Interim Report:
Missouri Legal Services Survey
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Executive Summary

This report provides an analysis of a telephone survey of Missouri's low-income (i.e.,legal services eligible) population. A theoretical backdrop comparing this study to studies in other states and to a large-scale national study sets the Missouri study into the context of earlier reports regarding the legal needs of the low-income household.

The survey data show that 77% of low-income households in Missouri have faced at least one legal problem in the previous three year period.

The problems reported in the survey are attributed to the low-income households of the state by interval estimation, This technique generalizes the percentage of low-income households in the survey reporting a problem to the population of all low-income households in the state. Nineteen times out of twenty (i.t, using the significance level of .05), the true (but unknown) number will be within a range around the estimated number of households affected (a number estimated from the sample result); this range, called the confidence interval, has a low end and a high end. Its low end is a conservative estimate of the number of households affected by the need because if the survey were repeated many times over, the number of households affected by that need would come out below the low end of the confidence interval in only 2.5% of the surveys. Thus, it is extremely unlikely that true number of households affected by that legal need would be lower than the low end of the confidence interval. Taking conservative estimates of the low-income public's frequency of encountering legalizable problems ensures that our numbers do not exaggerate legal service needs.

The survey responses are then sorted out according to the Legal Services Corporation reporting classification. The public's self-reported legal difficulties over a three year period as conservatively estimated are compared to the caseloads reported by Missouri Legal Services entities to the Legal Services Corporation for an overlapping three year period. These estimates permit comparison between potential caseload (the conservatively estimated number of households affected by particular legal needs) and actual caseload. Overall, Legal Services helped nearly 27% of the households facing at least one legal problem. The extent to which Legal Services entities can be helpful depends greatly on the area of law corresponding to the low-income household's difficulty. If the household has a problem involving income maintenance, help is highly likely; Legal Services handles 80% of such needs, and 36% of the needs in troubles involving family law. Rights, consumer finance, health, and housing problems are much less likely to receive help; these four types are only between l0% and 20% likely to attract intervention by Legal Services, And some types of problems are quite unlikely to receive help from Legal Services; education, employment, juvenile, and miscellaneous problems have less than a 4% probability of being served.

That Legal Services entities, facing legal restrictions on the kind of help they can provide and forced by economic adversities to limit their services by prioritizing some kinds

of legal problems over others, are able to serve 27% of the households suffering from at least one legal problem is remarkable.

Further data analysis develops the Trouble Index, which permits measurement of the impact of legalizable problems and allows for breakdown both by category of problems (using mainly the Legal Services Corporation reporting classification) and by demographic category of survey respondent. Trouble indices are used to compare the weight of different types of legal problems on Missouri's low-income population. An overall trouble index of 3.996 (for all problems on the entire set of survey respondents) gives a benchmark against which to measure other indices. Consumer finance and income maintenance measure 6.676 and 6.072 respectively,, showing that these difficulties stand out as more keenly felt forms of legal suffering. (Notably, Legal Services entities rise to the need in the case of income maintenance.) Other standout needs are employment, housing, and miscellany. Less troublesome than the overall index are education, family, juvenile, health, and rights.

As an example of how the trouble index can be used to localize types of legal needs within population subgroups, ethnicity is used to differentiate the needs of the white and Black subsamples. Blacks have a higher trouble index than whites, which means that they suffer from more legal problems per household than does the white low~income population. But Blacks' legalizable problems can be localized even more specifically by casetype: Consumer finance and housing are areas where Blacks are much more troubled than whites. Blacks encounter more trouble with rights than whites, but although their trouble index is nearly twice that of whites, it (the index) is still relatively low, The two population groups have about the same trouble index in matters of health. Whites are more troubled by work, family, and miscellaneous legal issues than are blacks.

Analysis using the Trouble Index can be extended to other demographic factors as well as to certain other attitudinal variables in the dataset.

I. Review of Literature

Many studies have applied survey techniques to evaluate the delivery of legal services. Many legal services entities, or their state-wide umbrella service organizations or bar commissions/committees, have commissioned surveys to determine the extent to which the Legal Services Corporation, through its regional affiliates, has been able to deliver legal aid to the poor. However, it is difficult to locate more than a few of these studies for purposes of review. Most such studies, once completed, are apparently kept by the state and/or entity which commissioned them, and archived there and at the Legal Services Corporation. A bibliographic search of law journals and social science literature reveals that very few such studies, nor many findings from their databases, nor many insights of their results have ever been published in such outlets.

For instance, a note in the **Fordham Law Review** 1999 (pp. 1869-1878) lamenting the "paucity of useful data on legal need" (p. 1873), suggests that tracking information on legal need should be a function of the Census Bureau, and states:

> It is virtually impossible to evaluate the extent to which programs rationally allocate resources to address legal need in the absence of a broad empirical understanding of that need. Collection of data would, we hope, lead to greater acknowledgement of legal need and would help legitimize effects to address the need. Moreover, an obligation to collect data would probably have salutary influence on courts. Courts are very sensitive to data; reporting requirement often drive judicial behavior. If courts participate in tracking the unmet legal needs of low and moderate-income people, they may become more sensitive to the need for legal services and more active in promoting measures to provide legal services (p. 1873).

Other pieces discovered in this search include an article by Jessica Roth in the **Harvard Civil Rights-Civil Liberties Review** 1998 (pp. 107-158).[1] Hers is essentially an advocacy article; Roth charges that the Congressional LSC restrictions of 1996 are unlawful and unconstitutional and analyzes the corpus of precedent to back up her accusation. William Quigley presents a historical and somewhat prescriptive analysis in **St. Louis University Public Law Review** 1998 (pp. 241-264)[2]; he finds that over time Congress has demonstrated that it desires legal aid but without the legal reform that would make that legal aid widely available to the poor. Douglas Eakeley (then Chair of the Legal Services

Corporation) analyzes the LSC's response to 1996 legislative restrictions in an article in the **1997 Annual Survey of American Law** (pp. 741-745)[3]; he finds that the Legal Services Corporation has essentially survived the assault. **Temple Law Review** 1997 (pp. 1157-1164)[4] publishes a speech by André Dennis at the 1997 Judicial Conference of the 3rd Circuit; Dennis argues that the economically disadvantaged in our society are being increasingly shut out of access to the courts. Not one of these articles makes reference to any survey data measuring the legal needs of the poor and needy. None mentions any of the studies done to fine tune delivery of legal services or to report to the LSC.

Part of the problem involved in reviewing the literature – the scholarly equivalent of precedent -- in this area is the difficulty getting ahold of the documents, which are public yet not made publicly available. However, through assistance from people associated with Legal Services in Missouri, copies of a state-wide study in Ohio in 1991, a local study in 1990 in New York state (Monroe County), a state-wide survey in New York State in the early 90's, a national survey study done for the LSC in 1993, and a study report for the state of Vermont in 2001 were found.

The Ohio study provides an example of the work of the Spangenberg Group (West Newton, Massachusetts).[5] This research center did a state-wide telephone survey in Ohio, with site visits and a supplementary field poll (i.e., personal interviews at the respondent's home) in 1991. The survey asked many questions on various sorts of unmet legal needs and the report presented the number and proportion of the poor who had such needs, together with some demographic analysis. The two New York studies (both the local and the state-wide) were more analytic, reporting the number of households afflicted by particular sorts of legal needs; furthermore, both included a measure of how seriously respondents rated particular areas of need. The Spangenberg Group performed the local New York study and did work on a mail-out questionnaire for the state-wide study.

The 1993 national survey was done in 1993 by the Institute for Survey Research of Temple University.[6] Commissioned by the ABA Consortium on Legal Services and the Public, this survey created benchmark measures of types of legal difficulties and quandaries experienced by members of the general public. Administered to 3,087 respondents (speaking for their households) in the 48 continental states, with telephone interviews of 2,784 households and in-person interviews with 303 more households, and using a long and fairly complex questionnaire, this study, with reports drafted primarily by principal investigators Carolyn A. Eldred and Roy W. Reese from the Institute for Survey Research, sets some clear standards for studies of the public's legal service needs to follow.

One consensus approach found in the 1993 national, the two New York studies, and the Ohio study is their clear conception of legal difficulties in lay terms. Members of the lay public know whether or not they have particular problems, but often don't see legal dimensions lurking in their problems, so it goes without saying that they often don't know the legal ramifications. Focus groups conducted for this study in Missouri showed the extent to which the public refrains from legalizing potential legal disputes. In one conversational exchange, a woman finished telling about a problem in her life, and another discussant says:

> You would have had a good case. You didn't go to a lawyer then? ---
> No, I didn't have the money for it. I didn't think about it.

This pervasive kind of thinking limits ordinary people's possibilities for advancing their rights, although it is difficult to say if their lack of money and the difficulty of getting legal services as poor persons limit those possibilities less or more. Suffice it to say that without money or access to free or discounted legal services, there is no point for the poor to think about legalizing their problems – it would do them no good! And this realization can create a mentality of passivity and resignation. In short, we can say that the lay public often doesn't "legalize" life problems.[7]

In surveying the general public, we have to take them as they are, and gather their thoughts and observations in their real state. Data should be reality-based, and opinion data should be grounded in the reality of the public's thoughts. The 1993 national legal needs study clearly showed how to pose legal needs as "situations" and/or "problems" instead of wrapping such needs in wording that would imply legalization. Thus, the national survey only broached the topics of lawyers, courts, etc., after querying respondents about their personal difficulties, in this way avoiding the risk of exaggerating the extent to which public opinion "legalized" difficulties.[8]

The Vermont study[9] similarly used the concept of legalizable problems. A telephone poll of 400 respondents was supplemented with an effort to reach low-income households lacking telephones through personal interviews at social services agencies and with calls to a 1-800 number staffed by Legal Services. However, the effort to supplement the telephone survey came up short, bringing in only 39 additional respondents.[10] The study extrapolated from the number experiencing problems in the survey of 446 low-income Vermonters to the number of low-income residents of the state. For instance, based on the survey, the report determines that low-income families there "face more than 60,000 legal problems every year, from eviction and divorce to consumer problems and loss of government benefits."[11] Also, the extrapolation justifies conclusions that every low-income household in the state faced more than one legal problem per year, that more than half the households faced more than one legal problem per year,[12] and so on.

These studies, several of which were found after conducting most of the research for this report, suggest the validity of using survey data to measure the extent of legal need in

Missouri. They also suggest using those survey data to generalize to the legal services eligible population of the state so that it will be possible to determine how many households and or persons are likely to be swept up in legalizable problems. With survey data, we can use point and interval estimation techniques to generate estimated numbers of the state population experiencing any particular type of legal problem. The process takes the percentage of the survey respondents indicating that they have faced that sort of legal problem and then multiplies the percentage by the number of poor households in the state. The Census Bureau's 1998 estimate on poverty in the state and all its counties is used to generate numbers of people experiencing legal need in the state in the period 1997-2000.

II. Preparing the Survey

A. Planning the Survey

In conducting a survey, the first question is always what to ask. In surveying the population of Missouri on its civil legal service needs, we needed to determine what types of legal services people might require. We could approach this problem in three ways: first, we can develop a theoretical slant on it; secondly, we can see what guidance our focus group results and legal services staffers give us; and thirdly, we can see what other surveys have asked in the past in the hope of learning from scholarly precedent.

1. Imagining Popular Legal Needs

What types of civil difficulties might people face and ask Legal Services to help them on? A listing of these legalizable problems could be virtually endless: one could imagine common legal problems facing poor people, and after naming and listing these, one could branch off and list uncommon legal problems. One could branch off each common legal problem to imagine detailed circumstances in which the problem might be embedded, and elaborate ever more specific problem types.[13] An exhaustive list of such problems is probably unnecessary. In a survey it would be impractical to include all such problems anyway: costs would rise as the length of the survey questionnaire grew. Further, the difficulty in maintaining the respondent's interest in continuing the interview would also rise as the interview length rose, increasing costs more yet due to having to make additional calls to replace discontinued interviews. Moreover, a survey aims at providing estimates of trends and patterns rather than rendering completely accurate pictures of reality.

Further, from a methodological standpoint, one should seek a variety of problems to be sure of including all types of problems, allowing for enough variety in each type to be able to generate data that would fairly represent the public's experience. Hence, it would be important to include every genus of problem, and then to sample enough species within each genus of problems to be able to reflect the variety of problems to the interviewed. This way, the listing would include all imaginable major difficulties, and even many minor ones. To compile such a list, we drew on empirical sources.

2. Focus Groups and Elite Interviews:

To get ideas from the public on types of legal conflicts they had experienced, we ran the focus groups discussed in Appendix II. The remarks these legal services eligible people made about their legalizable problems broke down into seven categories: family, education, home (housing), health, the Division of Family Services, work, and neighborhood. Family drew the most comments and work the least (many discussants were elderly, disabled, or otherwise out of the work force). Education was set up as a separate category from family because people talked about it differently; the comments were tinged with the idea of errant school districts and boards denying rights of children and families, somewhat similar to the way people talked about the Division of Family Services and health insurance providers.

Elite interviews can be a backstop way to ensure complete coverage of a topic. Elites possess understandings that uncover hidden relationships; when they will convey their information, one can use their judgments to weight and prioritize key components in the informational field appropriately. On the topic of legal services in Missouri, the elite informants are the directors and key staff of the legal services entities themselves. In a conference telephone call, the directors, serving as the **managing committee** of the **Missouri Bar's Legal Services Committee**, discussed and listed many situations faced by their clients, used both legal terminology and ordinary language to phrase these situations, and discussed potential interrelationships between and among problems. All of the problems these key informants catalogued were included in the survey questionnaire.

3. Other surveys:

The 1993 national survey had developed an extensive list of legal problems that people might encounter, roughly falling into seven overall categories: family, home (housing), health (disability, health care), finance,[14] work (livelihood), civil liberties and situations affecting special populations (*i.e.*, Native Americans, military, etc.).

Most of the items listed from the Missouri focus groups and the managing committee fit into the first five of these categories. The Missouri focus groups produced two sets of issues that did not fit into the Temple University study mold: education and neighborhood issues. Education in the Temple University study was covered and classified under family issues, and these researchers did not recognize the existence of the neighborhood issues. In contrast, the Temple University study proposed two types of issues that the Missouri focus groups and elite interview did not clearly envision: civil liberties and the needs of special populations.

Now, the focus group participants could be said to have civil liberties on their mind, since some of their comments on education, health, and the Division of Family Services could be considered framed in the light of a rights ideology (*i.e.* , overtones of alleging injustice, unfairness, violation of due procedure, etc.).[15] The directors are aware of civil liberties

concerns but prioritize economic freedoms more highly for their clients, realizing that the often severe economic difficulties from which their clients suffer make political freedoms less significant. They may see the possibility that other groups (the ACLU, the NAACP) will serve clients making civil liberties claims, and are aware of the restrictions that curtail political representation. The last issue handled in the national survey, needs of special populations, actually has been a priority for the Directors: the particular special population that was the object of their concern is Hispanic Missourians. To begin to understand the needs of Hispanics, the directors commissioned a Spanish language focus group, which was held in April, 2001, in Kansas City. Mechanics of obtaining a clear English version of the Spanish transcript have delayed analysis of this segment of the study, but this focus group is probably the first focus group in the United States held in the Spanish language for Hispanics on the topic of legal services.

The national study and the Missouri focus groups agreed on five categories of legal need and diverged by each coming up with two categories not covered in the other study. The five issue types in the area of overlap are key for this survey. Civil liberties is not an area to which this survey gives great coverage, nor is Hispanics' special need (since a focus group will cover that area). Education is covered in the survey, but is grouped tentatively under the rubric of family issues. And neighborhood issues, with a high profile in the focus groups, are not featured greatly in the survey because the directors did not see this need. The focus group results on this issue stand alone and suggest how legal services entities can adopt a strategy of leveraging social change.

This history accounts for how civil liberties and the needs of special groups were sidelined in the listing of general needs around which this survey was developed. The general needs taking center stage are: home, family, work, health, and finance. Each of these areas is problematic for people with few economic resources: maintaining a comfortable home is difficult with little money, which makes it difficult to buy a house, and subjugation to landlords can cause housing instability, which compounds other life challenges such as work and family. Work often presents such difficulties as discrimination and economic exploitation, which can compound problems of housing, health, and personal finance. If one doesn't work, one is subject to possible bureaucratic treatment at the hands of the welfare authorities. Health problems can be particularly challenging because of cost and lack of health insurance, and these can interact adversely with the challenges of work and home to heighten misery. Finance can hurt home, health, and work (for instance by complicating transportation to and from work), and home, work, health, and finance can cause significant strains on family life, bringing family problems to the fore.

Home, family, work, finance, and health are thus the five key generic problem areas on which we question our respondents. (Immigration problems are a sixth problem subarea, representing rights keyed to particular groups – and few in these groups ended up in the survey.) Discrimination in the pursuit of happiness at home, at work, in finance, or in health was also brought up in probes; discrimination, historically a large problem, can be measured

in the experiences of the poor in this way. Other questions put to the respondents include pertinent demographic information: income, family structure, ethnicity, marital status, educational level, age, and employment status are among the traits recorded.

In wording the survey, the question wordings used in the national Temple University study were emulated. Since these wordings had worked for the best single survey it was then possible to find on the topic of legal services, we modeled our survey after them. In all, 245 separate questions were asked, but not all respondents got all 245: some questions only came up after an initial question (a "screen") determined that a further line of questioning (a "probe") would be applicable. As an example of this, people were asked whether they had rented from someone else in the past two years; only those who had rented were asked questions about landlord neglect, vermin, unsafe conditions, etc. Screen and skip patterns meant that some questions were unasked in almost every interview.

B. Implementing the Survey:

The survey was administered by Telephone Contacts, Inc., a St. Louis telephone polling firm. A sample of 6000 numbers was purchased from a firm in Connecticut. The survey was fielded in early December, 2000. The contract called for 1000 completed interviews, and the firm did 1001 interviews. But to achieve this number of interviews, 85,093 calls were attempted. The questionnaire contained a household composition question set (number of inhabitants, number of adults) and an income screening question at the very beginning, and ordinarily people do not like to be quizzed about their income early in a telephone survey because it resembles telemarketing and prying by strangers. People above the income level (which varied depending on the composition of the household) were politely told that the surveyor was not interviewing people in such income brackets tonight; 7.1% of the working numbers became ineligible in this way. Outright refusals made up 13.6% of the calls. Discontinued interviews ("hangups") were 1.6% of the calls. And another 1.6% of the calls resulted in completed interviews. The poll director reported that the interviews went quickly; essentially, most questions were quite simple, asking for a "yes" or a "no" response (*i.e.*, had the respondent's household had this particular trouble, or not?). The purchased sample had to be augmented; the firm had a database of working numbers and of working number blocs, and threw these into the sampling base to supplement it after the purchased numbers ran out. Calls were made in all six area codes in the state; the fewest were in the 636 area, arguably the most affluent geographically. The response rate was notably lower in the two urban areas, and this has been a trend in survey research for quite a long while. Outstate Missourians are more likely to answer their telephones, and even when the sample was re-adjusted every night of surveying to reflect this inequity enough difference would pop up in an evening to make the results more heavily influenced by the outstate respondents. (In

anticipation of the data analysis, the urban data are weighted more heavily to make the sample more truly representative of the state's poverty population of the state.

C. Survey Results

Although theoretically it would be neat to maintain the conception of legal needs as falling into the preconceived areas of home, family, work, finance, and health, (since these were the leitmotif of the Temple University national study), legal services entities use a somewhat different schema for purposes of reporting on their activities to the Legal Services Corporation. Cases are reported in ten categories: these are consumer finance, education, employment, family, juvenile, health, housing, income maintenance, rights, and miscellaneous. These ten reporting categories are easily related to the five conceptual needs categories. Finance, for example, consolidates the reporting categories of consumer finance and income maintenance, and family takes in the reporting categories of family, juvenile, and education. Three categories are unchanged (housing, health, and employment [work]). Rights are a separate category very analogous to civil liberties. "Miscellaneous " as an LSC reporting category includes specified subcategories of incorporation and dissolution of corporations, Indian/tribal law, licenses, torts, wills and estates.

So that the path of inquiry most closely resembles the manner in which legal services work is reported, all the questions asked in the survey were grouped into the ten legal services classifications. Table 1 gives the number of questions corresponding to each reporting category and some idea of the topic of each group of questions. The survey question wordings are given in Appendix I, together with the percent of the relevant statistical base who answered that their household did have this problem. The distribution of particular problems can have high potential interest for legal services planners wishing to have a better assessment for whether or not some of the complaints they hear from clients are exceptional or might occur much more often.

This overview of the survey, however, will deal with the troubles and problems of life that the poor suffer by grouping them into more meaningful categories. Each reporting categories used by the Legal Services Corporation was taken as a type of trouble; a counter was then established for each category to see how many households suffered that type of trouble. An overall counter brings to light the proportion of households visited by difficulties, and this number was quite high: 77% of the households in the survey showed at least legalizable problem. Contrastingly, the New York state study of the early 1990's reported that 57% of households had experienced a legal problem (or legal problems) in

Table 1. Categories of Legal Needs Posed in Missouri 2000 Survey		
Category of Need:	Number of Questions:	Typical Topics:
Consumer Finance	21	Damage problems, insurance, credit denial, lender, bankruptcy, contracts
Education	7	Enrollment, placement, iep's, special classes, dangerous schools, unfair treatment
Employment	25	Job denial, employment benefits, employer problems (collecting pay due), promotion denials, firing, employment privacy issues, harassment
Family	24	Marriage breakup, child custody, stalking, elder abuse, child support, adoption
Juvenile	2	Juvenile crime, truancy
Health	16	Access to health care, unsatisfactory health care, medical payment problems
Housing	32	Rental problems, landlord problems, ownership problems, mobile home difficulties, utilities, housing discrimination, homelessness
Income Maintenance	5	Difficulties with government benefits programs
Rights	7	Immigration and discrimination
Miscellany	12	Estates, living trusts

the previous one year period[16]; the Missouri questions queried people over a longer time frame (beginning with the past three years, then reducing to the previous two years), and our survey asked about 230 problems, considerably more than the 66 questions about which the New York state project asked. The Monroe County, New York, study of 1990 reported that 68.5% of households had encountered at least one legal problem in the previous year, and that survey asked about 67 distinct problems.[17] The Temple University study found that 40% of households had at least one legal problem in the previous year, while 60% reported no legal problem; this study had about as many questions as the Missouri survey.[18] The Missouri study shows a substantially higher involvement of households in legal problems than do the other studies available; one can surmise that asking about problems occurring in the past three or two years would touch memories of earlier problems in the household, thus adding to the numbers of households reporting problems, and one can also imagine that asking about more questions about particular problems expands the number of problems reported by casting a wider net. One way in which the wider net might catch more "fish" is it might have used a set of problems of which the general public has more awareness in our days than in a decade ago when most of these other studies were conducted. One possibility is that a series of questions on estate problems, living wills, etc., touched on a responsive chord among current respondents who worry more about these things because of increased media coverage.[19] It is also possible that these variations in

measurement procedures are not the cause of Missourian's reporting such a high proportion of their households affected by legal trouble, but that such a high number is simply the reality. The Missouri economy and cultural context is quite different from New York and Ohio, yet is often considered a bellwether for the nation as a whole.

Let us look at the incidence of each type of trouble in Missouri households. Table 2 shows the percentage of households afflicted by particular kinds of legalizable problems. The most predominant problem is housing, with nearly 41% of households experiencing these types of difficulty. Next most frequent is employment problems, with 30% of households undergoing these pains. Employment is followed by family problems, with over a quarter of the households having these troubles. Miscellaneous problems, mostly involving wills and living trusts, affect about 25% of poor households. Consumer finance is next most pressing, followed by health and education. Rights problems are less widespread. Juvenile difficulties are not very widespread, but only two questions directly focused on non-educational legal problems of juveniles, so possibly this is a product of the paucity of measures (i.e., had more questions been asked, the additional questions might have picked up more households by describing other juvenile problems (unmentioned in the survey) that they might have undergone. Finally, income maintenance, usually involving some form of bureaucratic meddling by welfare authorities, is notably low.

Table 2. Percentage of Missouri Households Reporting Particular Types of Legal Problems	
Consumer Finance	17.13%
Education	11.74%
Employment	30.31%
Family	28.03%
Juvenile	5.99%
Health	12.14%
Housing	40.65%
Income Maintenance	3.46%
Rights	7.22%
Miscellany	25.04%

Readers should be cautioned that the high, medium, or low incidence of these problems cannot indicate precisely which problems are of high, medium, or low priority to the people suffering from them. Ranking procedures would have to be used within the survey instrument to measure and portray the hierarchies of poor people's priorities. For instance, in a telephone poll, respondents could be asked to rank perhaps as many as 5 particular needs in order of seriousness; in a field poll, it would be possible to ask respondents to sort out cards reflecting the

seriousness of particular problems in their views. One telephone study by the Spangenberg Group used a final question at the conclusion of the interview asking respondents to identify which problem area they considered most serious of all the problems areas they had recounted experiencing. The problems categories considered most serious tracked the order of the incidence of problem categories very closely (the two most serious problems areas were identical to the two problem areas of highest incidence and occurred in the same order, and the order of the less serious problem categories was very similar to the order of incidence of the problem categories).[20] The statewide New York study (1993) also reported that poverty respondents' rankings of the most serious problem area facing them were very similar to the overall incidence of the problem area.[21] Thus, there may be a very high correlation between the ranking of problem areas by legal service recipients and the general incidence of these problem areas, but we cannot know for sure in this survey because the final question was not asked.

The numbers of households in the survey reflects the larger reality of the number of poverty households in the state as a whole, and we can generalize to these households by using point and interval estimation statistics. Essentially, we have proportions of households reporting having experienced particular types of legal problems. We know our sample size,[22] the number of households to which we are generalizing (N= 257214 poverty households in Missouri), and we have from the survey the proportion of households surveyed which complain of a type of legal problem. With these ingredients, we can estimate the range of households affected by the type of need within a confidence interval. We will use the 95% confidence interval: with each of these intervals, we know that the correct or true number of households affected is within the range we set up 19 out of 20 times. The range goes from below the observed (survey) value to above that value. To avoid exaggerating legal needs, we will accept the lowest value, i.e., the low end of the confidence interval; since the true value could be above the high end of the confidence interval (and would probably be there about 2 ½ % of the time, we are in a sense about 97 ½ % confident that the true value is at least the low end.

Table 3 gives the data. Note that the low estimate of the number of households affected by at least one legal problem (under overall) is 190172. Of course, many households are affected by more than one problem: the average number of legalizable problems affecting a poverty household is 6.28. One household in the survey encountered 66 such problems! (Also, some households were untouched by problems: 234 reported no difficulties whatsoever.) In considering the numbers of households with legal problems, it is important to hold in mind the depth of the legal problems for some households; it is probably part of the nature of the poverty experience to face multiple woes, often simultaneously.

Table 3. Numbers of Households Affected by One Legal Problem			
Category of Trouble	Percentage of Survey Respondents Reporting it	Lowest Estimate of Households Affected by Trouble	Highest Estimate of Households Affected by Trouble
Consumer finance	0.1713	38057.17	50064.35
Education	0.1174	25067.72	35326.12
Employment	0.3031	70638.18	85284.95
Family	0.2803	64940.25	79253.92
Juvenile	0.0599	11625.88	19188.36
Health	0.1214	26021.76	36429.8
Housing	0.4065	96730.87	112384.1
Income Maintenance	0.0346	5987.377	11811.83
Rights	0.0733	14700.85	23006.72
Miscellany	0.2504	57502.95	71309.83
Consumer finance	0.1713	38057.17	50064.35
Overall:	0.7656	190172.9	203673.2

Now it is interesting to fit onto these estimates the numbers of cases in the classes of legal areas that Legal Services entities in Missouri were able to take on. Although we presume that Legal Services is unable to provide legal help to all the poor who want help, and that rationing of legal services is therefore going on, we do not know the extent or dimensions of the unmet need. We can take both a two year total of legal services provided and a three year total. The three year total takes in the years 1999, 2000, and 2001. Since most questions in the survey referenced a three year period of time, this is the best estimate of the amount of the legal need of the poor that found its way to Legal Services entities. (We don't have data for 1998 legal services cases; thus we are taking the 1999-2001 caseload as an estimate of the needs arising in the three year period 1998-2000. The problem area in which legal services entities are most likely to

Table 3. Estimates of Missourians' Legal Problems and Corresponding Caseloads of Missouri Legal Services Entities			
Category of Trouble	Lowest Estimate of Households Affected by Trouble	Three Year Load of Legal Services Entities (1999-2001)	Percentage of Unmet Need Met by Legal Services Entities
Consumer finance	38057.17	4958	0.130278
Education	25067.72	2201	0.057834
Employment	70638.18	2483	0.065244
Family	64940.25	15054	0.395563
Juvenile	11625.88	2249	0.059095
Health	26021.76	3721	0.097774
Housing	96730.87	7595	0.199568

Income Maintenance	5987.377	4676	0.122868
Rights	14700.85	4104	0.107838
Miscellany	57502.95	2847	0.074809
Total:	190172.9	47382	0.249152

respond to the needs of the poor is in the area of family law: here nearly 40% of the (conservatively estimated) need is handled in the volume of cases that pass through the four legal services delivery entities in the state. The next best served area is housing; legal services is handling about 20% of estimated need. About 13% of consumer finance troubles and 12% of the income maintenance cases get into the legal services system. About 10% of rights cases succeed in winning an audience with legal services, and almost 10% of health cases attract some intervention by legal services. Problems in the rest of the case categories have a low likelihood of obtaining help from legal services. Overall, legal services organizations seem to be handling about 25% of the legalizable problems emerging among the poverty population of the state.

Taking into consideration the many constraints under which Legal Services entities operate, including restrictions on the type of case which they may take, not to speak of the budgetary constraints that hinder their operations, serving a quarter of the households (estimated conservatively) looks like a way of spreading legal help as widely as possible. Unfortunately, some households have many legalizable needs, and the total number of needs is much larger than the number of households experiencing them. Since legal service entities may serve one family more than once, the estimates in Table 3 probably exaggerate supply of legal services somewhat. If a legal services entity provides help to one household more than once (in the three year period), another household with needs would not be served, diminishing the spread of legal services over the pool of households needing them.

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[1] "It Is Lawyers We Are Funding: A Constitutional Challenge to the 1996 Restrictions on the Legal Services Corporation."
[2] "The Demise of Law Reform and the Triumph of Legal Aid: Congress and the Legal Services Corporation from the 1960's to the 1990's."
[3] "Role of the Legal Services Corporation in Preserving Our National Commitment to Equal Access to Justice."
[4] "The Ever-Shrinking Access to the Courts for the Needy and Unpopular."
[5] **Ohio Legal Needs Study Final Report**, June 1991, Vol. I, and **An Assessment of the Unmet Civil Legal Needs of Ohio's Poor**, September, 1991, Vol. II. Millie Aulbur of the Missouri Bar graciously provided a copy to this author.
[6] "Legal Needs and Civil Justice: A Survey of Americans," American Bar Association, 1994, Publication #4290016, and "Report on the Legal Needs of the Low-Income Public," American Bar Association, 1994, Publication #4290018, are the key documents giving methods and results from this survey. Other documents give findings for the moderate-income segment of the public ("Report on

the Legal Needs of the Moderate-Income Public" and "Report on the Legal Needs of the Low- and Moderate-Income Public," in the same series). William McAlpin graciously provided a copy of this and other accompanying reports to the author.

[7] Alternatively, and more judgmentally, if we were to say that the lay public fails to legalize, we would impose a lawyer's point of view: just as a teacher might say Junior fails to learn, a lawyer could impugn a layperson for failing to legalize! But while failure to legalize may be detrimental to their legal situation, members of the general public are under no moral obligation to legalize.

[8] If the survey had quizzed people about law and courts before going through the catalog of personal difficulties, the respondents probably would have thought "this is a survey about lawsuits and lawyers, so I need to think up legal problems." But the sequencing of questions prevented this contamination of thought; only after finishing the entire survey could respondents have realized that it centered on legal problems. Keeping the legal questions until the last permitted measurement of the more natural state of respondents' thoughts about their life problems. "Report on the Legal Needs of the Low-Income Public," American Bar Association, 1994, Publication #4290018, p. 9.

[9] **Report on Investigation of Need and Assessment of Resources**, by Committee on Equal Access to Legal Services. We should note however that the report used the term "legal problems" to describe what we are here calling "legalizable problems."

[10] Ibid., p. 8.

[11] Ibid., Executive Summary, unpaginated preface.

[12] Ibid., p. 5

[13] At least one could exclude problems facing millionaires or venture capitalists! And one could also exclude the great variety of criminal cases in which the poor may be enmeshed.

[14] The 1993 national legal needs survey refers to this category as "serious disagreements and disputes," but since it features questions on personal finance, credit, consumer issues, and torts, it is given here a title which seems more aptly descriptive. "Report on the Legal Needs of the Low-Income Public," American Bar Association, 1994, Publication #4290018, p. 10.

[15] See Appendix I, Comments D.2-01, 02, 03, 04, 06; D.5-01, 02, 06, 07, 08, 09, 10, 11, 12, 13, 14, 15; D.6-01, 02, 04, 05; see also D.1-24, and 25 (on grandparents' rights).

[16] New York State Bar Association Committee on Legal Aid, The New York Legal Needs Study, June 1990, revised and reprinted December 1993, p. 20.

[17] Spangenberg Group, Monroe County Legal Needs Study Final Report, June 14, 1990 (Newton, Massachusetts), p. 36-37 (percentage calculated from data provided).

[18] American Bar Association, 1994, p. 19.

[19] This question can be addressed in greater detail later, but it noteworthy that the Temple University study reported that 4% of households had a legal problem in the area of estates and wills, while these particular problems are categorized in miscellaneous in the analysis that immediately follows. The Missouri miscellaneous category contains legal problems experienced by 25% of the households, however, evidence that it may be the wills/estate activities which account for the large number of households having troubles in this category. For the analysis in the Temple University study, see American Bar Association, 1994, pp. 33-34.

[20] Monroe County Legal Needs Study Final Report, especially pp. 38-42.

[21] The New York Legal Needs Study, June 1990, revised and reprinted December 1993, especially pp. 20-23.

[22] The sample size is 1001, but on some question sets a smaller number was asked (our telephone polling firm was able to ask some questions to all and certain sets of questions to only a subset of the larger sample. Assignment to all subsets was random, meaning that the households in the subset reflect the larger poverty public, but the sample size was smaller, which is taken into consideration in the estimation of proportions.