

Legal Problems, Legal Needs

The legal assistance gap facing
lower income people in New Jersey



A Report from the Poverty Research Institute of
Legal Services of New Jersey

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NJPRI
Poverty Research Institute

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About Legal Services of New Jersey and the Poverty Research Institute

Legal Services of New Jersey (LSNJ), a not-for-profit, 501 (c) (3) corporation, is the coordinating office for the statewide system of Legal Services programs, which provide essential legal aid in civil matters to low-income people throughout New Jersey. LSNJ ties the local program efforts together, providing information, training, legal and administrative coordination, technical assistance, and other support. LSNJ also provides representation in matters of broad or statewide significance, and initiates special projects in response to particular, emerging needs of the low-income population. LSNJ operates a toll-free, statewide legal hotline; provides direct representation to clients in selected targeted areas, such as domestic violence, consumer law, health care access, family preservation, immigration and community economic development; maintains a web page for clients, staff, attorneys and the general public; and publishes a wide range of community legal education materials.

LSNJ's Poverty Research Institute (NJPRI) conducts primary and secondary research on the scope and extent of poverty in New Jersey, and on its causes, effects and remedies. Supported by diverse funding, including the Fund for New Jersey, NJPRI maintains a professional research staff, has a public website, and issues frequent reports on poverty.

Introduction: Measuring the Legal Assistance Gap for Lower Income People

Lower income people must deal with a broad array of laws and legal processes that directly impact their daily lives and, for more than those with greater means, often determine their very ability to survive. The immediate question is: do they receive the legal assistance they need to help them face legal problems? The conclusion is that they do not.

Studies of the legal needs of low and moderate income Americans have been conducted at the local, state and national levels since the mid-1960's. New Jersey has had one such study, conducted by Legal Services of New Jersey in 1985.

In 1994, the American Bar Association (ABA) reported on the most ambitious and most recent of the national studies, pioneering a new methodological approach. Several states followed the 1994 ABA model in conducting their own studies. This New Jersey Legal Needs Study (NJLNS) generally follows the ABA approach, with a few significant modifications. In particular, the NJLNS looks at *incidence* of legal problems, but not *prevalence*; looks at problems faced by low income *individuals*, not *households*; and explores in much greater depth a series of questions around how legal problems are addressed, when and how lawyers are used, what outcomes occur, and what perspectives exist concerning the legal system.

The core questions of the NJLNS are:

1. How many new legal problems do individual adult lower income New Jersey residents experience each year?
2. How many of these legal problems are recognized as such by those who experience them?
3. What factors influence whether and how such residents seek legal assistance for legal problems and whether they get legal help?
4. What are such residents' perspectives on the seriousness of their legal problems?
5. What are the outcomes such residents experience to their legal problems, and what factors influence such outcomes?
6. What are such residents' perspectives on the legal system?

Answers to these questions help gauge the extent of the legal assistance gap among lower income New Jerseyans.

The study methodology is described in depth later in this report, but a few comments concerning scope bear emphasis. The study examines all types of *civil* legal problems. Telephone interviews were used exclusively. As with the ABA study, no *non-household* interviews were conducted; that is, no surveys were taken of people living in institutional settings such as military bases, prisons, state homes or hospitals, and similar sites.

Some terminology must be established at the outset. *Legal problems* were deemed to be those situations that, in the professional judgment of lawyers, would require the advice or more extended assistance of a lawyer to achieve the most favorable outcome, regardless of whether the individual judged the situation to be one requiring an attorney's assistance. All legal problems give rise to *legal needs*, which may or may not be recognized by the individuals experiencing them. In this study, recognition of a legal need is signaled by an affirmative response to the question concerning whether the individual thought it would have been helpful to have the assistance of a lawyer. This study begins an examination, cast in terms of relative satisfaction with outcomes, of the efficacy of individuals' principal methods of responding to a legal need (seeking help from a lawyer, seeking help from others, self-help, or doing nothing).

The study concentrates on lower income New Jerseyans. *Lower income* denotes individuals with gross income below 200% of the federal poverty level. For an individual this represents a gross annual income of \$17,720 in year 2002; for a family of four it means an annual income of \$36,200 in year 2002. While many above these income levels have difficulty obtaining and affording lawyers, the hurdles for lower income people are even more severe. The concern is that they are less likely to have enough resources to pay, to have the personal connections that facilitate finding an attorney, to have the ability to deal with legal problems without the help of an attorney, or even to recognize when they may need legal help. This study sought to assess how great these barriers are, and whether there is still a serious legal assistance gap in New Jersey. It turns out that the gap is major and poses great consequences for New Jersey residents.

Executive Summary

The New Jersey Legal Needs Study findings result from a survey of 1,013 adults randomly selected from all households in New Jersey. Adults eligible for the study were those who lived in New Jersey for at least one year, were able to speak English or Spanish, and had incomes at or below 200% of the federal poverty level. The United States Census Bureau estimates that there are 1,245,000 individuals in the entire state with these demographic characteristics.¹ Population projections incorporated in the study are derived from this Census Bureau estimate. All findings refer to events that occurred between July 2000 and October 2001.

Incidence of Legal Problems

- One-third of New Jersey's English- or Spanish-speaking adults with low incomes (projected 407,115 adults) experience the occurrence of at least one new civil legal problem during a year's time.^{2 3} These individuals face 1.8 new legal problems during the same year, in addition to any unresolved problems that they may be facing from a previous year.
- Work and family responsibilities increase the likelihood of experiencing at least one civil legal problem. Individuals who are employed, who are responsible for children in their households, or who live in a two or more adult household are more likely to experience at least one new problem during a year's time.
- Area of residence affects the likelihood of experiencing at least one civil legal problem. Individuals who live in rented housing and who live in central cities are more likely to experience at least one new problem during a year's time.
- The likelihood of experiencing a legal problem decreases with age.
- Adults with incomes below 100% of the federal poverty level are as likely to experience a legal problem as adults with incomes between 100% and 200% of poverty.

Kinds of Problems Experienced

- The most frequently experienced legal problems involved disputes and difficulties related to housing and neighborhood issues, such as problems with

¹ Current Population Survey three year average for 1999-2001.

² All population estimates are derived from United States Census Bureau population totals averaged from years 1999-2001 Current Population Surveys (n=1,245,000).

³ Percentages are rounded to nearest whole numbers. Projections are derived from numbers up to tenths of percents.

safety and health in rental housing, utility problems, and disputes with landlords. Twenty percent of lower income adults who experienced the new occurrence of a civil legal problem experienced a housing or neighborhood problem.

- The next most frequently occurring kinds of legal problems related to consumer issues such as problems with lenders, incorrect denial of credit, and problems with taxes. Eighteen percent of lower income adults who experienced the new occurrence of a civil legal problem experienced a consumer problem.

Seriousness of Legal Problems

- Lower income New Jersey residents experienced highly serious civil legal problems and situations. More than four-fifths (84%) of 560 legal problems related by NJLNS adults were rated by those who experienced them as highly serious and important.

Awareness of the Need for Legal Assistance

- The civil legal problems experienced by lower income New Jersey adults who thought they needed legal assistance to deal with the situation they faced spanned all problem areas. The largest number of perceived needs for legal assistance was in the area of housing and neighborhood issues followed by consumer, personal injury and property damage, family, employment, health care, public benefits and civil rights issues.
- Self-identified needs for legal assistance occurred more frequently among lower income adults who were younger in age and who had children present in their households.

Seeking and Obtaining Legal Assistance

- Out of the projected 211,650 lower income adults who, at least once during a year's time, believe that they need the advice or help of a lawyer, a projected 102,090 will seek legal assistance at least once during that year. Of those who seek assistance, a projected 65,985 will obtain it. Descriptive data suggests that some who receive services do not receive the range of services they need.
- A projected 61,005 of lower income adults who identify a perceived need for legal assistance but do not seek that assistance, give the inability to afford it as a reason. Other reasons for not seeking legal help given by NJLNS adults included the belief that the problem was not important enough to pursue, the fear of retaliation, and the belief that nothing could be done.

- The majority of lower income adults are not aware of free legal services, and fewer are aware of legal referral agencies. Twenty-six percent of lower income adults in the NJLNS were aware of free legal services or legal aid programs in their areas, and 8% were aware of legal referral agencies.
- In most situations (67%) where participants in the NJLNS obtained legal assistance, adults believed that their lawyers were effective.
- Among adults in the NJLNS, individuals sought and received legal assistance at the same rates regardless of demographic characteristics.

Facing Disputes Without Lawyers

- Among all lower income adults who experienced at least one legal problem or situation during a year's time, 65% sought to resolve the situation without the help of a lawyer. These adults comprise a projected 18% of the entire New Jersey adult lower income population.
- For the 256 civil legal problems in the NJLNS where an adult sought to resolve a problem without legal assistance, 71% were situations where the adult sought to resolve the problem by him or herself, 7% with the help of a government agency, 8% with the help of a family member or friend, 3% with the help of a community or social service agency, and 8% with some other form of assistance.

Outcome Satisfaction

- Lower income adults were more satisfied with the outcomes of their disputes and difficulties when they sought to resolve them than when they did not take any action. Among 46% of situations where an adult sought legal assistance, that adult rated outcome satisfaction as high, compared to 47% of situations where an adult sought to resolve the conflict through some other means and 37% where an adult did not seek to resolve the conflict.

Opinions of Courts and Lawyers

- While study results suggest that the majority of the NJLNS population of lower income adults had positive attitudes about the courts and legal system, lower income adults were more likely to have positive attitudes if they had not recently experienced a legal problem. Among all lower income adults in the study, 71% either agreed or strongly agreed that the New Jersey court system is a fair place to resolve disputes, compared to 65% of adults who had experienced a legal problem during the previous year.
- Adults who were living with incomes below the poverty line, younger adults, and adults who identified themselves as Black or African American were less likely to have positive attitudes, although, as groups, their attitudes were still

fairly positive. Reacting to the statement that the courts in New Jersey treat people of color just the same as everyone else, 82% of adults identifying as White Non-Hispanic agreed, compared to 72% of adults identifying as Hispanic or Latino and 59% of adults identifying as African American or Black Non-Hispanic.

Principal Policy Implications

- Available data combined with the study results portray a huge legal assistance gap among lower income people in New Jersey. Direct representation figures show that, of the 415,000 New Jerseyans projected to require legal assistance in a given year, fewer than one-fifth receive it. The Legal Services system, by far the largest provider, generates direct assistance to approximately 50,000 people each year; other non-profit legal assistance organizations and the law schools may directly assist at most 10,000 more. There are no reliable figures on the extent of private lawyer representation. From analysis of judiciary statistics by case and court type, together with administrative agency data, the combination of no-fee (“*pro bono*”), reduced fee and contingent or full fee representation of lower income individuals appears unlikely to close this representation gap in any significant way.
- More and more effective information on legal rights is needed, so that a greater proportion of people can recognize when they have a legal problem, and how legal assistance might be helpful.
- More publicity concerning the availability of bar association-sponsored lawyer referral services is needed (the study reveals only 8% of New Jerseyans know of them), as well as the availability of Legal Services and other providers of free legal assistance (only 26% awareness). Both this and the preceding recommendation are especially challenging, given the constant movement of many individuals in and out of poverty and the fact that people appear to be more likely to focus on matters pertaining to law during periods in which they are actually experiencing legal problems.
- Survey respondents’ views of the relative seriousness of the various types of their legal problems provide helpful perspective to Legal Services programs seeking to allocate and prioritize their scarce resources.

Methodology

The NJLNS methodology provides a comprehensive portrait of the civil legal problems currently facing many lower income adults in New Jersey. Civil legal problems were examined through a statewide sampling technique, a random digit dial telephone survey, and a data review process. With some modifications, survey method and process were modeled on an American Bar Association (ABA) design used for the 1994 ABA national study and replicated subsequently in several states.⁴

The New Jersey study reflects the breadth of inquiry found in earlier legal needs studies. Study questions covered the full range of individual civil legal problems currently facing adult residents. At the same time, the study targeted inquiry into only problems adults experience as *serious* disputes or difficulties that they are unable to resolve quickly on their own. Additional criteria were employed for each specific kind of incidence to ensure that descriptions related to civil legal problems.

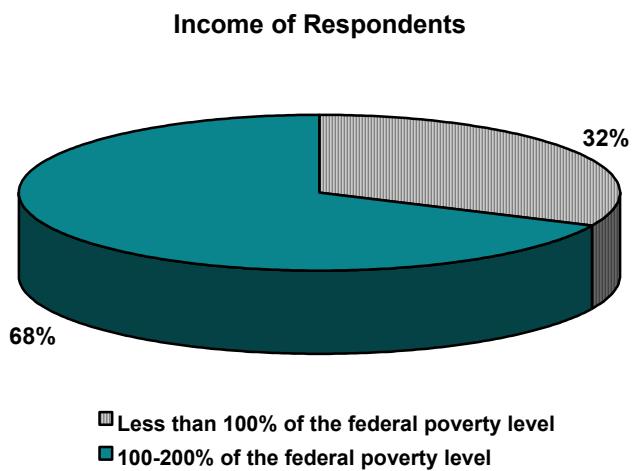
A statewide, representative sample of 1,013 lower income adult residents provided data for the study. Steps in the random digit dial sampling process involved generating a random sample of telephone numbers, contacting households at those numbers, randomly selecting one adult from all adults living in each contacted household, and screening the selected adult for demographic characteristics meeting study eligibility criteria. This process ensured that the study sample was not biased by study participant self-selection.

All NJLNS participants completed telephone surveys between July and October of 2001 and described experiences that had occurred during the preceding twelve months. All study participants met the following demographic characteristics:

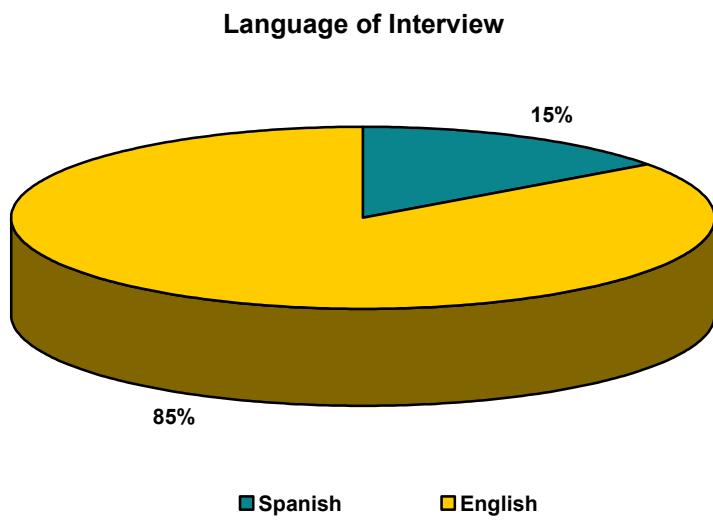


⁴ *Report on the Legal Needs of the Low- and Moderate-Income Public-Findings of the Comprehensive Legal Needs Study*, Institute for Survey Research at Temple University and American Bar Association, 1994. *Legal Needs Among Low- and Moderate-Income Households in Georgia*, Karl L. Landis, Roy W. Reese and Carolyn A. Eldred, Institute for Survey Research, 1994, *Legal Needs Among Low Income Households in Massachusetts*, Karl R. Landis, Roy W. Reese and Carolyn Eldred, Institute for Survey Research, 1994.

- Age 18 years old or older;
- Income at or below 200% of the federal poverty level;
- Part of the non-institutionalized population;
- English or Spanish speaking; and
- Resident of NJ for at least 12 continuous months preceding the survey.



Among all completed interviews, 15% were conducted in Spanish.

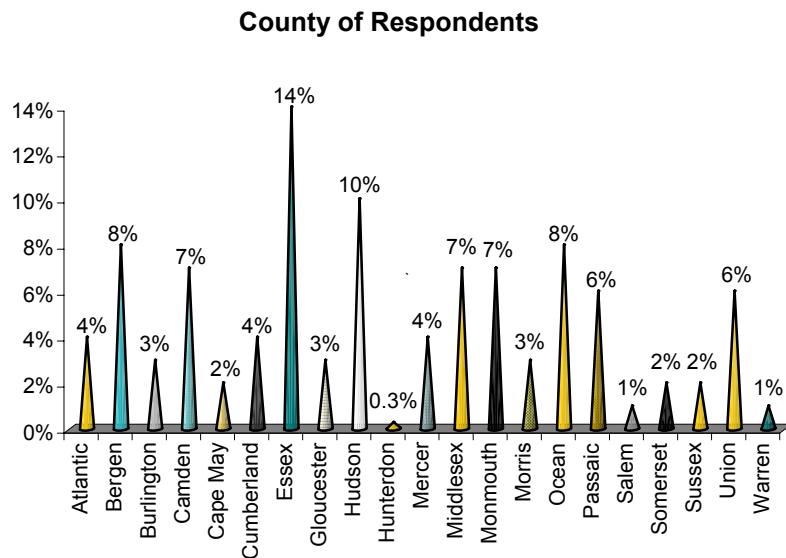


The study design did not include data collection from individuals with health or hearing barriers too severe to answer survey questions by telephone. Supplemental research is needed to gather information from individuals who are not able to speak English or Spanish.

Unlike the ABA study, the NJLNS design did not include outreach to individuals living in households without telephones. Past research suggests that limiting the study to households with telephones does not affect study findings. The ABA study of legal problems included both telephone surveys with residents in households with telephones and face-to-face surveys with residents in households without telephones. The study documented that individuals in households without telephones did not experience incidences of legal problems different from those of individuals who completed surveys by telephone.⁵ Recent household telephone rates reveal that 94.6% of households have telephones, both nationally and in New Jersey.⁶

The NJLNS gathered data from a statewide representative sample. The study's survey response rate is 50% when calculations are based upon the American Association for Public Opinion Research's standard definitions.⁷ This response rate is comparable to the rate typically found among surveys with similar designs.⁸ Additional information about call design, sampling procedures, and weighting methods is included in the Appendix.

The sample population drew residents from all 21 of New Jersey's counties.



⁵ Institute for Survey Research, Temple University. See comparison of findings between households with and without telephones in *Legal Needs Among Low-Income Households in Massachusetts: Findings from the Comprehensive Legal Needs Study*, Karl R. Landis, Roy W. Reese and Carolyn Eldred, Institute for Survey Research, 1994, p33.

⁶ Data from March 2000 Current Population Survey, provided by United States Bureau of Labor Statistics and United States Census Bureau.

⁷ *Standard Definitions: Final Dispositions of Case Codes and Outcome Rates for Surveys*, The American Association for Public Opinion Research (2000).

⁸ "Cooperation Tracking Study: April 2002 Update," Jane M. Sheppard and Steve Everett, CMOR. Calculations completed by Heather Hammer, Ph. D. Institute for Survey Research at Temple University for response rate for *Report on the Legal Needs of the Low- and Moderate-Income Public-Findings of the Comprehensive Legal Needs Study*.

Following completion of the surveys, a panel of four attorneys participated in coding data for the study. Three attorneys independently conducted reviews of the problem descriptions that respondents provided during surveys. Attorneys reviewed descriptions to ensure that:

The information provided referred to a dispute or difficulty;

The problem referred to a civil rather than a criminal matter;

The individual describing the problem was referring to direct experience rather than something facing a friend or relative; and

Each separate incidence was captured only once in the survey for each person interviewed.

A fourth attorney reviewed descriptions independently when the three other attorneys reached differing conclusions about the legal concepts in an individual's response. Attorneys reviewed a total of 796 descriptions of problems and discarded 88 (12%) of them because they did not meet study criteria.

All NJLNS findings that may be generalized to the entire population in New Jersey with demographic characteristics matching the population of the study present a minimum of a 95% confidence level with +/- 3% margin of error. Other findings are based on experiences unique to certain individuals in the study; when findings are not statistically generalizable but represent the experiences of study participants, they are noted as descriptive information.

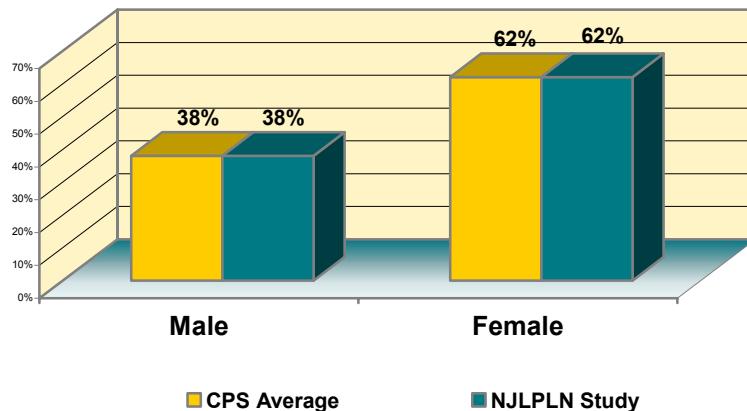
Population Demographics

The extent to which the NJLNS's sample is representative of the New Jersey lower income adult population is demonstrated by a comparison between the NJLNS population demographics and the United States Census Bureau population demographics for the entire New Jersey adult population with incomes at or below 200% of the federal poverty level. Study demographics are almost a mirror image of Census Bureau demographics. As described in the Appendix, data have been weighted by gender and age characteristics.

Census data reveals that adults with certain demographic characteristics are more likely to have low incomes. The demographic characteristics of the NJLNS population reflect those demographic differences associated with income in the state's lower income population as a whole, as shown by comparison to Current Population Survey (CPS) data averaged for years 1999-2000.

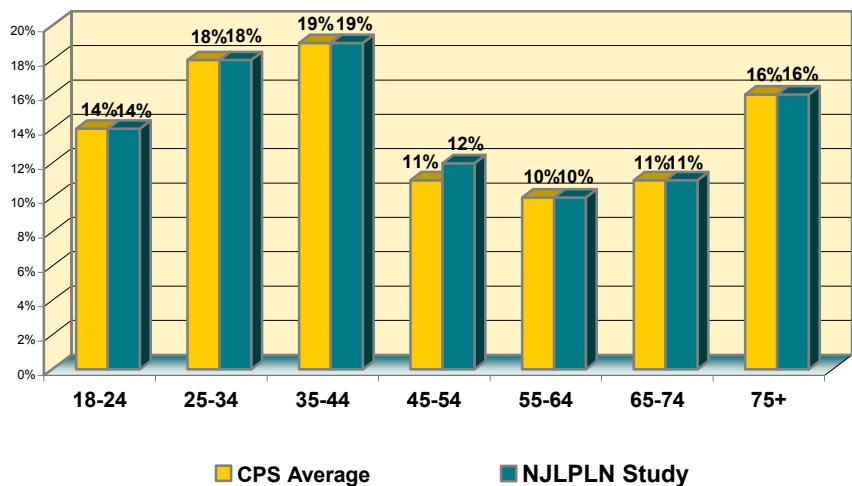
Nearly two-thirds of lower income adults in New Jersey are female.

CPS/NJLNS Comparison by Gender



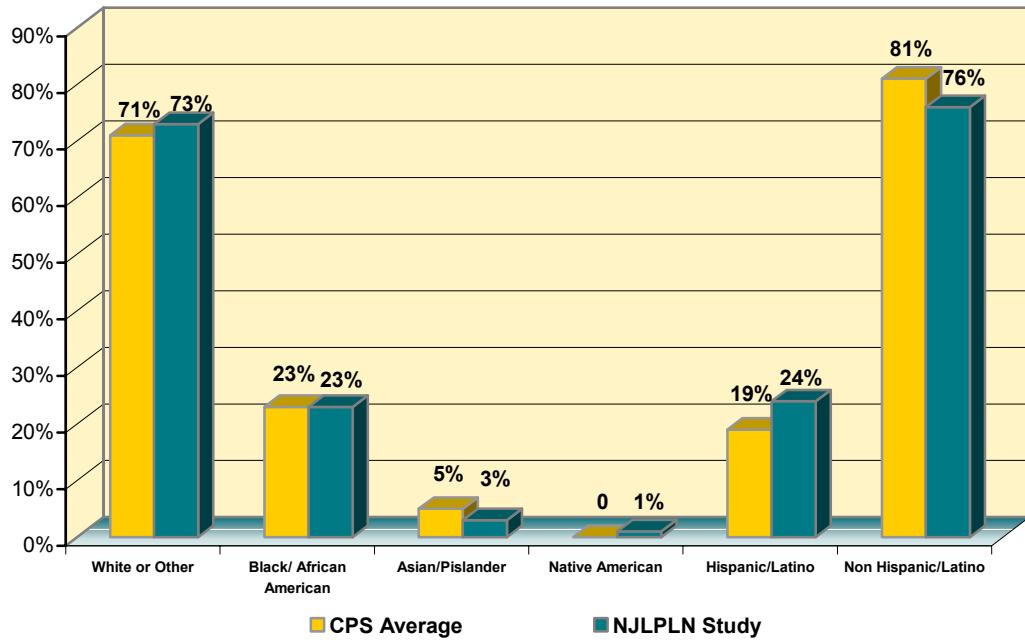
The median age among lower income adults in New Jersey is 43, similar to a median age between 40 and 45 for adults with incomes at all levels.

CPS/NJLNS Comparison by Age



Approximately one-fifth (24%) of lower income adults of all races identify their ethnicity as Hispanic or Latino. Among lower income adults, 51% identify themselves as White Non-Hispanic, 21% as Black Non-Hispanic or African American, 2% as Asian, Asian American or Pacific Islander, and 1% as Native American.

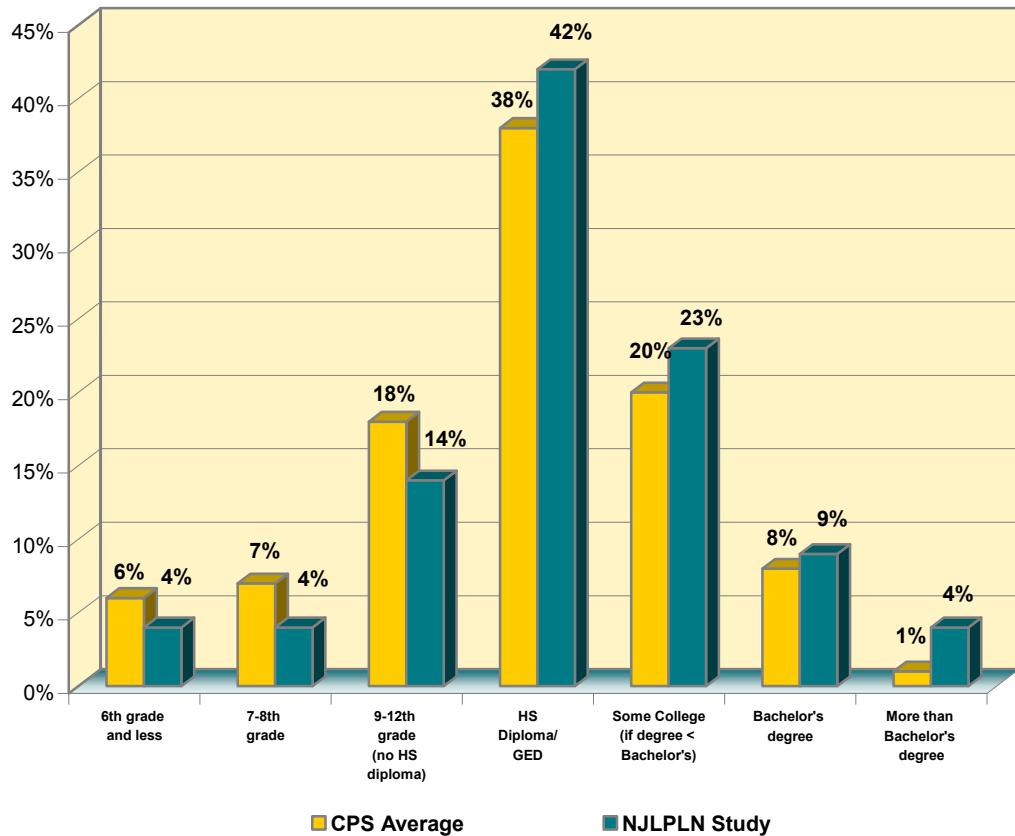
CPS/NJLNS Comparison by Race and Ethnicity



While most individuals in the New Jersey adult lower income population have attained a high school diploma, more than one-fifth have not completed a high

school level education. Among the state population of adults with all levels of incomes, 13% have not attained a high school education.⁹

CPS/NJLNS Comparison by Education Levels

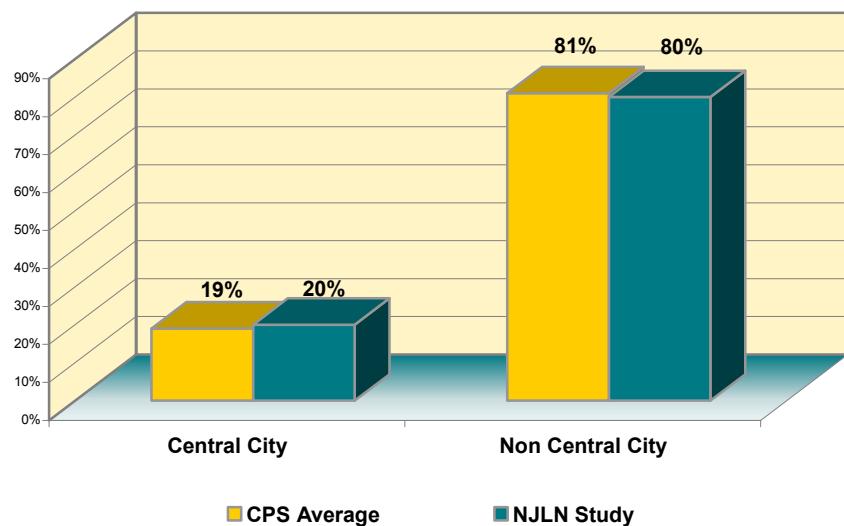


Approximately one-fifth of New Jersey's lower income population lives in central cities. The Census Bureau definition of central cities includes areas where there are high rates of residence and employment.¹⁰ In New Jersey, these include Atlantic City, Bayonne, Bridgeton, Camden, Dover Township, Jersey City, Millville, Newark, Trenton, and Vineland.

⁹ "Table 14 Educational Attainment of People 18 Years and Over by Age, Sex, Race and Hispanic Origin for the 25 Largest States: March 2000," Current Population Survey, March 2000, www.census.gov/population/socdemo/education/p20-536/table14.pdf.

¹⁰ Census Bureau definition for central cities at www.census.gov/population/www.estimates/aboutmetro.html

CPS/NJLNS Comparison by Central City



Incidence of Legal Problems

Every year, a significant portion of New Jersey's lower income population experiences major disputes and difficulties which they find unable to resolve quickly on their own. While any individual may become involved in a legal problem, study data reveals that certain demographic groups experience greater likelihood of legal problems than other demographic groups.

Key Findings:

- One-third of New Jersey's English or Spanish speaking adults with low incomes (projected 407,115 adults) experience the occurrence of at least one new civil legal problem during a year's time.^{11 12} These individuals face 1.8 new legal problems during the same year, in addition to any unresolved problems that they may be facing from a previous year.
- Work and family responsibilities increase the likelihood of experiencing at least one civil legal problem. Individuals who are employed, who are responsible for children in their households, or who live in a two or more adult household are more likely to experience at least one new problem during a year's time.
- Area of residence affects the likelihood of experiencing at least one civil legal problem. Individuals who live in rented housing and who live in central cities are more likely to experience at least one new problem during a year's time.
- The likelihood of experiencing a legal problem decreases with age.
- Adults with incomes below 100% of the federal poverty level are as likely to experience a legal problem as adults with incomes between 100% and 200% of poverty.

Regression analysis shows that age, presence or absence of children in a household, and rental status of occupied housing correlate to experience of at least one legal problem during one year. The likelihood of experiencing a greater number of new legal problems or situations is greater for individuals who are either younger in age or have been, at some point during a year, responsible for children living in their households, living in rented housing, or working at a paid job.*

¹¹ All population estimates are derived from United States Census Bureau population totals averaged from years 1999-2001 Current Population Surveys (n=1,245,000).

¹² Percentages are rounded to nearest whole numbers. Projections are derived from numbers up to tenths of percents.

* All regression models are stepwise model with independent variables of gender + b1race and ethnicity + b2age + b3educational attainment + b4whether or not lived in a central city +

Analysis by a single demographic characteristic at a time reveals that differences between groups exist for both the likelihood of experiencing at least one legal problem and the kinds of problems that group members tend to experience.

As a group, residents in rented housing are more likely to experience a legal problem than others.^{**} Forty-one percent of those who live in rented housing at some point during a year experience at least one legal problem, while 28% of those who do not live in rented housing at some point during a year experience at least one legal problem or situation. Descriptive study data suggests that these rates are higher due to greater numbers of housing and neighborhood related problems among residents in rental housing.

Living in a central city also increases the likelihood of housing and neighborhood related problems, according to descriptive data. At the same time, non-central city residents experience higher rates of family, employment, and health care problems than central city residents.

	Total Population Estimate for Lower Income Adults	Population Estimates for Lower Income Adults Who Experience At Least One New Civil Legal Problem Per Year	Percentage
Resident of a NJ central city	236,000	96,760	41%
Resident of an area in NJ other than a central city	1,009,000	322,880	32%

Adults with children are also more likely to experience legal problems. Within the NJLNS, 48% of those who were responsible for children living in their households experienced at least one legal problem, while 26% of those who were not responsible for children in their households experienced at least one legal problem.^{**} Individuals responsible for children tended to experience higher rates of family related legal problems and situations.

Direct involvement in a legal problem or situation also occurs at a greater rate for adults living in a two or more person household than for adults who represented single individual households. Seventeen percent of those who lived in single individual households experienced at least one legal problem or situation, while

b5whether or not worked during the past year + b6whether or not responsible for children in the household + b7whether or not living in a single individual household + b8whether or not live in rental housing. Models reported have overall chi square below the .05 level. The explained variance for this model is 67%.

^{**} Findings have a Pearson chi square statistically significant at the .05 level.

36% of individuals who did not live in single individual households experienced at least one legal problem.**

Adults who had worked at a paid job during a year's time experienced higher rates of legal problems and situations during that same year (40%) than adults who had not held paid jobs (26%).** The greatest difference in kinds of legal problems was the higher rate of employment related problems experienced by individuals who had worked during the previous year.

The experience of at least one legal problem or situation occurred at different rates for groups identifying with different races and ethnicities. Significant differences in likelihood of legal problems existed between adults identifying as White Non-Hispanic and adults identifying as Black Non-Hispanic or African American.** Ethnic identity as Hispanic or Latino was not significantly related to experience of at least one legal problem during a year's time, when compared to ethnic identity as other than Hispanic or Latino. As shown in the following chart, and by regression analysis, differences by race, while significant and more influential than differences by poverty level, were not as influential as differences by central city versus non-central city residence.

	Total Population Estimate for Adults with Low Incomes	Population Estimates for Adults with Low Incomes Who Experience At Least One Legal Problem	Percentage
Race			
White	884,000	274,040	31%
Black or African American	287,000	111,930	39%
Asian American, Asian, or Pacific Islander	65,000	16,900	26%***
Native American	8,000	3,520	44%
Hispanic Latino Ethnicity			
Hispanic Ethnicity	664,000	225,760	34%
White, Non-Hispanic	240,000	72,000	30%
All Others	341,000	129,580	38%

The likelihood of experiencing at least one legal problem decreases steadily by age of adult.

*** Percentages and numbers for Asian American, Asian, Pacific Islander and Native American should be interpreted with caution due to small sample numbers.

	Total Population Estimates for Adults with Low Incomes	Population Estimates for Adults with Low Incomes Who Experienced At Least One Legal Problem	Percentage
Age 18-24	179,000	85,920	48%
Age 25-34	223,000	95,890	43%
Age 35-44	238,000	85,680	36%
Age 45-54	143,000	51,480	36%
Age 55-64	128,000	43,520	34%
Age 65-74	131,000	24,890	19%
Age 75 and above	204,000	20,400	10%

Kinds of Problems Experienced

Through the NJLNS, adult lower income New Jersey residents identified the full extent of the kinds of civil legal problems and situations they had first experienced during the preceding year and provided detailed information about a maximum of two separate experiences per specific kind of civil legal problem or situation. Each problem or situation described meets an individual's own criteria for a major dispute or difficulty the individual was unable to resolve quickly on his or her own. Three hundred thirty-four New Jersey residents provided detailed information about 595 problems and situations they first experienced between summer of 2000 and fall of 2001.

Key Findings:

- The most frequently experienced legal problems involved disputes and difficulties related to housing and neighborhood issues, such as problems with safety and health in rental housing, utility problems, and disputes with landlords. Twenty percent of lower income adults who experienced the new occurrence of a civil legal problem experienced a housing or neighborhood problem.
- The next most frequently occurring kinds of legal problems related to consumer issues such as problems with lenders, incorrect denial of credit and problems with taxes. Eighteen percent of lower income adults who experienced the new occurrence of a civil legal problem experienced a consumer problem.

The table below estimates the percentages of New Jersey residents with low incomes who experience new occurrences of specific kinds of problems and situations. Within each substantive area, kinds of problems and situations are described and ordered from highest to lowest frequency of reports within that area.

Summary Table
Kinds of Legal Problems Experienced

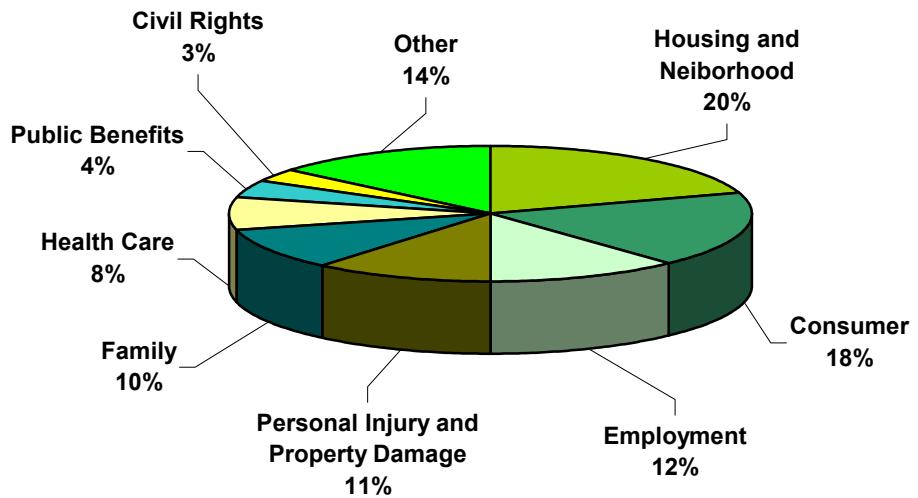
Kind of Legal Problem Experienced Descriptions of problems that were experienced	NJLNS Percentage Who Experienced A Legal Problem By kind of problem	Population Estimate Estimated number of individuals, derived from Census Bureau's CPS (1,245,000 individuals in total NJ adult lower income population)
Housing and Neighborhood <ul style="list-style-type: none"> • Safety and health in rental housing • Utility problems • Disputes with landlords • Problems getting city or municipal services • Residential environmental problems • Problems related to real estate • Problems with police abuse or harassment • Problems with condos, co-ops, or homeowners associations • Discrimination in housing • Disputes over locations of plants or facilities in residential neighborhoods 	9% ¹³	112,050
Consumer <ul style="list-style-type: none"> • Problems with lenders Incorrect denial of credit • Problems with taxes • Problems with goods or services from sellers or contractors • Problems with insurance, other than health insurance • Bankruptcy issues 	8%	102,009

¹³ Percentages are rounded to nearest whole number.

<p>Employment</p> <ul style="list-style-type: none"> • Problems related to receipt of pay • Discrimination in job hiring • Problems related to pension plans or retirement benefits • Major difficulties on the job • Discrimination on the job • Problems with employer over denial of vacation, sick leave, or health insurance • Incorrect denial of unemployment compensation or worker's compensation • Incorrect denial of a permit or license 	6%	74,700
<p>Personal Injury or Property Damage</p> <ul style="list-style-type: none"> • Experience of personal injury or property damage inflicted by others • Experience of character defamation • Sued or threatened with suit for personal injury or property damage 	5%	63,909
<p>Family</p> <ul style="list-style-type: none"> • Disputes related to break-ups of marriages or live-in relationships • Problems with public school systems • Issues related to will, estates, or trusts • Involvement in children's adoptions or guardianships arrangements • Domestic violence • Problems with child protective services • Issues related to adult guardianship arrangements • Disputes related to long-term care or family members' death 	5%	62,250

<p>Health Care</p> <ul style="list-style-type: none"> • Disputes with health care providers over charges or payments • Disputes with private health insurance companies • Problems with hospitals related to access of necessary health care 	4%	49,800
<p>Public Benefits</p> <p>Problems related to</p> <ul style="list-style-type: none"> • Medicare • Social Security (other than those listed below) • Family Care or Kid Care • Medicaid • Social Security for the Disabled • Food Stamps • Supplemental Security Income • Work First New Jersey • Other government benefits 	2%	24,900
<p>Civil Rights</p> <ul style="list-style-type: none"> • Problems related to immigration status • Discrimination because of immigration • Other denial of government programs or services due to limited English proficiency 	1%	12,450
<p>Other</p> <ul style="list-style-type: none"> • Other where needed legal assistance, such as with parking or speeding tickets • Other problems with discrimination such as age and sexual orientation • Other participation in civil court action • Other participation in government hearings or proceedings 	6%	74,700

Legal Problem Types Experienced: Percentages of Adults Who Experienced Each Type At Least Once During One Year



Seriousness of Legal Problems

All legal problems reported for the NJLNS were considered to be serious by those experiencing them as well as by a panel of attorneys. Having already identified a problem as a serious dispute or difficulty, lower income adults rated the degree to which each problem experienced was serious and important to them.

Key Finding:

- Lower income New Jersey residents experience highly serious civil legal problems. More than four-fifths (84%) of 560 legal problems rated by respondents were rated by those who experienced them as highly serious and important.

On a four-point scale, adults rated 65% of problems as 4 = most serious and important, followed by 19% as 3 = next most serious and important, 8% as 2 = less serious and important, and 9% as 1 = least serious and important.

Adults who identified themselves as Black Non-Hispanic or African American were the most likely to rate their problems with the highest degree of seriousness and importance. Percentages of adults who rated



problems as highly serious and important by identification with race category are 73% Black Non-Hispanic or African American, 71% other, 65% Hispanic, 51% White Non-Hispanic.** Among all lower income adults, as level of educational attainment increased, residents were less likely to attribute the highest degree of seriousness and importance. Adults who had worked during the past year were more likely to rate their problems with the highest degree of seriousness and importance when compared to adults who had not worked during the past year. Further analysis is needed to understand whether these differences in likelihood to rate problems are linked more to demographic characteristics or to the problems that individuals with specific demographic characteristics are likely to encounter.

The differences in percentages of problems that individuals rated as highly serious and important by substantive area suggest that ratings vary by problem or situation type. By problem type, the percentages of problems rated as a 3 or 4 on the scale of how serious and important problems were: 90% for family (out of 71 problems), 89% for public benefits (out of 27 problems), 86% for employment (out of 74 problems), 78% for consumer (out of 72 problems), 74% for personal injury (out of 72 problems) 71% for housing and neighborhood (out of 136 problems), 65% for health care (out of 48 problems), 66% for civil rights (out of 12 problems), and 80% for other (out of 60 problems).

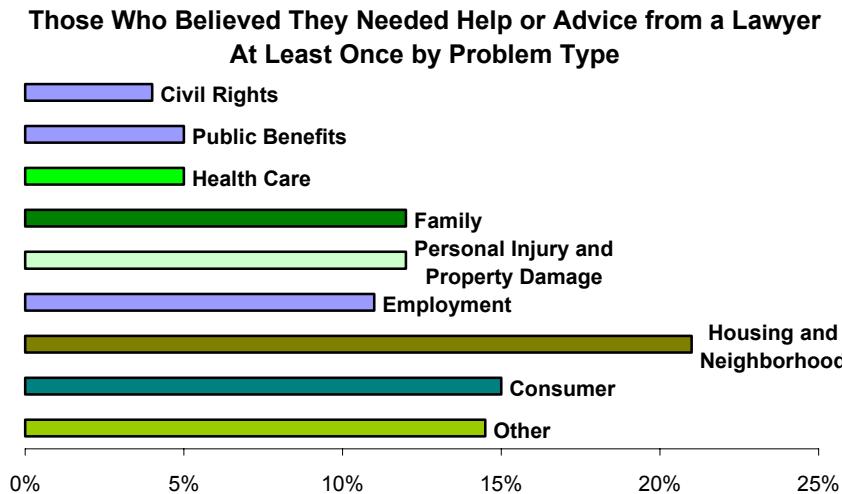
Awareness of the Need for Legal Assistance

One of the main areas of inquiry for the NJLNS was the rate at which individuals with low incomes are able to obtain legal assistance once they have identified a need for that assistance. Among individuals who experienced legal problems, 52% thought that they needed the advice or help of a lawyer while facing a problem or situation at least once during the course of a year; this projects to 211,650 adults in the total statewide lower income population.

Key Findings:

- The civil legal problems experienced by lower income New Jersey adults who thought they needed legal assistance to deal with the situation they faced spanned all problem areas. The largest number of perceived needs for legal assistance was in the area of housing and neighborhood issues, followed by consumer, personal injury and property damage, family, employment, health care, public benefits and civil rights issues.
- Self-identified need for legal assistance occurred more frequently among lower income adults who were younger in age and who had children present in their households.

The chart below depicts the percentage of problems where adults believed they needed help from lawyers, by type of problem.



Certain demographic groups were more likely than others to identify the need for assistance from lawyers. Among all adults who experienced legal problems, 51%

of those ages 18 to 34 identified at least one need for advice or help from a lawyer, compared to 59% of adults ages 35 to 64, and 27% of adults ages 65 and above.



Logistic regression shows that beliefs about the need for assistance correlated with age and family composition. Adults who are younger and who have children are more likely to believe that they need the advice or help of a lawyer.**

** Stepwise model with independent variables notes on page 18. Explained variance for this model is 82%.

Seeking and Obtaining Legal Assistance

People may respond to problems, including legal problems, in many ways, ranging from direct confrontation to denial and avoidance. With regard to legal problems, the key—and complex—phases of response include:

Do they have enough knowledge and awareness to recognize a situation as a legal problem? In only 41% of situations, they did.

If they did so recognize, did they have enough knowledge and awareness to understand accurately the need for a lawyer—how a lawyer might be of help?

If they did so understand, did they have the psychological, intellectual, physical, social and financial ability to act on it—to seek a lawyer?

If they did so act, were they successful?

It is not surprising, given the number of prerequisites, that many do not find attorneys for their legal problems, and settle for getting help from others (non-lawyers), responding on their own without help, or doing nothing at all.

Key Findings:

- Out of the projected 211,650 lower income adults who, at least once during a year's time, believe that they need the advice or help of a lawyer, a projected 102,090 will seek legal assistance at least once during that year. Of those who seek assistance, a projected 65,985 will obtain it. Descriptive data suggests that some who receive services do not receive the range of services they need.
- A projected 61,005 of lower income adults who identify a perceived need for legal assistance but do not seek that assistance, give the inability to afford it as a reason. Other reasons for not seeking legal help given by NJLNS adults included the belief that the problem was not important enough to pursue, the fear of retaliation, and the belief that nothing could be done.
- The majority of lower income adults are not aware of free legal services, and fewer are aware of legal referral agencies. Twenty-six percent of lower income adults in the NJLNS were aware of free legal services or legal aid programs in their areas, and 8% were aware of legal referral agencies.
- In most situations (67%) where participants in the NJLNS obtained legal assistance, adults believed that their lawyers were effective.

- Among adults in the NJLNS, individuals sought and received legal assistance at the same rates regardless of demographic characteristics.

Twenty-six percent of NJLNS lower income adults were aware of free legal services for civil matters in their counties, indicating that a projected 920,055 in the total lower income New Jersey adult population are unaware that free legal assistance is available from legal services in their area.¹⁴ At the same time, 8% of NJLNS lower income adults were aware of organizations or services in their area that make referrals to lawyers, indicating a projected 1,147,890 who are unaware. Lower income adults who belong to a prepaid legal plan comprise approximately 5% of the entire New Jersey population, totaling a projected 57,270 adults.

Adults who experience legal problems during a year's time are more likely to be aware of legal services organizations and lawyer referral agencies than adults who have not experienced legal problems. Approximately 30% of NJLNS adults who experienced a new occurrence of a legal problem were aware of free Legal Services and legal aid, and an estimated 14% were aware of lawyer referral agencies. Lower income adults in central cities are also more aware of legal resources. Among NJLNS lower income central city residents, 37% were aware of legal services organizations in their areas and 12% were aware of legal referral agencies, compared to 24% and 6% respectively in areas outside of central cities.**



Logistic regression analysis suggests that adults who experience civil legal problems seek and obtain legal assistance at the same rates regardless of demographic characteristics.* Just over 5% of adults in the NJLNS obtained assistance from lawyers at least

once during a year's time; this projects to a total of 65,985 individuals in the entire New Jersey lower income population. This number represents 16% of NJLNS adults who experience at least one legal problem and approximately 31% of the individuals who at least once identify a need for assistance from a lawyer.

Descriptive data suggests that, in some situations, adults receive advice or brief service but would like to receive additional service. In fewer than half of the 28

¹⁴ Percentages are rounded to nearest whole number

situations where an NJLNS respondent received advice or brief services, that individual said that it was all he or she could afford and 29% said it was all the lawyer was willing to do.

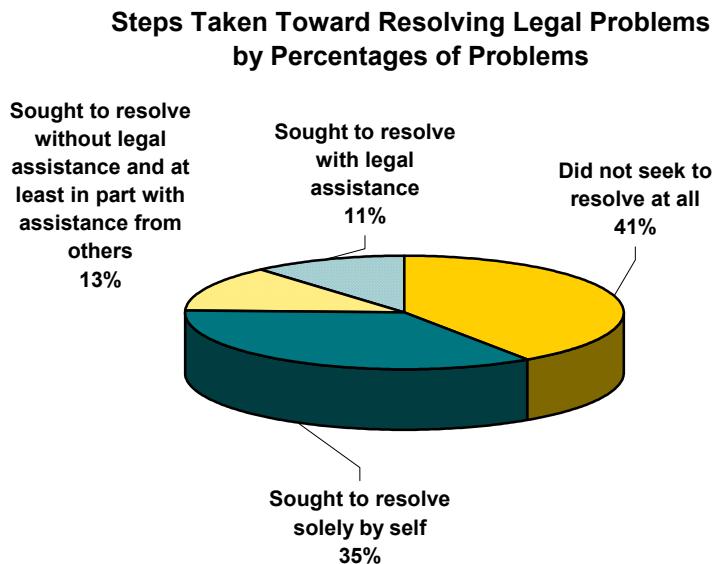
Descriptive data suggests that when lower income adults receive legal assistance from organizations or firms other than legal services or legal aid, they will be provided free legal representation or services 39% of the time (out of 62 situations), but not all, services will be free an additional 29% of the time.

Descriptive information also that lower income adults often find their lawyers to be effective, but that there are some situations where they believe that their lawyers could or should have done more for them. Within the NJLNS, lower income adults rated the effectiveness of their lawyers for a total of 74 situations. Lower income adults felt that their lawyers were very effective 45% of the time, somewhat effective 22% of the time, somewhat ineffective 9% of the time, and very ineffective 16% of the time. In 44% of situations, lower income adults were satisfied with the effectiveness of their lawyers. In 21% of situations, lower income adults felt that their lawyers should have been more responsive in answering calls and providing information, in 15% that they should have given clearer advice, and in 6% that they should have been stronger in court.

Facing Disputes Without Lawyers

As noted, the NJLNS confirms that many who experience legal problems do not attempt to get lawyers, even though they should. The study gathered some information concerning the different avenues people pursued. Notably, there were not significant differences in demographic characteristics among those who sought non-legal assistance, those who tried to address the problems on their own, and those who did nothing at all.

For each type of legal problems, some chose to do nothing at all. Logistic regression finds that attempts to resolve disputes without lawyers did not vary by gender, race, Hispanic ethnicity, age, educational attainment, central city residence, working at a paid job during the past year, having children in the household, residing as a single individual, or residence in rented housing.**

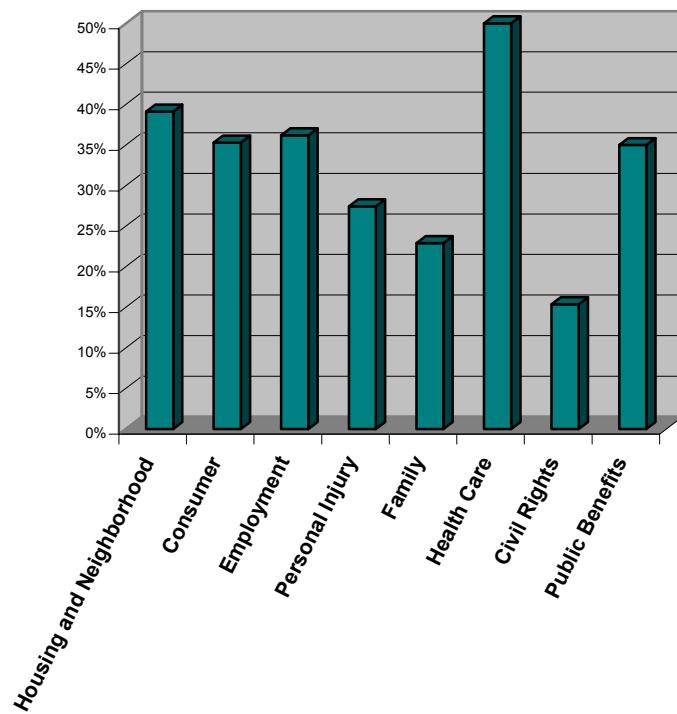


The situations where adults did not take action are of considerable concern. While some perhaps may be explained by hypothesizing that they chose not to act because of a lack of merit in their legal position, by definition all would have benefited with at least some advice from a lawyer. The factors that dissuade people from seeking legal advice, discussed earlier, need to be addressed.

It is also notable that adults who sought to resolve problems on their own vary somewhat by problem type. There were 140 situations where adults sought to resolve problems on their own.

** Model explains 59% of the variance.

**Percentage of Situations Within Problem Kind Where
Sought to Resolve Solely by Self**



While this data is descriptive and the limited number of NJLNS adults involved makes it less than definitive, it can, nonetheless, suggest interesting hypotheses concerning relative priorities of problems, relative difficulties in finding lawyers for different kinds of cases, and relative degrees of comfort in addressing certain types of problems on one's own.

Key Findings:

- Among all lower income individuals who experienced at least one legal problem or situation during a year's time, 65% at least once sought to resolve the situation without the help of a lawyer. These adults comprise 18% of the entire NJLNS adult lower income population.
- For the 256 civil legal problems where an adult sought to resolve the problem without legal assistance, 71% were situations where the adult sought to resolve the problem by him or herself, 7% with the help of a government agency, 8% with the help of a family member or friend, 3% with the help of a community or social service agency, and 8% with some other form of assistance.

Population estimates for lower income individuals who sought to resolve legal problems without legal assistance are in the table below.

Type of Assistance	NJLNS percentage of lower income adults who <u>sought to resolve a dispute or difficulty</u> without legal assistance at least once during one year	NJLNS projection of adults in entire New Jersey lower income population who <u>sought to resolve a dispute or difficulty</u> without legal assistance at least once during one year, derived from Census Bureau CPS Data where entire population is 1,245,000 adults	NJLNS percentage of all lower income adults who <u>were able to resolve a dispute or difficulty</u> without legal assistance at least once during one year	NJLNS projection of adults in entire New Jersey lower income population who <u>were able to resolve a dispute or difficulty</u> without legal assistance at least once during one year
By self	12.2%	151,890	8.8%	109,560
With the help of a government agency	1.6%	19,920	.79%	9,836
With the help of a family member or friend	1.4%	17,430	1.7%	21,165
With the help of a community or social service organization	.7%	8,715	.49%	6,101
With other assistance	1.7%	21,165	.69%	8,591
Attempted to resolve without legal assistance but was not able to resolve	---	---	5.1%	63,495
Attempted to resolve without legal assistance, have not been able to resolve, problem still pending	---	---	4.8%	59,760

Outcome Satisfaction

General Satisfaction with Resolution of Problem

Outcome satisfaction is a very limited measure. First, it is entirely subjective, resting solely on the perspective of the individuals experiencing the problem, who may or may not be well informed as to their legal rights, the merits of the case, the range of potential outcomes, and other relevant considerations. Second, outcomes can be influenced by dozens of factors, including availability of resources, sophistication of advisers and advocates, inclinations of adjudicators, geography, and sophistication of adversaries. Attempting objective measures of such factors would itself be a very expensive multi-year project, if it could be done at all. Finally, satisfaction may be also influenced by extraneous factors, such as positive feelings about the level of engagement in a self-help approach, that have nothing to do with objective evaluation of the justice of an outcome.

That said, it nonetheless seemed relevant to at least gauge participant perceptions, to observe whether there were any suggestive patterns that might point toward directions for future research. The researchers caution that because of its subjectivity and absence of controls for relevant factors, this data cannot be usefully compared across categories of assistance; e.g., legal assistance satisfaction cannot be compared, say, to satisfaction from self-help. The data is descriptive only.

Key Finding:

- Lower income adults were more satisfied with the outcomes of their disputes and difficulties when they sought to resolve them than when they did not take any action. Among 46% of situations where an adult sought legal assistance, that adult rated outcome satisfaction as high, compared to 47% of situations where an adult sought to resolve the conflict through some other means and 37% where an adult did not seek to resolve the conflict.

On a scale of 1 to 4, lower income adults rated the outcomes of their situations with 1 = lowest satisfaction 31% of the time, 2 = low to mid satisfaction 14% of the time, 3 = mid to high satisfaction 14% of the time, and 4 = highest satisfaction 20% of the time (from a total of 595 legal problems).

The table below represents outcome satisfaction for those lower income adults who were able to assess their experiences over the past year.

**Satisfaction with Outcome Where Described
(In Numbers of Problems)**

Civil Legal Problem	Low	High
Housing and Neighborhood	58	37
Family	23	31
Employment	52	34
Public Benefits	18	4
Health Care	28	6
Consumer	38	17
Civil Rights	9	4
Personal Injury	26	21
Other	11	42

**Outcome Satisfaction by Assistance Received in
Resolving Problems and Situations Where Described
(In Numbers of Problems)**

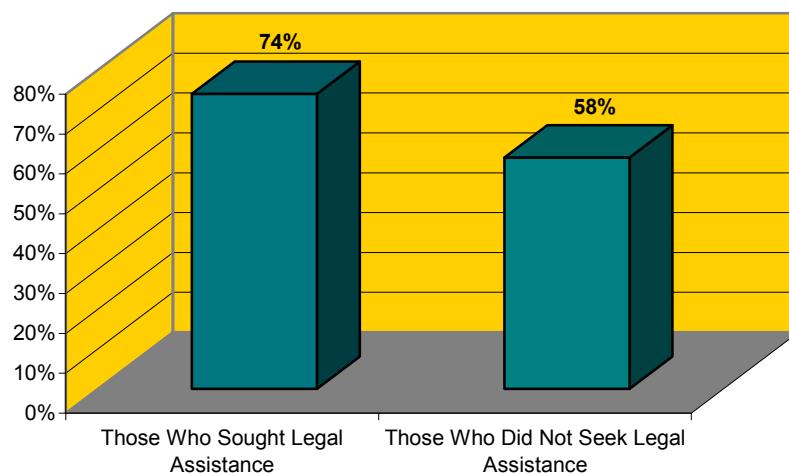
	Low	High
Legal Assistance	22	27
Assistance from Government Agency	6	9
Assistance from Community or Social Service Agency	8	2
Assistance from a Family Member or Friend	4	7
Assistance from some other source	---	5
Self Help	29	70
Sought to resolve the problem with assistance other than legal assistance but was not able to	33	6
Did not seek to resolve the problem	77	70

Opinions of Courts and Lawyers

In more than one-quarter (28%) of the situations where a lower income adult experienced a legal problem or situation, that adult felt that he or she did not understand well the legal issues involved in the situation. In 59% of the situations, an adult felt that he or she understood the legal issues involved.

Descriptive information suggests that adults who had contact with lawyers tended to feel they better understood the legal issues relating to their situations.

Situations Where Lower Income Adults Felt They Understood the Legal Issues Involved



Descriptively, in 158 situations where adults felt that they did not understand the legal issues involved, 36% of the time that adult said that more legal explanation would have been helpful, 16% of the time that a better lawyer would have been helpful, 7% of the time that legal documents written in basic English would have been helpful and 9% of the time that better translation into a language other than English would have been helpful.

In over half (60%) of the legal problems and situations experienced, the experience did not cause a lower income adult facing the situation to shift his or her opinions of the court system. In 8% of situations, an adult said that his or her opinions were positively affected and in 20% of situations adults said that their opinions were affected negatively.

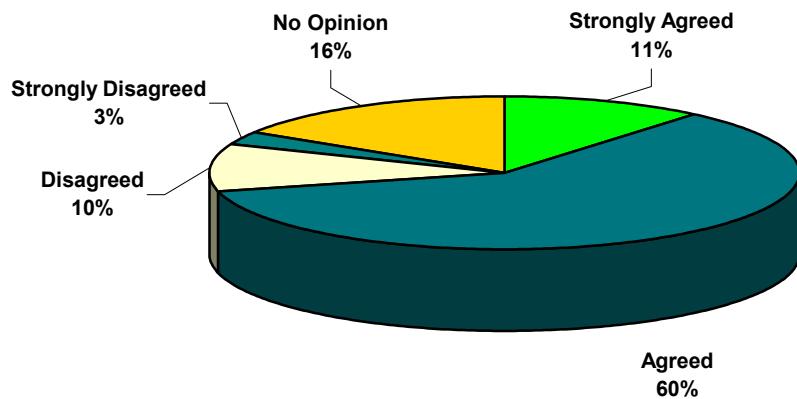
The NJLNS found that among the entire lower income population, the recent experience of a legal problem tended to impact adults' opinions of courts and lawyers in a negative direction.

Key Findings:

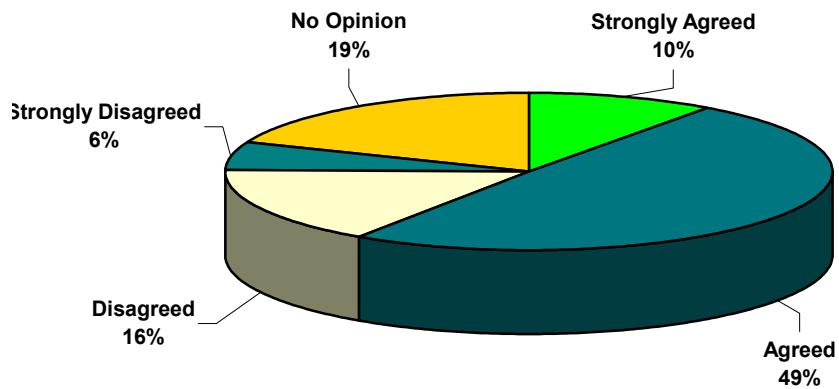
- While study results suggest that the majority of the NJLNS population of lower income adults had positive attitudes about the courts and legal system, lower income adults were more likely to have positive attitudes if they had not recently experienced a legal problem. Among all lower income adults in the study, 71% either agreed or strongly agreed that the New Jersey court system is a fair place to resolve disputes, compared to 65% of adults who had experienced a legal problem during the previous year.
- Adults who were living with incomes below the poverty line, younger adults, and adults who identified themselves as Black or African American were less likely to have positive attitudes, although, as groups, the majority still had positive opinions. Reacting to the statement that the courts in New Jersey treat people of color just the same as everyone else, 82% of adults identifying as White Non-Hispanic agreed, compared to 72% of adults identifying as Hispanic or Latino and 59% of adults identifying as African American or Black Non-Hispanic.

The NJLNS asked participating lower income adults to react to several questions about their opinions of courts and lawyers. Their responses are statistically generalizable to the entire lower income population in New Jersey.

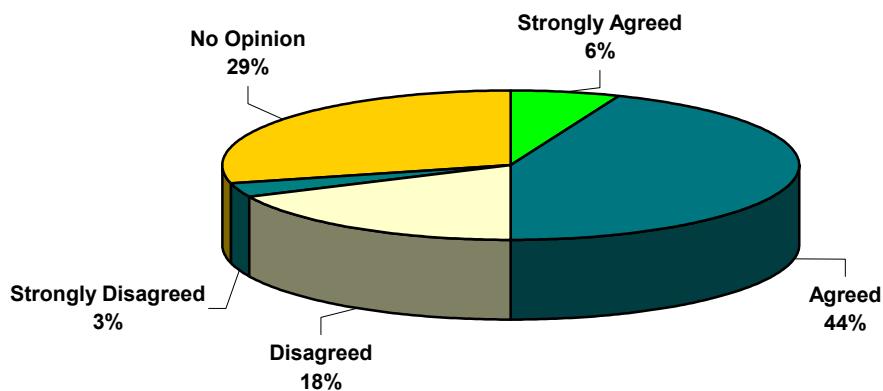
Among Lower Income Adults, Opinions that the NJ Court System is a Fair Place to Resolve Disputes



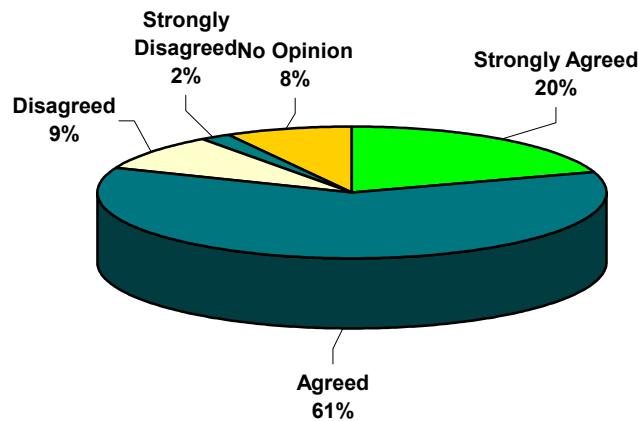
Among Lower Income Adults, Opinions that Courts in NJ Treat People of Color Just the Same as Everyone Else



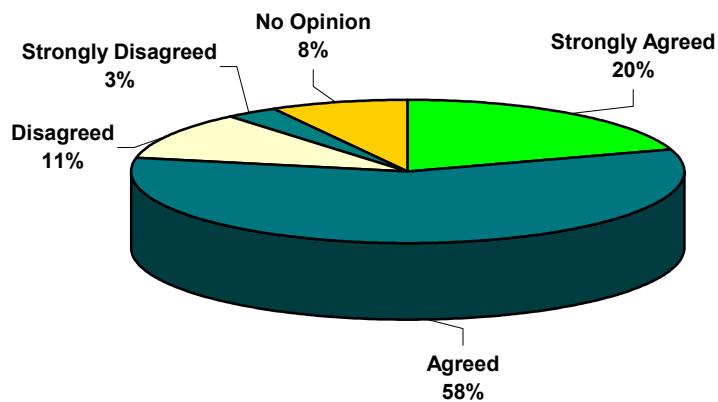
Among Lower Income Adults, Opinions that Courts in NJ are Easy to Use for Non-English Speakers



Among Lower Income Adults, Opinions that Courts and the Legal System Make Society Safer Than It Would Be Without Them



Among Lower Income Adults, Opinions that Adults Could Get a Good Lawyer if Needed (Statement did not Distinguish Between Civil and Criminal Matters)



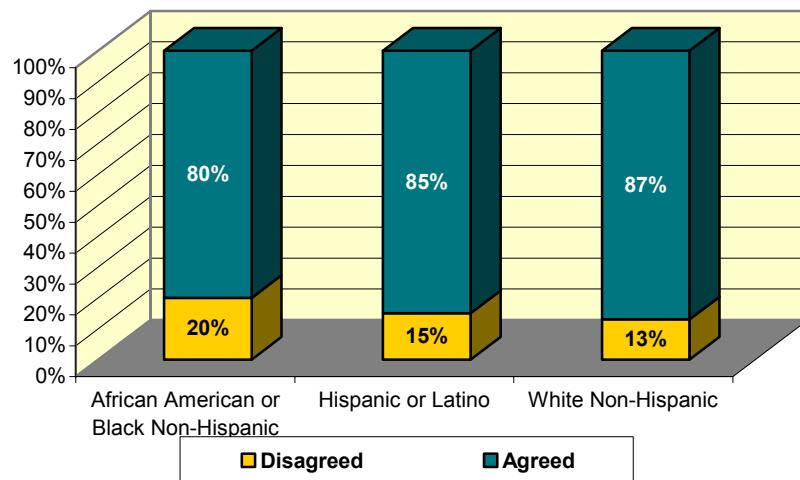
Certain variations by demographic characteristics in opinions about courts and lawyers expressed during the NJLNS are noted below.

Lower income adults tended to have more positive opinions about the fairness of the New Jersey court system when their incomes were higher, they identified as White Non-Hispanic, or they were younger.** Twenty percent of lower income adults with incomes below the federal poverty level disagreed with the statement that the court system is fair, while only 13% of adults with incomes between 100% and 200% of the federal poverty level disagreed with the statement. Sixteen percent of adults with incomes below the federal poverty level disagreed that the courts and legal system make society more safe than it would be without them,

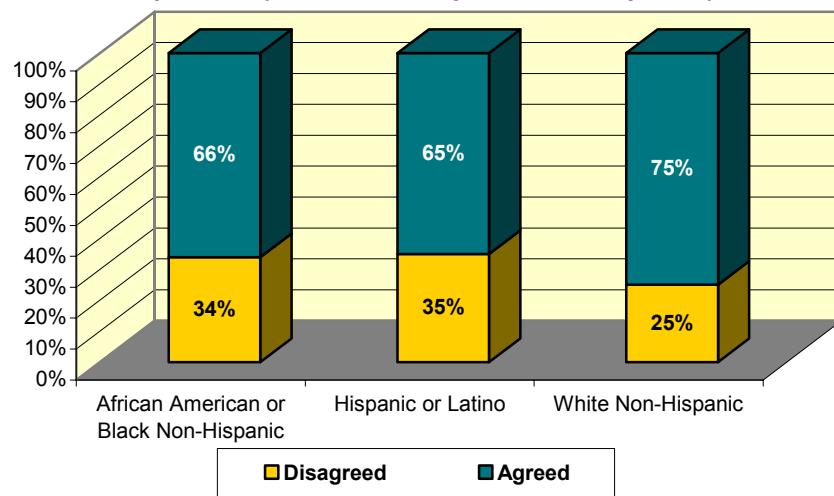
compared to 10% with incomes between 100% and 200% of the federal poverty level.

Descriptive information by race and ethnicity shows differences in opinions about courts and lawyers. Among NJLNS participants, 510 identified as White Non-Hispanic, 247 as Hispanic or Latino and 214 as African American or Black Non-Hispanic.

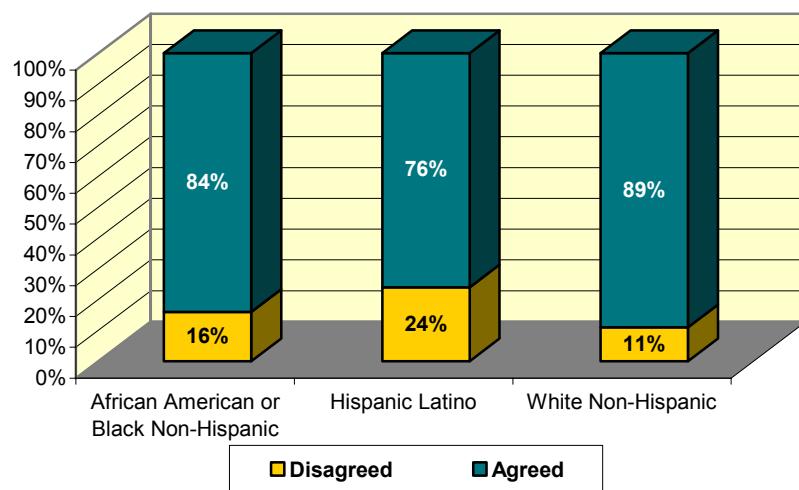
**Among Lower Income Adults,
Opinions that the NJ Court System is a Fair Place to
Resolve Disputes (for those who provided an opinion)**



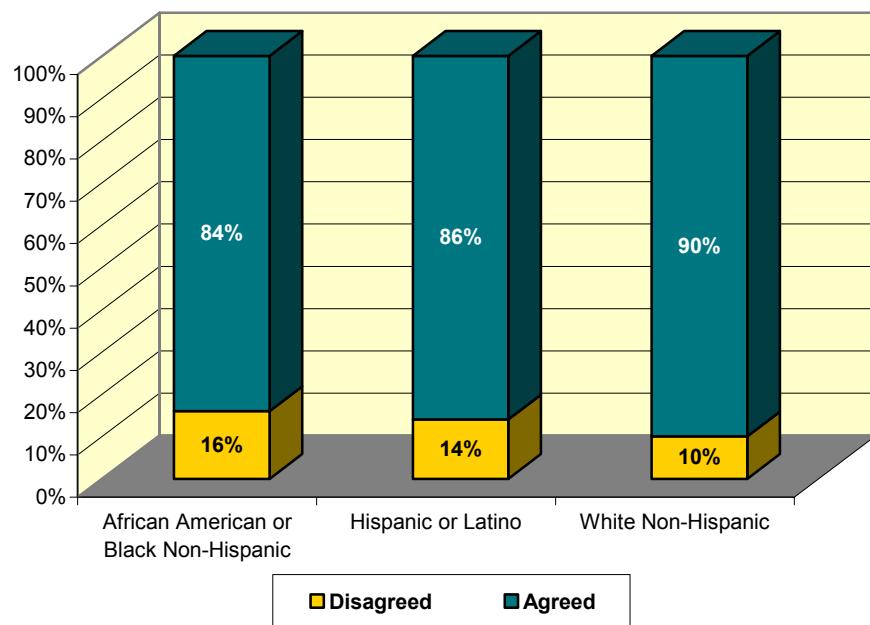
**Among Lower Income Adults,
Opinions that Courts in NJ are Easy to Use for Non-English
Speakers (for those who provided an opinion)**



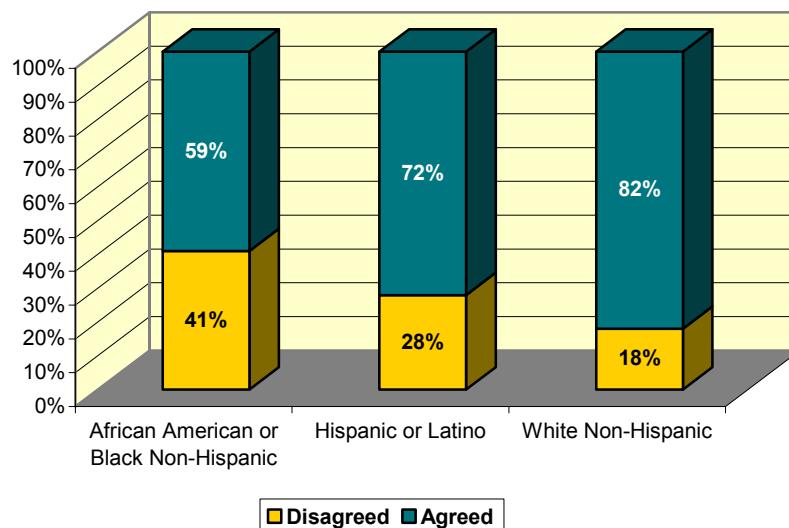
Among Lower Income Adults, Opinions that Adults Could Get a Good Lawyer if Needed (for those who provided an opinion) (Statement Did Not Distinguish Between Civil and Criminal Matters)



Among Lower Income Adults, Opinions that Courts and the Legal System Make Society Safer Than It Would be Without Them (for those who provided an opinion)



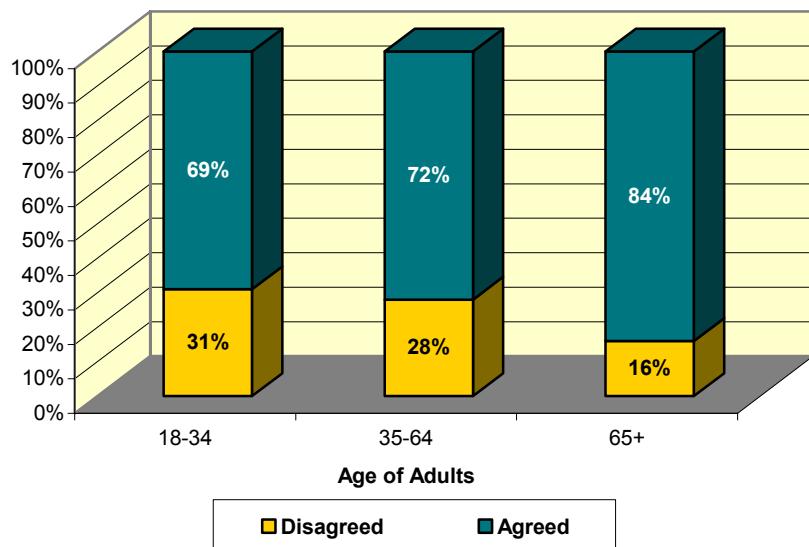
**Among Lower Income Adults,
Opinions that Courts in NJ Treat People of Color
Just the Same as Everyone Else**



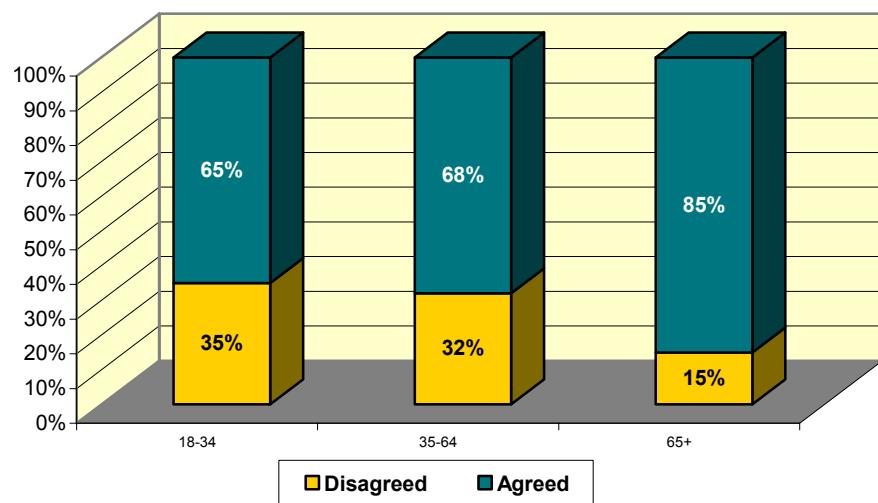
Twenty-one percent of NJLNS adults living in central cities disagreed with the statement that they could obtain assistance from a good lawyer, compared to 14% of adults living elsewhere. At the same time, 36% of NJLNS adults in central cities disagreed with the statement that the court system is easy to use for non-English speakers, compared to 24% of adults living elsewhere.

Among NJLNS participants, 326 were ages 18 through 34, 415 were ages 35 through 64 and 273 were ages 65 and above.

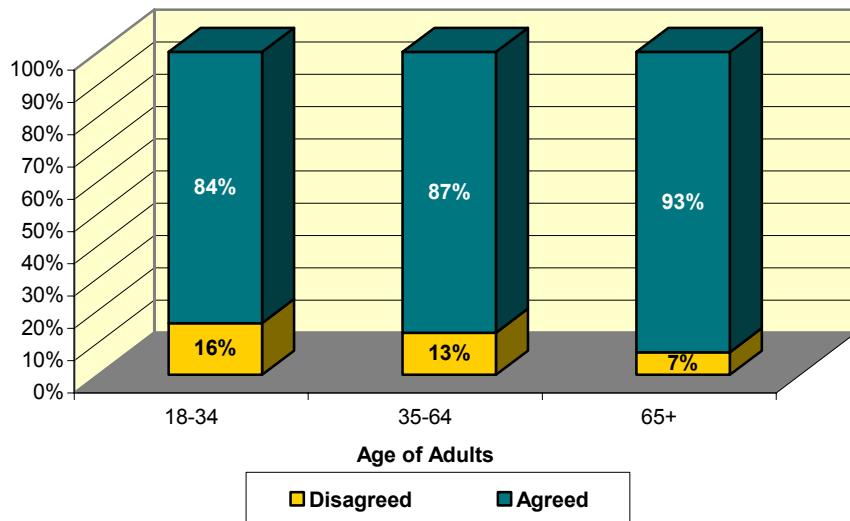
**Among Lower Income Adults,
Opinions that Courts in NJ Treat People of Color Just the
Same as Everyone Else (for those who provided an opinion)**



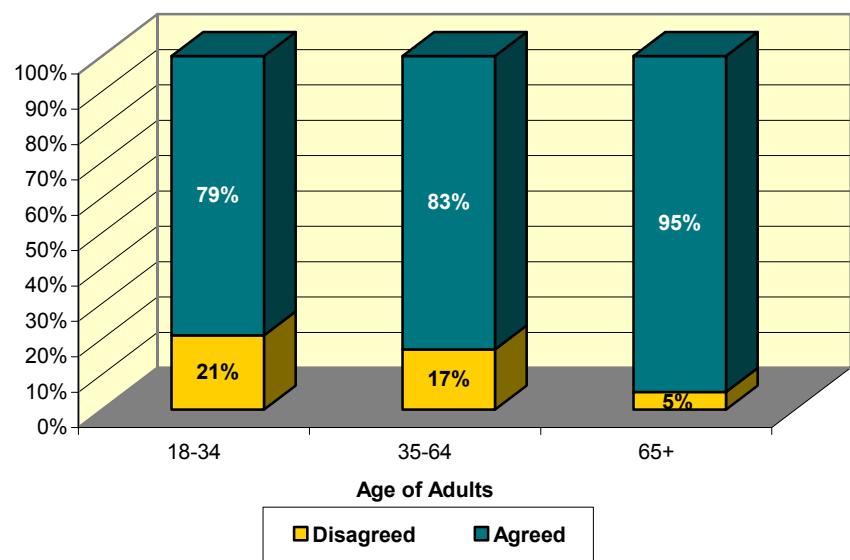
**Among Lower Income Adults,
Opinions that Courts in NJ are Easy to Use for Non-English
Speakers (for those who provided an opinion)**



**Among Lower Income Adults, Opinions that Courts and the Legal System Make Society Safer Than It Would be Without Them
(for those who provided an opinion)**



**Among Lower Income Adults, Opinions that They Could Get a Good Lawyer if Needed (for those who provided an opinion)
(Statement Did Not Distinguish Between Civil and Criminal Matters)**



While the majority of NJLNS lower income adults had positive attitudes about the courts and legal system, individuals were more likely to have positive attitudes if they had not recently experienced a legal problem. When lower income adults had not recently experienced a new legal problem, they agreed that the New Jersey court system is a fair place to resolve disputes 88% of the time, compared to 78% of lower income adults who had experienced legal problems.**

In reaction to the statement that the courts in New Jersey treat people of color the same as everyone else, 79% of lower income adults who hadn't recently experienced a new legal problem agreed, while only 65% with recent legal problems agreed.** Nearly three quarters (74%) of lower income adults who had not recently experienced a legal problem agreed with the statement that the courts in New Jersey are easy to use for people who do not speak English well, compared to 64% of those who had recently experienced a legal problem.** Lower income adults believed that they could get a good lawyer 89% of the time when they had not recently experienced a new legal problem, compared to 77% of the time when they had not experienced a legal problem.** A total of 91% of lower income adults who had not experienced a new legal problem agreed with the statement that the courts and the legal system make society safer than it would be without them, while 81% of lower income adults who had experienced a new legal problem agreed with the statement.**

Principal Policy Implications

1. Available data combined with the study results portray a huge legal assistance gap among lower income people in New Jersey. Direct representation figures show that, of the 415,000 New Jerseyans projected to require legal assistance in a given year, fewer than one-fifth receive it. The Legal Services system, by far the largest provider, generates direct assistance to approximately 50,000 people each year; other non-profit legal assistance organizations and the law schools may directly assist at most 10,000 more. There are no reliable figures on the extent of private lawyer representation. From analysis of judiciary statistics by case and court type, together with administrative agency data, the combination of no-fee (“*pro bono*”), reduced fee and contingent or full fee representation of lower income individuals appears unlikely to close this representation gap in any significant way.
2. More information on legal rights is needed, so that a greater proportion of people can recognize when they have a legal problem, and how legal assistance might be helpful.
3. More publicity concerning the availability of bar association-sponsored lawyer referral services is needed (the study reveals only 8% of New Jerseyans know of them), as well as the availability of Legal Services and other providers of free legal assistance (only 26% awareness). Both this and the preceding recommendation are especially challenging, given the constant movement of many individuals in and out of poverty and the fact that people appear to be more likely to focus on matters pertaining to law during periods in which they are actually experiencing legal problems.
4. Survey respondents’ views of the relative seriousness of their legal problems provide helpful perspective to Legal Services programs seeking to allocate and prioritize their scarce resources.

Recommended Areas for Future Research

The NJLNS findings suggest several areas for further research:

1. More inquiry into the way affordability concerns limit the *depth* of legal assistance provided (i.e., the degree to which a lawyer goes beyond initial brief advice in providing assistance), and into how the depth of legal assistance affects client outcomes, including differentiation by type of legal problem.
2. More objective assessment, beyond the perspective of the individual experiencing the problem, of the adequacy of outcomes, given what was realistically achievable.
3. Exploration of the utility and nature of assistance provided by non-lawyer organizations and individuals, to help understand the extent to which such non-lawyer based assistance may or may not be useful in resolving legal problems.
4. Legal problems of those not expressly covered by the NJLNS, such as non-household based individuals, children, and people who do not speak English or Spanish.
5. Research into which methods of community and public legal education may be most effective in helping people understand when they have legal problems and need legal assistance.
6. Non-English/non-Spanish speakers' experiences with the courts.
7. Why the positive attitudes toward the courts decline somewhat after actually experiencing a legal problem.
8. Development of more specific data on the particulars of private attorney representation of lower income people.

Appendix

Sample and Field Methodology

The random digit dial methodology used for the NJLNS incorporated a stratified sampling technique, a twenty-four-call design, and sampling weights. Sample strata divisions were based upon estimates of the household income levels within areas covered by telephone number exchanges. Areas where there were estimated to be high levels of households with low incomes were over-sampled. Overall, 7,739 telephone numbers were drawn from areas where, when telephone numbers were pooled, approximately 30% of households were estimated to have low incomes, 6,479 numbers were drawn from areas where, when telephone numbers were pooled, approximately 20% of households were estimated to have low incomes, and 3,920 numbers were drawn from areas where, when telephone numbers were pooled, approximately 15% of households were estimated to have low-incomes. These numbers were generated through a computerized randomization process and numbers connected to businesses were purged before the sample was dialed for the study.

A telephone number was defined as a working number if either a live person or answering machine responded to a telephone. Only in a situation where at least 12 attempts were made at various times of the day and days of the week and neither an individual nor answering machine responded was a number defined as unknown if working. For those numbers determined to be working numbers, as many as 24 attempts, if necessary, were made to select and screen an adult household resident for participation in the study. The study incorporated the next birthday method as a within-household selection process. The next birthday method created within-household randomized selection to avoid any biases created by tendencies for certain individuals within a household to answer telephone calls more often than other individuals in the same household. Individuals were asked to identify among all adult household residents, including themselves, the person with the next birthday. The individual in each household with the nearest birthday was then selected as a respondent who would be asked a series of questions to determine whether he or she was eligible to participate in the study.

In order to be eligible to participate in the study, individuals had to provide specific responses to a series of screening questions. While answering screening questions, individuals were asked for information about the characteristics necessary to continue with the survey in neutral terms. In order to continue with the survey and thus to participate in the study, individuals had to respond that they had been living in New Jersey for at least 12 months, that they were at least 18 years of age, that they resided at the household contacted, and that their income were under 200% of the poverty line as defined by federal poverty thresholds. Incomes thresholds for 200% or less of the federal poverty level in 2001 were:

\$17,180 for a household of one
 \$23,220 for a household of two
 \$29,260 for a household of three
 \$35,300 for a household of four
 \$41,340 for a household of five
 \$47,380 for a household of six
 \$53,420 for a household of seven
 \$59,460 for a household of eight
 \$59,460 + [\$3020 x (number of household members - 8)]

Individuals who met eligibility criteria were then asked the study questions contained within the survey.

Overall, 1,013 individuals completed surveys. All numbers dialed for the study, whether determined to be working or non-working numbers, are categorized below according to the American Association for Public Opinion Research's Response Rate Three Formula.

I = Completed Contacts	1,013
P = Partial Interviews	82
R = Mid-Interview Termination	12
NC = Non-Contacts	0
UH = Unknown if Housing Units	3,417
UO = Housing Unit/Unknown if Eligible Respondent	4,912
NE = Not Eligible	8,702

$$"e" = \frac{I + P + R + NC}{I + P + R + NC + NE}$$

$$RR3 = \frac{I}{(I + P) + (R + NC) + e(UH + UO)} = 50\%$$

Prior to data analysis, sample weights were applied to all data. Each sample weight consisted of a household weight which readjusted for over-sampling from areas with high concentrations of households with low incomes, a person weight which consisted of the number of eligible individuals living in a household and the inverse of the number of residential telephone lines coming into a household, and a post-stratification weight based on proportions by sex and by age in Current Population Survey data matching the population of study and averaged for years 1999-2001. To ensure that post-stratification weights for race were not needed, the incidences of legal needs were checked using race by age as a post-stratification weight instead of sex by age and statistics did not vary significantly.



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