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**TWO NATIONWIDE SURVEYS:
1989 Pilot Assessments of the Unmet Legal
Needs of the Poor and of the Public Generally**

**American Bar Association
Consortium on Legal Services
and the Public**

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Library of Congress Catalog Number: 89-81239.

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Consortium on Legal Services
and the Public**

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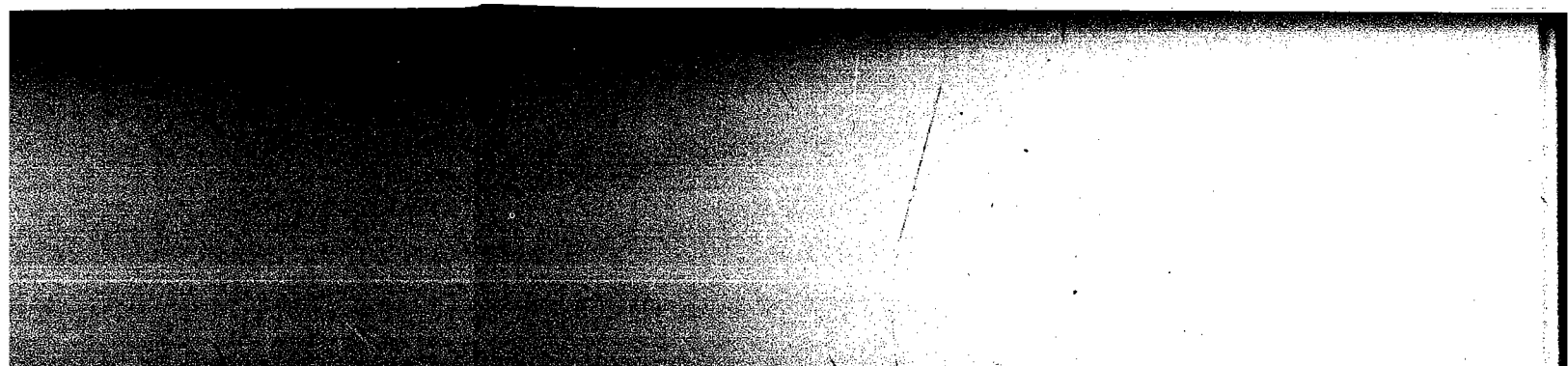
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FOREWORD

In preparation for a June, 1989 "Conference on Access to Justice in the 1990s," and to obtain sufficient data to inform its examination of the provision of legal services to poor and moderate income persons, the American Bar Association Consortium on Legal Services and the Public commissioned separate national pilot studies of the level of unmet legal needs of the poor (persons with income below 125% of federal poverty guidelines) and of the public generally. Prior to these studies, little current, national data existed on low and moderate income persons' use of lawyers and justice system components, and on the types and extent of unmet legal needs.

The Spangenberg Group, Inc. conducted a random national telephone survey of low income households, gathering data on the civil legal needs of the poor. This first-ever national study of the civil legal needs of low income persons produced critically needed information on the overall level of unmet legal need and specific data on the needs in ten important areas of law. Section I of this publication reports the study results, while the survey instrument is reproduced in Section II.

The American Bar Foundation conducted a separate random national telephone survey of the incidence of personal, civil, non-business legal problems among U.S. adults at all income levels and the use of legal service providers and other mechanisms in resolving such problems. This study partially replicated a similar study conducted by the Foundation in 1974. Section III of this publication reports the findings of this study; the survey questions appear in Section IV.

These limited pilot studies provide a wealth of useful information. It is clear, however, that further detailed information is needed on additional categories of legal needs, on the seriousness individuals assign to specific problems and to categories of problems and on other matters that could not be properly investigated in studies of this scope. Therefore, the Consortium is now investigating the feasibility of conducting a comprehensive study of the attitudes and needs of the public regarding legal services that would include a larger number of questions asked of a larger sample of individuals or households.

The Consortium members and staff are extremely grateful for the diligent efforts of Barbara Curran of The American Bar Foundation and Robert Spangenberg and his associates of the Spangenberg Group, Inc. in designing, administering and reporting on these important studies. It is hoped that the information obtained from these projects not only will assist the Consortium and the American Bar Association in efforts to broaden access to justice, but will aid other organizations and individuals who share a commitment to improving the ability of all who reside in this country efficiently and cost-effectively to obtain assistance with legal problems.

September 1989

Terrence J. Brooks
Director, ABA Division for Legal Services

REPORT

**NATIONAL SURVEY OF THE
CIVIL LEGAL NEEDS OF THE POOR**

May 1989

The Spangenberg Group, Inc.
West Newton, Massachusetts

Robert L. Spangenberg
Amy Salomon
Patricia A. Smith
Robert Weidman
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EXECUTIVE SUMMARY

A June 1989 "Conference on Access to Justice in the 1990s," sponsored by the ABA's Consortium on Legal Services and the Public, was designed to focus on the development of innovative techniques to better assure access to civil justice and the availability of affordable legal services during the next decade.

In preparation for that conference, The Spangenberg Group, Inc. of West Newton, Massachusetts was asked to conduct a limited, random national telephone survey of households at or below 125% of poverty to determine the current civil legal needs of low income households across the country. While a number of similar studies have been conducted in various states over the past few years by The Spangenberg Group and other organizations, no national civil legal needs survey of low income persons has previously been conducted.

The survey consisted of 34 individual problem identification questions drawn from ten broad categories: consumer, utility, housing, employment, school, medical, public benefits, family, discrimination and other. Respondents were asked whether or not they had legal assistance for the problems they identified as having occurred during the past year. Five hundred calls were completed during November-December of 1988 which included respondents in all 50 states and the District of Columbia, with the exception of Alaska and Hawaii.

Approximately 43% of all 500 households reported that they had one or more civil legal problems during the past year for a total of 682 problems. For those households reporting problems, the average number of problems was 3.18 per year.

Eighty-two of the sample households or 16.4% reported that they had a civil legal problem involving legal assistance in the past year. The total number of problems involving legal assistance was 142 with each of these households reporting an average of 1.73 civil legal problems in the past year.

Almost 40% of the nationwide sample reported that they had a civil legal problem for which they did not have legal assistance in the past year. The total number of problems reported in this category was 540 with each of these households reporting an average of 2.81 civil legal problems for which no legal assistance was provided in the past year.

Overall for the entire sample of 500 households, the average number of civil legal problems for which legal assistance was provided in the year was 0.28. The average number of problems for which no legal assistance was provided for the entire sample over the past year was 1.08.

Among the ten categories of problems, respondents with family problems most frequently had legal assistance. Respondents with medical access problems, on the other hand, most frequently had no legal help. We also found

a significant variation for respondents reporting utility and public benefits problems. In both cases, these categories were far more frequently reported by respondents with no legal help compared to respondents who had legal help. These data are consistent with our experience in conducting civil legal needs studies in several states. Our observation is that low income persons generally consider family and consumer problems as those for which legal assistance might be necessary, but do not consider the relevance of legal assistance when faced with problems in the medical, utility and public benefits categories.

Based upon data published in March 1988 by the United States Bureau of the Census, we have determined that there were 17.569 million households below 125% of poverty. Applying the above rates of 0.28 and 1.08 there would be in 1987 approximately 4.9 million civil legal problems for which low income households had legal assistance and approximately 19 million civil legal problems for which there was no legal help – a ratio of about 20% to 80%.

The Legal Services Corporation has just reported that all field programs provided representation to clients in approximately 1.6 million cases in 1987, approximately one-third of the cases for which legal assistance was provided for respondents in our national survey. The balance of the cases were likely handled by private legal aid societies, LSC programs for clients served by non-LSC funds, individual pro bono efforts for the private bar and private attorneys who charged a fee.

In June 1989, the American Bar Association's Commission on Access to Justice in the 1990s, the American Bar Association's Commission on Services and the Public, the Commission on Delivering Civil Legal Services to Low Income Persons, and the Commission on Innovative Techniques to Better Deliver Affordable Legal Services to Low Income Persons.

In early August 1988, the Commission contracted with The Massachusetts Legal Services Corporation to conduct a limited study of the civil legal needs of low income persons. This report summarizes the highlights of the study and gives consideration of the problems of low income persons throughout the country.

1.1 Background on Civil Legal Needs Studies

Over the past 20 years, the country has conducted over 25 studies dating back to the 1960s of households below the poverty level. These studies have ranged both in scope and methodology. Some were conducted statewide. Others were conducted in county jurisdictions.

The sample size and methodology vary. Some studies have included only households with telephone service. Some studies have been conducted through either mail or telephone. Other studies have not included households, but have instead focused on decisions made by those who are not the respondents of the survey method employed. The purposes and available funds for the studies also vary.

In 1977, the American Bar Association's Commission on Access to Justice in the 1990s, the American Bar Association's Commission on Services and the Public, the Commission on Delivering Civil Legal Services to Low Income Persons, and the Commission on Innovative Techniques to Better Deliver Affordable Legal Services to Low Income Persons. This study, authored by the American Bar Association's Commission on Access to Justice in the 1990s, the American Bar Association's Commission on Services and the Public, the Commission on Delivering Civil Legal Services to Low Income Persons, and the Commission on Innovative Techniques to Better Deliver Affordable Legal Services to Low Income Persons, is a sample of the adult population under the poverty level ceiling. It focuses on special problems of the poor, its special problems or special difficulties.

The study that The Spang and Associates conducted for the first time provide empirical data substantially to the work conducted in the past 20 years.

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CHAPTER I INTRODUCTION

In June 1989, the American Bar Association sponsored a "Conference on Access to Justice in the 1990's." Presented by the ABA's Consortium on Legal Services and the Public, the conference sought to assess existing means for delivering civil legal services to low and moderate income persons, and to suggest innovative techniques to better assure access to civil justice and the availability of affordable legal services during the next decade.

In early August 1988, the Consortium's Planning Subcommittee for the Conference contracted with The Spangenberg Group of West Newton, Massachusetts to conduct a limited national random telephone survey to estimate the civil legal needs of low income persons throughout the country. This report summarizes the highlights of that study and was intended to inform the conferees consideration of the problem of providing access to civil justice for low income persons throughout the nation in the 1990's.

1.1 Background on Civil Legal Needs Studies

Over the past 20 years, many efforts have been undertaken around the country to assess the civil legal needs of low income persons. We are aware of over 25 studies dating back to a 1969 effort in Denver, Colorado when 402 households below the poverty level were surveyed. The nature and types of studies have ranged both in size and in scope. At least six studies have been conducted statewide. Others have been limited to one city, one county or multi-county jurisdictions.

The sample size and methodology employed have also varied greatly. Some studies have included a random sample of low income households conducted through either mail surveys, in-person interviews, or phone surveys. Other studies have not included a random survey of low income persons or households, but have instead relied upon existing secondary data. The decisions made by those who have conducted these studies, regarding the use of the survey method employed, have for the most part reflected both the purposes and available funds for each study.

In 1977, the American Bar Foundation published, "The Legal Needs of the Public." This study, authored by Barbara A. Curran, surveyed the legal needs of a sample of the adult population nationwide including individuals with income under the poverty level ceiling. Although the report does point out some of the special problems of the poor, it does not examine in depth the full panoply of their problems or special difficulties in their access to legal services.

The study that The Spangenberg Group has just completed for the ABA will for the first time provide empirical data on a nationwide basis and should add substantially to the work conducted on a state or local basis over the past 20 years.

The Spangenberg Group has participated in several civil legal needs studies to date. Robert Spangenberg was the author of the "Action Plan for Legal Services—Report on the Legal Problems of the Poor in Boston," conducted for the Boston Bar Association and published in January 1977. That study included in-person interviews of 500 low-income households in the city of Boston.

More recently in 1987, The Spangenberg Group conducted research for the "Massachusetts Legal Services Plan for Action," sponsored jointly by the Massachusetts Legal Assistance Corporation, the Massachusetts Bar Association and the Boston Bar Association. In addition, The Spangenberg Group is about to complete civil legal needs assessments of low income residents in both New York and Illinois. The New York study is sponsored by the New York State Bar Association and the Illinois study is jointly sponsored by the Illinois State Bar Association and the Chicago Bar Association with the substantial assistance of the Lawyers Trust Fund of Illinois. We have also provided technical assistance to the Maryland Legal Services Corporation which conducted a civil legal needs assessment statewide in 1987.

Finally, we have begun, in joint sponsorship with the American Bar Association Commission on Legal Problems of the Elderly, a study of the civil legal needs of the elderly in the State of Wisconsin.

All of the studies conducted by The Spangenberg Group have included a random telephone survey of the civil legal problems of the poor in each of the states mentioned above.

1.2 Methods Employed in Civil Legal Needs Surveys

There are several methods that have been employed in civil legal needs studies to estimate the level of unmet legal needs. As indicated above, some studies have relied entirely upon secondary data, usually involving statistical information routinely collected and published by state and local government. Unfortunately, appropriate methods to establish the correlation between the available statistics and the actual incidence of legal needs have not been effectively developed and tested.

Other studies have relied upon the estimates of those knowledgeable about civil legal needs, usually staff of legal assistance programs. While these efforts have proven useful, they lack adequate verification and are subject to the argument that they may be subjective in nature and be based in part on speculation. In addition, they may not take into consideration the needs of low-income persons who have not sought assistance from legal services programs and therefore lack the distinction between those served and those not served.

The third method, which is the most reliable, is to conduct a random survey of low income persons or households based upon a scientific sample provided for the entire jurisdiction under study.

There are three primary

- By mail;
- In-person; or
- By telephone.

The mail survey is the easiest to conduct, but there are a number of serious problems with this method. Lists are often out of date and the fact that past surveys are extremely low. Given a small sample size, a larger population and those who are not individuals and households for the survey.

The in-person survey, while more accurate, is costly, and beyond the resources of most agencies.

The third method is the telephone survey, including:

- Non-telephone household survey using a sample frame.
- Telephone interview of twenty minutes in length.
- Telephone interview of five minutes using a means of data collection.

However, there are also a number of other methods that include:

- Telephone interview of inner city dwellers. A telephone interview to achieve a larger sample size using an in-person interviewer.
- Telephone survey of inner city dwellers—it is increasingly difficult to reach these dwellings.
- Telephone interview of multilingual interviewees speaking.
- The telephone program and respondent needs.
- The telephone survey is a rapid and economical method.
- Telephone interview is time-consuming and expensive.
- Telephone surveys of mobile populations.

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There are three primary methods to conduct such a survey:

- By mail;
- In-person; or
- By telephone.

The mail survey is the easiest and least costly to administer. However, there are a number of serious problems including how to obtain appropriate mailing lists and the fact that past surveys disclose that the return rate on a mail survey is extremely low. Given a small response rate, it is not possible to generalize to a larger population and those that do respond may be unrepresentative of the individuals and households for which information is required.

The in-person survey, while perhaps the most reliable, is clearly the most costly, and beyond the resources available for this study.

The third method is the telephone survey. There are a few limitations to a telephone survey, including:

- Non-telephone households are eliminated from the sample frame.
- Telephone interviews cannot exceed approximately twenty minutes in length.
- Telephone interviews eliminate interviewer observation as a means of data collection.

However, there are also a number of advantages to a phone survey. These include:

- Telephone interviewing is far less expensive than in-person interviewing. A telephone methodology affords the opportunity to achieve a larger sample size than could be accomplished using an in-person methodology with the same budget.
- Telephone surveys may provide less biased sampling of inner city dwellers—poor, minorities, elderly—among whom it is increasingly difficult to secure physical access to their dwellings.
- Telephone interviewing provides the capability to shift to multilingual interviewers if the respondent is non-English speaking.
- The telephone provides the anonymity between interviewer and respondent necessary for surveys on sensitive topics.
- The telephone survey allows for unclustered interviewing in a rapid and economical manner.
- Telephone interviewing makes possible follow-up much less time-consuming and much more cost-effective.
- Telephone surveys provide greater access to younger, more mobile populations who are less frequently home.

It is our judgement that the benefits of a telephone survey far outweigh its limitations. Moreover, given the constraints of cost and the need for a valid statistical nationwide focus, there is no viable alternative. The successful results of telephone surveys that we have conducted in Massachusetts, New York and Illinois support this view.

1.3 Methodology for the Current Study

The following information describes the methods used to conduct the national legal needs assessment telephone survey. It includes a discussion of the design of the questionnaire, the development of the sample and the conduct of the phone interviews.

1.3.1 Questionnaire Design

In early October 1988, the Conference Subcommittee for the Conference on Access to Justice in the 1990's selected a small group of individuals to work with the research team on the design of the survey questionnaire. We began by distributing the questionnaires used both in New York and Illinois. These questionnaires were developed in close consultation with working committees and legal services staff in the two states. While many of the individual questions were different, the basic format was the same.

Over the period of the next two months, the research staff and the subcommittee worked through a number of issues and problems. The subcommittee felt strongly that there was a compelling need to gather data about formal contacts with lawyers and the legal system as well as to learn about problems that did not involve legal assistance.

Second, due to resource limitations, it was determined that the total number of individual problems listed in the questionnaire would need to be reduced from those contained in the Illinois and New York instruments to reduce the length of the telephone call.

Third, it was determined that the individual questions used in the survey should be carefully drawn to insure that they reflected problems presented to legal services offices and not those that could be categorized more as social problems.

Finally, it was determined that it would be useful, to the extent possible, to gather anecdotal information from respondents to learn first-hand about many of their problems and their ability to obtain legal assistance.

The subcommittee was extremely helpful in all of these efforts and the final questionnaire reflects many of their comments and suggestions.

The body of the final questionnaire consists of four sections:

- (1) Income Eligibility Screening - designed to ensure that only those households which would qualify to receive free legal services would be included in the survey. The test used was households that were at or below 125% of poverty (the Legal Services Corporation standard);

- (2) Problem Identification - to determine if anyone in the household had a specific problem (consumer, utility, public benefits, etc.). Respondents were asked whether or not they had a problem.
- (3) Household Demographics - information about the household, including demographic variables such as the number of people in the household, status, education, etc.
- (4) Other Information - to determine if there was any other information regarding why no one in the household had a problem that the respondent could provide regarding why no one in the household had a problem.

For purposes of analysis, the questionnaire was completed when respondents answered the sections listed above.

1.3.2 Designing the Sample

Because of the constraints on the sample size, a sample of 500 households was established at 500 households, which enables us to produce an error rate of 5% at the outset that because of the limited sample size to conduct regional comparisons, at least 1000 completed interviews were conducted around the country.

The development of an appropriate sampling method (the use of a number of participating firms, such as Sampling, Inc. of Connecticut (the telephone interviews), MKTG Inc. of Connecticut (the telephone interviews), Corr Spangenberg Group's consulting firm, etc.)

1.3.3 The Telephone Interview

MKTG Inc. conducted the telephone interviews. These interviews were conducted within exchanges predicted to have a population of \$25,000 or less. MKTG programmed the telephone interviews such a way that the appropriate

Telephone survey far outweigh its cost and the need for a valid alternative. The successful results in Massachusetts, New York and

methods used to conduct the survey. It includes a discussion of the size of the sample and the conduct

subcommittee for the Conference a small group of individuals to work on the survey questionnaire. We began in New York and Illinois. These consultations with working committees resulted in many of the individual questions.

Thus, the research staff and the subject areas and problems. The subcommittee's need to gather data about formal as well as to learn about problems

was determined that the total number of questions would need to be reduced from 100 instruments to reduce the length of

qual questions used in the survey. The questionnaire reflected problems presented to respondents and would be categorized more as social

as useful, to the extent possible, to help respondents to learn first-hand about many of the legal assistance.

In all of these efforts and the final report, we received many comments and suggestions.

The survey consists of four sections:

designed to ensure that only those who qualify to receive free legal assistance participate in the survey. The test used was whether the respondent was below 125% of poverty (the federal standard);

- (2) Problem Identification - designed to determine whether anyone in the household had experienced any of 34 specific problems described in 10 basic categories (consumer, utility, housing, employment, school, medical, public benefits, family, discrimination and other). Respondents were asked to identify for each problem whether or not they had legal help;
- (3) Household Demographics - designed to collect information about the households in the survey regarding key demographic variables (e.g., age and sex of each member of the household, head of household, race, employment status, education, etc.);
- (4) Other Information - to include information regarding the problem that the respondent felt was the most serious, information regarding lawyer involvement, information regarding why no lawyer was involved, and the awareness of respondents of the availability of free civil legal services.

For purposes of analysis, the interview was considered successfully completed when respondents answered the questions in the first three primary sections listed above.

1.3.2 Designing the Sample

Because of the constraints of the resources available, the total nationwide sample was established at 500 low income households. This sample size enables us to produce an error rate of plus or minus 4-5%. We determined at the outset that because of the limited size of the sample we would not be able to conduct regional comparisons, which would have required a sample of at least 1000 completed interviews, to compare the four primary Census regions around the country.

The development of an appropriate sampling strategy involved the contribution of a number of participants including representatives from Survey Sampling, Inc. of Connecticut (the firm from which the lists of telephone numbers were purchased), MKTG Inc. of East Islip, New York (the firm which conducted the telephone interviews), Correlation Research, Inc. of Massachusetts (The Spangenberg Group's consulting statisticians) and project research staff.

1.3.3 The Telephone Interviews

MKTG Inc. conducted the actual telephone interviewing from specially compiled telephone lists. These lists consisted of randomly generated numbers within exchanges predicted to have households with median annual incomes at \$25,000 or less. MKTG programmed the questionnaire into the computer in such a way that the appropriate questions appeared on the CRT screen and

allowed direct data input into the computer as the interviews were conducted. The computer monitored progress toward fulfilling the requirements and interviewing continued until the target number of completed interviews was achieved.

The phone survey data, compiled on data disks, were later tabulated for analysis by Correlation Research. These tables arrayed the data with respect to the basic demographic variables, number of problems per household, number of problems with and without legal assistance, the awareness of free civil legal services and the most serious problems.

The information that follows sets out the basic results of the national survey. We have interspersed in the text comments of some respondents (along with their state of residence), recorded by our interviewers.

BASIC DI

Table 1 on page 12 displays data for the District of Columbia. As the text indicates, the survey in all 50 states and the District of Columbia, Alaska and Hawaii.

Table 2 on page 13 sets out data for the sample. Approximately 26% of the respondents are household members. On the average, there are 2.5 members in the household.

Table 3 on page 13 shows data for the sample. Almost 16% of the sample reported to be under age 30. 28% of the sample are 65 or older.

Respondents were asked about the head of household. Approximately 28% of the respondents reported a female headed household, 56% reported a male headed household and 16% reported that the household was headed by someone other than a male or female.

Table 4 on page 13 sets out data for the sample. Slightly more than 13% of the respondents reported for less than one year, with only 5% having maintained their current residence for more than 10 years. 53.4% of the respondents reported that they had lived in their current residence for 5 years or more.

In response to the question about whether the respondent is capped or disabled, 92 respondents reported no. Only 3% of the respondents reported that the household was mentally ill.

Table 5 on page 15 sets out data for the sample. It indicates, almost 70% of the respondents are white, 4.4% Hispanic. 2.4% of the respondents are black.

Table 6 on page 15 sets out data for the sample. It shows members who are employed. 45.4% of the respondents (45.4%) reported that no current household members are employed. 54.6% of the households indicated that more than one household member is employed.

Of the entire sample, slightly more than 10% of the household members were currently receiving AFDC, welfare, SSI, food stamps or other public financial need).

Table 7 on page 15 sets out data for the sample. It shows household in the nationwide sample. The respondents had no high school education or obtained some college education.

the interviews were conducted. Meeting the requirements and interviewing completed interviews was achieved. Data disks, were later tabulated for and arrayed the data with respect to number of problems per household, public assistance, the awareness of free services. Basic results of the national survey. Of some respondents (along with interviewers.

CHAPTER II BASIC DEMOGRAPHIC VARIABLES

Table 1 on page 12 displays the nationwide sample by state and for the District of Columbia. As the table indicates, at least one household completed the survey in all 50 states and the District of Columbia, with the exception of Alaska and Hawaii.

Table 2 on page 13 sets out the size of the households for the nationwide sample. Approximately 26% of all households sampled contained only one household member. On the other hand, 15% of the sample had five or more members in the household.

Table 3 on page 13 shows the age of the head of household for the entire sample. Almost 16% of the sample indicated the age of the head of household to be under age 30. 28% of the sample was headed by a household member 65 or older.

Respondents were asked to identify the sex of the head of household. Approximately 28% of the respondents indicated that a male headed their household, 56% reported a female head of household and 14% said that both a male and female headed the household. Over 17% of the respondents reported that the household was headed by a single female parent.

Table 4 on page 13 sets out the years of residence at the present address. Slightly more than 13% of the respondents have lived at their current address for less than one year, with over 50% of the sample reporting that they have maintained their current residence for six years or more and 26% for over 20 years. 53.4% of the respondents own their home and 45.2% rent.

In response to the question whether anyone in the household is handicapped or disabled, 92 respondents or 18.4% reported yes and 401 or 80.2% reported no. Only 3% of the respondents indicated that a member of their household was mentally ill.

Table 5 on page 15 sets out the race of the head of household. As the table indicates, almost 70% of the households answered white, 21.2% black and 4.4% Hispanic. 2.4% of the respondents answered other.

Table 6 on page 15 sets out data on the number of households with members who are employed. Slightly less than one-half of the households (45.4%) reported that no current member was employed. Only 5.0% of the households indicated that more than two members were employed.

Of the entire sample, slightly more than 40% reported that one or more household members were currently on some form of public assistance (such as AFDC, welfare, SSI, food stamps, Medicaid, or other programs based on financial need).

Table 7 on page 15 sets out the education level achieved by the head of household in the nationwide sample. As the table indicates, almost one-third of the respondents had no high school diploma, while slightly more than 25% had obtained some college education.

**Table 1
Nationwide Sample By State**

State	Nationwide		State	Nationwide	
	N	%		N	%
Alabama	7	1.4	Nebraska	5	1.0
Arizona	4	0.8	Nevada	1	0.2
Arkansas	8	1.6	New Hampshire	3	0.6
California	35	7.0	New Jersey	12	2.4
Colorado	7	1.4	New Mexico	5	1.0
Connecticut	2	0.4	New York	32	6.4
Delaware	1	0.2	North Carolina	27	5.4
Washington D.C.	1	0.2	North Dakota	2	0.4
Florida	13	2.6	Ohio	22	4.4
Georgia	13	2.6	Oklahoma	8	1.6
Idaho	3	0.6	Oregon	4	0.8
Illinois	15	3.0	Pennsylvania	25	5.0
Indiana	14	2.8	Rhode Island	1	0.2
Iowa	8	1.6	South Carolina	15	3.0
Kansas	5	1.0	South Dakota	3	0.6
Kentucky	19	3.8	Tennessee	13	2.6
Louisiana	15	3.0	Texas	32	6.4
Maine	2	0.4	Utah	3	0.6
Maryland	8	1.6	Vermont	3	0.6
Massachusetts	8	1.6	Virginia	16	3.2
Michigan	22	4.4	Washington	5	1.0
Minnesota	10	2.0	West Virginia	6	1.2
Mississippi	12	2.4	Wisconsin	9	1.8
Missouri	10	2.0	Wyoming	3	0.6
Montana	3	0.6			
			Total	500	100.0

Household Size	N
1	1
2	1
3	
4	
5	
6+	
Total	500

Age of Head of Household	N
18-29	7
30-39	8
40-49	6
50-64	10
65+	14
Refused/Don't Know	19
Total	500

Years at Present Address	N
<1	66
1-5	153
6-19	140
20+	130
Refused/Don't Know	11
Total	500

State	Nationwide	
	N	%
Alabama	5	1.0
Alaska	1	0.2
Arizona	3	0.6
Arkansas	12	2.4
California	5	1.0
Colorado	32	6.4
Connecticut	27	5.4
Delaware	2	0.4
District of Columbia	22	4.4
Florida	8	1.6
Georgia	4	0.8
Idaho	25	5.0
Illinois	1	0.2
Indiana	15	3.0
Iowa	3	0.6
Kansas	13	2.6
Kentucky	32	6.4
Louisiana	3	0.6
Maine	3	0.6
Maryland	16	3.2
Massachusetts	5	1.0
Michigan	6	1.2
Minnesota	9	1.8
Mississippi	3	0.6
Missouri		
Montana		
Nebraska		
Nevada		
New Hampshire		
New Jersey		
New Mexico		
New York		
North Carolina		
North Dakota		
Ohio		
Oklahoma		
Oregon		
Pennsylvania		
Rhode Island		
South Carolina		
South Dakota		
Tennessee		
Texas		
Utah		
Vermont		
Virginia		
Washington		
West Virginia		
Wisconsin		
Wyoming		
Total	500	100.0

Household Size	Nationwide	
	N	%
1	131	26.2
2	153	30.6
3	77	15.4
4	64	12.8
5	44	8.8
6+	31	6.2
Total	500	100.0

**Table 2
Nationwide Sample,
Household Size**

Age of Head of Household	Nationwide	
	N	%
18-29	79	15.8
30-39	88	17.6
40-49	69	13.8
50-64	105	21.0
65+	140	28.0
Refused/Don't Know	19	3.8
Total	500	100.0

**Table 3
Nationwide Sample,
Age of Head of Household**

Years at Present Address	Nationwide	
	N	%
<1	66	13.2
1-5	153	30.6
6-19	140	28.0
20+	130	26.0
Refused/Don't Know	11	2.2
Total	500	100.0

**Table 4
Nationwide Sample,
Years at Present Address**

Finally, we asked each household whether it had been entirely without income for any 30 day period during the past year and whether any household member had been homeless for a 30-day period or forced to share a home in the past year. Twelve percent of the households reported no income for a 30-day period in the past year, while 3% of the households reported being homeless during the past year.

Race of Head of Household	Nat
	N
White	34
Black	10
Hispanic	2
Other	1
Refused/Don't Know	1
Total	50

Number Employed	Nat
	N
0	22
1	16
2	7
3	1
4+	
Refused/Don't Know	
Total	50

Education of Head of Household	Nat
	N
No H.S. Diploma	16
H.S. or Tech.	19
Some College	12
Other	
Refused/Don't Know	1
Total	50

ner it had been entirely without
 ar and whether any household
 d or forced to share a home in
 ls reported no income for a 30-
 holds reported being homeless

Race of Head of Household	Nationwide	
	N	%
White	349	69.8
Black	106	21.2
Hispanic	22	4.4
Other	12	2.4
Refused/Don't Know	11	2.2
Total	500	100.0

**Table 5
 Nationwide Sample,
 Race of Head of Household**

Number Employed	Nationwide	
	N	%
0	227	45.4
1	166	33.2
2	77	15.4
3	17	3.4
4+	8	1.6
Refused/Don't Know	5	1.0
Total	500	100.0

**Table 6
 Nationwide Sample,
 Number Employed
 in Household**

Education of Head of Household	Nationwide	
	N	%
No H.S. Diploma	164	32.8
H.S. or Tech.	192	38.4
Some College	127	25.4
Other	1	0.2
Refused/Don't Know	16	3.2
Total	500	100.0

**Table 7
 Nationwide Sample,
 Education of Head
 of Household**

CHAPTER III NUMBER OF PROBLEMS PER HOUSEHOLD

At the beginning of the problem identification section of the survey we asked all respondents the following question:

Now I would like to go through some typical noncriminal legal problems that you or a member of your household might have had during the past year. If you had a particular problem, please indicate whether or not you had legal help in dealing with it.

We then asked a series of 34 specific questions that were divided into 10 basic categories determined to be the most frequent kinds of legal problems experienced by low income households on a daily basis.

Because of the advantage obtained in conducting the interviews by computer, we were able to shift the order of the 10 categories presented during the course of the interviews, in order to eliminate any bias that might occur.

3.1 Number of Problems, Regardless of Legal Help

Table 8 below shows the total number of problems identified by the 500 respondent households, whether or not they had legal help. As Table 8 indicates, almost 43% of the households reported experiencing one or more non-criminal legal problems during the past year. Almost 18% of the households reported three or more such problems during the past year. Overall, the average number of problems reported by the nationwide sample were 1.36 per household per year. In addition, those households that indicated that they had one or more problems reported an average of 3.18 problems per year.

Number of Problems	Nationwide	
	N	%
0	286	57.2
1	83	16.6
2	44	8.8
3	22	4.4
4	16	3.2
5	15	3.0
6-9	24	4.8
10+	10	2.0
Total	500	100.0

Table 8
Number of Problems
Per Household
All Problems,
Regardless of Legal Help

The results of multiple regression analyses showed that three demographic variables had a statistically significant effect on the number of problems reported regardless of legal help. Households headed by a female single parent had dramatically more problems than other types of households. Other families with children, for example, reported 1.09 fewer problems than single female parents. Other households without children had 1.22 fewer problems than single mothers.

The number of individuals employed in the household and the age of the head of household also had a statistically significant effect on the number of problems reported. When two or more household members were employed, the household had .76 fewer problems than those households with no member employed. One person working, however, showed no significant effect. Age affected number of problems reported only when comparing elders over 65 with households in the 18-29 year old range. These elderly heads of household reported 1.41 fewer problems per household than the younger age group.

3.2 Number of Problems With Legal Help

Table 9 on page 19 sets out the data on the number of problems for which respondents did in fact have legal assistance during the past year. Eighty-two of the sample households or 16.4% reported that they did have a problem involving legal assistance during the past year. Of these 82 households, 60 or 73% also reported one or more problems for which they did not receive legal assistance. The average number of problems per household where legal assistance was provided proved to be 0.28 for the entire sample. For those households that reported having legal assistance, the average number of problems was 1.73 per household per year. The total number of problems involving legal help for the entire sample was 142.

3.3 Number of Problems Without Legal Help

Table 10 on page 19 sets out data for the nationwide sample on problems reported for which no legal assistance was obtained. Almost 40% of the nationwide sample reported that they have had a problem during the past year for which they did not have legal assistance. The total number of problems reported in this category were 540. Almost 15% of this group reported at least three separate problems for which they did not have legal assistance. Overall, for the entire 500 households in the sample, the average number of problems for which respondents had no legal help was 1.08. Of those households identifying at least one legal problem with no legal help, the average number of problems per household was 2.81.

showed that three demographic variables had a significant effect on the number of problems reported. Single female parents had the highest number of problems reported, followed by single male parents. Other families with two parents had fewer problems than single parents.

Household and the age of the respondent had a significant effect on the number of problems reported. Households with no members were employed, the number of problems reported was significantly higher. Age had no significant effect. Age groups comparing elders over 65 with younger elders had fewer problems than the younger age group.

The number of problems for which legal help was sought during the past year. Eighty-two percent of households that they did have a problem reported that they did not receive legal help. Of these 82 households, 60 or 73% reported that they did not receive legal help per household where legal help was sought during the entire sample. For those households that did receive legal help, the average number of problems reported was 1.2.

The nationwide sample on problems reported was obtained. Almost 40% of the households reported a problem during the past year. The total number of problems reported by this group was 500. The average number of problems reported at least once was 1.08. Overall, 40% of households have legal assistance. Overall, the average number of problems reported was 1.08. Of those households that have legal help, the average number of

Number of Problems	Nationwide	
	N	%
0	418	83.6
1	47	9.4
2	21	4.2
3	7	1.4
4	5	1.0
5	1	0.2
6-9	1	0.2
Total	500	100.0

**Table 9
Number of Problems With
Legal Help Per Household**

Number of Problems	Nationwide	
	N	%
0	308	61.6
1	81	16.2
2	40	8.0
3	26	5.2
4	13	2.6
5	9	1.8
6-9	16	3.2
10+	7	1.4
Total	500	100.0

**Table 10
Number of Problems Per
Household Without
Legal Help**

CHAPTER IV FREQUENCY OF PROBLEMS

4.1 Problem Identification for All Respondents, Regardless of Legal Help

As previously indicated, respondents were asked a series of 34 individual problem identification questions which for purpose of analysis were aggregated into ten categories: consumer, utility, housing, employment, school, medical, public benefits, family, discrimination and other. Among the problems identified in the other category were civil torts, wills, immigration and worker's compensation. Table 11 below tabulates the frequency with which respondents reported experiencing a problem, by category, for all the problems reported, regardless of whether a respondent had legal help with the problem or not.

Table 11 FREQUENCY OF CATEGORY OF PROBLEM ALL PROBLEMS, REGARDLESS OF LEGAL HELP (A number of households had a specific problem in more than one category. A few households had two or more specific problems in one category. This table reports the total number of households that reported a problem within each category regardless of the number of specific problems they may have had in that category. For example, a household that reported one consumer problem and two utility problems were recorded once in the consumer category and once in the utility category.)		
	Number of Households Reporting	% Reporting ¹
Medical	73	14.6
Public Benefits	67	13.4
Utility	61	12.2
Family	60	12.0
Discrimination	59	11.8
Consumer	57	11.4
Employment	50	10.0
Housing	48	9.6
School	23	4.6
Other	21	4.2

¹The total percentage does not add up to 100% because some households reported problems in more than one category.

The largest percentage of respondents in the survey reported experiencing at least one problem in the medical category over the past year (14.6%). Individual problems within the medical problem category included problems with access to doctor, hospital, mental health or other health care services because of inability to pay, as well as problems securing insurance, Medicaid, Medicare or other government benefits to pay for medical bills.

Not receiving Medicaid is the worst because I do not have any insurance and the other day I had to take my son to the doctor and it cost me \$96. I can't really afford the proper health care for my children like dental care and things like that. When I was in the hospital sick and so was my daughter, I had no insurance and no medical benefits and quite frankly, I did not know how I was going to take care of the bills. I mean I owed the hospital almost \$10,000 and had no idea how I was going to pay them.
(New Jersey)

The second most frequently mentioned problem category was public benefits (13.4%). Individual questions included problems with food stamps, welfare, SSD/SSI and other public benefits.

Neither one of us was receiving our proper disability benefits. Because of this, we were unable to pay our rent (we were threatened with the end of all utilities like gas, electricity, and water) and were having problems getting both over the counter and prescription drugs. It seems as if we are at the mercy of the government until they reimburse us. In the meantime, we can't afford a lawyer and aren't receiving any income. We asked for a hearing in court. It still hasn't come through yet.
(Illinois)

Utility problems were the third most frequently reported category of problems (12.2%) followed by family problems (12%).

Table 12 on page 23 tabulates the five most frequently reported individual problems of the 34 included in the survey, regardless of whether the respondent had legal help or not.

The gas is off, we cannot afford to keep the utilities going. The problem right now is keeping afloat. We have to manage somehow. (Virginia)

I had no insurance and they would not admit my wife into the hospital. I tried to get legal help. No money, no help. (Michigan)

Individual Problem	Frequency Rank	% Reporting
Utility service turned off	1	11.4
Access to Physician Services	2	7.8
Need for a divorce	3	7.2
Unfair Job Termination	4	6.6
Discrimination in Employment	5	6.4

4.2 Problem Identification for Respondents with Legal Help

In addition to the problem identification data outlined above for all problems regardless of whether a respondent had legal help or not, the telephone survey data were also tabulated separately for those problems where legal help was secured and those problems where respondents had no legal help. The following information pertains to problems where respondents reported having legal help.

Table 13 on page 24 reports the frequency of problems, by category, for those respondents who had legal help. Family problems were identified most frequently, by a wide margin, as those civil legal problems where respondents had legal help. Thirty-nine households, or 47.6% of the households reporting legal help, experienced at least one family problem for which they had legal help.

I had a problem getting child support that was owed to me and getting a raise for my child support. I hired an attorney and went to court and we won. (Iowa)

The consumer category of problem is the next most frequently reported category of problem where respondents had legal help. Less than half the number of respondents, however, reported having legal help for a consumer problem than for a family problem, with only 16 respondents, or 19.5% of the sample, having secured such help.

A number of respondents in the "other" category reported experiencing a private civil claim for which they had legal help.

When you have proper representation, all looks better in the court system. (Tennessee)

Table 14 on page 25 displays the five most frequently mentioned individual problems for which respondents had legal help. Although the numbers are quite small since these data are derived from a total of 82 households who reported having at least one problem for which they had legal help, it is significant that three out of the five individual problems are family problems.

Table 13 FREQUENCY OF CATEGORY OF PROBLEM FOR WHICH RESPONDENTS HAD LEGAL HELP (An individual household may have more than one category of problem and is only counted once in any particular category, regardless of the number of specific problems they may have had in that category.)		
	Number of Households Reporting	% Reporting
Family	39	47.6
Consumer	16	19.5
Other	12	14.6
Discrimination	11	13.4
Medical	10	12.2
Housing	8	9.7
Employment	7	8.5
Public Benefits	7	8.5
Utility	6	7.3
School	4	4.9

Table 15 on page 26 displays these data on legal help in a somewhat different, but revealing way. Here, data is tabulated for the individual problems by the total number of households experiencing the problem, whether they had legal help or not, and the percentage of these same households that had legal help with the problem. While having a utility turned off was the most frequently reported individual problem, regardless of legal help or not, the percentage of those respondents who had legal help with the problem is extremely low (7%). Child support disputes, on the other hand, had a lower overall frequency of occurrence (the problem ranks 8th in terms of frequency), but a relatively large percentage of respondents who received legal assistance for that problem (67.9%). Other individual problems where a high percentage of respondents had legal help included: divorce (60%); other family problems (53.8%); and owing money to someone (50%).

4.3 Problem Identification for Respondents Without Legal Help

A far larger percentage of the nationwide sample reported experiencing a civil legal problem over the past year for which they did not have legal assistance than those that had legal help. Information collected during the survey tells the stories of people suffering serious legal problems without the benefit of legal

FREQUENCY FOR WHICH RE:
Individual Problem
Need For a Divorce
Child Support Dispute
Other Problem
Owed Money
Other Family Problem

assistance. One respondent from
because I didn't know what to do

I have a problem with fore
to pay the tax bill. I have
them, but I shouldn't. I'm
York)

A woman with family problem

I would have liked to cha
He is a very abusive per
go to court. It would have
(Maine)

A disabled respondent who r
stated:

Like I said before, it is be
people will not hire me. It
so I can't go to all lengths
unfortunately, no one else
this here survey will do sc
us to rally and fight for
around. (Pennsylvania)

Finally, another woman with

I haven't been able to se
him away from me. I hav
ten years. I'm sure that if
have been able to see
gotten custody back. (O

TYPE OF PROBLEM REQUIRING LEGAL HELP	
Category of problem and is only counted once for each number of specific problems they may have reported	
Number of Households Reporting	% Reporting
9	47.6
6	19.5
2	14.6
1	13.4
0	12.2
8	9.7
7	8.5
7	8.5
6	7.3
4	4.9

Data on legal help in a somewhat unrelated to the individual problems reported by the problem, whether they had legal assistance or not, the percentage of households that had legal assistance was the most frequently reported problem (7%). For other problems, the percentage of households that had legal assistance was extremely low (7%). Overall, the survey had a lower overall frequency of legal assistance (frequency), but a relatively large percentage of respondents reported legal assistance for that problem (high percentage of respondents reported legal assistance for family problems (53.8%); and

Households Without Legal Help

The sample reported experiencing a problem that they did not have legal assistance for. The data collected during the survey tells the story of households that reported legal problems without the benefit of legal

Individual Problem	Frequency Rank	Number Reporting
Need For a Divorce	1	21
Child Support Dispute	2	19
Other Problem	3	12
Owed Money	4	10
Other Family Problem	5	9

assistance. One respondent from South Carolina reported, "I lost my house because I didn't know what to do." Another said:

I have a problem with foreclosure because I haven't been able to pay the tax bill. I have been advised to sell my house to pay them, but I shouldn't. I'm waiting for them to throw me out. (New York)

A woman with family problems, and no legal help, reported:

I would have liked to change my ex-husband's visiting rights. He is a very abusive person. Before I could do that, I have to go to court. It would have been good for me to talk with a lawyer. (Maine)

A disabled respondent who reported employment discrimination problems stated:

Like I said before, it is because I have polio on my left side that people will not hire me. It takes me a lot of energy to get around, so I can't go to all lengths to fight for these kinds of things. And unfortunately, no one else will help us kind of people. Hopefully this here survey will do something because how do they expect us to rally and fight for ourselves when we can't even get around. (Pennsylvania)

Finally, another woman with family problems reported:

I haven't been able to see my son since my ex-husband took him away from me. I have only seen him four times in the past ten years. I'm sure that if I could have afforded a lawyer, I would have been able to see him more, and possibly would have gotten custody back. (Oregon)

	Number of Households Having Problem	Percent That Had Legal Help for Problem
Q6. Owed Money	20	50.0
Q7. Defective Purchase or Repair	27	7.4
Q8. Other Consumer Problem	26	23.1
Q9. Utility Turned Off	57	7.0
Q10. Other Utility Problem	9	33.3
Q12. Eviction	8	50.0
Q13. Locked out by Landlord	0	0.0
Q14. Defective or Dangerous Conditions	24	8.3
Q15. Trouble Getting Public Housing	21	0.0
Q16B. Foreclosure	9	11.1
Q16A. Other Housing Problem	2	50.0
Q17. Unfair Job Termination	33	18.2
Q18. Other Employment Problem	29	10.3
Q19. Special Education	12	33.3
Q20. Other School Problem	11	9.1
Q21. a Physician Services	39	7.7
Q21. b Hospital Services	24	12.5
Q21. c Mental Health Services	5	0.0
Q21. d Other Health Services	10	10.0
Q22. Government Medical Benefits	29	3.4
Q23. Other Medical Problem	12	25.0
Q24. a Food Stamps	29	0.0
Q24. b Welfare	19	10.5
Q24. c SSD/SSI	21	14.3
Q24. d Other Public Benefits Program	13	7.7
Q25. Other Public Benefits Problem	7	28.6
Q26. Divorce	36	58.3
Q27. Child Support Dispute	28	67.9
Q28. Other Family Problem	15	60.0
Q29. a Discrimination in Employment	32	15.6
Q29. b Discrimination in Credit	23	4.3
Q29. c Discrimination in Other Area	12	16.7
Q30. Other Discrimination Problem	13	30.8
Q31. Other Problem - A	21	57.1
Q31. Other Problem - B	2	50.0
Q31. Other Problem - C	1	100.0
Q31. Other Problem - D	1	100.0

Table 16 below tabulates the respondents had no legal help.

FREQUENCY OF UNMET NEEDS
(An individual household may have more than one problem, but each household is only counted once, however, the number of specific problems it may have is counted.)
Problem Category
Medical
Public Benefits
Utility
Discrimination
Consumer
Employment
Housing
Family
School
Other

The largest percentage of respondents reported a problem for which they had no legal help was in the range of issues from access to public benefits to access to physician care. One

My father-in-law who had heart attacks and the need for care of him ourselves, even though he needs care for his care. He would

Another expressed frustration with Medicaid recipient:

My daughter has Medicaid. I had to take

Public benefits problems (at 28.6%) and consumer problems reported categories where respondents

Table 16 below tabulates the frequency of category of problem for which respondents had no legal help.

help By Individual Problem

Number of Households Having Problem	Percent That Had Legal Help for Problem
20	50.0
27	7.4
26	23.1
57	7.0
9	33.3
8	50.0
0	0.0
24	8.3
21	0.0
9	11.1
2	50.0
33	18.2
29	10.3
12	33.3
11	9.1
39	7.7
24	12.5
5	0.0
10	10.0
29	3.4
12	25.0
29	0.0
19	10.5
21	14.3
13	7.7
7	28.6
36	58.3
28	67.9
15	60.0
32	15.6
23	4.3
12	16.7
13	30.8
21	57.1
2	50.0
1	100.0
1	100.0

Problem Category	Number of Households Reporting	% Reporting
Medical	70	36.4
Public Benefits	62	32.3
Utility	55	28.6
Discrimination	55	28.6
Consumer	46	23.9
Employment	44	22.9
Housing	42	21.9
Family	25	13.0
School	19	9.9
Other	10	5.2

The largest percentage of respondents reported experiencing a medical problem for which they had no legal help (36.4%). These problems covered a range of issues from access to hospital care to inability to obtain insurance, to access to physician care. One respondent reported:

My father-in-law who lives with us had two strokes and two heart attacks and the government will give no aid to help him, even though he needs round-the-clock care. We want to take care of him ourselves, but the state won't let us and won't pay for his care. He would die in a nursing home. (Wisconsin)

Another expressed frustration with securing physician services for a Medicaid recipient:

My daughter has Medicaid and many doctors won't take Medicaid. I had to take her to the emergency room. (Arkansas)

Public benefits problems (32.3%), utility and discrimination problems (both at 28.6%) and consumer problems (23.9%) were the next most frequently reported categories where respondents had no legal assistance.

Problem Category	Frequency Rank for Those With Legal Help	Frequency Rank for Those With No Legal Help
Family	1	8
Consumer	2	5
Other	3	10
Discrimination	4	4
Medical	5	1
Housing	6	7
Employment	7	6
Public Benefits	8	2
Utility	9	3
School	10	9

In comparing the most frequently reported problem by category for those respondents with (Table 13) and without (Table 16) legal help, we found some significant results. Table 17 compares both categories by ranking of frequency.

An analysis of Table 17 shows that respondents with family problems were most frequently able to obtain lawyers among the ten substantive categories. However, respondents with medical problems had the highest ranking in terms of no legal help compared to a ranking of fifth in terms of receiving legal help. There is also a significant variation for respondents reporting utility and public benefits problems. In both cases, the frequency rankings were high for those categories in which no legal help was obtained compared to the respondents who had legal help. These data are consistent with our experience in conducting civil legal needs studies in several states. Our observation is that low income persons generally consider family and consumer problems as those for which legal assistance might be necessary, but do not consider the relevance of legal assistance when faced with problems in the medical, utility and public benefits categories.

I've been here 20 years. I tried to keep the house up for myself for most of these years. I tried so hard to keep it for my children and now it seems like I'll lose everything. I'm gonna try to find out from legal services if I could sell the house for back taxes.
(New York)

Table 18 below displays the problems for which respondents are having a utility turned off as an unmet legal problem. Two out of three are in the medical category (medical benefits). Unfair job termination contained 5.4% of the total households without legal assistance.

FREQUENCY RANK FOR WHICH RESPONDENTS
Individual Problem
Utility turned off
Access to physician service
Food stamps
Government medical benefits
Unfair job termination
Discrimination in employment

M BY CATEGORY WITH NO LEGAL HELP	
for help	Frequency Rank for Those With No Legal Help
	8
	5
	10
	4
	1
	7
	6
	2
	3
	9

ed problem by category for those (table 16) legal help, we found some categories by ranking of frequency. respondents with family problems were among the ten substantive categories. respondents had the highest ranking in terms of receiving legal help. respondents reporting utility and public benefits rankings were high for those respondents compared to the respondents interviewed with our experience in conducting our observation is that low income respondents have more problems as those for which respondents do not consider the relevance of legal medical, utility and public benefits

rep the house up for myself
 rd to keep it for my children
 thing. I'm gonna try to find
 l the house for back taxes.

Table 18 below displays the six most frequently reported individual civil legal problems for which respondents did not have legal help.

Having a utility turned off was the most frequently mentioned individual unmet legal problem. Two out of the six other most frequently reported problems are in the medical category (access to physician services and government medical benefits). Unfair job termination and discrimination in employment both contained 5.4% of the total households reporting experiencing these problems without legal assistance.

Individual Problem	Number Reporting	Frequency Rank
Utility turned off	52	1
Access to physician services	36	2
Food stamps	29	3
Government medical benefits	28	4
Unfair job termination	27	5
Discrimination in employment	27	5

CHAPTER V MOST SERIOUS PROBLEM

At the conclusion of the interview, respondents were asked to identify which individual problem they considered to be the most serious of all the problems they had mentioned experiencing. Respondents were asked to choose one problem as the most serious, regardless of whether they had legal help or not. Separate tables were created for the most serious problem for respondents who had legal help and those who did not.

5.1 Most Serious Problems For Which Respondents Had Legal Help

The following tables tabulate those data that pertain to respondents who had legal help. Not surprisingly, once again, family problems predominate as shown in Table 19 below. Nearly half (43.9%) of the 41 respondents, who identified their most serious problem as one for which they had legal help, said their most serious problem was a family problem. Consumer (12.2%), employment (9.8%) and utility and public benefits (both at 7.3%) were the next most frequently mentioned categories. The limited number of respondents, however, in these latter categories, does not permit us to draw statistical inferences from these data.

Table 20 on page 32 displays the data both for frequency of problems, by category, and most serious problem, by category. A comparison of frequency and importance rank reveals that family and consumer problems occurred both with greatest frequency and were considered the most serious problems when they occurred by those respondents who reported their most serious problem as one that involved legal help.

Category	N	%
Consumer	5	12.2
Utility	3	7.3
Housing	1	2.4
Employment	4	9.8
School	2	4.9
Medical	2	4.9
Public Benefits	3	7.3
Family	18	43.9
Discrimination	2	4.9
Other	1	2.4
Total	41	100.0

Table 19
Most Serious Problem
For Which Respondent
Had Legal Help

Table 20 MOST FREQUENT AND SERIOUS PROBLEM BY CATEGORY FOR WHICH RESPONDENTS HAD LEGAL HELP		
Category of Problem	Frequency Rank	Seriousness Rank
Family Problems	1	1
Consumer	2	2
Other	3	6
Discrimination	4	5
Employment	7	3
Utility	8	4
Public Benefits	7	4

As Table 20 indicates, employment, utility and public benefits problems had higher importance ranks than frequency ranks.

5.1.1 How Respondents Found Legal Help for Their Most Serious Problem

A series of additional questions were asked to determine how respondents found legal help. Table 21 below displays the data from these questions. Some respondents reported finding their lawyer through more than one means so that the total number of responses exceeds the number of respondents.

Table 21 HOW RESPONDENTS FOUND THEIR LAWYER		
Way in Which a Lawyer Was Obtained	Number of Responses	% of Responses
Referred from a friend	22	36.1
Referred from another lawyer	10	16.4
Found by some other method	9	14.7
Had seen the lawyer before	8	13.1
Knew the lawyer personally	8	13.1
Found in a phone book	4	6.6
Total Number of Responses	61	100.0

The largest percentage of respondents reported that they found their lawyer for their most serious problem through a referral from a friend. The second most frequently mentioned way was through referral from another lawyer.

5.2 Most Serious Problem For Which Respondent Had No Legal Help

Table 22 below displays the most serious problem identified by respondents who had no legal help. Not surprisingly, the medical problem category was reported most frequently (19.5%). Public benefits (17.8%), discrimination (13%) and utility (11.8%) were the next most frequently reported categories of most serious problem. Table 22 also compares frequency and seriousness ranks for those problems for which respondents had no legal help.

Interestingly, those respondents without legal assistance reported the same four categories for both rankings. The only variation when we compared frequency and seriousness rank is for utility and discrimination problems which reversed places, with discrimination problems considered more frequently as serious than utility problems.

Category of Problem	Frequency Rank	Seriousness Rank
Medical	1	1
Public Benefits	2	2
Utility	3	4
Discrimination	4	3

5.2.1 Why Respondents Did Not Have a Lawyer

For those households that provided information on their most serious problem and indicated that they did not have legal help, we asked, "Why didn't you have a lawyer?" Table 23 on page 34 provides responses to this question. A number of households reported multiple responses.

Almost half of the survey responses indicate that they did not have legal help either because they thought it was too expensive or thought a lawyer couldn't help.

I didn't know that you could get legal help to deal with unemployment. (Mississippi)

A lawyer would have made a difference, but once again, I didn't have any money to pay him. (Indiana)

Reasons	Number of Responses	% of Responses
Thought too expensive	91	28.3%
Could handle problem themselves	71	22.1%
Didn't know how to get lawyer	56	17.5%
Thought lawyer couldn't help	44	13.7%
Other reasons	21	6.6%
Had other kinds of assistance	19	5.9%
Turned down for legal assistance	19	5.9%
Total Number of Responses	321	100.0%

I would like a divorce but can't afford a lawyer to go about doing it. We consulted a lawyer but could barely afford the consultation fees. (New York)

The landlord had a lawyer and I couldn't afford one. I really couldn't handle it on my own. (Texas)

Finally, these same respondents were asked, "Do you think that having legal help would have made a difference in resolving the problem?" More than 43% of the respondents reporting stated that it would.

I think that if I had a lawyer they wouldn't have sent me the unfair notices and they could not intimidate me. (California)

Legal help always helps. (New Mexico)

I could have gotten the job back if I had a lawyer. (California)

5.3 Knowledge of Free Civil Legal Services

All respondents in the national survey were asked, "Are there free legal services for non-criminal problems in your area?" Twenty-nine percent of the nationwide sample of respondents indicated that they were aware of free non-criminal legal services in their area. Almost 23% of the sample indicated that they were unaware of such services in their area and 48% reported that they did not know whether free non-criminal legal services existed in their area.

Of those respondents who indicated that they were aware of free non-criminal legal services in their area, 19% indicated that they had used such services and 81% reported that they had not used the services.

They got my benefits back. (Minnesota)

They made me feel like a person and helped me win the case.
(Maryland)

5.4 How Respondents Would Find A Lawyer If They Needed One

Finally, all respondents to the survey were asked, "If you needed a lawyer today, how would you find one?" Table 24 below displays the responses to this question.

Slightly more than one-third of the nationwide sample reported that they would find a lawyer through the yellow pages and 23.6% indicated that they would ask a family member or friend. These data are consistent with that reported in other civil legal needs studies we have conducted.

	Number of Responses	% of Responses
Look in the Yellow Pages	168	33.6
Ask an acquaintance	118	23.6
Know or have a lawyer	115	23.0
Never thought about it	43	8.6
Go to Legal Aid	25	5.0
Check with Lawyers Ref. Service	17	3.4
Other	14	2.8
Total Number of Responses	500	100.0

CHAPTER VI CONCLUSION

6.1 Comparison With Other Civil Legal Needs Studies

As we indicated at the beginning of this report, there have been at least 25 civil legal needs studies of the poor in this country conducted over the past 20 years. At least 15 of these studies have attempted to compute the annual rate per household of legal problems experienced in their jurisdiction. The range of response has been quite broad—from 1.0 to 5.5. There are several reasons for these results. They include the following:

- Some surveys asked respondents to report their problems for a period as long as five years.
- Some surveys asked as many as 250 specific problems.
- Some surveys did not use random samples, e.g., the sample was limited to current legal services clients.
- Some surveys asked respondents to report the number of times within a specified period that the problem had re-occurred.

Despite these limitations, it is important to note that all surveys conducted in the past 20 years report an annual average rate of unmet legal problems per household of at least 1.0.

The two studies that The Spangenberg Group has conducted that most closely mirror the methodology for the phone survey in the current ABA Study were conducted in New York and Illinois. The one major difference is that only 34 individual problems were contained in the ABA Study while there were 65 in Illinois and 66 in New York. Based upon a sample of 1,250 respondents in New York State, the average number of civil problems without legal assistance per household was 2.46. In Illinois, with a sample of 1,900 respondents, the figure was 1.69. The ABA Study, with only about one-half of the number of questions asked in New York and Illinois, produced a figure of 1.08 problems for which respondents did not have legal help across the nationwide sample.

6.2 Nationwide Estimates of Civil Legal Needs

Based upon the results of this survey of 500 randomly selected households throughout the country with incomes of 125% of poverty or below, 682 problems were reported. Approximately 20% (142) involved legal help and 80% (540) involved no legal help.

The data for the entire sample of households also disclosed that the average number of problems per year for which legal help was obtained was 0.28. The comparable figure for problems for which no legal help was obtained was 1.08 problems per household per year.

The United States Bureau of the Census published in March 1988 their "Current Population Survey: Poverty in the United States - 1987, Series P-60 #163." This report discloses that in 1987 there were 11.945 million households below 100% of poverty. This figure was obtained by adding the two categories of "families" and "non-family householders." The non-family householders are a subgroup of "unrelated individuals."

The report further provides data for those "families" at or below 125% of poverty. While data is available at the 125% level for unrelated individuals, there is no data for the subgroup of non-family householders. However, we have calculated this figure for the 125% level by assuming the same percentage as obtained for the 100% level. The resulting figure when added to the family figure suggests that there were 17.569 million households throughout the country in 1987 with incomes of 125% of poverty or below.

In an effort to provide a nationwide estimate of the annual total number of problems with legal help for the 17.569 million households in 1987 based upon the survey results in this study, we have multiplied that figure by 0.28 to determine the figure for those with legal help and 1.08 to determine the figure for those with no legal help. The resulting figures disclose that, based upon the current study, there were in 1987 approximately 4.9 million problems for which low income households below 125% of poverty had legal assistance and approximately 19 million problems for which low income households had no legal assistance.

Within the past few weeks, the Legal Services Corporation has published their "Fact Book for 1987-1988." Data from that report indicates that LSC-funded programs nationally represented approximately 1.6 million clients. This figure is approximately one-third of the 4.9 million cases estimated from the national survey for which legal assistance was provided. There are a number of possible explanations for this gap. First, the 1.6 million LSC figure does not reflect the caseload from some programs funded by LSC which do not report caseload for clients whose services are supported by non-LSC funds. Second, there are a number of privately funded legal aid societies handling a large volume of civil cases around the country. Third there are a large number of private bar pro bono programs around the country that have no direct connection to LSC-funded programs. Fourth, there is a large but unknown number of clients around the country who obtain free civil legal services on a one-time basis from private attorneys who have no formal connection with any agency or organization. Finally, this survey, as well as prior surveys we have conducted show that some households, below 125% of poverty, receive legal assistance that involves the payment of a fee to a private lawyer.

National Survey of the Civil Legal Needs of the Poor Telephone Questionnaire

[Ed. Note: This survey was conducted as a stand-alone effort, not as part of an omnibus survey. In administering the survey, questionnaire interviewers read questions and recorded responses on a computer monitor. The computer was programmed to display follow-up questions when appropriate, and to rotate the legal problem categories. A full discussion of the methodology is provided in the body of the survey report.]

National Survey of the Civil Legal Needs of the Poor

Telephone Questionnaire

INTRODUCTORY STATEMENT

Hello, I'm calling for the American Bar Association. I'm not calling to sell you anything. We're doing a survey to find out more about the kinds of legal problems that people like yourself throughout the country have and what kinds of legal help you might need. All your answers will be kept strictly confidential.

IF NOT WILLING TO PARTICIPATE – Try to determine if another time would be more convenient and arrange to call them back.

IF WILLING – Proceed with income eligibility screening.

IF LANGUAGE A PROBLEM – Ask if they would rather do the interview in Spanish and arrange a convenient time for a callback.

INCOME ELIGIBILITY SCREENING

1. Do you live in this household? Yes _____ No _____

If no, ask to speak to a member of the household.

2. Are you at least 18 years of age? Yes _____ No _____

If no, ask to speak to someone in the household who is at least 18 years of age, unless there is no such individual in the household.

3. What is your zip code? _____

4. How many people live in the household including yourself? _____

5. For this survey, we need to know if your total household income from all sources is *more than*:

HOUSEHOLD SIZE

INCOME CUTOFF LEVEL

	Yearly	Monthly	Weekly
1 person	\$ 7,200	\$ 600	\$ 140
2 persons	9,700	810	190

HOUSEHOLD SIZE	INCOME CUTOFF LEVEL		
	Yearly	Monthly	Weekly
3 persons	12,100	1,010	230
4 persons	14,600	1,210	280
5 persons	17,000	1,420	330
6 persons	19,500	1,620	370
7 persons	21,900	1,830	420
8 persons	24,400	2,030	470
For each additional member:	+ 2,450	+200	+ 50

If the respondent states an income level or source, enter here:

If no – Proceed with interview.

If yes or not sure – Thank them and end the interview.

Now I would like to go through some typical noncriminal legal problems that you or a member of your household might have had during the past year. If you had had a particular problem, please indicate whether or not you had legal help in dealing with it.

CONSUMER PROBLEMS

6. Has any member of your household owed money to someone who brought you to court, took away your property, or threatened to do either in the past year?

Yes _____ **➡** Did you have legal help? Yes _____

No _____ No _____

7. Has any member of your household purchased a defective car, major appliance, or other major product or paid for unsatisfactory repairs on such a product?

Yes _____ **➡** Did you have legal help? Yes _____

No _____ No _____

8. Has any member of your household had any other consumer problems in the past year, such as difficulty getting credit or insurance, that you talked to an attorney about or would have liked to?

Yes _____ **➡** Did you have legal help? Yes _____

No _____ No _____

UTILITY PROBLEMS

9. Has a utility company turned off or threatened to turn off your phone, gas, electric, or water service in the past year?

Yes _____ **➡** Did you have legal help? Yes _____

No _____ No _____

10. Has any member of your household had any other utility problem in the past year that you talked to an attorney about or would have liked to?

Yes _____ **➡** Did you have legal help? Yes _____

No _____ No _____

HOUSING PROBLEMS

11. Do you currently () rent or () own your home or farm?

Questions 12 through 16A are for renters only.

12. Have you been threatened with or actually evicted in the past year?

Yes _____ **➡** Did you have legal help? Yes _____

No _____ No _____

13. Has your landlord locked you out of your apartment or turned off your heat, gas, water, or electricity?

Yes _____ **➡** Did you have legal help? Yes _____

No _____ No _____

14. Have you had a problem with defective or dangerous conditions, such as lead paint poisoning and rats or other rodents?

Yes _____ **➡** Did you have legal help? Yes _____


No _____ No _____

15. Have you had a serious problem getting into public housing, Section 8 housing, or some other type of subsidized housing?

Yes _____ **➡** Did you have legal help? Yes _____

No _____ No _____


16A. Has any member of your household had any other housing problems in the past year that you talked to an attorney about or would have liked to?

Yes _____  Did you have legal help? Yes _____

No _____ No _____

Question 16B is for homeowners only.

16B. Have you had any problems in the past year with your home, such as actual or threatened foreclosure or unsatisfactory home improvements or repairs that you talked to an attorney about or would have liked to?


Yes _____  Did you have legal help? Yes _____

No _____ No _____

EMPLOYMENT PROBLEMS


Please remember that we are interested in noncriminal legal problems that you or any member of your household may have experienced in the past year.

17. Has any member of your household been unfairly terminated from a job?

Yes _____  Did you have legal help? Yes _____

No _____ No _____

18. Has any member of your household had any other employment problems in the past year, such as difficulty in getting unemployment or pension benefits?

Yes _____  Did you have legal help? Yes _____

No _____ No _____

SCHOOL PROBLEMS

19. Has anyone in your household been unable to obtain a special education program needed to overcome a handicap or learning disability, or been inappropriately placed in such a program, in the past year?

Yes _____  Did you have legal help? Yes _____

No _____ No _____

20. Has anyone in your household had any other school-related problems in the past year, such as being unfairly suspended, expelled, or otherwise disciplined, that you talked to an attorney about or would have liked to?

Yes _____ **➡** Did you have legal help? Yes _____

No _____ No _____

MEDICAL PROBLEMS

21. Has anyone in your household had difficulty getting any of the following kinds of medical care when you needed them because you didn't have insurance or couldn't pay?

	Yes	No	Legal Help?
a. Doctor	_____	_____	_____
b. Hospital	_____	_____	_____
c. Mental health services	_____	_____	_____
d. Other health services	_____	_____	_____

22. Has anyone in your household had a problem getting insurance, Medicaid, or other government benefits to pay for medical bills?

Yes _____ **➡** Did you have legal help? Yes _____

No _____ No _____

23. Has anyone in your household had any other medical problem in the past year that you talked to an attorney about or would have liked to?

Yes _____ **➡** Did you have legal help? Yes _____


No _____ No _____

PUBLIC BENEFITS PROBLEMS

Please remember that we are interested in noncriminal legal problems that you or any member of your household may have experienced in the past year.


24. Has anyone in your household had problems with your benefits under any of the following programs? In other words, were the benefits denied, stopped, penalized, reduced, or paid very late?

a. Food stamps

Yes _____  Did you have legal help? Yes _____


No _____ No _____

b. Welfare

Yes _____  Did you have legal help? Yes _____


No _____ No _____

c. SSD/SSI (green checks/gold checks)

Yes _____  Did you have legal help? Yes _____

No _____ No _____


d. Other

Yes _____  Did you have legal help? Yes _____

No _____ No _____

Please specify: _____


25. Has anyone in your household had any other problems with public benefits or services in the past year that you talked to an attorney about or would have liked to?

Yes _____  Did you have legal help? Yes _____

No _____ No _____

FAMILY PROBLEMS

26. Has any member of your household needed a divorce in the past year?

Yes _____  Did you have legal help? Yes _____

No _____ No _____

27. Has any member of your household been involved in a dispute involving child support?

Yes _____ **➔** Did you have legal help? Yes _____

No _____ No _____

28. Has any member of your household had any other family problem in the past year, such as being involved in a dispute over alimony, suffering family violence, or being involved in a child custody dispute, that you talked to an attorney about or would have liked to?

Yes _____ **➔** Did you have legal help? Yes _____

No _____ No _____

DISCRIMINATION PROBLEMS

29. Has anyone in your household been discriminated against in any of the following areas in the past year for any reason, such as race, age, sex, religion, national origin, handicap, or marital status?

a. Employment

Yes _____ **➔** Did you have legal help? Yes _____

No _____ No _____

b. Loans or credit

Yes _____ **➔** Did you have legal help? Yes _____

No _____ No _____


c. Other

Yes _____ **➔** Did you have legal help? Yes _____

No _____ No _____

Please specify: _____

30. Has any member of your household had any other type of discrimination problem in the past year that you talked to an attorney about or would have liked to?

Yes _____  Did you have legal help? Yes _____

No _____ No _____

OTHER PROBLEMS

Please remember that we are interested in noncriminal legal problems that you or any member of your household may have experienced in the past year.

31. Has anyone in your household had any other serious problem in the past year that you talked to an attorney about or would have liked to?

Yes _____ No _____

If yes, please describe briefly:

Problem A: _____

Did you have legal help? Yes _____ No _____

Problem B: _____

Did you have legal help? Yes _____ No _____

Problem C: _____

Did you have legal help? Yes _____ No _____

Problem D: _____

Did you have legal help? Yes _____ No _____

ACCESS

32. Are there free legal services for noncriminal problems in your area?

Yes _____ No _____

If yes, have you ever used them?

Yes _____ No _____

If yes, which program(s)? _____

How did you hear about them? _____

33. If you needed a lawyer today, how would you find one? _____

HOUSEHOLD DEMOGRAPHICS

Now, I would like to ask you some general questions about your household. Please remember that all of your answers will be kept strictly confidential.

34. What is the age and sex of each member of your household?

	Age	Sex	Household Manager
Member 1:	_____	_____	_____
Member 2:	_____	_____	_____
Member 3:	_____	_____	_____
Member 4:	_____	_____	_____
Member 5:	_____	_____	_____
Member 6:	_____	_____	_____

35. Of these, which member or members do you consider to be responsible for managing the household? (NOTE ABOVE)

36. To be asked only of those respondents whose answers to above questions indicate it is appropriate.

If one household manager identified:

Is the member responsible for managing your household a single parent with the sole responsibility for the child (or children) in the household?

Yes _____ No _____

If more than one household manager identified:

Is any of the members responsible for managing your household a single parent with the sole responsibility for the child (or children) in the household?

Yes _____ No _____

37. What city/town and state do you live in?

a. City/town _____

b. State _____

38. How long have you lived at your current address?

Years _____ Months _____

39. Is anyone in your household handicapped or disabled?

Yes _____ No _____

40. Is anyone in your household mentally ill?

Yes _____ No _____

41. What racial or ethnic group do you belong to?

White _____

Black _____

Hispanic _____

Indian (Native American) _____

Asian or Pacific Islander _____

Other: _____

42. How many members of your household are currently employed?
43. Is anyone in your household currently on some form of public assistance (such as AFDC, welfare, SSI, food stamps, Medicaid, or other programs based on financial need)?
- Yes _____ No _____
44. Has your household been entirely without income for a 30-day period in the last year?
- Yes _____ No _____
45. Has any member of your household been homeless for a 30-day period or forced to share a home in the past year?
- Yes _____ No _____
46. What was the highest level of education that the person or persons responsible for managing your household completed?

Elementary school _____

Some high school _____

High school or GED _____

Post-high school technical school _____

Some college _____

Graduate school _____

Other: _____

Interviewer — When the interview is completed, please ask the following questions of all respondents who mentioned having had problems in the “problem identification” section above.

47. Earlier you mentioned that you or another member of your household had experienced the following problems in the past year: (list them). Of these, which do you feel was the most serious?
-

Please describe this most serious problem in greater detail: _____

Did it involve a hearing before a court or an administrative agency?

Yes _____ No _____

How did you attempt to deal with this problem? _____

If the respondent indicated above that they had legal help for this problem, ask questions 48 through 50:

48. Did the lawyer charge a fee for his or her services? ..

Yes _____ No _____

49. How did you find this lawyer? _____

If no response, prompt with these suggestions (Check all that apply):

Did you	Yes	No
see the lawyer before?	_____	_____
know the lawyer personally?	_____	_____
get the lawyer's name from a friend or relative?	_____	_____
find the lawyer in the phone book?	_____	_____
get referred from another lawyer or program?	_____	_____

50. What did the lawyer do for you? _____

If the respondent indicated above that they did not have legal help for this problem, ask the following question:

51. Why didn't you have a lawyer? _____

If no response, prompt with these suggestions (check all that apply):

Did you	Yes	No
think you could handle the problem yourself?	_____	_____
think that a lawyer couldn't help?	_____	_____
think it would be too expensive?	_____	_____
go to a lawyer or legal services program that turned you down?	_____	_____
not know how to get a lawyer?	_____	_____
not have a way to get a lawyer?	_____	_____
have other kinds of assistance?	_____	_____
other?	_____	_____

Please specify: _____

52. Do you think that having legal help would have made a difference in resolving the problem?

Yes _____ No _____

Please explain: _____

CONCLUSION

Thank you for participating in our survey. Your cooperation will help to provide better legal services throughout the country.

REPORT

**1989 SURVEY OF THE
PUBLIC'S USE OF LEGAL SERVICES**

May 1989

Barbara A. Curran
Research Attorney
American Bar Foundation

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EXECUTIVE SUMMARY

In 1974, a national survey of a representative sample of the U.S. adult population examined the incidence of personal, non-business legal problems and the use of legal services in their resolution. In February, 1989, a second national survey was conducted for the purpose of determining whether changes had occurred in the public's need for or use of legal services. This paper reports on the results of the 1989 survey. The following are the principal findings discussed in this paper.

A. Overall Use of Legal Services

1. The use of legal services for personal and family legal matters has increased since 1974. A larger proportion of the 1989 adult population had consulted lawyers at least once in their lives than was the case for the 1974 population. Moreover, wider use of legal services in the 1989 population was also reflected in recent use patterns, i.e., the proportion of the population using legal services in the three year period preceding the 1989 survey was greater than that for the comparable period preceding the 1974 survey.

Percent of adults ever having used legal services:	Percent of adults having used legal services within 3 years of survey:
1974: 64%	1974: 27%
1989: 72%	1989: 39%

2. The rise in lawyer use occurred primarily among persons over age of 40.

3. The disparity in lawyer use rates is substantial between highest and lowest income groups. While 49% of adults in the top 25% of the income scale had consulted lawyers in 1986-89, only 27% of adults in the lowest 10% used legal services during the same period.

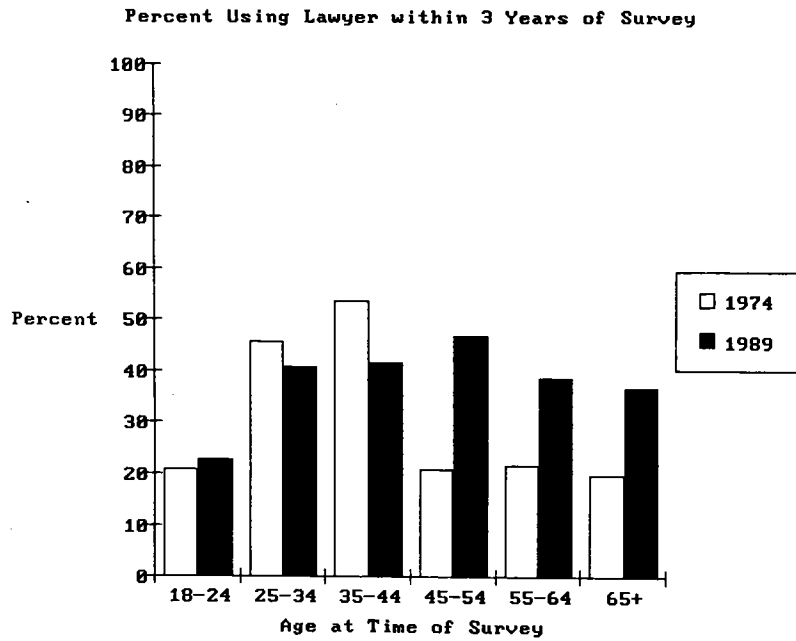
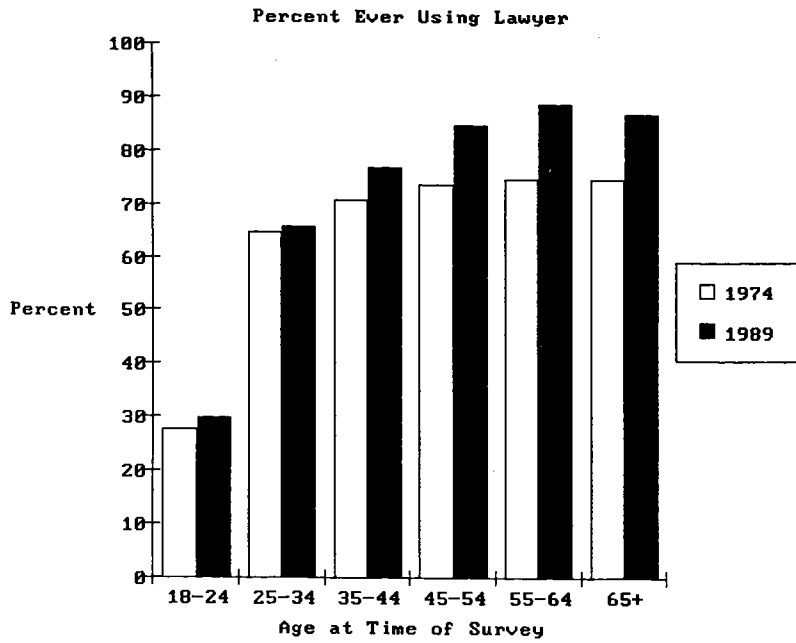
4. Use of legal services increased for all income groups, but at the slowest rate among persons of limited means and at the highest rate among persons of moderate means.

B. Use of Legal Services for Specific Problems

1. Although the overall use of legal services increased between 1974 and 1989, lawyer use actually decreased in some problem areas.

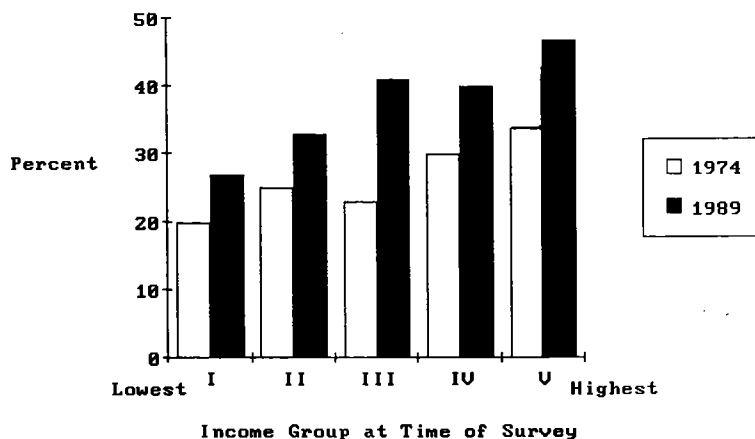
2. Use of lawyers by home buyers remained at the same level as in 1974, but the overall rate of use within the population at large declined as home purchase rates declined. Forty-one percent of home buyers during 1986-89 consulted lawyers in connection with home purchase.

USE OF LEGAL SERVICES WITHIN AGE GROUPS



USE OF LEGAL SERVICES WITHIN INCOME GROUPS

Percent Using Lawyer within 3 Years of Survey



3. Use of lawyers' services for will preparation also remained at the same high levels as in 1974, but the proportion of the population obtaining wills increased substantially. As of 1989, 40% of adults reported having wills, compared to 27% in 1974. Eighty-seven percent sought lawyers' help in will preparation in both 1974 and 1989.

4. Use of lawyers' services in divorce proceedings declined from 81% of divorcing persons in 1974 to 75% in 1989.

5. Use of lawyers' services for serious consumer problems seems to have increased since 1974, but the rate of use for such problems remains substantially lower than that for home purchase, wills, or divorce—36% of persons encountering serious consumer difficulties in the period from 1986-89 sought legal advice or help. Persons of low and modest means were most likely to report serious consumer problems but were least likely to use legal services in their resolution and most likely to do nothing about such problems.

C. Considerations Surrounding Use of Lawyers' Services

1. Cost remains a significant element in the decision to seek legal assistance. Those considering consulting lawyers are most likely to refrain from doing so in the case of consumer and marital problems.

2. The overwhelming majority of persons considering using legal services turn to friends and relatives for advice and help in choosing a lawyer. Almost 10% rely on advertisements and yellow pages.

way in which lawyers' services
percent of those of limited means
r by borrowing.

INTRODUCTION

Fifteen years ago, the first national survey of the legal needs of the public was conducted by the American Bar Foundation in collaboration with the American Bar Association Special Committee to Survey Legal Needs.¹ Based on 2,064 personal interviews with a representative sample of the adult population, the purpose of the survey was to provide theretofore unavailable information on how and to what extent personal, non-business legal problems of persons of moderate and limited means were being served.

In addition to examining the incidence of various types of legal problems among the target population, the survey explored the ways in which ordinary people dealt with those problems, including their use of legal services. Significant variation in the kinds of problems encountered and in problem-solving approaches were found to exist among different demographic subgroups.

To understand more fully the reasons underlying the use, and non-use, of lawyers' services, the survey also explored the following: the nature of experiences with lawyers, general attitudes towards lawyers, and perceptions about accessibility to, and costs of, legal services. Even though the survey revealed some variation in attitudes and perceptions based on prior experiences with lawyers, and among demographic subgroups, the study pointed up commonly shared concerns about the cost of lawyers' services and the availability of competent lawyers interested in handling personal, family problems of ordinary persons.

In the intervening fifteen years since the survey, significant changes have taken place in the demography of the adult population and in the lawyer population itself that, in the former case, may well affect the incidence of legal problems, and, in the latter case, the availability of lawyers' services for persons of moderate and limited means. Moreover, changes which could affect availability of, and perceived accessibility to, lawyers' services have occurred in the rules regulating delivery of lawyers' services, in the ways in which law practice is organized, in the methods of paying for legal services, and in the availability of dispute resolution mechanisms to persons of moderate and limited means. Included in these changes were relaxation of rules against advertising, elimination of minimum fee schedules, the increased attention to pro bono service responsibilities of lawyers, the rise of so-called retail law offices, the growth of prepaid and group legal insurance plans, the development of programs aimed at reduction of court costs and delay, development of alternative dispute resolution devices, and, in some jurisdictions, encouragement of pro se representation in matters such as marriage dissolution, small estate probate and administration, and small claims.

These changes raise the question whether the pattern of legal problem incidence and problem-solving behavior observed in the earlier survey hold true today. In mid-February of this year, a second national survey was

conducted. The survey consisted of telephone interviews with 1500 persons, scientifically selected to be representative of the resident U.S. adult population living in households. Respondents to the survey provided information on their use of lawyers' services generally and for selected legal problems.²

The principal objective of the 1989 survey, undertaken for the American Bar Association Consortium on Legal Services and the Public, was to obtain information on certain key matters that would allow a preliminary assessment of the present situation and of changes that may have taken place since the earlier study. The 1989 survey was, by design, far more modest in scope and coverage than the earlier survey. There was no intention to replicate the earlier study in its entirety. Rather, the new study focuses on matters that are most likely to provide general insights into current patterns, permit reasonable inferences about the currency of findings from the prior study, and allow some conclusions to be drawn about the possible nature and direction of change since the mid-1970s.³

This paper reports on the findings of the 1989 survey and compares the results with those of the earlier study. The report presents preliminary findings on (1) the overall pattern of lawyer use for personal, non-business legal problems, (2) problem-solving responses to selected legal problems, and (3) the decision to consult a lawyer, the choice of lawyer, and payment for the lawyer's services.

C
USE OF LAWYER

As of 1989, a larger propo
lawyers for personal, family mat

DISTRIBUTION OF ADULT P
Had consulted a lawyer
Had never consulted a lawyer
TOTAL

Before concluding that a ch
differences in the demography of
tion, must be taken into account.
exposure to risk and, consequen
reason for seeking legal help. A
older population. While 44% of
ages of 25 and 45, that age gr
population.⁵ When, however, the
the basis of lawyer use within the
observed across all ages.

COMPARISON OF 1974 AND 198
Age at time of survey
18-24
25-34
35-44
45-54
55-64
65 and older
All ages

CHAPTER I USE OF LAWYERS' SERVICES GENERALLY

As of 1989, a larger proportion of the adult population had consulted lawyers for personal, family matters than was the case in 1974.⁴

Table 1		
DISTRIBUTION OF ADULT POPULATIONS BY PRIOR USE OF LAWYER		
	1974 Survey N=2062	1989 Survey N=1491
Had consulted a lawyer	64 %	72 %
Had never consulted a lawyer	36	28
TOTAL	100 %	100 %

Before concluding that a change in behavior underlies these statistics, differences in the demography of the two populations, particularly age distribution, must be taken into account. An older population will have had a greater exposure to risk and, consequently, a higher incidence of legal problems and reason for seeking legal help. And, indeed, the 1989 adult population is an older population. While 44% of the 1989 adult population were between the ages of 25 and 45, that age group comprised only 37% of the 1974 adult population.⁵ When, however, the 1974 and 1989 populations are compared on the basis of lawyer use within the various age groups, an upward trend may be observed across all ages.

Table 2		
COMPARISON OF 1974 AND 1989 AGE GROUPS BY PRIOR USE OF LAWYER		
	Percent in each age group who had ever consulted lawyers	
	1974 Survey	1989 Survey
Age at time of survey		
18-24	28%	30%
25-34	65	66
35-44	71	77
45-54	74	85
55-64	75	89
65 and older	75	87
All ages	64%	72%

Thirty-nine percent of the 1989 population had consulted a lawyer at least once within the three years preceding the survey, i.e., in the period 1986-89. Persons 45-54 years of age at the time of the survey were most likely to have done so. On the other hand, only 27% of the 1974 population had consulted lawyers within the three years preceding the 1974 survey (1971-74). The most striking aspect of the comparison of the two populations centers on the 35-44 and 45-54 age groups. In 1974, recent use of lawyers' services by 35-44 year olds was 54%, substantially higher than that of 45-54 year olds, 21% of whom had consulted lawyers in the preceding three years. By 1989, the pattern had reversed itself: 42% of persons 35-44 in 1989 had used lawyers in the recent past while 47% of persons 45-54 in 1989 had recently consulted lawyers.

Age at time of survey	Proportion of each age group who consulted lawyers within 3 years of survey date	
	1974 Survey	1989 Survey
18-24	21%	23%
25-34	46	41
35-44	54	42
45-54	21	47
55-64	22	39
65 and older	20	37
All ages	27%	39%

In the 1974 survey, economic well-being was strongly associated with use of lawyers' services. In both the 1974 and 1989 surveys, persons of limited means were the least likely to have consulted a lawyer in the 3 year period preceding each survey. In 1989, less than one-third of the lowest income group reported having consulted a lawyer during 1986-89, compared to 49% of the highest income group.

Table 4 shows recent lawyer use for five income groups. The income groups are based on total household income and household size. Respondents to the 1989 survey were first divided into five groups based on size of household. The income distribution for each of the five groups was obtained. All individuals with household income falling in the lowest 10% of their household group were assigned to Group I; all individuals with incomes falling in the next 11% to 33% of their household-size group were assigned to Group II; all individuals in the next 34% to 50% of their household group were

assigned to Group III; all individuals in the next 11% to 33% of their household group were assigned to Group IV; all individuals in the next 34% to 50% of their household group were assigned to Group V. Group I includes the following household incomes less than \$10,000; Group II includes households with household incomes less than \$10,000; Group III includes households with household incomes less than \$10,000; Group IV includes more person households with household incomes less than \$10,000; Group V includes more person households with household incomes less than \$10,000. Income Groups I to V for both 1974 and 1989.

As shown by Table 4, the use of legal services in each income group increased in recent lawyer use and income. The increase in recent lawyer use was most modest. Twenty percent of those in 1974 had used legal services in 1989 had used legal services in those of moderate income (Group III) increased from 20% in 1974 to 41% in 1989.

PROPORTION OF EACH INCOME GROUP WITH RECENT LAWYER USE
Income at time of survey*
Group I [lowest]
Group II
Group III
Group IV
Group V [highest]
All income groups

*I=lowest 10% of income scale; II=10% to 21%

had consulted a lawyer at least once, i.e., in the period 1986-89. The 1989 survey were most likely to have consulted a lawyer in the 3 year period 1986-89, compared to 27% of the 1974 population had consulted a lawyer in the 3 year period 1971-74. The most common age group was 35-44 years old, 21% of whom had used lawyers in the recent survey. By 1989, the pattern had changed; 41% of 35-44 year olds had used lawyers in the recent survey, compared to 27% in 1974.

PERCENTAGE OF EACH AGE GROUP WHO CONSULTED LAWYERS WITHIN 3 YEARS OF SURVEY DATE	
Survey	1989 Survey
21%	23%
46	41
54	42
21	47
22	39
20	37
27%	39%

was strongly associated with use of legal services in the 3 year period 1986-89, compared to 27% of the lowest income group in 1974.

five income groups. The income level and household size. Respondents were assigned into five groups based on size of income and household size. The proportion of the five groups was obtained. Respondents in the lowest 10% of their household size group were assigned to Group I; all individuals with incomes in the next 10% to 33% of their household-size group were assigned to Group II; all individuals in the next 10% to 33% of their household-size group were assigned to Group III; all individuals in the next 10% to 33% of their household-size group were assigned to Group IV; and all those in the top 25% of their household-size group were assigned to Group V.

assigned to Group III; all individuals in the next 10% to 33% of their household-size group were assigned to Group IV; and all those in the top 25% of their household-size group were assigned to Group V. Thus, for example, 1989 Income Group I includes the following: Respondents in 1 person households with household incomes less than \$8,000; respondents in 2 person households with household incomes less than \$12,000; respondents in 3 person households with household incomes less than \$15,000; respondents in 4 person households with household incomes less than \$15,000; respondents in 5 or more person households with household incomes less than \$15,000. Respondents to the 1974 survey were assigned to five income groups using their income and household size in 1974. The full schedule of assignments to Income Groups I to V for both 1974 and 1989 is set forth in the footnotes.⁶

As shown by Table 4, the general trend was toward wider use of legal services in each income group in 1989 than was the case in 1974. The relative increase in recent lawyer use among those at the lowest income level was the most modest. Twenty percent of persons in Group I (the lowest income group) in 1974 had used legal services in 1971-74, while 27% of persons in Group I in 1989 had used legal services in 1986-89. The largest increase was among those of moderate income (Group III), rising from 23% recently using legal services in 1974 to 41% in 1989.

Income at time of survey*	Percent of total persons in income group specified	
	1974 Survey	1989 Survey
Group I [lowest]	20%	27%
Group II	25	33
Group III	23	41
Group IV	30	40
Group V [highest]	34	49
All income groups	27%	39%

*I-lowest 10% of income scale; II=10%-33%; III=33%-50%; IV=50%-75%; V=top 25%.

CHAPTER II USE OF LAWYERS FOR SPECIFIC PROBLEMS

One of the most important findings of the 1974 legal needs survey was the extent to which use of lawyers' services varied substantially by problem type and, in turn, the extent to which problem incidence varied with respect to the individual's age and economic situation. The overall use rates for legal services at any given time thus reflect the interaction of a variety of factors including the demography of the population. The 1974 survey elicited information on more than thirty specific problems and on the ways in which individuals dealt with those problems. Four problems were selected for the 1989 survey: (1) home purchase, (2) serious problem with a seller of goods or services, a landlord, or creditor, (3) divorce, and (4) preparation of a will. The particular problems selected were the most frequently reported problems in the 1974 survey and use of lawyers' services differed significantly among the four. This section presents incidence of, and lawyer use for, such problems in 1989 and compares the results with the 1974 findings.

A. Home Purchase

In 1989, the probability that an individual would seek the advice or help of a lawyer in connection with the purchase of a home was lower than in 1974.

Yearly lawyer use among all adults for home purchase:	Yearly lawyer use by home buyers:
1974: 24 per 1000 adults	1974: 400 per 1000 home buyers
1989: 22 per 1000 adults	1989: 410 per 1000 home buyers

The downward shift was not, however, the result of a decline in the proportion of home buyers who sought the advice and help of lawyers at the time of purchase. In both 1974 and 1989, around 40% of home buyers consulted lawyers. Rather, the reduction in lawyer use is attributable to the decline in home purchases.

Yearly incidence among all adults of home purchase:
1974: 60 per 1000 adults per year
1989: 54 per 1000 adults per year

The decline in home purchase occurred primarily among adults under 35 years of age and was most pronounced among 25-34 year olds. In 1974, about one third of those who were 25-34 years old at the time of the survey had purchased a home during the three years preceding the survey. In contrast, less than one quarter of 25-34 year olds in 1989 had made such a purchase during 1986-89.

Table 5
PROPORTION OF EACH AGE GROUP WHO PURCHASED A HOME WITHIN 3 YEARS OF SURVEY DATE

Age at time of survey	Percent of total persons in age group specified	
	1974 Survey	1989 Survey
18-24	14 %	10 %
25-34	32	23
35-44	24	24
45-54	14	15
55-64	10	11
65 and older	4	5
All ages	18 %	15 %

While home purchase declined, lawyer use among home buyers (about 40% of all home buyers) has remained basically stable over the last fifteen years across all age groups. The proportion of buyers consulting lawyers on home purchase made in the three year period preceding each survey were essentially the same in 1974 and 1989. Moreover, about 40% of buyers in each age group used lawyers' services for purchases both in the 1971-74 period and the 1986-89 period. Thus, the decline in yearly lawyer use from 24 per 1000

Table 6
PROPORTION OF EACH INCOME GROUP WHO PURCHASED A HOME WITHIN 3 YEARS OF SURVEY DATE

Income at time of survey*	Percent of total persons in income group specified	
	1974 Survey	1989 Survey
Group I [lowest]	6 %	9 %
Group II	16	12
Group III	20	16
Group IV	19	19
Group V [highest]	23	25
All income groups	18 %	15 %

*I=lowest 10% of income scale; II=10%-33%; III=33%-50%; IV=50%-75%; V=top 25%.

adults in 1974 to 22 in 1989, particularly among young adults among those who are home buyers.

In both 1974 and 1989, home buyers in the higher the household and family income scale were more likely an individual reported having consulted a lawyer in the years. In both surveys, the proportion of buyers in progressively higher income groups who consulted lawyers successively higher income groups.

Buyers in the upper half of the income scale consulted lawyers at the time of purchase in 1971-74 and 1986-89.

PROPORTION OF HOME BUYERS WHO CONSULTED A LAWYER FOR HOME PURCHASE

Income at time of survey
Bottom half of income scale
Top half of income scale
All income groups

B. Wills

At the time of the 1989 survey, 23% of the population having a will. This was a substantial increase from 1974. The overwhelming majority of wills were made in the years 1974 and 1989. While the rate of lawyer use for wills was low in 1974, the rise in the proportion of the population having a will for the significant increase in the years 1974 and 1989.

Yearly lawyer use among all adults for wills:
1974: 27 per 1000 adults
1989: 43 per 1000 adults

Having a will is highly related to the population age 55 years of age or older. When the 1974 and 1989 population age 55 years of age or older are compared, 23% of the population under the age of 55 years of age in 1974, in fact increased among both your age groups in 1989. Particularly noteworthy is the growth in the proportion of the population aged 55 years of age or older who have a will.

PERSONS WHO PURCHASED A HOME SURVEY DATE	
Percent of total persons in income group specified	
1974 Survey	1989 Survey
6 %	9 %
16	12
20	16
19	19
23	25
18 %	15 %

use among home buyers (about 16% in 1974 and 12% in 1989) was basically stable over the last fifteen years. The proportion of buyers consulting lawyers in the period preceding each survey were similar. However, about 40% of buyers in each survey period used lawyers both in the 1971-74 period and in the 1986-89 period. Early lawyer use from 24 per 1000 in 1974 to 22 in 1989 reflects a decline in residential purchases, particularly among young adults, rather than shifting pattern of lawyer use among those who are home buyers.

adults in 1974 to 22 in 1989 reflects a decline in residential purchases, particularly among young adults, rather than shifting pattern of lawyer use among those who are home buyers.

In both 1974 and 1989, home purchase was strongly related to income—the higher the household and family income at the time of the survey, the more likely an individual reported having purchased a home in the preceding three years. In both surveys, the proportion of home buyers was greater in each successively higher income group.

Buyers in the upper half of the income scale were somewhat more likely to consult lawyers at the time of purchase than buyers in the lower half in both 1971-74 and 1986-89.

Income at time of survey	Percent of total persons in income group specified	
	1974 Survey	1989 Survey
Bottom half of income scale	36 %	33 %
Top half of income scale	43	48
All income groups	40 %	41 %

B. Wills

At the time of the 1989 survey, 40% of the adult population reported having a will. This was a substantial increase over 1974 when 27% had wills. The overwhelming majority of wills (87%) were prepared by lawyers in both 1974 and 1989. While the rate of lawyer use for wills remained at the same high level, the rise in the proportion of adults who decided to have wills accounts for the significant increase in the yearly lawyer use rate for wills.

Yearly lawyer use among all adults for wills:

1974: 27 per 1000 adults

1989: 43 per 1000 adults

Yearly lawyer use for adults making wills:

1974: 870 per 1000 will makers

1989: 870 per 1000 will makers

Having a will is highly related to age. In 1989, seventy percent of the population age 55 years of age or older reported having wills, compared to 23% of the population under the age of 45 years. When, however, the results from the two surveys are compared, it becomes clear that estate planning has in fact increased among both younger and older age groups since 1974. Particularly noteworthy is the growth rate among the 45-54 age group. While

3%-50%; IV=50%-75%; V=top 25%.

9% of those 45-54 in 1974 had a will prepared in 1971-74, 18% of 45-54 year olds in the 1989 survey reported having a will prepared in the three years preceding the 1989 survey. On the other hand, no important differences were detected in lawyer use for will preparation among different age groups in either 1974 or 1989.

Age at time of survey	Percent of total persons in age group specified	
	1974 Survey	1989 Survey
18-24	1 %	4 %
25-34	7	11
35-44	11	14
45-54	9	18
55-64	18	20
65 and older	17	29
All ages	10 %	15 %

Given that an individual wants a will, the probability that a lawyer's help will be sought is similar among all income groups. However, as one might expect, income is highly related to whether or not an individual chooses to have a will in the first place.

C. Divorce

The proportion of adults in the 1989 population who had ever divorced was 21% compared to 15% in the 1974 population. However, the yearly lawyer use rate had declined over the same period.

Yearly lawyer use among all adults for divorce:	Yearly lawyer use for divorcing adults:
1974: 8 per 1000 adults	1974: 810 per 1000 divorcing adults
1989: 7 per 1000 adults	1989: 750 per 1000 divorcing adults

The reduction in the lawyer use rate is primarily a function of a decline in the use of lawyers' assistance in divorce proceedings and not of any absolute decline in divorces. Between 1974 and 1989, the relative size of the married

PROPORTION OF PERSONS WHO HAD A WILL PREPARED WITHIN 3 YEARS OF SURVEY DATE
Income at time of survey*
Group I (lowest)
Group II
Group III
Group IV
Group V (highest)
All income groups

*I=lowest 10% of income scale; II=10%-

adult population had decreased: r population in 1988 compared to 70 shown above is for the total adult p the depressed yearly lawyer use r of the married population, i.e. the

DISTRIBUTION OF DIVORCING I
Each party to divorce had a lawyer
Only one party had a lawyer
Neither party had a lawyer
Parties shared same lawyer
One party had lawyer, other unknown
One party no lawyer, other unknown
TOTAL

The shrinkage in the population in the proportion of individuals with percent of the adult population divorced in the 1989 survey, substantially the same period. The 3% of total adult population

ed in 1971-74, 18% of 45-54 year will prepared in the three years and, no important differences were long different age groups in either

/WHO HAD A WILL PREPARED RVEY DATE	
Percent of total persons in age group specified	
74 Survey	1989 Survey
1 %	4 %
7	11
11	14
9	18
18	20
17	29
10 %	15 %

probability that a lawyer's help will ps. However, as one might expect, an individual chooses to have a will

population who had ever divorced was ion. However, the yearly lawyer use

Yearly lawyer use for divorcing adults:

1974: 810 per 1000 divorcing adults

1989: 750 per 1000 divorcing adults

is primarily a function of a decline in proceedings and not of any absolute 1989, the relative size of the married

Income at time of survey*	Percent of total persons in income group specified	
	1974 Survey	1989 Survey
Group I (lowest)	4 %	10 %
Group II	7	13
Group III	7	13
Group IV	9	14
Group V (highest)	17	35
All income groups	10 %	15 %

*I-lowest 10% of income scale; II=10%-33%; III=33%-50%; IV=50%-75%; V=top 25%

adult population had decreased: married persons comprised 63% of the adult population in 1988 compared to 70% in 1974.⁸ Since the yearly lawyer use rate shown above is for the total adult population, one might be tempted to attribute the depressed yearly lawyer use rate solely to the reduction in the relative size of the married population, i.e. the population at risk.

	N=132
Each party to divorce had a lawyer	41 %
Only one party had a lawyer	36
Neither party had a lawyer	11
Parties shared same lawyer	10
One party had lawyer, other unknown	1
One party no lawyer, other unknown	1
TOTAL	100 %

The shrinkage in the population at risk was offset, however by an increase in the proportion of individuals within that population who divorced. Three percent of the adult population divorced in the three year period preceding the 1989 survey, substantially the same proportion who divorced in the 1971-74 period. The 3% of total adult population who divorced in 1986-89 made up,

population, while the 3% of total adults when married population. Thus, the decline was offset by the decline in the yearly lawyer use as a substantial measure, to the fact that a 5% in the 1989 population sought lawyers in connection with marriage

or respondents had lawyers' advice. The 1989 inquiry went further and if the parties had a lawyer in divorce

obtained a divorce in the ten years 25 and 45 years of age at the time that for persons in the 1974 survey earlier survey, however, the use of declined from 84% in 1974 to 72% to have occurred among those at top 25% of the income scale.

ey reported having had at least one services, a landlord, or a creditor in ent of those having such a problem

1 SERIOUS CONSUMER PROBLEMS N (1986-89)	
	N=147
	13 %
	24
	3
	6
	36
	2
	16
	100 %

Yearly lawyer use rate for entire adult population for serious consumer problems:

1989: 12 per 1000 adults

Yearly lawyer use rate for adults having serious consumer problems:

1989: 360 per 1000 problem havers

The statistics for 1989 are not readily comparable with those from the 1974 survey. The reason is that, in the prior survey, the inquiry into consumer problems was far more detailed than was the case in 1989. It is likely that the earlier survey elicited affirmative responses to questions about incidence of certain types of consumer problems that respondents either overlooked or did not characterize as "serious" in the 1989 study. Forty-seven percent of respondents to the 1974 survey reported having had at least one consumer problem (as defined for them in 1974) in the period 1971-74—a much higher proportion than 1989 and possibly an artifact of the different approaches

Income at time of survey*	
Income Group I: (N=145)	16 %
Income Group II: (N=227)	11
Income Group III: (N=222)	9
Income Group IV: (N=291)	7
Income Group V: (N=296)	11
All income groups	11 %

*I-lowest 10% of income scale; II=10%-33%; III=33%-50%; IV=50%-75%; V=top 25%.

used in the two surveys. Only eleven percent consulted lawyers for consumer problems encountered in the three year period preceding the 1974 survey. Because of the uncertainty surrounding comparability of results from the two different periods, the following discussion will focus only on the 1989 situation.

Two-thirds of those with serious consumer problems in the period from 1986-89 did not consult a lawyer. Table 11 shows how consumers went about dealing with their most recent consumer problems.

Consumers 25-34 years old at the time of the survey were the most likely to report encountering serious consumer problems in the three years preceding the survey. Those 55 years of age and older were least likely to report such problems. On the other hand, those under 35 years of age were less likely to consult lawyers about such matters (32% consulted lawyers) than those 35 or over (49% of those with problems).

Persons in the lowest 10% of household income were more likely than persons in any other income group to report serious consumer problems in the preceding three years.

Those in the lowest two income groups, representing one-third of the population, were more likely to do nothing in the face of consumer difficulties than were those in the higher income groups: 28% of those in Income Groups I & II did nothing, compared to 14% of those in Income Groups III-V. On the other hand, those in the upper income groups were more likely to consult lawyers: 39% in Groups III-V consulted lawyers about consumer matters compared to 28% in Groups I & II.

Table 13
DISTRIBUTION OF ADULTS BY NUMBER OF PROBLEMS ENCOUNTERED (1986-89)

	N=1500
One problem	28 %
Two problems	7
Three problems	1
Four problems	0
No problems	65
TOTAL	100 %

Table 14
DISTRIBUTION OF PROBLEMS BY NUMBER OF PROBLEMS ENCOUNTERED (1986-89)

	Problems identified by 413 persons mentioning one problem only	Problems identified by 100 persons mentioning two problems
Problem area	N=413	N=202
Home purchase	35 %	41 %
Consumer	23	22
Divorce	5	8
Will	36	29
TOTAL	100 %	100 %

DISTRIBUTION OF EACH PROBLEM BY AGE GROUP

	18-24 N=215	25-34 N=300
One problem	23 %	30 %
Two problems	3	10
Three problems	0	0
Four problems	0	0
No problems	74	58
TOTAL	100 %	100 %

RANKING OF PROBLEMS BY AGE GROUP
1st=most frequent 4th=least frequent

Rank	18-24 years
1st	Consumer 4
2nd	Home buy 3
3rd	Will 1
4th	Divorce
TOTAL	10
	N=64
Rank	45-54 years
1st	Will 3
2nd	Home buy 3
3rd	Consumer 1
4th	Divorce
TOTAL	10
	N=94

old income were more likely than serious consumer problems in the

os, representing one-third of the n the face of consumer difficulties : 28% of those in Income Groups e in Income Groups III-V. On the ups were more likely to consult awyers about consumer matters

PROBLEMS ENCOUNTERED (1986-89)	
	N=1500
	28 %
	7
	1
	0
	65
	100 %

NUMBER OF PROBLEMS (1986-89)	
ms identified by 13 persons mentioning problem only	Problems identified by 100 persons mentioning two problems
N=413	N=202
35 %	41 %
23	22
5	8
36	29
100 %	100 %

Table 15
DISTRIBUTION OF EACH AGE GROUP BY NUMBER OF PROBLEMS ENCOUNTERED (1986-89)

	Age in 1989					
	18-24 N=215	25-34 N=331	35-44 N=319	45-54 N=216	55-64 N=210	65+ N=189
One problem	23 %	31 %	30 %	25 %	22 %	30 %
Two problems	3	10	10	7	4	2
Three problems	0	1	1	1	0	0
Four problems	0	0	0	0	0	0
No problems	74	58	60	66	73	68
TOTAL	100 %	100 %	100 %	100 %	100 %	100 %

Table 16
RANKING OF PROBLEMS BY FREQUENCY OF OCCURRENCE IN EACH AGE GROUP (1986-89)

1st=most frequent 4th=least frequent N=total problems

Age in 1989

Rank	18-24 years		25-34 years		35-44 years	
1st	Consumer	46 %	Home buy	43 %	Home buy	45 %
2nd	Home buy	31	Consumer	33	Will	25
3rd	Will	14	Will	19	Consumer	20
4th	Divorce	9	Divorce	5	Divorce	10
TOTAL		100 %		100 %		100 %
		N=64		N=180		N=165
Rank	45-54 years		55-64 years		65 +	
1st	Will	39 %	Will	60 %	Will	81 %
2nd	Home buy	33	Home buy	34	Home buy	14
3rd	Consumer	19	Consumer	6	Consumer	5
4th	Divorce	9	Divorce	0	Divorce	0
TOTAL		100 %		100 %		100 %
		N=94		N=65		N=64

E. Multiple Problems and Lawyer Use Across Problem Types

In the preceding sections, each problem type was examined separately. This section will examine the extent to which survey respondents encountered multiple problem types, the ranking of problem types in relation to use of lawyers' services, and variability among age and income groups with respect to these matters.

1. Multiple Incidence of Problems

Eighty percent of 1989 survey respondents reported having ever encountered at least one of the four problems described above and 36% reported at least one such problem in the three years preceding the survey.⁹ Most reported having confronted only one problem in the last three years. And, none reported having confronted all four problems during that period.

Those encountering only one problem were equally likely to have cited either home purchase or will. Consumer difficulties ranked third for those who encountered one problem only. Among those who reported two problems, the most frequently mentioned was home purchase, followed by will and consumer problem, respectively.

Table 17					
DISTRIBUTION OF EACH INCOME GROUP BY NUMBER OF PROBLEMS ENCOUNTERED (1986-89)					
Income in 1989*					
	Lowest Grp I N=147	Grp II N=230	Grp III N=224	Grp IV N=293	Highest Grp V N=304
One problem	30 %	23 %	25 %	30 %	32 %
Two problems	5	7	5	6	11
Three problems	1	1	1	0	1
Four problems	0	0	0	0	0
No problems	65	70	68	64	57
TOTAL	100 %	100 %	100 %	100 %	100 %

*I-lowest 10% of income scale; II=10%-33%; III=33%-50%; IV=50%-75%; V=top 25%.

For those who reported having two problems, the most likely combination was home purchase and will followed by home purchase and consumer problem. Forty-six percent of individuals had home purchase combined with will and 30% had home purchase combined with consumer problem. No other combination (e.g., consumer and will) was identified by more than 8% of respondents.

Those 25-44 years of age at the time of the survey were the most likely to have had at least one problem in the last three years. Moreover, they were also the most likely to have two or more problems.

RANKING OF PROBLEMS BY EACH INCOME GROUP	
1st=most frequently mentioned	
Rank	Groups I & II
1st	Consumer 30%
2nd	Will 30%
3rd	Home buy 25%
4th	Divorce 10%
TOTAL	
	N=147

*I & II=lowest 33%; III & IV=33%-75%; V=top 25%.

The specific problems that are most highly related to age. Consumer difficulties ranked highest among the 25-44 age group and dropped in rank among those 45 and over. Table 16 shows the ranking for each group is mentioned by that group.

Persons in the lowest income group were most likely to have confronted

PROPORTION OF PROBLEMS ENCOUNTERED BY CONSULTING LAWYERS FOR EACH AGE GROUP	
Age in 1989	
18-24	(N=56)
25-34	(N=140)
35-44	(N=139)
45-54	(N=73)
55-64	(N=56)
65+	(N=56)

Across Problem Types

m type was examined separately. 1 survey respondents encountered problem types in relation to use of e and income groups with respect

ents reported having ever encountered above and 36% reported at preceding the survey.⁹ Most reported st three years. And, none reported that period.

were equally likely to have cited faculties ranked third for those who se who reported two problems, the ase, followed by will and consumer

GROUP BY NUMBER OF PROBLEMS REPORTED (1986-89)		
Income in 1989*		
Grp III N=224	Grp IV N=293	Highest Grp V N=304
25 %	30 %	32 %
5	6	11
1	0	1
0	0	0
68	64	57
100 %	100 %	100 %

3%-50%; IV=50%-75%; V=top 25%.

blems, the most likely combination / home purchase and consumer ad home purchase combined with ned with consumer problem. No was identified by more than 8% of

the survey were the most likely to hree years. Moreover, they were oblems.

Rank	1st=most frequent		4th=least frequent		N=total problems Income in 1989*
	Groups I & II		Groups III & IV		
1st	Consumer	33 %	Home buy	43 %	Home buy 42 %
2nd	Will	31	Will	32	Will 35
3rd	Home buy	27	Consumer	19	Consumer 19
4th	Divorce	10	Divorce	6	Divorce 5
TOTAL		100 %		100 %	100 %
		N=147		N=211	N=172

*I & II=lowest 33%; III & IV=33%-75%; V=top 25%

The specific problems that individuals were most likely to report were highly related to age. Consumer problems ranked first among the youngest age group and dropped in rank in succeeding age groups. Home purchase ranked highest among the 25-44 age group and wills ranked highest among those 45 and over. Table 16 shows the ranking of problems for each age group. The ranking for each group is based on the total number of problems mentioned by that group.

Persons in the lowest income group and those in the top two income groups were most likely to have confronted at least one problem.

Age in 1989	Percent of problem havers in specified age group using lawyers (1986-89)
18-24 (N=56)	48%
25-34 (N=140)	53%
35-44 (N=139)	57%
45-54 (N=73)	64%
55-64 (N=56)	75%
65+ (N=56)	84%

Table 20
PROPORTION OF PROBLEM HAVERS IN EACH INCOME GROUP CONSULTING LAWYERS FOR AT LEAST ONE PROBLEM (1986-89)

Income in 1989*	Percent of problem havers in specified income group using lawyers (1986-89)
Group I [Lowest] (N=51)	41%
Group II (N=70)	61%
Group III (N=71)	55%
Group IV (N=73)	67%
Group V [Highest] (N=56)	66%

*I=lowest 10% of income scale; II=10%-33%; III=33%-50%; IV=50%-75%; V=top 25%.

Younger persons were less like Table 19, lawyer use was strongly Income was also related to lawyer use. Most limited means were least likely to consult a lawyer. The ranking of lawyer use by problem type was similar to that in Table 21. That is to say, in all income groups, those with most limited means consulted for will preparation than for divorce. By Table 21, those with most limited means consulted for will preparation than for divorce for any one problem type than those

Table 21
RANKING OF PROBLEMS FOR EACH INCOME GROUP BY PROPORTION OF PROBLEMS TAKEN TO LAWYERS (1986-89)

Rank	1st=most frequent		3rd=least frequent		N=total problems	
	Income in 1989*					
	Groups I & II		Groups III & IV		Group V	
1st	Will (N=40)	76 %	Will (N=61)	91 %	Will (N=57)	90 %
2nd	Home buy (N=45)	30	Home buy (N=90)	44	Home buy (N=71)	46
3rd	Consumer (N=48)	27	Consumer (N=41)	37	Consumer (N=29)	38

*I & II=lowest 33%; III & IV=33%-75%; V=top 25%

The most frequently mentioned problem by persons in the lowest income groups was consumer. Consumer difficulties ranked third for all other income groups. Although divorce ranked last for all income groups, divorce comprised a larger share of total problems encountered by the lowest income group than was the case for other income groups.

2. Lawyer Use Across Problems

Almost two-thirds of those who had at least one problem consulted lawyers. However, those with one problem only were less likely to have consulted a lawyer. While 55% of those with only one problem consulted lawyers, 83% of those with two or more problems consulted a lawyer for at least one of their problems. However, less than half (40%) of those with two problems consulted a lawyer for both.

PERCENT OF PROBLEM HAVERS IN EACH INCOME GROUP WHO CONSULTED A LAWYER FOR ONE PROBLEM (1986-89)	
	Percent of problem havers in specified income group using lawyers (1986-89)
	41%
	61%
	55%
	67%
	66%

I=bottom 25%; II=25%-50%; III=50%-75%; IV=50%-75%; V=top 25%.

PERCENT OF PROBLEM HAVERS IN EACH INCOME GROUP WHO CONSULTED A LAWYER FOR ONE PROBLEM (1986-89)			
Least frequent problem in 1989*		N=total problems	
Groups III & IV		Group V	
Will (N=61)	91 %	Will (N=57)	90 %
Home buy (N=90)	44	Home buy (N=71)	46
Consumer (N=41)	37	Consumer (N=29)	38

...n by persons in the lowest income ... ranked third for all other income ... all income groups, divorce com- ... countered by the lowest income ... groups.

...at least one problem consulted ... em only were less likely to have ... with only one problem consulted ... problems consulted a lawyer for at ... s than half (40%) of those with two

Younger persons were less likely to consult lawyers. In fact, as shown by Table 19, lawyer use was strongly related to age.

Income was also related to lawyer use. As shown by Table 20, persons of most limited means were least likely to seek lawyers' help for their problems.

The ranking of lawyer use by problem type was the same across all income groups. That is to say, in all income groups, lawyers were more likely to be consulted for will preparation than for consumer problems. However, as shown by Table 21, those with most limited means were less likely to consult a lawyer for any one problem type than those at higher income levels.

CHAPTER III CONSIDERATIONS IN USING LAWYERS' SERVICES

This section examines reasons why individuals do not consult lawyers, how lawyers are chosen, and methods of paying for lawyers' services.

A. Reasons for Not Consulting Lawyers

In both the 1974 and 1989 surveys, respondents were asked whether they had considered consulting a lawyer on a personal, family matter but had not done so. Of those responding to the question, 9% of the 1989 survey group indicated they had considered consulting a lawyer at some time during the three years preceding the survey while 14% of the 1974 survey group had done so in the three year period preceding the 1974 survey.

While the proportion of those considering, but not consulting lawyers, had declined marginally at about the same rate for all age groups between 1974 and 1989, the decline varied among the lower and upper income groups, moderating the discrepancies that existed among income groups in 1974.

Income at time of survey*	Percent of total persons in income group specified	
	1974 Survey	1989 Survey
Group I [lowest]	11 %	8 %
Group II	10	9
Group III	15	10
Group IV	18	9
Group V [highest]	14	8
All income groups	14 %	9 %

*I-lowest 10% of income scale; II=10%-33%; III=33%-50%; IV=50%-75%; V=top 25%.

When asked about the nature of the problem under consideration, consumer problems, marital difficulties, and real estate matters were the single most frequently mentioned problems. These three together made up over one-half of all problems mentioned.

The "All others" category includes an array of problems, like traffic citations, problems with governmental agencies, each of which made up less than 2% of problems encountered in 1986-89. The one exception was damage to respondent's property and personal injury claims against respondent,

	N=94
Consumer problems	18 %
Marital problems	18
Real estate problems	16
Will	9
Estate admin. & probate	6
Problem with employer	4
Personal injury	3
All others	26
TOTAL	100 %

particularly those arising out of automobile accidents. The proportion of problems not taken to lawyers that are represented by these types of matters is not known for the 1989 survey. They are included in the category of "All others" shown in the above table. In all probability they represent well over 2% of problems not taken to lawyers. In the 1974 survey, such matters made up about 8% of problems not taken to lawyers.

	N=91
Solved other way	29 %
Cost	22
Decided not to pursue further	15
Procrastination	12
Finding the right lawyer	6
Problems ought to be solved without lawyer	3
Didn't think attorney would be of any help	3
Didn't know why lawyers not consulted	4
Other reasons	6
TOTAL	100 %

Twenty-nine percent of respondents consulted a lawyer because they had found the second most frequently given resource for the matter to an attorney or pursuing legal action.

The reasons given are not surprising. Selecting the "right" lawyer may vary from pursuing the matter further or solving the problem.

B. Selecting a Lawyer

Friends and relatives who were the most frequently used information for individuals in selecting a lawyer. The most frequently mentioned resource is a friend or relative. Other sources of information provided include advertisements and information provided by the most frequently used resource—but rarely used by others.

Information Source
Friend or relative (not lawyer)
Lawyer friend or relative
Advertisement
Yellow pages
Referred by prior lawyer
Employer
Group or prepaid legal service
Union
Lawyer Referral Service
Other ways
TOTAL

The majority of persons in the survey were advised on lawyer selection. Half of those who did not consult a lawyer to rely on friends and relatives within their social network. And, while 11% of persons consulted the yellow pages as a referral source, only 1% consulted relatives and friends.

Twenty-nine percent of respondents reported that they had not consulted a lawyer because they had found some other way to solve the difficulty. The second most frequently given reason was the cost involved in taking the matter to an attorney or pursuing the matter through legal processes.

The reasons given are not mutually exclusive. Concern about cost or selecting the "right" lawyer may well have influenced decisions not to pursue the matter further or solving the matter in some other way.

B. Selecting a Lawyer

Friends and relatives who were not lawyers remain the major source of information for individuals in selecting a lawyer. The second most frequently mentioned resource is a friend or relative who is a lawyer. Together, advertisements and information provided in yellow pages made up the third most frequently used resource—but ranked far below friends and relatives.

Information Source	N=382
Friend or relative (not lawyer)	54 %
Lawyer friend or relative	21
Advertisement	5
Yellow pages	4
Referred by prior lawyer	4
Employer	2
Group or prepaid legal service	1
Union	1
Lawyer Referral Service	1
Other ways	7
TOTAL	100 %

The majority of persons in every age group turned to friends and relatives to advise on lawyer selection. However, persons 35 and over were more likely to rely on friends and relatives who were lawyers than were the under 35 age group. And, while 11% of persons under 55 years used advertisements and yellow pages as a referral source, those 55 and over relied almost exclusively on relatives and friends.

speculation: Maybe this 29% is indiv. direct help?

ALLS CONSIDERED (1986-89)	
	N=94
	18 %
	18
	16
	9
	6
	4
	3
	26
	100 %

dents. The proportion of d by these types of matters ded in the category of "All hey represent well over 2% /ey, such matters made up

CONSULTING LAWYERS (1986-89)	
	N=91
	29 %
	22
	15
	12
	6
	3
	3
	4
	6
	100 %

Table 26			
DISTRIBUTION OF LAWYER USERS IN EACH AGE GROUP BY INFORMATION SOURCES (1986-89)			
Information Source	Age in 1989		
	18-34 N=132	35-54 N=159	55+ N=89
Friend or relative (not lawyer)	61 %	46 %	59 %
Lawyer friend or relative	12	23	30
Advertisement	6	5	2
Yellow pages	5	6	0
Referred by prior lawyer	2	6	2
Employer	3	1	3
Group or prepaid legal service	1	3	0
Union	1	1	1
Lawyer Referral Service	1	1	1
Other way	8	9	1
TOTAL	100 %	100 %	100 %

All three income groups relied primarily on friends and relatives. However, the highest income group were more likely than others to seek a recommendation from a friend or relative who was a lawyer. Fourteen percent of middle income persons used advertisements and yellow pages for information compared to 4% of low income and 8% of high income persons.

Although other information sources are used by a small segment of persons who consult lawyers, the overwhelming majority continue to rely primarily on their own networks of friends and relatives to inform their lawyer selection.

DISTRIBUTION OF EACH SOURCES USED TO
Information Source
Friend or relative (not lawyer)
Lawyer friend or relative
Advertisement
Yellow pages
Referred by prior lawyer
Employer
Group or prepaid legal service
Union
Lawyer Referral Service
Other way
TOTAL

*Lowest=Bottom 33% of income scale

DISTRIBUTION OF LAWYER US
Paid out of current income
Paid by credit card or loan
Paid out of recovery or settlement
Paid by group or prepaid insurance
Paid other way
Free legal service program
Lawyer decided not to charge
TOTAL

EACH AGE GROUP BY (1986-89)		
Age in 1989		
18-34 N=132	35-54 N=159	55+ N=89
61 %	46 %	59 %
12	23	30
6	5	2
5	6	0
2	6	2
3	1	3
1	3	0
1	1	1
1	1	1
8	9	1
100 %	100 %	100 %

on friends and relatives. How-
 ely than others to seek a recom-
 ; a lawyer. Fourteen percent of
 its and yellow pages for infor-
 % of high income persons.
 e used by a small segment of
 lming majority continue to rely
 d relatives to inform their lawyer

Table 27 DISTRIBUTION OF EACH INCOME GROUP BY INFORMATION SOURCES USED TO SELECT LAWYERS (1986-89)			
Information Source	Income Group in 1989*		
	Lowest N=77	Middle N=138	Highest N=99
Friend or relative (not lawyer)	64 %	53 %	46 %
Lawyer friend or relative	17	19	27
Advertisement	3	6	2
Yellow pages	1	8	6
Referred by prior lawyer	1	4	5
Employer	4	1	2
Group or prepaid legal service	2	0	3
Union	1	1	1
Lawyer Referral Service	0	1	0
Other way	6	7	8
TOTAL	100 %	100 %	100 %

*Lowest=Bottom 33% of income scale; Middle=33%-75%; Highest=Top 25%

Table 28 DISTRIBUTION OF LAWYER USERS BY HOW LAWYER WAS PAID (1986-89)	
	N=398
Paid out of current income	51 %
Paid by credit card or loan	2
Paid out of recovery or settlement	12
Paid by group or prepaid insurance	3
Paid other way	8
Free legal service program	2
Lawyer decided not to charge	22
TOTAL	100 %

C. Paying for Lawyers' Services

One half of the persons who consulted lawyers during 1986-89 reported that they paid for the lawyers' services out of current income.

The "Other ways" mentioned by respondents included payment made by a third party such as the co-plaintiff or co-defendant, insurance company, adversary, or relative. The proportions of cases in which lawyers decided not to charge (22%) was the same as in 1974. Although the 1989 survey did not inquire further into why lawyers decided not to charge a fee, the 1974 survey, which did so inquire, indicates that in many cases the lawyer was a friend or relative and the lawyer's services consisted of advice only. The 1974 survey also indicated that consumer problems, difficulties with employer and with governmental agencies were the types of cases in which lawyers were most likely to have refrained from charging a fee.

Table 29
DISTRIBUTION OF LAWYER USERS IN EACH INCOME GROUP BY
HOW LAWYER WAS PAID (1986-89)

Information Source	Income Group in 1989*		
	Lowest N=78	Middle N=144	Highest N=96
Paid out of client's current income	37 %	49 %	64 %
Paid by client's credit card or loan	5	1	1
Paid out of recovery or settlement	14	13	4
Paid by group or prepaid insurance	2	2	7
Paid other way	10	6	5
Free legal service program	6	2	1
Lawyer decided not to charge	25	26	18
TOTAL	100 %	100 %	100 %

*Lowest=Bottom 33% of income scale; Middle=33%-75%; Highest=Top 25%

Lawyer users in the lowest income group were least likely to pay for lawyers' services out of current income but most likely to use credit. One interpretation of this statistic is that there is available to persons of limited means an adequate array of legal services for which they are not required to pay. A second interpretation is that many low income persons who cannot pay for lawyers' services out of income simply do not seek legal help. Statistics provided in previous sections of this report suggests the latter may be the case: In general, low income persons are less likely than any other group to consult lawyers when legal problems are encountered.

¹ Curran, Barbara A. The Legal Needs Survey. (Chicago: American Bar Foundation Special Committee to Survey Needs.

² The 1989 project is a part of the Services Program directed by Joann Curran who was also the project director administered in telephone interviews of persons designed to be representative of persons residing in households. The question public opinion survey conducted by national survey organization. It conducted on national samples of 1500 adults each a battery of questions from each of several

A sample of adults living in households. The Bureau of Census reports that there are 177,676, those households. The aggregate of all households at that time was 241,150 of the total resident U.S. population minus armed forces living without families represented by the 1500 sample for adjusted to February, 1989) living in households. Census figures are in Reports, Series P-60, No. 162, (Issue

AGE DISTRIBUTIONS OF

Age in years
18-24
25-34
35-44
45-54
55-64
65 and older
No information
TOTAL

*Percentages do not add up to 100%

END NOTES

lawyers during 1986-89 reported of current income.

ents included payment made by defendant, insurance company, cases in which lawyers decided not Although the 1989 survey did not to charge a fee, the 1974 survey, cases the lawyer was a friend or of advice only. The 1974 survey faculties with employer and with cases in which lawyers were most

**EACH INCOME GROUP BY
D (1986-89)**

Income Group in 1989*		
Lowest N=78	Middle N=144	Highest N=96
37 %	49 %	64 %
5	1	1
14	13	4
2	2	7
10	6	5
6	2	1
25	26	18
100 %	100 %	100 %

6-75%; Highest=Top 25%

group were least likely to pay for but most likely to use credit. One is available to persons of limited for which they are not required to income persons who cannot pay do not seek legal help. Statistics t suggests the latter may be the less likely than any other group to ncountered.

¹ Curran, Barbara A. The Legal Needs of the Public: The Final Report of a National Survey. (Chicago: American Bar Foundation, 1977). Also see Final Report of the Special Committee to Survey Needs. (Chicago: American Bar Association, 1978).

² The 1989 project is a part of the American Bar Foundation Liaison Research Services Program directed by Joanne Martin. The project director was Barbara A. Curran who was also the project director of the 1974 survey. The questions were administered in telephone interviews by Cambridge Reports, Inc., to a sample of 1500 persons designed to be representative of all adults (persons 18 years of age or over) residing in households. The questions were included in the February, 1989 Omnibus public opinion survey conducted by Cambridge Reports. Cambridge Reports is a national survey organization. It conducts eight Omnibus surveys per year, each based on national samples of 1500 adults each. An "Omnibus" survey is one which includes a battery of questions from each of several organizations.

A sample of adults living in households is different from a sample of households. The Bureau of Census reports that, as of March, 1988, there were 91,067,000 households in the U.S. and 177,676,000 adults (persons age 18 and older) living in those households. The aggregate of adults plus persons under 18 years of age living in households at that time was 241,155,000. Persons living in households are made up of the total resident U.S. population minus the civilian institutional population and minus armed forces living without families on post in the United States. The universe represented by the 1500 sample for the 1989 survey is the 177,676,000 adults (as adjusted to February, 1989) living in households. The following shows the age distributions of adults living in households as reported by the Census Bureau and for the survey sample. Census figures are from Bureau of the Census, Current Population Reports, Series P-60, No. 162, (Issued 1989).

AGE DISTRIBUTIONS OF ADULTS LIVING IN HOUSEHOLDS		
Age in years	Census Bureau March, 1988 N=177,676,000	1989 Survey N=1500
18-24	15 %	14 %
25-34	24	22
35-44	20	21
45-54	13	14
55-64	12	14
65 and older	16	13
No information		1
TOTAL	100 %	100 %*

*Percentages do not add up to 100% because of rounding.

³ A copy of the questions used in the 1989 survey are appended at the end of this report. The questionnaire used in the 1974 survey was 97 pages in length and is reproduced in the Final Report of that survey cited in note 1 above. Questions selected for the 1989 survey were worded, as far as practicable, the same as the comparable question in the 1974 survey.

⁴ Both surveys limited the inquiry to personal, family matters and expressly excluded matters related to respondents' business – although matters related to respondents' own employment were included. In each survey, respondents were asked about their use of lawyers up to the time of the survey. The general questions about lawyer use were not limited to consultations for the specific legal problems discussed in section II of this report, but rather for any and all personal, non-business legal problems. Thus, statistics relating to general lawyer use cover all problems of whatever kind taken to lawyers by survey respondents.

⁵ Bureau of the Census, Current Population Reports, Series P-60, No. 162, (Issued 1989). Bureau of the Census, Current Population Reports, Series P-60, No. 97, (Issued 1976).

⁶ Size of household for income purposes includes all persons in the household – adults and children.

1989 Survey: Composition of Income Groups I-V.

	Income Group I	Income Group II	Income Group III
Household size			
1 person	< \$ 8000	\$ 8000-11999	\$12000-19999
2 person	< 12000	12000-19999	20000-29999
3 person	< 15000	15000-24999	25000-29999
4 person	< 15000	15000-24999	25000-34999
5 or more	< 15000	15000-24999	25000-34999

	Income Group IV	Income Group V
Household size		
1 person	\$20000-29999	\$30000 or more
2 person	30000-49999	50000 or more
3 person	30000-49999	50000 or more
4 person	35000-49999	50000 or more
5 or more	35000-49999	50000 or more

1974 Survey: Compo

Household size	Inco Gro
1 person	< \$2
2 person	< 3
3 person	< 5
4 person	< 6
5 or more	< 6

Household size	Ir Gr
1 person	\$ 6200
2 person	9300
3 person	12500
4 person	14400
5 or more	15000

⁷ It should be noted that the yearl of persons making a home purchase because it is not adjusted for joint pu

⁸ Bureau of the Census, Current F 1989). Bureau of the Census, Current 1976).

⁹ Respondents reported on the r categories. The statistics on problem recent problem reported. It is therefo preceding the survey for any proble problems, but less so for the other th

urvey are appended at the end of this
rvey was 97 pages in length and is
d in note 1 above. Questions selected
aticable, the same as the comparable

sonal, family matters and expressly
iness – although matters related to
each survey, respondents were asked
survey. The general questions about
the specific legal problems discussed
and all personal, non-business legal
yer use cover all problems of whatever

Reports, Series P-60, No. 162, (Issued
Reports, Series P-60, No. 97, (Issued

cludes all persons in the household –

Income Groups I-V.

Income Group II	Income Group III
\$ 8000-11999	\$12000-19999
12000-19999	20000-29999
15000-24999	25000-29999
15000-24999	25000-34999
15000-24999	25000-34999

Income Group V
\$30000 or more
50000 or more
50000 or more
50000 or more
50000 or more

1974 Survey: Composition of Income Groups I-V.

Household size	Income Group I	Income Group II	Income Group III
1 person	< \$2000	\$2000 - 2999	\$ 3000 - 6199
2 person	< 3000	3000 - 6999	7000 - 9299
3 person	< 5800	5800 - 8999	9000 - 12499
4 person	< 6600	6600 - 10999	11000 - 14399
5 or more	< 6700	6700 - 9999	10000 - 14499

Household size	Income Group IV	Income Group V
1 person	\$ 6200 - 8999	\$ 9000 or more
2 person	9300 - 17749	17750 or more
3 person	12500 - 19499	19500 or more
4 person	14400 - 19999	20000 or more
5 or more	15000 - 19999	20000 or more

⁷ It should be noted that the yearly rate for home purchase is based on the number of persons making a home purchase. It is not a rate for number of home purchases because it is not adjusted for joint purchases of property.

⁸ Bureau of the Census, Current Population Reports, Series P-60, No. 162. (Issued 1989). Bureau of the Census, Current Population Reports, Series P-60, No. 97, (Issued 1976).

⁹ Respondents reported on the most recent problem in each of the four problem categories. The statistics on problem incidence and lawyer use are based on the most recent problem reported. It is therefore possible that the total incidence in the 3 years preceding the survey for any problem type is somewhat understated for consumer problems, but less so for the other three problem types.

1989 SURVEY OF THE PUBLIC'S USE OF LEGAL SERVICES TELEPHONE QUESTIONNAIRE

[Ed. Note: This survey was conducted as part of an omnibus telephone public opinion survey. In administering the survey questions, interviewers read questions and recorded responses on a computer monitor. This set of questions was not rotated within the omnibus survey, nor were inquiries within this question set rotated. A further discussion of the methodology is provided in the body of the survey report and at endnote 2 of the report.]

Legal Needs Survey

February, 1989

These next questions describe matters you may have dealt with.

- _____ 1. Have you ever purchased a home or other real property?
 (If "yes") What year was your most recent purchase made?
 [RECORD EXACT YEAR] [INCLUDE ONLY PURCHASES
 MADE FOR FAMILY OR PERSONAL PURPOSES, NOT
 BUSINESS-RELATED PURCHASES]
 1. No - [SKIP TO Q. #3]
 2. (Not sure/can't remember/refused) - [SKIP TO Q. #3]
 3. Yes, _____
- _____ 2. (If "yes" to Q. #1) In making this most recent purchase, did you
 have your own personal lawyer advise or help with the transfer of
 this property to your name? For example, did you have your
 own personal lawyer examine the deed for you, or review
 mortgage documents or other papers for you before you signed
 them?
 1. Yes
 2. (Not sure/can't remember/refused)
 3. No
- _____ 3. Have you ever had a serious disagreement or difficulty with a
 landlord, or with a seller of goods or services, or with a creditor?
 (If "yes") What year was your most recent problem of this type?
 [RECORD EXACT YEAR] [INCLUDE ONLY PERSONAL
 PROBLEMS, NOT THOSE THAT ARE BUSINESS-RELATED]
 1. No - [SKIP TO Q. #6]
 2. (Not sure/can't remember/refused) - [SKIP TO Q. #6]
 3. Yes, _____
- _____ 4. (If "yes" to Q. #3) What did you do about the most recent of
 these problems, including seeking a lawyer's or someone else's
 _____ 5. advice or help in resolving this problem?
 [INTERVIEWER: PROBE FOR TWO RESPONSES;
 RECORD COMPLETELY]

- _____ 6. Have you ever
 divorced? [REC
 [IF DIVORCED I
 1. No - [SKIP TO
 2. (Not sure/can
 3. Yes, _____
- _____ 7. (If "yes" to Q. #6)
 [READ RESPON
 1. You and your
 2. You had a lav
 spouse did no
 3. Your spouse
 4. Neither you n
 5. You and your
 6. You had a lav
 your spouse l
 7. You did not h
 whether your
 8. (Other)
 9. (Don't know/c
- _____ 8. Do you presentl
 most recent will
 1. No - [SKIP TO
 2. (Not sure/can
 3. Yes, _____
- _____ 9. (If "yes" to Q. #8
 the preparation
 1. Yes
 2. (Not sure/car
 3. No

Survey

1989

u may have dealt with.

ne or other real property?
 most recent purchase made?
 [INCLUDE ONLY PURCHASES
 FOR PERSONAL PURPOSES, NOT
 BUSINESS PURPOSES]

(refused) – [SKIP TO Q. #3]

For your most recent purchase, did you
 have a lawyer advise or help with the transfer of
 title? For example, did you have your
 lawyer prepare the deed for you, or review
 the papers for you before you signed

(refused)

agreement or difficulty with a
 creditor or services, or with a creditor?
 most recent problem of this type?
 [INCLUDE ONLY PERSONAL
 PROBLEMS THAT ARE BUSINESS-RELATED]

(refused) – [SKIP TO Q. #6]

do about the most recent of
 these involving a lawyer's or someone else's
 problem?

[TWO RESPONSES;

- _____ 6. Have you ever been divorced? (If "yes") In what year were you divorced? [RECORD EXACT YEAR OF FINAL DIVORCE]
 [IF DIVORCED MORE THAN ONCE, MOST RECENT DIVORCE]
1. No – [SKIP TO Q. #8]
 2. (Not sure/can't remember/refused) – [SKIP TO Q. #8]
 3. Yes, _____
- _____ 7. (If "yes" to Q. #6) Which one of the following applies to your divorce?
 [READ RESPONSES]
1. You and your spouse each had your own lawyer
 2. You had a lawyer advise or represent you but your spouse did not
 3. Your spouse had a lawyer but you did not
 4. Neither you nor your spouse had a lawyer
 5. You and your spouse had the same lawyer
 6. You had a lawyer but don't know or can't remember whether your spouse had a lawyer
 7. You did not have a lawyer and don't know or can't remember whether your spouse had a lawyer
 8. (Other)
 9. (Don't know/can't remember/refused)
- _____ 8. Do you presently have a will? (If "yes") What year was your most recent will prepared? [RECORD YEAR EXACTLY]
1. No – [SKIP TO Q. #10]
 2. (Not sure/can't remember/refused) – [SKIP TO Q. #10]
 3. Yes, _____
- _____ 9. (If "yes" to Q. #8) Did you have the advice or help of a lawyer in the preparation of this most recent will?
1. Yes
 2. (Not sure/can't remember/refused)
 3. No

- ____ 10. Have you ever consulted a lawyer on any kind of personal or family legal problem, or other personal or family matter for which you wanted a lawyer's advice or help? (If "yes") What was the most recent year? [RECORD YEAR EXACTLY] [INCLUDE CONSULTATIONS COVERED IN EARLIER QUESTIONS]
1. No – [SKIP TO Q. #17]
 2. (Not sure/can't remember/refused) – [SKIP TO Q. #17]
 3. Yes, _____

(If "yes" to Q. #10)

- ____ 11. Was this the first time you ever consulted a lawyer?
1. Yes
 2. (Not sure/can't remember/refused)
 3. No
- ____ 12. Thinking about the most recent lawyer you consulted, how did this lawyer or firm come to your attention - did a friend tell you, did you see an advertisement on TV, or what? Any other ways?
- ____ 13. [IF RESPONDENT SAYS HE/SHE USED THIS LAWYER BEFORE, ASK HOW THIS LAWYER FIRST CAME TO RESPONDENT'S ATTENTION][PROBE FOR TWO RESPONSES, RECORD COMPLETELY]
1. Friend told me
 2. Saw advertisement on TV
 3. (Other) – [Specify]
- ____ 14. Thinking about the most recent matter you took to this lawyer, did, or will, this lawyer charge you for the services?
1. No - [SKIP TO Q. #16]
 2. (Not sure/can't remember/refused) - [SKIP TO Q. #17]
 3. Yes
- ____ 15. (If "yes" to Q. #14) What is the major way you paid, or will pay, for this lawyer's services? [READ RESPONSES]
1. Current income or savings
 2. Credit card or loan or time payments
 3. Paid out of what lawyer collects
 4. Paid out of benefits from group or prepaid legal services plan
 5. (Other)
 6. (Don't know/can't remember/refused)

- ____ 16. (If "no" to Q. #14) What or won't be charged for?
1. Lawyer decided not
 2. Lawyer was with a f
Aid, Public Defende
program
 3. Lawyer's charge wa
services plan
 4. Lawyer's fee deduct
 5. Fee paid some othe
 6. (Don't know)
 7. (Can't remember, re

(Ask all respondents)

- ____ 17. Did you ever have a pe
consulting a lawyer ab
the most recent year tl
1. No – [SKIP TO Q. #
 2. (Not sure/can't remi
 3. Yes

(If "yes" to Q. #17)

- ____ 18. What was it that you w
recent time?
[RECORD RESPONS
- ____ 19. What is the major reas
lawyer about this matt

(Ask all respondents)

- Now, I'd like to ask you some que
- ____ 20. [OBSERVATION]
- ____ 21. What is your race?
1. White
 3. (Other)
- ____ 22. What was the last gra
1. Some grade schoo
 3. Graduated high scl
 5. Some college
 7. Graduate/professio

er on any kind of personal or
 rsonal or family matter for which
 help? (If "yes") What was the
 EAR EXACTLY] [INCLUDE
 IN EARLIER QUESTIONS]

used) - [SKIP TO Q. #17]

consulted a lawyer?

used)

awyer you consulted, how did this
 ntion - did a friend tell you, did
 /, or what? Any other ways?
 HE USED THIS LAWYER
 WYER FIRST CAME TO
 PROBE FOR TWO RESPONSES,

matter you took to this lawyer,
 ou for the services?

used) - [SKIP TO Q. #17]

major way you paid, or will pay,
 D RESPONSES]

yments
 cts

up or prepaid legal services plan

refused)

- ___ 16. (If "no" to Q. #14) What is the major reason you were not charged or won't be charged for this lawyer's services? [READ RESPONSES]
1. Lawyer decided not to charge for this matter
 2. Lawyer was with a free legal service program such as Legal Aid, Public Defender, Military Legal Assistance, or a similar program
 3. Lawyer's charge was taken care of by group or prepaid legal services plan
 4. Lawyer's fee deducted from final judgment or settlement of case
 5. Fee paid some other way
 6. (Don't know)
 7. (Can't remember, refused)

(Ask all respondents)

- ___ 17. Did you ever have a personal or family matter that you considered consulting a lawyer about, but did not do so? (If "yes") What was the most recent year this occurred? [RECORD EXACT YEAR]
1. No - [SKIP TO Q. #20]
 2. (Not sure/can't remember/refused) - [SKIP TO Q. #20]
 3. Yes

(If "yes" to Q. #17)

- ___ 18. What was it that you wanted to consult a lawyer about this most recent time?
 [RECORD RESPONSE IN FULL; PROBE FOR DETAILS]

- ___ 19. What is the major reason why you didn't or haven't consulted a lawyer about this matter? [RECORD COMPLETELY]

(Ask all respondents)

Now, I'd like to ask you some questions for statistical purposes only.

- ___ 20. [OBSERVATION] Sex: 1. Female 2. Male

- ___ 21. What is your race?
1. White
 2. Black
 3. (Other)
 4. (Refused)

- ___ 22. What was the last grade you completed in school?
1. Some grade school (1-8)
 2. Some high school (9-11)
 3. Graduated high school
 4. Technical/vocational school
 5. Some college
 6. Graduated college
 7. Graduate/professional school
 8. (Don't know/refused)

___ 23. What is your age? [PLEASE RECORD IN PROPER CATEGORY]

- | | |
|--------------|---------------|
| 1. 18-24 | 2. 25-34 |
| 3. 35-44 | 4. 45-54 |
| 5. 55-64 | 6. 65 or over |
| 7. (Refused) | |

___ 24. Would you please tell me in which of the categories I read is your total household income – of everyone living in this house?

- | | |
|-----------------------|-----------------|
| 01. \$0-7,999 | 02. \$8-11,999 |
| 03. \$12-14,999 | 04. \$15-19,999 |
| 05. \$20-24,999 | 06. \$25-29,999 |
| 07. \$30-34,999 | 08. \$35-49,999 |
| 09. \$50,000 and over | 10. (Refused) |
| 11. (Don't know) | |

___ 25. Are you married, single, divorced, or what? Do you have any children?

01. Married, children
02. Married, no children
03. Single
04. Single, children
05. Divorced, children
06. Divorced, no children
07. Widow or widower, children
08. Widow or widower, no children
09. Separated, children
10. Separated, no children
11. (Other)

___ 26. Including yourself, how many persons 18 years of age or older live in your household?

- | | |
|--------------------------|------------------|
| 1. One | 2. Two |
| 3. Three | 4. Four |
| 5. Five | 6. Six |
| 7. Seven | 8. Eight or more |
| 9. (Don't know, refused) | |

___ 27. Including yourself, how many persons of all ages live in your household?

- | | |
|--------------------------|------------------|
| 1. One | 2. Two |
| 3. Three | 4. Four |
| 5. Five | 6. Six |
| 7. Seven | 8. Eight or more |
| 9. (Don't know, refused) | |

___ 28. Is anyone in this household prepaid or group legal serv following: [READ RESPON RESPONSE IF MORE TH

1. No
2. (Not sure)
3. Yes, union
4. Yes, employer
5. Yes, bank credit card or
6. Yes, credit union
7. Yes, (other source)
8. Yes, (Don't know/can't i

RECORD IN PROPER CATEGORY]

- 2. 25-34
- 4. 45-54
- 6. 65 or over

Which of the categories I read is your age for everyone living in this house?

- 02. \$8-11,999
- 04. \$15-19,999
- 06. \$25-29,999
- 08. \$35-49,999
- 10. (Refused)

What, if any, credit cards do you have?

How many children do you have?

How many persons 18 years of age or older do you have?

- 2. Two
- 4. Four
- 6. Six
- 8. Eight or more

How many persons of all ages live in your household?

- 2. Two
- 4. Four
- 6. Six
- 8. Eight or more

28. Is anyone in this household a member of, or covered under, a prepaid or group legal service plan available through one of the following: [READ RESPONSES; RECORD ONLY FIRST RESPONSE IF MORE THAN ONE GIVEN]

- 1. No
- 2. (Not sure)
- 3. Yes, union
- 4. Yes, employer
- 5. Yes, bank credit card or department store credit card
- 6. Yes, credit union
- 7. Yes, (other source)
- 8. Yes, (Don't know/can't remember)