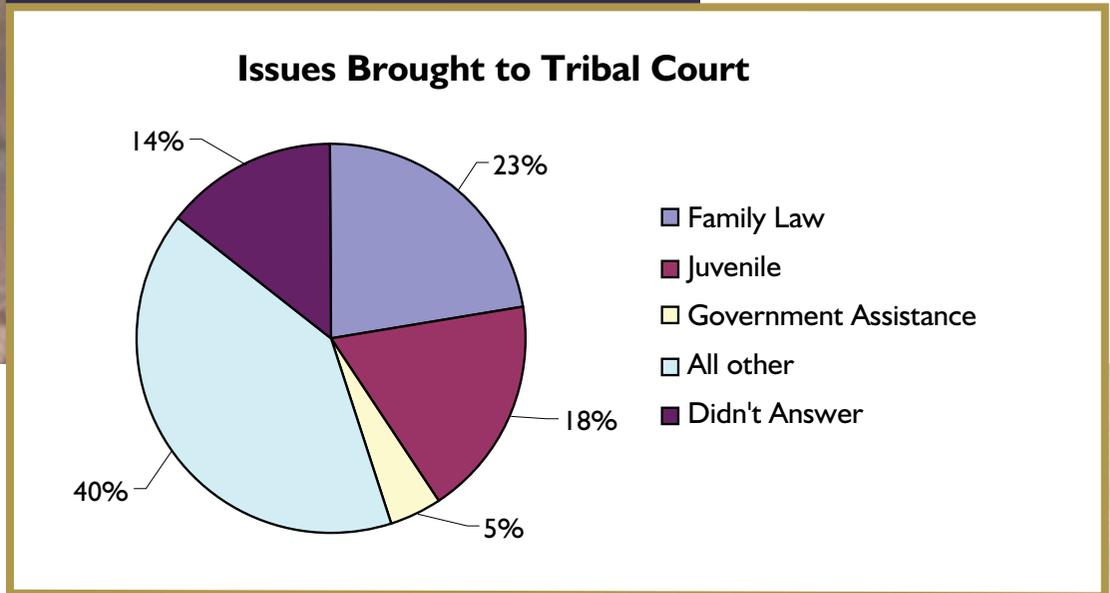
## TRIBAL COURT IMPACT

Two percent (2%) of the respondents to this survey said they had dealings with Tribal Court. When generalized to the state's population (over age 16) this would be representative of over 88,000 individuals. The two follow up questions included in the survey were:

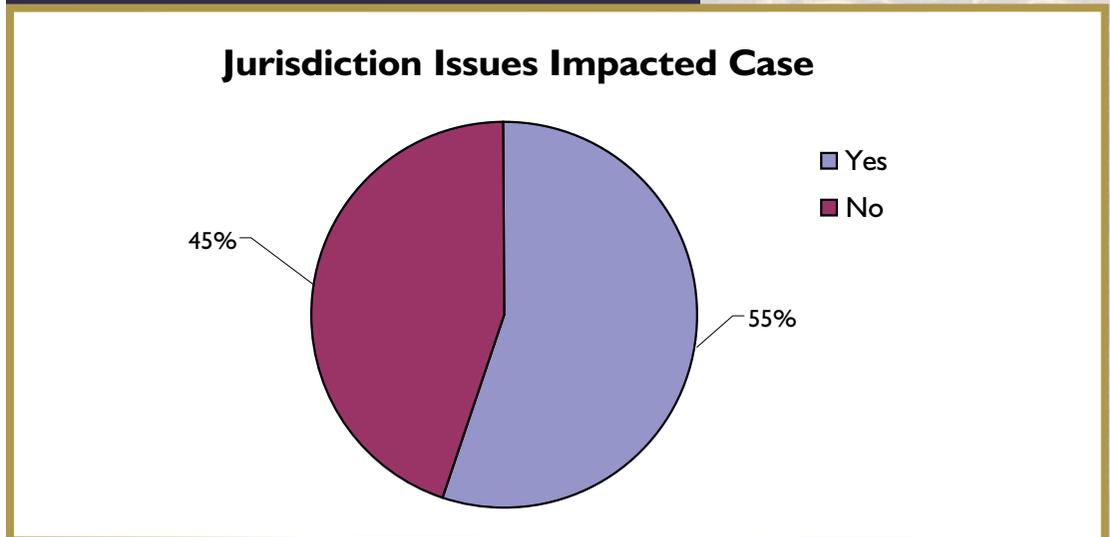
- What issue was dealt with in Tribal Court?
- Did jurisdiction issues impact the case?

The two charts below will outline the responses to these questions.

**Chart VII – Issues Dealt with in Tribal Court**



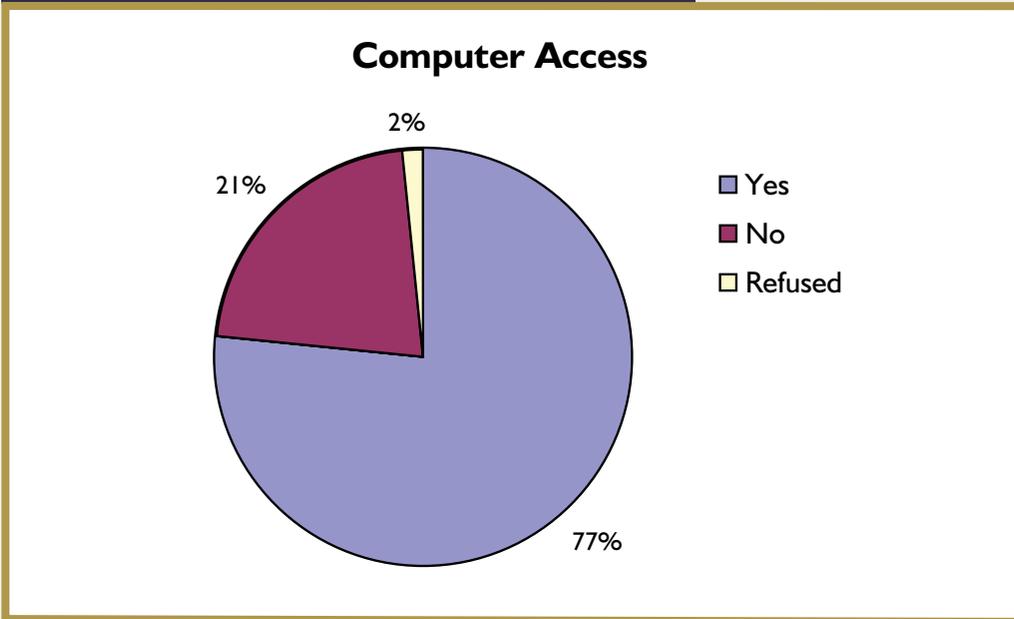
**Chart VIII – Jurisdiction Impact Cases**



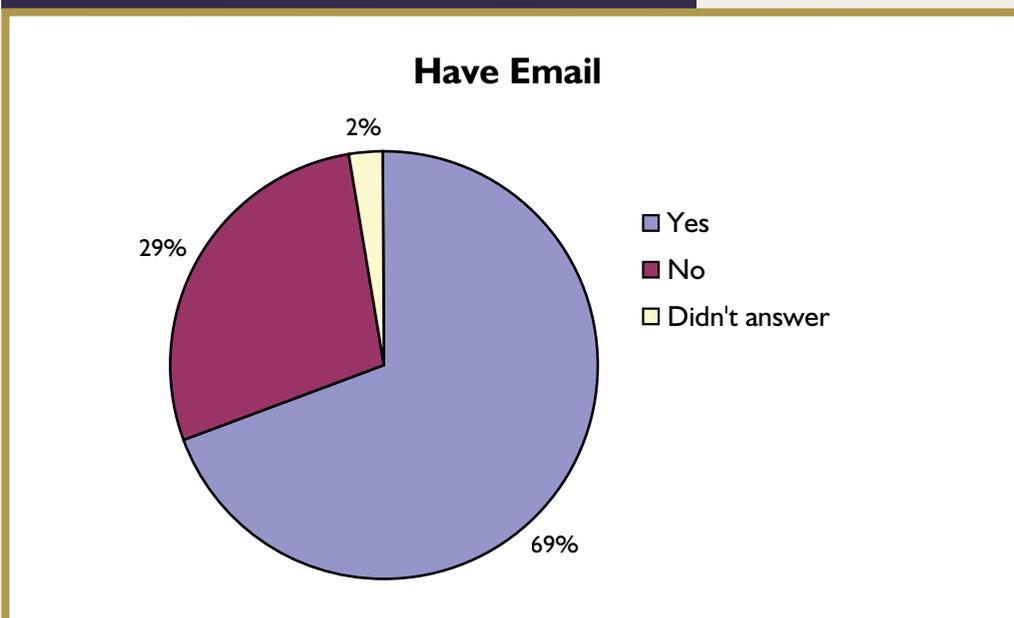
## COMPUTER ACCESS

Two questions of the survey were designed to ascertain the ability for outreach through computer technology. The first question asked whether the family/person had access to a computer at their home, the library, community center; or some other venue. The second question, of whether they had an email address, was asked to measure use of technology as a communication tool.

**Chart IX – Computer Access**



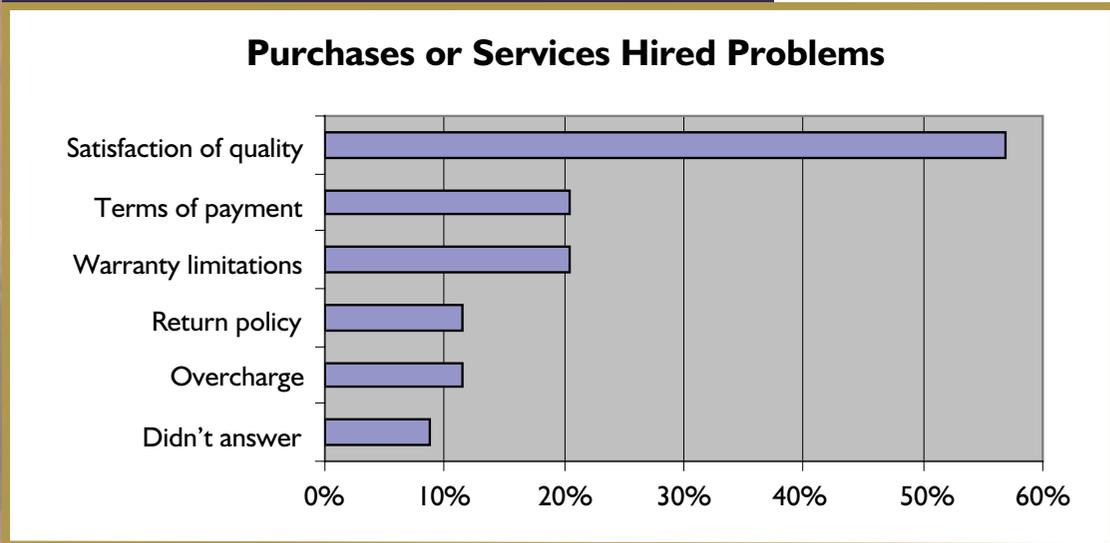
**Chart X – Have Email**



# APPENDIX - 1: LEGAL ISSUE DETAIL OF NEED

## Legal Issue Detail in Each Category

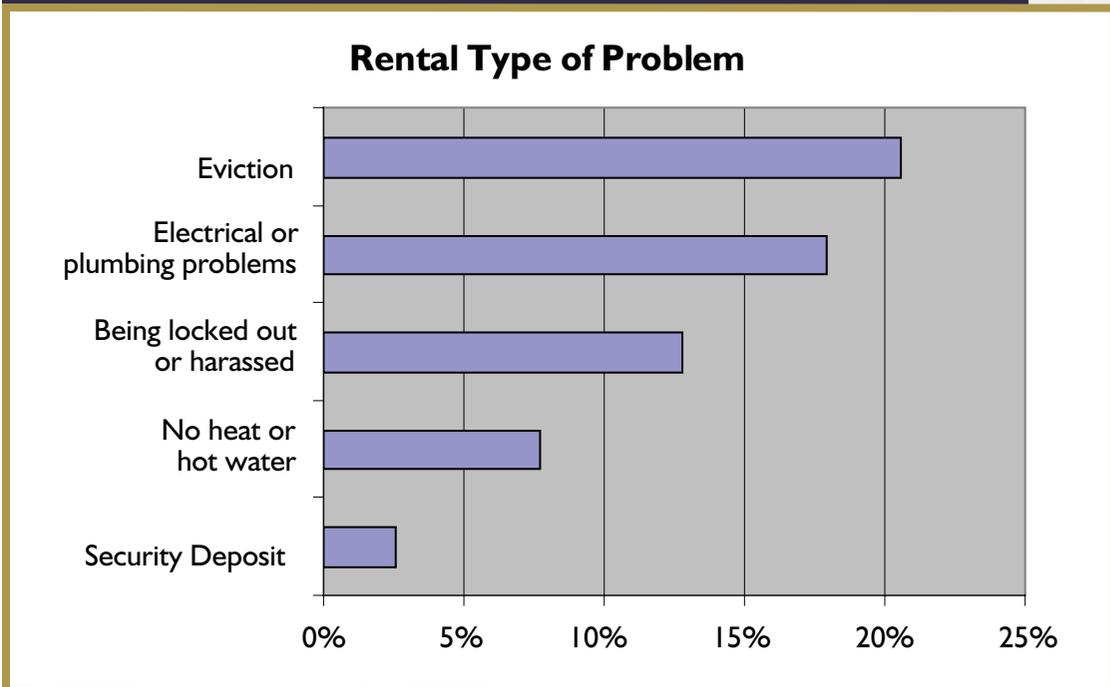
**Chart XI – Consumer Category - 4.1% had legal issues regarding Purchases or Services**



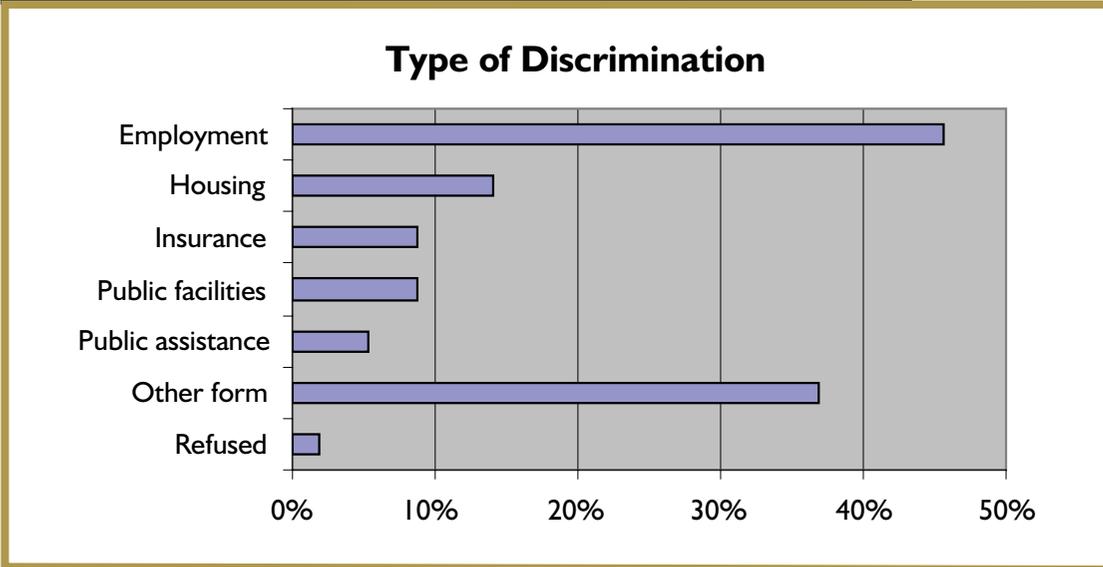
Satisfaction of quality ..... 56.85%  
 Terms of payment..... 20.5%  
 Warranty limitations ..... 20.5%  
 Return policy ..... 11.4%  
 Overcharge..... 11.45%  
 Didn't answer ..... 8.8%

Eviction..... 20.55%  
 Electrical or plumbing problems..... 17.9%  
 Being locked out or  
 harassed by landlord..... 12.8%  
 No heat or hot water ..... 7.7%  
 Security Deposit ..... 2.6%  
 All other..... 59%

**Chart XII – Housing Category - 3.6% had legal issues regarding rent**

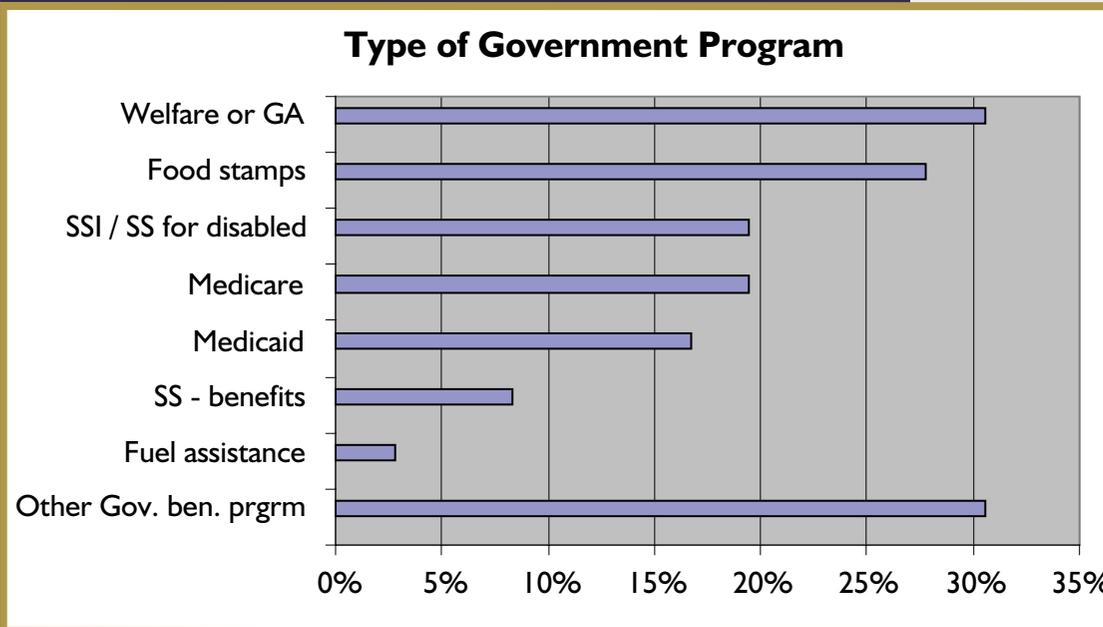


**Chart XIII – Discrimination Category - 5.3% had legal issues regarding discrimination**



Employment .....	45.6%	Public assistance .....	5.3%
Housing .....	14%	Other form .....	36.8%
Insurance .....	8.8%	Refused .....	1.8%
Public facilities .....	8.8%		

**Chart XIV – Government Benefit Category – 3.3% had legal issues regarding government programs**

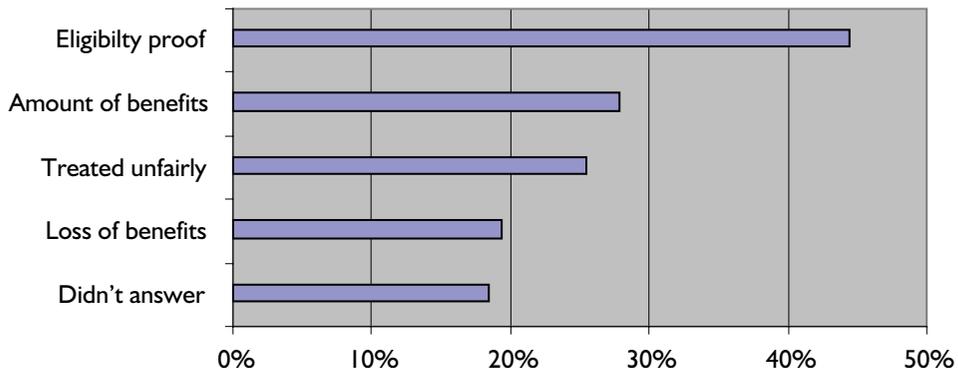


Welfare or GA .....	30.6%	Medicaid .....	16.7%
Food stamps .....	27.8%	SS - benefits .....	8.3%
SSI / SS for disabled .....	19.4%	Fuel assistance .....	2.8%
Medicare.....	19.4%	Other Gov. ben. prgrm .....	30.6%

The “Other government benefit programs” of 30.6% includes answers such as other state’s programs as the respondent had moved to Arizona during the last year, veterans hospitals, retirement programs, and other health benefit programs the respondents stated.

**Chart XV– Government Benefit Category - Difficulty with Government Program**

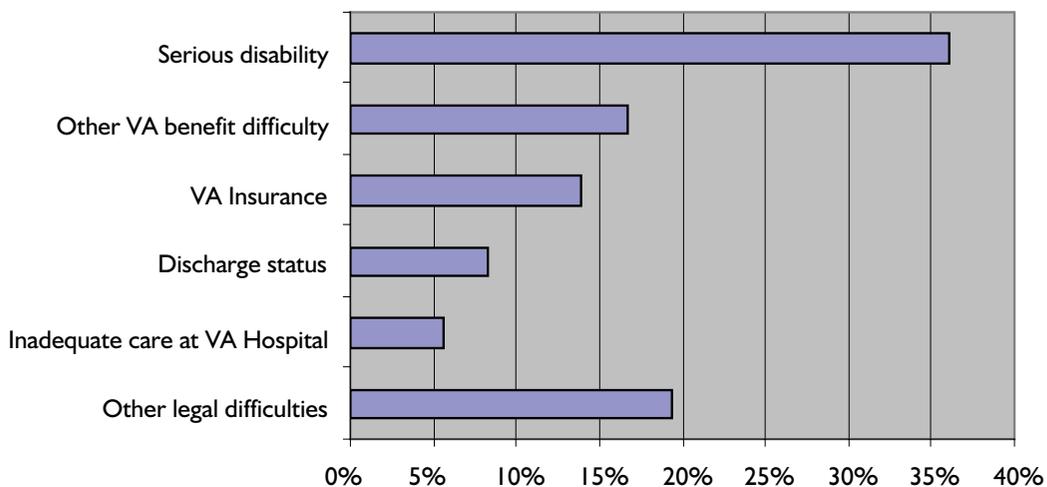
**Kind of Problem with Gov. Program**



Eligibility proof.....	44.4%	Loss of benefits.....	19.4%
Amount of benefits.....	27.8%	Didn't answer .....	18.5%
Treated unfairly.....	25.5%		

**Chart XVI – Veteran Issues - .03% Veterans Had Legal Issues Presented**

**Issues for Veterans**

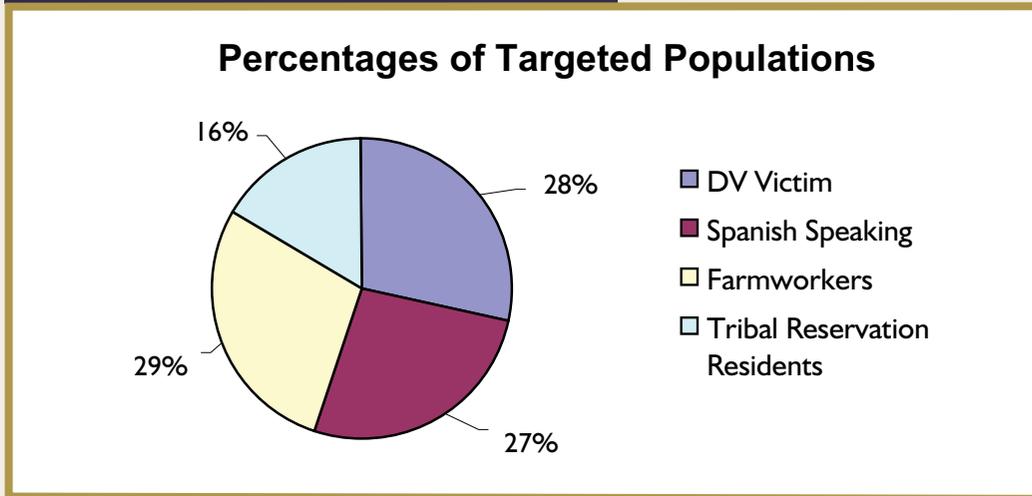


Serious disability .....	36.1%	Discharge status .....	8.3%
Other VA benefit difficulty.....	16.7%	Inadequate care at VA Hosp.....	5.6%
VA Insurance.....	13.9%	Other legal difficulties.....	19.4%

**Targeted Surveys for Specific Need Populations**

This targeted survey was conducted with individuals seeking assistance or referral from legal aid agencies, Hispanic social service agencies, or domestic violence shelters. The groups being targeted were in one of the following categories: domestic violence victim, Spanish speaking household, farm workers, and tribal reservation residents. The number of respondents in the targeted survey represents a total of 5% of the total general survey respondents.

**Chart XVII – Targeted Populations**



This portion of the study results are only to measure differences of the targeted groups compared to the overall population and to discover if there are specific legal issues which may have been overlooked in surveying the generalized populations via phone interviews.

The first variation from the generalized population survey was the increased stated inability to afford private representation. The statistics for those who could not afford private representation:

93% of Domestic Violence Victims

93% of Spanish-speaking household clients

89% of Farm workers

89% of Tribal reservation residents

The legal needs of these targeted groups did vary from the general population survey and from each other. The following table delineates the needs identified by the targeted groups compared to the percentage of people stating the needs from the general survey.

**TABLE V - LEGAL ISSUES COMPARISON-  
GENERAL SURVEY TO TARGETED POPULATIONS**

Issue - Problem	General Survey	DV	Spanish-Speaking	Farm workers	Tribal Res.
Bill Collectors	6.6%	0%	0%	0%	22%
Civil Family Matter	5.5%	43%	93%	0%	56%
Discrimination	5.3%	14%	8%	10%	22%
Purchases or Services	4.10%	0%	0%	0%	11%
Bankruptcy	4%	0%	8%	0%	0%
Juvenile Justice System	3.70%	14%	0%	0%	22%
School issues – Discipline & Special Needs	3.63%	22%	0%	0%	0%
Housing Rental	3.6%	36%	25%	9%	44%
Government Assistance	3.3%	14%	15%	0%	22%
Employer - Pay or Withholding	2.8%	7%	0%	22%	22%
Other on Job	2.6%	0%	7%	11%	0%
Unemployment Comp	1.9%	7%	0%	11%	0%

As the table shows, discrimination is an issue identified as a legal need in the general survey as well as in each of the targeted groups. Other common areas of priority need are family matters and housing for the general population survey and each sub-category except the Farm workers. A major variation from the general population is the high need in areas of employment for the targeted groups over the lower statistics of the general population survey.

The other point of large variation for the targeted group versus the general populations was in computer access and email use.

**TABLE VI - COMPUTER & EMAIL COMPARISON FROM  
GENERAL SURVEY & TARGET POPULATIONS**

	General Survey	DV	Spanish-Speaking	Farm workers	Tribal Res.
Computer Use	77%	79%	57%	17%	63%
Email Access	69%	36%	8%	6%	50%

## APPENDIX - 3: SURVEY QUESTIONS

### Survey Questions

(Only base questions listed here – for entire dialogue sheet visit <http://www.azflse.org>)

#### LEGAL NEEDS ASSESSMENT STUDY

If you were faced with a serious legal problem like loss of housing and needed a lawyer would you be able to afford hiring a private attorney?

#### LEGAL SERVICES AWARENESS

We are interested in any civil legal problems that you or someone in your household had over the past 12 months.

A civil legal problem is a legal problem that is not criminal. Please tell me the people or organizations in Arizona that you know help people with civil legal problems.

#### LABEL: TRIBAL COURTS

1. Have you had any dealings with a Tribal Court?  
Was the issue with one of the following...
2. Did Jurisdiction issues impact the case?

#### LABEL: HOUSING UTILITY

3. Did any of you have problems with a house, room, or apartment you were renting?  
Was that problem with..
4. Did (any of) you own or live in a mobile home or trailer in the past year?
5. Did you have any serious problems related to the mobile home or mobile home park?
6. Have you had problems with your utilities?
7. Was there ever a time in the past 12 months when you (or anyone else in your household) were homeless or staying in a shelter for the homeless?

#### LABEL: FAMILY LAW OR JUVENILE

Now, I'd like to ask you about family legal problems.

8. Did (any of) you have a civil legal problem about family matters?
9. Did you get information you could understand about how the family court system works?

#### LABEL: JUVENILE

The juvenile justice system decides cases of juvenile delinquency, neglect, children in need of care, and termination of parental rights.

10. In the past year, has your family had contact with the juvenile justice system?

#### LABEL: EMPLOYMENT

Now, I'd like to ask about legal problems in work and retirement. In the past year, did you have a problem getting Unemployment Compensation?

11. In the past year did you have a problem getting Worker's Compensation?

12. Did (any of) you have a serious problem related to a pension plan or retirement benefits – either while working or after retirement?

13. Did (you/anyone) have any serious problems with an employer regarding pay or withholding?

14. Did (any of) you experience any other major legal problems on the job? [Prompt if necessary, like sexual harassment, unhealthy or unsafe working conditions, serious union problems, or the employer trying to get back at you for organizing other workers or reporting violations?]

15. Did (any of) you work as a farm worker at any time in the past year?

16. Did (you/the farm worker) have any serious problems with housing, health care, or other problems because of your farm work?

#### LABEL: EDUCATION/IMMIGRATION DISCRIMINATION

17. At any time during the past year, did your household include any children of school age?

18. Did anyone have a serious problem getting any special classes or services the child/children might have needed?

19. Was there ever a time in the past year when a child in the household was suspended or had disciplinary problems that you thought were handled unfairly or improperly by school officials or the police?

20. Were any of the children of school age required to take the AIMS test?

21. Did or will the results of the AIMS testing prevent or delay your child's ability to graduate?

#### LABEL: IMMIGRATION/DISCRIMINATION

22. In the past year, did you have an immigration problem?

*It is illegal to discriminate against someone because of their race, sex, disability, sexual orientation, or source of income.*

23. In the past year, do you believe that someone in your family was discriminated against in this way?
24. Was the discrimination in housing, employment, public assistance, insurance, or some other form?

**LABEL: GOVERNMENT ASSISTANCE/  
HEALTH CARE/MILITARY**

*Many people use government programs to help themselves and their families.*

25. At any time during the past year, did anyone living in this household have a problem with a government assistance program?
26. What was the government program you had the problem with?
27. Was the problem with eligibility, loss of benefits, the amount of benefits, the way you were treated by the agency or department, or something else?
28. Are you or anyone in your household a veteran?
29. In the past year, did (you/the veteran) experience any serious problems with any of the following ..

**LABEL: CONSUMER = Small Claims,  
Bankruptcy, or Bill**

30. Have any of you been sued in small claims court in the past year?
31. Did (any of ) you have a major problem with a bill collector, like harassing phone calls repossession threats, or threats to take your wages?
32. Did (any of ) you file for bankruptcy, or need information about filing for bankruptcy,

**LABEL: OTHER**

33. Are there any other legal problems you experienced that we did not discuss?  
Would you please describe it for me?

**DEMOGRAPHICS**

*Finally, I have just a few questions about you and your family to conclude the study. This information will be used to give us an idea of which Arizonans have these kinds of legal problems, no information can be traced to you individually.*

34. [Record gender of respondent]
35. What town in Arizona do you live in?
36. How old were you on your last birthday?
37. What is your current marital status?
38. Do you have access to a computer?
39. Do you have E-mail?
40. Which of the following best describes you: (ethnic/race)
41. What was the highest grade in school that you have completed?

**INCOME CHECK**

43. At the present time, how many people including yourself now live in your immediate household, whether they are related to you or not?

**ANNUAL HOUSEHOLD INCOME**

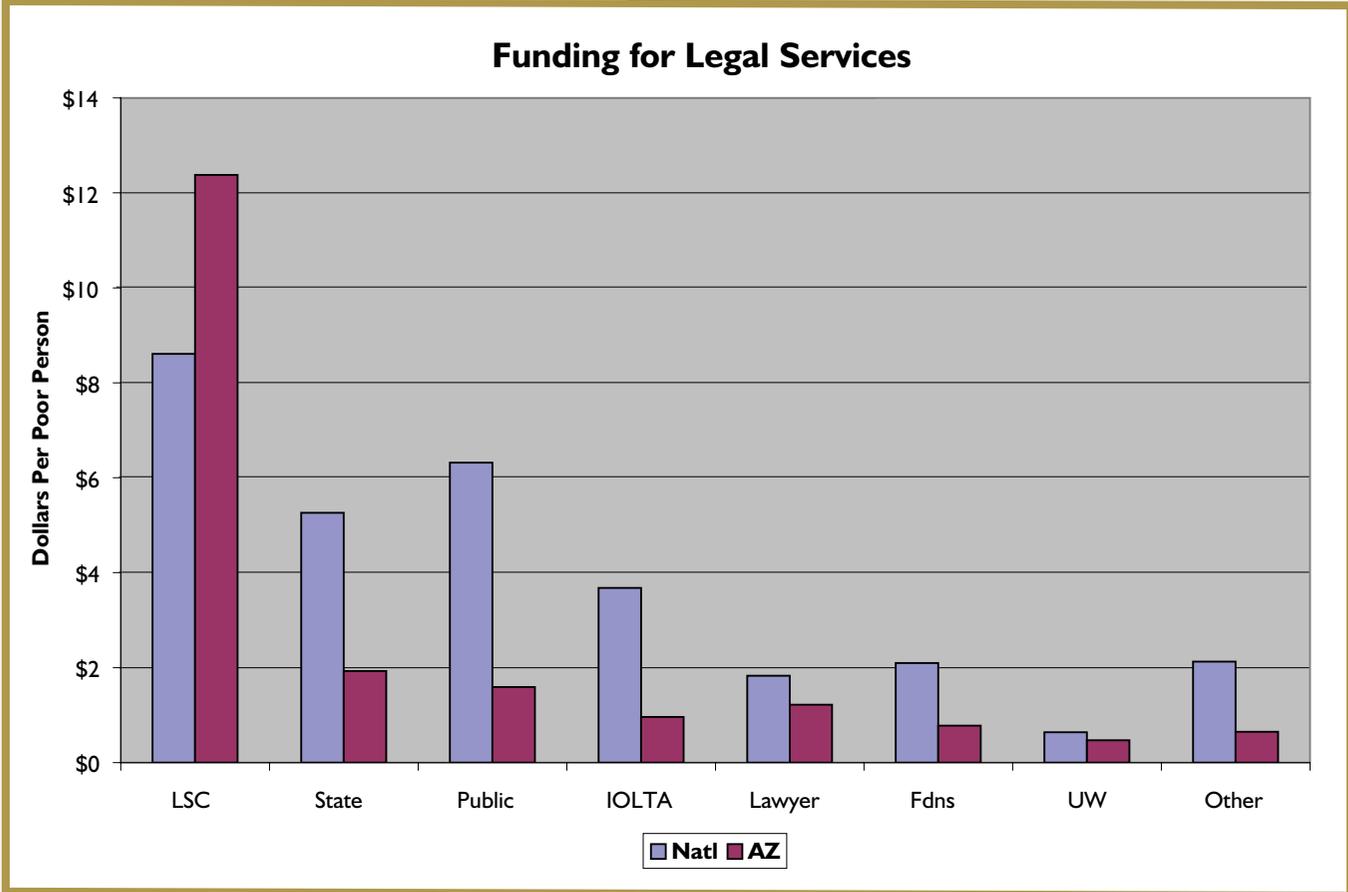
FOR ANY YES RESPONSES FROM ABOVE –  
THE FOLLOWING QUESTIONS WERE ASKED  
FOR CLARIFICATION

**ACTION SHEET**

44. What did you do to deal with the problem(s) you just told me about?
45. Who did you seek help from?
46. Did you receive...
47. Was the information or advice you received helpful/not helpful?
48. How was the information or service helpful? Would you say the information or advice helped you to understand the problem, helped you handle the problem yourself, resolved the problem for you?
49. How satisfied are you with the outcome?  
Would you say you are...
50. [ask if no ACTION]  
If you did not do anything to take care of the problem, why not?
51. Overall, do you feel that your problem was resolved fairly?
52. Go back to next question on survey sheet.



Chart XVIII – Funding for Legal Services



Prepared by the ABA Resource Center for Access to Justice Initiatives Data gathered in 2006, reflecting totals generated in the 2005FY. **Copyright American Bar Association; may not be reprinted without permission.** Contact: Meredith McBurney, 303-329-8091 or [meredithmcburney@msn.com](mailto:meredithmcburney@msn.com)

**Court Fees and Fines Used For Legal Aid Provision**

States	Income Generated for Legal Aid
20 (including AZ)	\$00.00
11	<=\$1,000,000
8	\$1,000,000+ to \$3,000,000
11	> \$3,000,000

This information was prepared from data gathered by the ABA Resource Center for Access to Justice Initiatives Data. Contact : Meredith McBurney 303-329-8091 or [meredithmcburney@msn.com](mailto:meredithmcburney@msn.com)



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