

**WASHINGTON STATE
CIVIL LEGAL AID OVERSIGHT
COMMITTEE**

MEETING OF JUNE 12, 2015

**WENATCHEE CONVENTION
CENTER
RED DELICIOUS WEST ROOM**

**Meeting Materials
(Rev. 6-2-15)**

**CIVIL LEGAL AID OVERSIGHT COMMITTEE
MEETING OF JUNE 12, 2015**

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TAB 1

CIVIL LEGAL AID OVERSIGHT COMMITTEE

June 12, 2015

12:00 p.m. – 2:15 p.m.

**Wenatchee Convention Center
Red Delicious Room West**

AGENDA

1. Lunch provided (11:30 – 12:00)
2. Welcome and introductions (12:00 – 12:05)
3. Review and Adopt Minutes of December 12, 2014 Meeting (12:05-12:10)
4. Oversight Committee Member Updates (Jim Bamberger, OCLA Director) (12:10 – 12:15)
 - Sen. Honeyford (Senate Republican Caucus appointment pending)
 - Sen. Pedersen (Senate Democratic Caucus appointment to be requested)
 - Jennifer Greenlee (WSBA, appointment pending)
5. Legislative Update (Jim Bamberger, OCLA Director) (12:15 – 12:30)
6. Update on Implementation of Children’s Representation Program (Jill Malat, Children’s Representation Program Manager) (12:30 – 12:45)
7. Report on NJP technology systems upgrade (NJP staff) (12:45 – 1:00)
8. Client Service Report -- North Central regional legal aid services (NJP staff and staff from Chelan-Douglas County Volunteer Program) (1:05 – 1:20)
9. Consideration of staff request for resolution on LSC funding (1:20 – 1:30)
10. Civil Legal Needs Study Update: Joint presentation to Access to Justice Board, Civil Legal Aid Oversight Committee and Minority and Justice Commission¹ (1:30 – 2:15)

¹ Different location to be determined.

TAB 2

**CIVIL LEGAL AID OVERSIGHT COMMITTEE
MEETING OF DECEMBER 12, 2014
DRAFT MINUTES**

Pursuant to notice duly provided in advance, a meeting of the Civil Legal Aid Oversight Committee was held on Friday, on December 12, 2014 in the 29th Floor Conference Room at KL Gates, 925 Fourth Avenue, Seattle, WA.

Members Participating: Judge Ellen Clark (Chair), Jennifer Greenlee (Vice-Chair), Senator Jim Honeyford, Senator Jamie Pedersen, Martin Bohl (by telephone), Judge Michael Spearman, Jesse Magaña, Representative Laurie Jinkins, Judge Greg Tripp, Taylor “Tip” Wonhoff

Members Not Participating: Rep. Jeff Holy

Staff: James Bamberger, Director, Office of Civil Legal Aid

Non-Members Participating: Ramsey Radwan (Administrative Office of the Courts); Jeff Even (Office of the Attorney General); Breean Beggs (Access to Justice Board, by telephone); César Torres (Northwest Justice Project (NJP)); Caitlin Davis Carlson (Legal Foundation of Washington (LFW)); Beth Leonard (Pro Bono Council); Jill Malat (OCLA Children’s Representation Program Manager).

Judge Clark called the meeting to order at 10:05 a.m.

1. Welcome and Introductions

Judge Clark welcomed members and guests and asked people to introduce themselves.

2. Review and Adoption of Minutes of June 13, 2014 Meeting

Judge Clark asked for comment on or a motion to approve the minutes of the June 13, 2014 meeting.

Motion: Judge Spearman moved to approve the June 13, 2014 meeting minutes.

Second: Mr. Magaña seconded the motion.

Action: The motion was adopted unanimously

3. Oversight Committee Member Updates

Judge Clark advised that she and Mr. Bohl had been reappointed by the Supreme Court for their final three-year terms. Judge Clark advised that Representative Jinkins had been appointed for a full three year term and that we were still awaiting confirmation of Senator Honeyford’s reappointment. Judge Clark then welcomed the new Governor’s appointee, Mr. Wonhoff, and invited him to provide some background and share his thoughts about representing the Governor on the Oversight Committee.

4. Update on Implementation of the Children’s Representation Program

Mr. Bamberger reintroduced Ms. Malat and asked her to provide an update on her work to implement the children’s legal representation program that was assigned to OCLA in the 2014 legislative session. Ms. Malat reported on her work in establishing contracts with all counties interested in securing reimbursement from the state for costs of legal representation for children who remain legally free six months following the termination of their parents’ legal rights. She also described her efforts to recruit, screen, develop and deliver training to and provide support for the nearly 150 attorneys who are providing representation to qualifying children. She explained the systems that OCLA has established to monitor and oversee compliance with the practice, caseload and training standards referenced in the legislation establishing the program. She described her work to ensure effective relations with the family and juvenile court judges who preside over these cases and to trouble-shoot issues before they become problems. Finally, she offered a few examples of cases where attorneys had made significant impacts in the lives of the children that they represent.

Judge Clark thanked Ms. Malat for her hard work in setting up the program and for taking the time to meet with the Oversight Committee.

Sen. Honeyford asked questions about specific issues relating to cases Ms. Malat discussed. Mr. Beggs commented that caseworkers often fail to meet all needs and that the attorneys play an important role in ensuring their active engagement and accountability.

Mr. Magaña offered some assistance on disability resources.

Rep. Jinkins commented favorably about the effort that OCLA made to be flexible in relation to the implementation in Pierce County and noted that the kids in her county are lucky to be represented

Judge Clark asked questions about caseloads. Ms. Malat explained that under applicable standards referenced in the legislation, full time attorneys are limited to handling 60 clients and 80 total cases.

5. Presentation on Open Public Meetings Act and Best Practices

Mr. Bamberger introduced Deputy Solicitor General Jeff Even. Mr. Even serves as counsel to OCLA and other judicial branch agencies, providing guidance and assistance as needed. In the spirit of the Legislature’s directive that all state boards and commissions receive training on the Open and Public Meeting Act (OPMA), Mr. Bamberger invited Mr. Even to provide a brief training on the basic expectations of public officials under the OPMA.

Mr. Even introduced himself and walked members through a PowerPoint presentation outlining the history, purpose and basic requirements of public officials under the OPMA. He noted that while the OPMA does not directly apply to judicial branch entities like the OCLA and the Oversight Committee, compliance with the spirit, if not the letter, of the Act is a best practice and one that he strongly recommends.

Sen. Pedersen asked questions about whether consultations between state and local legislators required notice if there was a quorum of the local officials. Mr. Even referenced an earlier AGO addressing that issue and agreed to provide it.

Mr. Bohl asked for clarification about when and under what limitations special meetings would be allowed. Mr. Even responded and Mr. Bamberger referenced the provisions in section VII of the Oversight Committee's Operating Rules and Procedures which governs the process by which special meetings may be called and conducted.

6. Presentation on Judicial Branch Budget Development Process and Outcomes

Judge Clark introduced Mr. Radwan, Director of Management Services at the Administrative Office of the Courts (AOC). Among his many duties, Mr. Radwan serves as lead staff to the integrated judicial branch budget development process that operates under the auspices of the Washington State Supreme Court. Mr. Bamberger noted that while OCLA is responsible under its statute for submitting its budget directly to the Legislature and has an independent statutory Oversight Body, the agency actively participates in the judicial branch budget development process to ensure general consistency of approach with both the budget and policy orientation of the branch and to secure feedback from the Court on the substance and magnitude of OCLA's proposed budget requests.

Mr. Radwan provided an overview of the budget development process, highlighting the Court's and the Board for Judicial Administration's rigorous process of review, analysis and prioritization of all budget proposals that flow through the Court itself or other agencies over which it has direct authority (AOC, Law Library). He provided examples of proposed budget requests that were not submitted to the Legislature this year and highlighted some of the key priorities in the budget proposals that were submitted.

Judge Tripp asked about percentage budget reductions experienced in recent years. He asked whether the Legislature understands the impact of cuts that are passed through to courts and court programs. Mr. Radwan explained that the Legislature and legislative staff have a better understanding of the integrated budget dynamics as they affect the judicial branch at both the state and local level. He explained the rationale for the branch's preference that funding cuts be administered globally so that AOC, working with the BJA and other stakeholders, can allocate them consistent with statewide judicial branch priorities.

Judge Clark thanked Mr. Radwan for his presentation and his work on behalf of the branch.

7. Access to Justice Board Update and Preview of the Access to Justice Conference

Mr. Bamberger reminded members that the ATJ Board's Access to Justice Conference which had been suspended for the past two years due to budgetary challenges, would reconvene in Wenatchee over the weekend of June 12-14 and that the Oversight Committee would hold its summer meeting in conjunction with that event on June 12, 2015.

He then introduced Mr. Beggs and Ms. Nevitt and asked them to provide an update on activities of the ATJ Board and a preview of the conference.

Mr. Beggs reported that the conference is back on in Wenatchee and there is a lot of energy around it. The theme is “Working for Justice – Our Journey Continues”. The conference provides a unique opportunity for all equal justice leaders to get together, roll up their sleeves and talk across organizational boundaries on matters of common interest and concern. He reported that workshop proposals are actively being solicited.

He also reported that the ATJ Board celebrated 20th anniversary and that, in conjunction with that anniversary, the ATJ Board conducted a 20 year review. The review was conducted by John Tull, a nationally recognized expert on legal aid systems. The report has been completed and is on the ATJ Board’s website. Mr. Beggs advised that the report was both highly laudatory and constructively critical. He said that the number one suggestion was for the Board upgrade the quality and effectiveness of its communication with key stakeholders within the Alliance and to the general public. Additional suggestions involved the development of metrics and systems to review the effectiveness of Board projects and initiatives.

Mr. Beggs noted that the ATJ Board had a couple of vacancies and is actively recruiting new members. He also noted that the Equal Justice Community Leadership Academy would shortly begin training its third cohort of legal aid and community based equal justice leaders. Recruitment is underway and Oversight Committee members are encouraged to apply.

Mr. Beggs closed by noting that the Board’s founding and longtime Program Manager, Joan Fairbanks, had retired and that Ms. Nevitt had been hired to succeed her. Ms. Nevitt will be supported by Ms. Bonnie Sterkin, who was recently hired to support the Board, the Academy and other justice related activities at the Washington State Bar Association.

8. Client Service Report – NJP Presentation on Client Service Priorities Setting and Case Acceptance Decision Making

Judge Clark noted that much has been said in Oversight Committee meetings about the lack of funding for civil legal aid and the need for additional staff to address overwhelming client need. At the same time, legal aid programs and offices must decide which, among the many clients who come to them, they should serve and how they should serve them. She noted that when she served many years ago on the Board of Directors of Spokane Legal Services, the question of who to serve and what priorities to set was something the Board continually struggled with.

She invited Mr. Torres to provide an overview of how NJP approaches these questions and the processes it employs in determining what areas of client need to focus on, what populations to serve, what cases should be accepted and what level of services should be provided.

Mr. Torres provided an extensive presentation on how NJP determines who it serves, in what types of cases and to what ends. He received and responded to a number of questions from Oversight Committee members and shared his perspective of the challenges NJP staff face when they know clients need extended legal representation and there just is none available either internally at NJP or through one of NJP’s client service partners.

Mr. Torres described work that will be undertaken with funding from a Pro Bono Initiative Grant awarded by the Legal Services Corporation. The grant is designed to support the ability of pro bono attorneys to accept complex cases for extended legal representation in certain northwest

Washington counties. He expressed hope that the systems and support generated through this initiative might help pro bono programs statewide expand the level of extended legal representation that their volunteer attorneys will be willing to provide.

Judge Spearman asked whether there is a way to track the numbers of clients who cannot be helped or who get less than what they need. Mr. Torres explained that most of the CLEAR cases fall within the latter category. NJP does not currently have the capacity to track demand analytics, but that will change when the new call center and telephone systems brought on line this spring.

Judge Spearman asked who makes case acceptance decisions. Mr. Torres explained that income eligibility and case priority/acceptance decisions are made by screeners and advocates using consistent priority criteria and protocols both at CLEAR and at local offices through case acceptance meetings.

Judge Clark asked whether each office sets its own priorities or whether there are uniform priorities. Mr. Torres explained that within the board adopted priorities, the program first establishes areas of primary work focus that will guide all offices. Local offices complement these by establishing local priorities that reflect unique local circumstances. He explained that NJP is moving toward more standardized criteria – guided by considerations of fairness and fidelity to the program’s strategic plan.

Judge Spearman asked how CLEAR advocates determine whether to keep and handle a case or refer it to a local office or partner organization. He wanted to know whether attorneys are effectively trained and supported. Mr. Torres explained that CLEAR attorneys receive substantial training and the CLEAR staff composition includes attorneys with a good mix of experience levels. CLEAR advocates are taught to balance the situation on the basis of gravity of issues presented, perceived risk and availability of referral.

Mr. Bohl asked about frequency of landlord-tenant and foreclosure cases and whether there might be changes in the law that might facilitate quicker and more effective outcomes. Mr. Torres explained that because of the wealth of information available to the public and the relatively few protections against evictions from private rental housing in current law, NJP does not handle that many cases involving private landlord tenant evictions. He also noted that there are a lot of economic dynamics that are driving increased dislocation of low income and affordable housing, especially in the Puget Sound region.

9. Status Report on the Civil Legal Needs Study

Mr. Bamberger provided an update on the Civil Legal Needs Study Update. The survey will be closed on December 31st and the researchers at Washington State University’s Social and Economic Sciences Research Center will begin work on data analysis and presentation shortly thereafter.

10. 2015 Legislative Session – A Look Into the Crystal Ball

Members discussed the upcoming legislative session and the budget related dynamics that are likely to play out. Legislative members noted a number of drivers that could lead to a very long

session or series of sessions, including the Supreme Court's McCleary mandates, passage of initiative 1351, law suits requiring fixes to the state's mental health system and the need to pass both a transportation and capital budget in addition to the operating budget. Members also noted that the budgets need to balance over a four-year time horizon, not just through the FY 2015-17 biennium. There will no doubt be extended conversations on both spending reductions and revenue increases. Members agreed that OCLA's budget request is relatively small and may have a chance once the larger issues are resolved.

There being no further business, the meeting was adjourned.

TAB 3

CIVIL LEGAL AID OVERSIGHT COMMITTEE

MISSION STATEMENT

To ensure that all people in Washington share in the fundamental right to civil justice, the Civil Legal Aid Oversight Committee, consistent with its statutory authority, shall oversee and support the Office of Civil Legal Aid and shall periodically make recommendations to the Supreme Court, the Access to Justice Board and the Legislature as to the most efficient and effective use of state-appropriated civil legal aid funds on behalf of low-income people.

TAB 4

CIVIL LEGAL AID OVERSIGHT COMMITTEE ROSTER
(As of 12/2014)

Position 1 (BJA 1):

Name: Hon. Michael Spearman
Address: Court of Appeals, Div. 1
600 University St.
One Union Square
Seattle, WA 98101-1176
Phone: 206-464-6047
E-mail: j_m.spearman@courts.wa.gov
Appointing Entity: Board for Judicial Administration
Term Expires: June 30, 2018; not eligible for reappointment

Position 2 (BJA 2):

Name: Hon. Greg Tripp
Address: Spokane County District Court
1100 W. Mallon
PO Box 2352
Spokane, WA 99210-2352
Phone: 509-477-2965
E-mail: gtripp@spokanecounty.org
Appointing Entity: Board for Judicial Administration
Term Expires: June 30, 2016; eligible for one additional term

Position 3 (Supreme Court 1):

Name: Hon. Ellen Kalama Clark, Chair
Address: Spokane County Superior Court
1116 W. Broadway
Spokane, WA 99260-0350
Phone: 509-477-6006
E-mail: eclark@spokanecounty.org
Appointing Entity: Supreme Court (on recommendation of the Access to Justice Board)
Term Expires: June 30, 2017; not eligible for reappointment

Position 4 (Supreme Court 2):

Name: Hon. Martin C. Bohl
Address: 11420 N. Lancelot Dr.
Spokane, WA 99218

821 Kaiser Rd NW
Apt. 3D
Olympia, WA 98502
Phone: (509) 465-2995
E-mail: mtncbohl@msn.com
Appointing Entity: Supreme Court (on recommendation of the Access to
Justice Board)
Term Expires: June 30, 2017; not eligible for an additional term

Position 5 (Supreme Court 3 – Client Eligible):

Name: Jesse Magaña
Address: 1619 NE 129th Ave
Vancouver, WA 98684
Phone: 360-903-8548
E-mail: jmagana42@aol.com
Appointing Entity: Supreme Court (on recommendation of the Access to
Justice Board)
Term Expires: June 30, 2016; not eligible for reappointment

Position 6 (Senate Republican Caucus):

Name: Senator Jim Honeyford
Address: 107 Irv Newhouse Building
PO Box 107
Olympia, WA 98504-0415
Phone: 360-786-7684
E-mail: jim.honeyford@leg.wa.gov
Appointing Entity: Senate Republican Caucus
Term Expires: June 30, 2014; Reappointment requested

Position 7 (Senate Democratic Caucus):

Name: Senator Jamie Pedersen (request for appointment pending)
Address: 226 John Cherberg Building
PO Box 40433
Olympia, WA 98504-0443
Phone: 360-786-7628
E-mail: jamie.pedersen@leg.wa.gov
Appointing Entity: Senate Democratic Caucus
Term Expires: June 30, 2015; reappointment requested

Position 8 (House Republican Caucus):

Name: Representative Jeff Holy
Address: 405 John L. O'Brien Building
PO Box 40600
Olympia, WA 98504-0600
or
901 No. Monroe, Suite 354
Spokane, WA 99201
Phone: 509-443-3331
E-mail: holy.jeff@leg.wa.gov
Appointing Entity: House Republican Caucus
Term Expires: June 30, 2016; eligible for reappointment

Position 9 (House Democratic Caucus):

Name: Representative Laurie Jinkins
Address: 311 John L. O'Brien Building
PO Box 40600
Olympia, WA 98504-0600
Phone: 360-786-7930
E-mail: laurie.jinkins@leg.wa.gov
Appointing Entity: House Democratic Caucus
Term Expires: June 30, 2017; eligible for reappointment

Position 10 (Office of the Governor):

Name: Taylor (“Tip”) Wonhoff
Address: Office of the Governor
PO Box 40002
Olympia, WA 98504-0002
Phone: 360-902-4132
E-mail: taylor.wonhoff@gov.wa.gov
Appointing Entity: Office of the Governor
Term Expires: June 30, 2015; eligible for reappointment

Position 11 (Washington State Bar Association):

Name: Jennifer Greenlee
Address: PO Box 55295
Shoreline, WA 98155
Phone: 206-397-4328
206-841-6142
E-mail: jagreenlee@comcast.net
Appointing Entity: Washington State Bar Association
Term Expires: June 30, 2015; reappointment pending

TAB 5

CIVIL LEGAL AID OVERSIGHT COMMITTEE OPERATING RULES AND PROCEDURES

(Revised 4-23-07)

I. Name

The name of this body shall be the Civil Legal Aid Oversight Committee (hereafter Oversight Committee)

II. Membership

The membership of the Committee is established by RCW 2.53.010 and includes:

- (a) Three persons appointed by the supreme court from a list of nominees submitted by the access to justice board, one of whom at the time of appointment is income eligible to receive state-funded civil legal aid;
- (b) Two persons appointed by the board for judicial administration;
- (c) Two senators, one from each of the two largest caucuses, appointed by the president of the senate; and two members of the house of representatives, one from each of the two largest caucuses, appointed by the speaker of the house of representatives;
- (d) One person appointed by the Washington state bar association; and
- (e) One person appointed by the governor.

III. Terms of Membership

Pursuant to RCW 2.53.010, the terms of membership of the Oversight Committee shall be staggered so that, after the first three years of the committee's existence, the terms of one-third of the members expire each year. To this end, a term of membership shall be allocated to each position as follows:

A. Judicial Branch

BJA 1	Initial term -- 1 year, expiring June 30, 2006 Eligible for two full additional terms (through June 30, 2012)
BJA 2	Initial term -- 2 years, expiring June 30, 2007 Eligible for one full additional term (through June 30, 2010)
Supreme Court 1 (attorney)	Initial term -- 3 years, expiring June 30, 2008 Eligible for one full additional term (through June 30, 2011)

Supreme Court 2 (attorney) Initial term -- 1 year, expiring June 30, 2006
Eligible for two full additional terms (through June 30, 2012)

Supreme Court 3 (client eligible) Initial term -- 2 years, expiring June 30, 2007
Eligible for one full additional term (through June 30, 2010)

B. Legislative Branch

Senate Republican Caucus Initial term -- 3 years, expiring June 30, 2008
Eligible for one full additional term (through June 30, 2011)

Senate Democratic Caucus Initial term -- 1 year, expiring June 30, 2006
Eligible for two full additional terms (through June 30, 2012)

House Republican Caucus Initial term -- 2 years, expiring June 30, 2007
Eligible for one full additional term (through June 30, 2010)

House Democratic Caucus Initial term -- 3 years, expiring June 30, 2008
Eligible for one full additional term (through June 30, 2011)

C. Other

WSBA Initial term -- 1 year, expiring June 30, 2006
Eligible for two full additional terms (through June 30, 2012)

Office of the Governor Initial term -- 2 years, expiring June 30, 2007
Eligible for one full additional term (through June 30, 2010)

IV. Officers

There shall be a Chair and a Vice-Chair/Chair-Elect. The Chair and Vice-Chair/Chair-Elect shall be selected by the full membership of the oversight committee.

A. Term

The term of the Chair and Vice-Chair/Chair-Elect shall run commensurate with the state fiscal calendar, commencing on July 1st of the odd numbered year and ending on June 30th of the succeeding odd numbered year. The Chair and Vice-Chair/Chair-Elect shall not be eligible to serve more than one biennial term, *provided that*, the initial Chair and Vice-Chair/Chair Elect may serve up to one additional biennial term.

B. Authority/Responsibility of Officers

1. Chair

The Chair shall preside over all meetings of the Civil Legal Aid Oversight Committee. The Chair shall also serve as the spokesperson for the Oversight Committee, execute official documents (including, but not limited to, statutorily required reports) and represent the Oversight Committee on matters relevant to the Oversight Committee's work as circumstances require. The Chair shall be the primary point of contact for the Director of the Office of Civil Legal Aid. The Chair shall serve as the chair of the Executive Committee.

2. Vice-Chair/Chair-Elect

In the event of the Chair's absence or unavailability, the Vice-Chair/Chair-Elect shall perform all functions of the chair on an as-needed basis. The Vice-Chair/Chair-Elect shall serve as a member of the Executive Committee.

V. Committees

There shall be an Executive Committee. The Executive Committee shall consist of three members, the Chair, the Vice-Chair/Chair-Elect and one of the Oversight Committee's legislative members.

A. Appointment of Legislative Member; Succession

The legislative member of the Executive Committee shall be selected by the four legislative members of the Oversight Committee. The first legislative member shall serve from the date of the first meeting through June 30, 2007. In the event that a legislative member is no longer eligible to serve on the Civil Legal Aid Oversight Committee by reason that he or she no longer serves as an elected state senator or representative, such legislator shall submit his or her resignation to the Chair of the

Oversight Committee and the legislative caucus that appointed him or her to the Oversight Committee. Upon appointment of a successor by the appropriate legislative caucus, the legislative members shall meet and select a member to serve on the Executive Committee.

B. Responsibilities

The Executive Committee shall develop procedures and criteria to review the performance of the Director of the Office of Civil Legal Aid and perform such other responsibilities as the Oversight Committee deems appropriate.

The Oversight Committee may establish such other committees as it determines appropriate to perform its statutory functions.

VI. Staffing

The Oversight Committee, the Executive Committee and any other committees established by the Oversight Committee shall be staffed by the Director of the Office of Civil Legal Aid.

VII. Regular and Special Meetings, Notice, Committee Member Attendance

The Oversight Committee shall meet not less than quarterly at dates and times determined in advance by the Committee. Notice of regular meetings of the Oversight Committee shall be provided to the Supreme Court, the Access to Justice Board, the Chairs of the judiciary committees of the Washington State Legislature, the Office of the Governor and the Washington State Bar Association, and shall also be published in the State Register in manner that substantially conforms to the requirements of RCW 42.30.075.

A special meeting may be called at any time by the Chair or by a majority of the members of the Oversight Committee by delivering personally or by mail written notice to each member of the Oversight Committee. Such notice must be delivered personally or by mail at least twenty-four hours before the time of such meeting as specified in the notice. Notice of a special meeting may be supplemented by an electronic notice transmitted via e-mail to all members of the Oversight Committee. Such notice shall not be deemed a substitute for the personal notice or mailed notice otherwise required by this section. The call and notice shall specify the time and place of the special meeting and the business to be transacted. The Oversight Committee shall limit its business in any special meeting to those matters included in the call and notice.

Regular meetings of the Oversight Committee shall be open and public and all persons shall be permitted to attend any meeting of the Oversight Committee. The Oversight Committee may adjourn to executive session for the following purposes:

- A. To receive and evaluate complaints or charges brought against the Director of the Office of Civil Legal Aid. However, upon the request of the Director of the Office of

- Civil Legal Aid, a public hearing or a meeting open to the public shall be conducted upon such complaint or charge;
- B. To review the performance of the Director of the Office of Civil Legal Aid; or
 - C. To review the status of investigations carried out by the Director of the Office of Civil Legal Aid which involve matters protected by the attorney-client privilege and where public disclosure could substantially prejudice the interests of client(s) being represented by a legal aid provider that receives funding from the Office of Civil Legal Aid; and
 - D. To discuss with legal counsel representing the Oversight Committee or the Office of Civil Legal Aid matters relating to litigation or potential litigation to which the Oversight Committee or the Office of Civil Legal Aid or a member acting in an official capacity is, or is likely to become, a party, when public knowledge regarding the discussion is likely to result in an adverse legal or financial consequence to the Oversight Committee or the Office of Civil Legal Aid.

All members are expected to attend regular meetings of the Civil Legal Aid Oversight Committee unless they have good cause not to attend and have been excused from attendance by the Chair. In the event that a member misses two consecutive meetings without sufficient cause, the Chair shall discuss the member's lack of attendance directly with the member. If the Chair determines that the member is not likely to meaningfully and regularly participate in the work of the Oversight Committee, the Chair may notify the appointing entity of the member's lack of attendance and request the appointment of a replacement member.

VIII. Quorum

The presence of six (6) voting members of the Oversight Committee shall constitute a quorum for the purpose of enabling the Oversight Committee to take official action. Upon establishment of a quorum, the Oversight Committee shall have full power to conduct the scheduled business of the meeting even if a member whose presence was necessary to establish the quorum in the first instance subsequently becomes unavailable.

IX. Voting

Each member of the Oversight Committee shall have one vote. All decisions of the Oversight Committee shall be made by majority vote of those present and voting. Telephonic or electronic attendance shall be permitted but no member shall be allowed to cast a vote by proxy.

X. Amendment or Repeal

Amendments and/or repeal of any or all of these Operating Rules and Procedures shall be made by majority vote at a regular or special meeting of the Oversight Committee. The notice of the meeting shall include a statement of proposed action to amend or repeal these Operating Rules and Procedures and shall include an interlineated version of the full text of any section subject to proposed amendment or repeal.

Number	Date	Subject Matter	Status	Further Action Required
2008-01	18-Jan-08	Regarding Recommendations Relating to the Provision of State Funded Civil Legal Aid	approved	
2008-02	21-Feb-08	Acceptance of Tull Report and Related Recommendations	approved	
2009-01	27-Mar-09	Endorsing Temporary Surcharge on Attorney License Fees	approved	
2009-02	11-Dec-09	Endorsing ATJ Board Performance Standards	approved	
2009-03	11-Dec-09	Endorsing JusticeNet	approved	
2010-01	10-May-10	Endorsing Judicial Branch Whistleblower Policy	approved	
2010-02	3-Dec-10	Resolution Urging Adequate Funding of the Judicial Branch	approved	
2010-03	3-Dec-10	Regarding the Importance of the Office of Civil Legal Aid and Funding for Essential Civil Legal Aid Services in Washington State	approved	
2010-04	10-Dec-10	Regarding Funding for the Federal Legal Services Corporation	approved	Annual Report to the Oversight Committee detailing destination, costs, and purpose of each trip taken in the prior fiscal year the total cost of which exceeded \$100 and which was incurred at agency expense.
2011-01	7-Sep-11			
2011-02	7-Oct-11	Affirming the Authority of the Director of the Office of Civil Legal Aid to Engage in Travel Necessary or Appropriate to the Discharge of the Director's Official Responsibilities	approved	
Policy Directions and Statements				
	8-Jun-12	Policy Regarding OCLA Involvement in Promoting or Opposing Bills Before the Washington State Legislature	approved	Notice to OC before taking positions on policy bills not directly affecting OCLA or judicial branch budgets or statutes
	18-Apr-13	Endorsing Policy on Use of State Owned Mobile Telecommunications Devices	endorsed via e-mail	

TAB 6

To: Civil Legal Aid Oversight Committee

From: Jim Bamberger, Director

Re: OCLA Director's Quarterly Report

Date: May 29, 2015

Pursuant to RCW 2.53.020(3)(c), I hereby submit a report of agency activities that have occurred since the December 12, 2014 Oversight Committee meeting. During this time agency activities were focused primarily on (a) the legislative session (both budget and policy related matters), (b) conduct and completion of the biennial review of Northwest Justice Project's (NJP's) performance under our client service contract, (c) staffing and completion of the first phase of the Civil Legal Needs Study Update, (d) continued implementation of the new Children's Representation Program, and (e) monitoring of NJP's replacement of its telecommunications system.

1. Legislative Session and Related Activities

OCLA's legislative efforts were focused on:

- Securing legislative approval of the agency's budget request for \$3.6 million in additional support for civil legal aid services
- Securing passage of clean-up legislation ([ESB 5262](#)) that will allow us to effectively monitor, oversee and assess the quality of legal representation provided by attorneys representing legally free children under contract with OCLA
- Securing full funding for the children's representation program in FY 2015-17

As this memo is being written at the start of the second special session, we do not know the outcome of the final budget negotiations or the level of funding for civil legal aid. I will provide an update at the June 12th meeting.

We are pleased to report that the Legislature passed and the Governor signed ESB 5262 which expressly authorizes OCLA to review court files in cases where attorneys under contract with the agency are representing legally free children. This legislation passed with near-unanimous support. The new authority will help us ensure effective, standards based legal representation consistent with the requirements set forth in RCW 2.53.045 and RCW 13.34.100(6)(c)(iii).

2. FY 2013-15 Northwest Justice Project Fiscal and Regulatory Review

Every biennium OCLA conducts an in depth review of NJP's compliance with applicable fiscal, regulatory and contractual requirements, as well as the systems NJP employs to ensure high quality and effective legal assistance to eligible low-income people throughout Washington State. The process involves a detailed review of NJP's policies and procedures, accounting and case management systems and other documentation relating to the systems NJP has in place to provide training, support and oversight of its client service staff. The process also involves OCLA review of eligibility screen shots for nearly 350 randomly selected cases to ensure that the Legal Server case management system is properly coded to accurately assess eligibility of NJP clients for OCLA funded services. OCLA conducted a day-long meeting with NJP's management team on December 16, 2014. OCLA issued the final report associated with this review on March 10, 2015. The report (Attachment 1) makes a number of findings and suggestions offered to assist NJP's as it moves forward in coming years. No corrective action was required.

3. Civil Legal Needs Study Update

Extensive staff time was spent supporting the Civil Legal Needs Study Update. As you will remember, at OCLA's request the Washington State Supreme Court created a committee to update the findings of the 2003 Civil Legal Needs Study, with an eye toward achieving a more current understanding of the substance and prevalence of the legal problems experienced by low-income Washingtonians, differences in the experiences of members of distinct sub-demographic groups, the degree to which low-income people are able to understand and get help for problems that they are experiencing and the impact of legal assistance in those cases where they have been successful in securing legal help. The committee is chaired by Justice Charles Wiggins, and includes eleven other key legal and community leaders.

In March 2014 we engaged the Social and Economic Sciences Research Center at Washington State University to conduct the study. The data gathering was completed by December 31, 2014 and data analysis report writing commenced shortly thereafter. Attachment 2 is the first product of the survey. It reports findings from the probability based survey – a methodologically rigorous random survey of low-income households in 126 census tracts across the state that are characterized by high poverty and high minority poverty rates. A rich amount of data was generated and continues to be sliced, diced and analyzed. The research allowed us to identify twelve key findings which are reported on pages 6-8 of the report and are then more deeply developed and explored in the succeeding pages. The principal findings are:

- A. Consistent with the findings of the 2003 CLNS, more than 70% of low-income households continue to annually experience at least one civil legal problem in one of the surveyed problem areas. Of these, more than three quarters do not seek or are not able to obtain legal help with respect to these problems.
- B. The number of problems per household tripled from the level documented in the 2003 CLNS. Of those who experienced at least one problem, the 2003 CLNS found an

average of 3.3 problems per household/year. The 2014 CLNS Update found that households with at least one problem averaged 9.3 problems per household/year.

- C. The substantive types and prevalence of problems experienced by low-income households changed since the 2003 CLNS. Whereas low-income respondents to the 2003 survey reported the greatest percentage of problems in the areas of housing, family relations and employment, respondents to the 2014 survey reported the highest percentage of problems in the areas of health care, consumer-finance (including access to and terms of credit as well as debt collection) and employment.
- D. While health care, consumer-finance and employment are the areas with the highest prevalence of legal problems, low-income respondents sought legal help most often when faced with housing, family relations and consumer-finance related problems.
- E. Victims of domestic violence and sexual assault continue to experience the highest number of problems per capita than any other demographic group. Members of this group who experienced at least one problem averaged nearly 18 problems per household/year across a broad spectrum of often interrelated substantive legal problems.
- F. Very significant differences exist in the type and prevalence of problems respondents experienced depending upon their race, gender, age, disability, military service status and other status-based characteristics.
- G. As they did in the 2003 CLNS, low-income respondents continue to report high levels of problems associated with discrimination and unfair treatment. The highest rates of discrimination are experienced by racial and ethnic minorities, Native Americans, persons with disabilities, victims of domestic violence and youth. Discrimination and unfair treatment rates are highest in the areas of employment, rental housing, consumer-finance and health care. Youth who are lesbian, gay, bisexual, transgender or questioning their sexuality experience high rates of discrimination based on their sexual orientation.
- H. In addition to discrimination and unfair treatment on the basis of legally protected characteristics (e.g., race, gender, age, disability, sexual orientation), significant percentages of low-income households experience unfair treatment on the basis of their credit histories, prior juvenile or criminal justice system involvement and their status as victims of domestic violence or sexual assault.
- I. The vast majority of low-income people continue to face their civil legal problems without legal assistance. Most of those (65%) who experienced at least one civil legal problem did not take action to get legal help or assistance. Many did not know they had a problem for which assistance from an attorney could help. Many others who understood

that they needed legal help did not believe they could afford to get legal help. Only 24% of survey respondents got help with one or more legal problems.

- J. Of the respondents who tried to get legal help, most sought help from a legal aid provider, the statewide CLEAR hotline or a volunteer attorney. Many sought help from a paid private attorney. Relatively small percentages sought help from other legal and non-legal related entities such as the Office of the Attorney General, a government agency or a social or human services program.
- K. Consistent with the findings of the 2003 CLNS the 2014 Update documents that legal assistance makes a difference. Of those who were able to get legal help, 61% were able to obtain some resolution of their legal problem(s), including 17% who obtained complete resolution of their problem(s). This is consistent with the 2003 finding that of those who were able to secure legal help, 61% were satisfied with the resolution of their problem.
- L. While most low-income Washingtonians have limited confidence in the civil justice system, perceptions regarding the degree to which that system offers a fair forum for the resolution of important civil problems differ by race, age, gender, family composition, and other demographic and status-based characteristics.

In addition to the random survey, researchers undertook a complementary convenience sample of members of demographic groups unlikely to respond in sufficient numbers to an address-based research protocol. Principal target groups included homeless persons, persons with disabilities, victims of domestic violence and sexual assault and young people not living in a fixed residence. Two hundred fifteen (215) surveys were completed. Analysis of the responses is ongoing and a detailed report will be included as a supplement to final probability study report.

At our meeting on June 12th we will join members of the Access to Justice Board and the Supreme Court's Minority and Justice Commission and explore the findings of the study and begin to discuss its implications.

4. Children's Legal Representation

We have completed three quarters of the first year of the Children's Legal Representation Program (CRP) established by Laws of 2014, Ch. 108. This legislation requires the appointment of attorneys for children who remain in the dependency system six months following the termination of their parents' legal rights. Jill Malat was hired as the Children's Representation Program Manager on May 15, 2014 and has done an amazing job establishing the program, recruiting attorneys, developing and maintaining relations with key stakeholder groups, developing and delivering mandatory and supplemental trainings to CRP attorneys, providing technical support and assistance for CRP attorneys, designing and implementing a statewide case management system and chronicling significant impacts that CRP attorneys are making in the lives of their clients.

During this start-up year, we contracted with counties who directly paid the OCLA-approved CRP attorneys working in their jurisdictions. With active encouragement from the Legislature, we are now working to transition the program to a direct attorney contract model, consistent with the approach employed by the Office of Public Defense for its Parents Representation Program. You can find more information about the Children's Representation Program on our new website at: <http://ocla.wa.gov/programs/childrens-representation>. Jill will provide an update on the program at the Oversight Committee's June 12th meeting.

5. NJP Telecommunications System Upgrade

In 2014, the Legislature appropriated a one-time sum of \$280,000 to help NJP transition from a failing PBX-based telecommunications infrastructure to a web-enabled, VOIP based system to support its CLEAR hotline and related program telecommunications needs. OCLA has actively overseen the procurement and contracting process. As of the date of this writing, NJP had successfully transitioned to a new Microsoft Lync based telecommunications system and implemented new Touch Point based call center software system for the CLEAR hotline. On May 12, 2015 I received an on-site introduction to the new systems and how they effectively integrate with NJP's other statewide technology systems, including the Legal Server case management system. The new technology will allow NJP to monitor a range of demand and service related data and provide analytics that will help it achieve greater efficiency in delivering services as well as more effective support of clients who seek assistance through the CLEAR system. Representatives of NJP will provide an overview of the new systems at the June 12th meeting.

6. Looking Back Ten Years

On July 1, 2015 OCLA and the Civil Legal Aid Oversight Committee will observe completion of the 10th year of service in support of meeting the civil justice needs of low-income Washingtonians. When I was asked by then Chief Justice Gerry Alexander to serve as the agency's first Director, I promised that I would manage the agency in a manner that would be transparent and accountable, that would ensure the most effective use of appropriated taxpayer resources and that, through effective and ongoing communication, the state-funded legal aid system would earn and maintain the respect of the Supreme Court, Civil Legal Aid Oversight Committee, legislators on both sides of the aisle and key stakeholder entities.

Looking back ten years I believe we have done all that and more. OCLA is well-respected and a trusted administrator of state legal aid appropriations. Bipartisan support in the legislature for civil legal aid has grown significantly over the past decade. The Civil Legal Aid Committee has discharged its statutory duties effectively and has become an important institutional leader on matters relating to the delivery of state-funded legal aid services. A new Children's Representation Program was assigned to and effectively implemented by the agency. And a new study of the civil legal problems experienced by low-income Washingtonians has been conducted and is being reported to the Oversight Committee, the Supreme Court, the ATJ Board, the Legislature, legal aid providers and other key stakeholder organizations.

It has been an honor to serve as the OCLA Director these past ten years. While I am proud of the progress we have made, the results of the Civil Legal Needs Study Update starkly remind us that there is much work to be done. I look forward to continuing to work with the Civil Legal Aid Oversight Committee to make sure that justice is realized by those who face the most profound legal problems and who have no place else to turn but to our state-funded civil legal aid system.

ATTACHMENT 1



Washington State Office of Civil Legal Aid

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James A. Bamberger, Director
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March 10, 2015

Mr. César Torres, Executive Director
Northwest Justice Project
401 Second Ave., Suite 407
Seattle, WA 98104

Re: FY 2013-15 Fiscal and Regulatory Review

Dear Mr. Torres:

Enclosed with this letter is the final report from the FY 2013-15 Biennial Review conducted by the Office of Civil Legal Aid. The report documents OCLA's findings and understandings following my on-site visit to NJP's administrative offices on December 16, 2014 and my review of the substantial materials that NJP provided in response to OCLA's information and document requests.

The purpose of the Biennial Review is to:

1. Review, test and document systems, protocols, policies and practices that ensure NJP's compliance with legal requirements governing the use of state legal aid funding as set forth in RCW 2.50.030.
2. Review and evaluate systems, practices, protocols and policies that NJP employs to ensure high quality, effective and economical delivery of civil legal aid services to eligible clients consistent with applicable legal requirements and stated expectations outlined in the Contract for the Provision of Civil Legal Aid Services to Indigent Persons (including the incorporated NJP Work Plan), PSC 14001.
3. Offer findings, observations and, where appropriate, suggestions intended to further NJP's capacity to meet legal, contractual and client service-based expectations relating to its use of state funds to support civil legal aid services directly and through its relationships (funding and delivery-based) with other entities providing services to eligible clients in areas of authorized state-funded activity (RCW 2.53.030(2)).

OCLA's objective is to review information directly relevant to legal, regulatory, fiscal and client service requirements and expectations related to NJP's use of state funding. OCLA does not intend to engage in unnecessary duplication of oversight activities carried out by the federal

Legal Services Corporation (LSC). To the extent that information generated by LSC in carrying out its federal oversight of NJP is relevant to areas of focus in this Biennial Review, OCLA looks to such information. In conducting this Biennial Review, OCLA specifically took notice of and reviewed two recent LSC generated documents:

1. LSC's November 2013 Program Quality Review Report prepared by the Office of Program Performance (published in 2014)(OPP Report)
2. LSC's 2014 Letter following up on and closing out the 2011 compliance visit conducted by the Office of Compliance and Enforcement (OCE Report)

These reports followed thorough on-site reviews focused on compliance issues (OCE Report) and client service quality and performance issues (OPP Report). OCLA notes that during OPP's 2013 Program Quality Visit, LSC brought in 12 staff and contractors who visited eleven of NJP's 13 regional offices during the period November 12-20, 2013. This visit involved extensive review of data, policies and practices relating to NJP's client service delivery and support activities. LSC considered NJP's activities within the context of LSC's Performance Criteria, LSC Program Letters and the ABA Standards for the Provision of Civil Legal Aid.¹ The resulting OPP Report is comprehensive and helped provide an additional lens through which OCLA was able to conduct this year's Biennial Review.

On the basis of the information provided during this engagement and its review of the relevant LSC reports, OCLA finds that:

1. NJP is in compliance with all legal requirements and limitations on the use of state-appropriated civil legal aid funding set forth in RCW 2.53.030.
2. NJP maintains and regularly updates its fiscal, accounting, time keeping and case management systems to ensure proper identification and allocation of direct and indirect costs associated with OCLA-eligible activities
3. NJP has established, provides appropriate training for staff and effectively monitors the systems it employs to properly screen and determine client income and status eligibility for OCLA-eligible legal assistance.
4. NJP has established and enforces policies and procedures to protect against the use of state-appropriated funding for activities that fall outside of authorized areas of client legal assistance or that would otherwise violate RCW 2.53.030 or the terms and conditions set forth in Contract No. PSC 14001.

¹ These criteria and standards, which are heavily referenced in the Access to Justice Board's Performance Standards for Civil Legal Aid (2009), are incorporated into OCLA's contract with NJP and form part of the framework of this agency's review of NJP client service performance.

5. No state funding is used by NJP to support, directly or indirectly, client service or other activities that are not authorized under RCW 2.53.030.
6. NJP is in compliance with all material requirements of Contract No. PSC 14001.
7. Despite deep cuts in basic client service capacity, NJP has been able to strategically focus and coordinate client service efforts on legal problems of profound significance to its client population including, but not limited to, those that serve as barriers for clients and eligible low income people to obtaining and keeping employment.
8. NJP continues to serve as a national model in the area of technology innovation in the delivery of civil legal aid services. OCLA specifically notes NJP's recent successful efforts to employ technology to ensure greater access to clients who are deaf and hard of hearing and its ongoing initiative to establish and expand interactive texting capacities between its staff and clients. OCLA anticipates NJP's successful implementation of the new statewide communications systems, which will not only enhance intra-program communication and efficiency, but also expand its capacity to be more efficient and effective in its communications with clients.
9. Given the size of the organization and consistent with its prior recommendation (2012 Biennial Review, Rec. No. 1), OCLA agrees with NJP's decision to hire a dedicated human resources professional (Karen Holland) and to include her as a member of its administrative team.
10. NJP recently adopted caseload guidelines for its field attorneys. OCLA has reviewed these guidelines and finds that they offer appropriate benchmarks to help create flexible but responsible productivity expectations for field based attorneys. The guidelines will also provide a clear framework for Senior Attorneys to review the work and workloads of their attorney staff.

OCLA reviewed questions raised by LSC in its Program Quality Visit (OPP Report) relative to the relationship between brief service/limited action case closures and closure of cases requiring extended legal representation. OCLA conducted its own analysis of closed case data generated for state-eligible cases handled by NJP's field offices. On the basis of this review, OCLA agrees with the LSC recommendation that NJP review the size of advocates' caseloads, build upon its current supervisory standards, develop case handling standards and ensure that these standards are followed.

OCLA notes that NJP has undertaken a full analysis of advocate caseloads, including an analysis of the ratio of brief service to extended service cases handled by field office attorney staff. While some variations are present and generally reflect the scope of work the field offices handle, NJP's administrative team continues to work with the field office Senior Attorneys to ensure that the ratio conform to NJP's expectation that its field offices handle the more difficult priority cases that require a level of

service beyond that available from CLEAR staff advocates and local pro bono programs. OCLA anticipates that effective implementation of the caseload guidelines may help NJP address any non-conformity between the two.

11. NJP has recently expanded the number of Board members in an attempt to diversify the Board's demographic and professional composition. NJP uses an active intra-net to involve Board members and keep them informed of staff and ATJ related activities. OCLA receives and regularly reviews NJP's Board meeting materials. NJP's Board is actively engaged in program governance and effectively discharges its legal and organizational responsibilities.
12. As an institution, NJP remains deeply committed to high quality representation of eligible clients, is dedicated to continuous inquiry, assessment and improvement of its client service delivery systems and, within the limits of resources available to it, continues to provide staff with infrastructure, training and support required to effectively and economically discharge its client service responsibilities.

Corrective Action Required:

No corrective actions are required as a result of this Biennial Review.

Recommendations:

OCLA offers the following recommendations to help guide NJP's efforts in the coming biennium and beyond:

1. While CLEAR staffing has been substantially reduced since 2009, this component of NJP's delivery system continues to serve as a major gateway into the civil legal aid system for low income people across the state. To varying degrees, state-funded pro bono and specialty legal aid providers continue to rely on CLEAR for intake and referral. Over the past biennium, NJP has more intentionally integrated CLEAR into its statewide delivery system and has undertaken a number of initiatives to expand both accessibility to and usability of CLEAR services (e.g., on-line intake, development of new queuing/call-back capacity).

CLEAR continues to be overwhelmed with client demand and has been forced to institute periods where it shuts down phone lines to allow staff to complete tasks for clients currently being served. Further, the loss of field capacity coupled with ever more complex problems has required CLEAR staff advocates to spend more time and offer more extended services on a per-case basis than in the past. Finally, NJP's effective integration of CLEAR into NJP's system to support representation within its Strategic Area of Focus (SAF) may have consequences beyond the program itself. For these and other reasons stated in the 2012 Biennial Review, OCLA continues to encourage NJP to affirmatively engage its delivery partners in the planning,

assessment of potential impacts and implementation of changes in CLEAR operations and protocols.

2. OCLA commends NJP for its continuing work to monitor and assess the impact of its client representational work, including its development of draft outcomes indicators and its OCLA-funded research based effort to evaluate the impact of limited services provided to clients in family law matters. With the objective of avoiding unnecessary duplication of efforts and potentially competing outcomes benchmarks by state-funded legal aid providers, OCLA encourages NJP to share its efforts in this area with the ATJ Board's working group on client outcomes.
3. NJP remains the single largest provider of civil legal aid services to low income people in Washington State. It maintains a range of client representational and support capacities that implicate nearly every other provider of legal aid services. Given the integrated nature of the delivery system, changes in NJP's client service delivery orientation will inevitably have an impact on the work and workload of its client service peers and partners. Consistent with the 2012 recommendation (2012 Biennial Review, Rec. No. 2), OCLA continues to encourage NJP to proactively engage, communicate and plan with its delivery system partners on matters that have the potential to affect the service orientation or client service priorities of other Alliance client service providers.
4. Under the ATJ Board's State Plan, NJP receives all of the LSC funds and most of the state appropriated funds designated for civil legal aid.² To complement services underwritten with these continuing sources of support, NJP has been successful in identifying and securing limited purpose/limited duration grants and contracts to fund legal aid services in areas of important client need (e.g., services to veterans, persons facing foreclosure assistance, women reentering society from incarceration, victims of domestic violence).

NJP is to be commended for its entrepreneurial spirit in seeking additional resources to fulfill its mission, while being mindful of the challenges needed to sustain these efforts when such funding inevitably goes away. NJP often coordinates and partners with other legal aid providers on soft funding opportunities in order to avoid "crowding out" opportunities for other programs/delivery partners or thoughtful discussions regarding the most strategic approach to addressing commonly held case service objectives. It remains important that NJP also coordinate on strategies and efforts to obtain the necessary funding to continue these services where appropriate and consistent with the State Plan. For these reasons, OCLA encourages NJP to

² RCW 2.53.030 requires that OCLA contract with NJP in the first instance. For more than 15 years, OCLA and its predecessor (Dept. of Commerce, Office of Crime Victims Advocacy) have worked with NJP (and its predecessor) to subcontract about 20% of the state appropriation to provide needed funding to pro bono and specialty legal aid providers involved in the delivery of civil legal aid services to low income people in areas of state-authorized activity. Under terms of OCLA-approved subcontracts, NJP will subcontract \$1.9 million to leverage the capacity of these delivery partners in FY 2015.

consistently and intentionally assess and coordinate its soft funding efforts with its Alliance delivery partners as well as OCLA and the Legal Foundation of Washington.

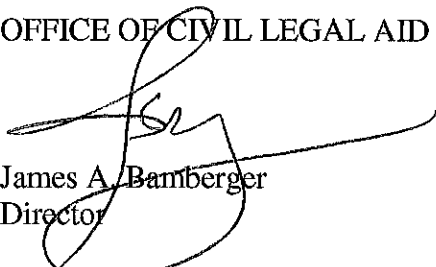
5. While not yet published, OCLA encourages NJP to systematically review the data generated through the 2014 Civil Legal Needs Study Update and assess its implications relative to services NJP provides at the state, regional and local levels as well as the orientation of its service delivery relationships with Alliance peers and partners.

OCLA greatly appreciates your assistance and that of members of NJP's administrative team with this Biennial Review. Please also extend my personal thanks to all at NJP (staff and Board) who work so hard to meet the justice needs of those need help with the most difficult of life and legal problems.

Please feel free to call with questions or concerns about the report or the matters addressed in this letter.

Sincerely,

OFFICE OF CIVIL LEGAL AID



James A. Bamberger
Director

C: File

**FISCAL, REGULATORY AND CLIENT SERVICE SYSTEMS REVIEW
FY 2013-15 BIENNIUM**

This is the template for the biennial review of fiscal, regulatory, administration, client service delivery and performance issues relevant to Northwest Justice Project’s (NJP’s) discharge of its responsibilities under OCLA Contract No. PSC 14001. Please provide the information requested in advance of or at the December 16, 2014 on-site visit. In addition to the information requested below, please provide a complete copy of NJP’s current Board-approved Policy Manual and identify specific policies that may be undergoing active review and likely board amendment.

INQUIRY AREA NO. 1:

RCW 2.53.030(2) Authorized Areas of State Funded Legal Aid Services and Client Eligibility: Any money appropriated by the legislature for civil representation of indigent persons shall be administered by the office of civil legal aid established under RCW 2.53.020, and shall be used solely for the purpose of contracting with qualified legal aid programs for legal representation of indigent persons in matters relating to: (a) Domestic relations and family law matters, (b) public assistance and health care, (c) housing and utilities, (d) social security, (e) mortgage foreclosures, (f) home protection bankruptcies, (g) consumer fraud and unfair sales practices, (h) rights of residents of long-term care facilities, (i) wills, estates, and living wills, (j) elder abuse, and (k) guardianship. Documents requested here go to NJP’s process for determining client eligibility with respect to income and legal problem code, and the system that NJP uses to allocate costs and charge state funds for that portion of program operations.

A copy of NJP’s current policies for determining income eligibility for state-funded civil legal aid services consistent with definition of “indigent” set forth in the Definition Section of the General Terms and Conditions of NJP’s contract with the OCLA. If the policies are included in the Policy Manual produced in response to OCLA’s request for documents, please so indicate.

Document Provided? Y N

Comments/Observations: NJP’s eligibility policies are set forth in Policy 2. (Program Policy Manual Provided) The policies reflect the need to comply with all sources of major funding. OCLA specific eligibility requirements have been coded into Legal Server.

<p>A written description of the eligibility functions and protocols used in the Legal Server CMS. Please provide relevant instructions to intake staff and screen shots that reflect how such protocols operate. This description should also describe current lock-out and override functions with respect to the authority of staff to change default functions coded into the system, including a list of all persons authorized to override locked default functions in the system.</p>	<p>Document Provided? <input checked="" type="checkbox"/> Y <input type="checkbox"/> N Comments/Observations:</p> <p>NJP provided an updated series of eligibility screen shots. The interface has changed since the 2012 review, but the back end remains substantially the same. It incorporates updated eligibility policies. NJP still limits the authority of staff to override coded eligibility determinations to principal administrative and IT staff.</p> <p>OCLA eligible case time not charged to specific grants or contracts (e.g., FPU, Seniors, various US DOJ and DHHS) is included in code 001 Basic. This is the general pool used for LSC Basic eligible general case, matter and supporting time. OCLA is allocated a share of the related Basic cost pool based on time related analysis of OCLA eligible Basic activities. This pool is associated with the time and costs corresponding to non-case matters (LSC definition used) and administrative and non-personnel expenses allowed to be allocated to OCLA.</p>
<p>A statement of the differences, if any, between OCLA income eligibility guidelines and guidelines applicable to LSC funding. If there are no changes since the 2012 review, please so state.</p>	<p>Document Provided? <input checked="" type="checkbox"/> Y <input type="checkbox"/> N Comments/Observations:</p> <p>Where the activity is subject to a program policy that directs that OCLA funding not be charged (i.e., legislative activity), a formal approval protocol exists for the time to be directly charged and the related costs to be allocated to a funding source other than OCLA. At year-end, the Director of Finance (DoF) directly allocates time associated with such activities using a fully loaded cost rate (ave. about \$105/hr.), conservatively enhances the hours by 25%-30% beyond those actually reported and then directly allocates the resulting costs to IOLTA or some other appropriate non-OCLA funding source.</p> <p>NJP has adequate policies, systems and protocols to identify and track (at both the operational and fiscal levels) cases and other</p>

	<p>activities that require prior administrative approval and must be billed to funding sources other than OCLA. The only risk is if a staff person engaged in such activities without the required prior review and approval. OCLA’s review of NJP’s legislative activities (all of which were reviewed and approved by the Director of Advocacy prior to actual staff time being spent) confirms that this risk appears negligible.</p>
<p>A current list of CSR problem codes and special legal problem codes embedded into the Legal Server case management system, identifying those that code to “OCLA-Yes” and “OCLA-No” respectively. Please provide current screen shots documenting the Legal Server process for determining and coding eligibility for state funding by legal problem code.</p>	<p>Document Provided? <input checked="" type="checkbox"/> Y <input type="checkbox"/> N Comments/Observations: Provided. NJP provided an updated list of Legal Problem Codes and Special Legal Problem Codes that have been embedded in the Legal Server CMS protocols. These are consistent with RCW 2.53.030.</p> <p>OCLA notes that much of the work being conducted under NJP’s Board-approved Strategic Advocacy Focus (Removing Barriers to Employment) falls outside of the areas of legal representation authorized under RCW 2.53.030(2) even though it is of high priority to the client community and directly impacts family economic well-being. Time associated with this work is not included in the pool of OCLA-eligible time used to allocate costs to OCLA.</p> <p>Persons with authority to adjust Legal Server eligibility back-end coding include the DoF (Steve Pelletier), Director of Strategic Initiatives (Joan Kleinberg), Director of Administration (/Sue Encherman) and the Network Administrator (James Logan).</p>
<p>An updated narrative description of NJP’s cost allocation system and the methodology by which costs are assigned to OCLA funding. Please include a description of the approaches to assigning costs associated with client case activity and those (e.g., administration, non-personnel, matters) that are not directly associated client case activities. Please also describe and provide relevant documentation demonstrating how NJP systems and protocols work to ensure that out-of-pocket expenses (e.g.,</p>	<p>Document Provided? <input checked="" type="checkbox"/> Y <input type="checkbox"/> N Comments/Observations:</p> <p>NJP provided OCLA with updated financial and accounting system policies, practices and procedures. There have been no major changes in cost-allocation methodology employed since NJP became the civil legal aid state contractor in 2004.</p>

<p>travel, lodging, litigation, interpreters) attributable to client service or other activities directly coded to a particular funding source are similarly coded to the same funding source.</p>	<p>NJP strives to maintain a prudent balance (about 10%) between the amount of allowable expenses (determined on the basis of OCLA eligible case activity) and expenses actually assigned to OCLA. This ensures that incidental non-compliant expenses will not undermine the integrity of NJP's OCLA compliance functions or that OCLA will have inappropriately funded non-compliant activities. Throughout the 2013-15 biennium the margins between eligible expenses and expenses actually charged have remained healthy. NJP monitors these balances on a monthly basis and then reconciles them at the end of the year.</p> <p>NJP provided a spreadsheet showing staff FTE allocation by individuals and funding sources. Those not charged to a specific funding source are presumed to be funded to Basic (001). Adjustments are later made to remove funds assigned to other specific activities (e.g., PAI).</p>
<p>A copy of NJP's most recent Accounting Procedures Overview and Accounting Manual, highlighting significant changes, if any, in both documents since December 2012.</p>	<p>Document Provided? <input checked="" type="checkbox"/> Y <input type="checkbox"/> N Comments/Observations:</p> <p>Updated with non-substantive changes (i.e., references to the updated LSC Accounting Guide) in May 2014.</p>
<p>Copies of redacted eligibility screens for selected cases that fall within areas of state authorized activity to determine accuracy of practices employed in determining eligibility for state funding by income and legal problem code: 150 CLEAR (from the list of all CLEAR cases that fall within state-eligible problem codes), 25 from each regional field location with a combined staffing level of five FTE advocates or more, and 10 from each regional field location with a combined staffing level of less than 5 FTE's (from a list of all cases associated with each location that fall within state-eligible legal problem codes).</p>	<p>Document Provided? <input checked="" type="checkbox"/> Y <input type="checkbox"/> N Comments/Observations:</p> <p>Provided.</p>

INQUIRY AREA NO. 2:

RCW 2.53.030(4) Maximizing Geographic Access: When entering into a contract with a qualified legal aid provider under this section, the office of civil legal aid shall require the provider to provide legal aid in a manner that maximizes geographic access throughout the state.

A roster of all legal advocates broken down by location by geographic region and statewide function (e.g., CLEAR, Field, CAP) as of November 1, 2010	Document Provided? <input checked="" type="checkbox"/> Y <input type="checkbox"/> N Comments/Observations:
A copy of NJP's 2013 Narrative Report on Geographic Proportionality (OCLA Contract No. 14001, Section 11)	Document Provided? <input type="checkbox"/> Y <input checked="" type="checkbox"/> N Comments/Observations: The FY 2014 Geographic Proportionality Report was provided. Individual client services underwritten with OCLA funds are generally delivered on a geographically proportionate basis.
A narrative description of program efforts to ensure equitable access to all eligible clients throughout the state.	Document Provided? <input type="checkbox"/> Y <input checked="" type="checkbox"/> N Comments/Observations: No specific documents provided. NJP reports that within limited state funding available to it, NJP has worked to maintain staffing levels that ensure geographic presence in all regions. This has led to some disproportionality in rural v. urban regions; but such disproportionalities are rational within the context of (a) the need to maintain a skeletal footprint (1 FTE in three locations) in all regions and (b) complementary client service resources (e.g., pro bono, geographically specific specialty providers, law school clinical programs) in urban areas.

INQUIRY AREA NO. 3:

RCW 2.53.030(5)(a) Lobbying:

(i) For purposes of this section, "lobbying" means any personal service, advertisement, telegram, telephone communication, letter, printed or written matter, or other device directly or indirectly intended to influence any member of congress or any other federal, state, or local nonjudicial official, whether elected or appointed:

(A) In connection with any act, bill, resolution, or similar legislation by the congress of the United States or by any state or local legislative body, or any administrative rule, rule-making activity, standard, rate, or other enactment by any federal, state, or local administrative agency;

(B) In connection with any referendum, initiative, constitutional amendment, or any similar procedure of the congress, any state legislature, any local council, or any similar governing body acting in a legislative capacity; or

(C) In connection with inclusion of any provision in a legislative measure appropriating funds to, or defining or limiting the functions or authority of, the recipient of funds under this section.

(ii) "Lobbying" does not include the response of an employee of a legal aid program to a written request from a governmental agency, an elected or appointed official, or committee on a specific matter. This exception does not authorize communication with anyone other than the requesting party, or agent or employee of such agency, official, or committee.

Copies of written policies and instructions implementing the prohibition against lobbying and establishing the procedure by which NJP staff seek authorization to engage in allowable lobbying activities. If the policies are included in the Policy Manual produced in response to OCLA's request for documents, please so indicate.

Document Provided? Y N

Comments/Observations: Policies 9 and 22 implement this rule. NJP is allowed, under certain circumstances, to provide representation to persons before federal, state and local legislative bodies. No LSC funds may be used. State funds may be used under certain circumstances, but NJP has instituted a protocol prohibiting any such activities to be charged to OCLA funding. This protocol is coded into Legal Server. All proposed legislative activities (as defined by relevant federal and state laws) must be reviewed and approved by the Director of Advocacy in advance of staff spending any time on the same.

Legislative records indicate that, during the FY 2013-15 legislative sessions, employees of the Northwest Justice Project testified or took public positions on the following bills:

- [HB 1542](#) concerning the provision of an reimbursement for certain court interpreter services
- [HB 1529](#) concerning the disclosure of certain information when screening tenants
- [HB 1601](#) providing alternatives for penalties stemming from traffic violations
- [HB 2265](#) prohibiting general power of attorney provisions in bail bond agreements

For each such bill, please provide:

- A copy of the written request from a legislative official asking for NJP's input with respect to the specific matter that was the subject of the bill.
- A copy of the request for and the Director of Advocacy's approval for the individual to testify or take a position on the bill.
- A statement as to whether the activity was charged to OCLA funds.
- If not charged to OCLA funds, documentation -- including relevant Legal Server screen shots -- establishing that all time associated with the preparation and delivery of testimony was charged directly to a funding source other than OCLA funds.
- If not charged to OCLA funds, documentation that expenses (including but not limited to travel, per diem, costs of producing materials) were charged directly to a funding source other than OCLA funds.

Document Provided? Y N
Comments/Observations:

On Dec. 10th, NJP provided requested information (subject to slight agreed modification) relating to each of these cases. Each instance of state legislative activity was charged to a specific funding source (019) with an automatically generated "Approval Required" message.

The DoF reports that time associated with these matters was tracked separately, charged at the fully loaded cost per hour and then multiplied by 1.25 to ensure that all time and related expenses were directly charged to sources other than OCLA.

<p>A statement listing the instances during FY 2014-15 where an NJP staff member responded to a written request from a governmental agency, an elected or appointed official, or committee on a specific matter in a forum other than the Washington State Legislature. For each such occasion, please provide:</p> <ul style="list-style-type: none"> • A copy of the written request from a legislative official asking for NJP’s input with respect to the specific matter that was the subject of the bill. • A copy of the request for and the Director of Advocacy’s approval for the individual to testify or take a position on the bill. • A statement as to whether the activity was charged to OCLA funds. • If not charged to OCLA funds, documentation -- including relevant Legal Server screen shots -- establishing that all time associated with the preparation and delivery of testimony was charged directly to a funding source other than OCLA funds. • If not charged to OCLA funds, documentation that expenses (including but not limited to travel, per diem, costs of producing materials) were charged directly to a funding source other than OCLA funds. 	<p>Document Provided? <input checked="" type="checkbox"/> Y <input type="checkbox"/> N Comments/Observations:</p> <p>On Dec. 22nd, NJP provided requested information (subject to slight agreed modification) relating to each of these cases. Each instance of non-state (local) legislative activity was charged to a specific funding source (019) with an automatically generated “Approval Required” message.</p> <p>The DoF reports that time associated with these matters was tracked separately, charged at the fully loaded cost per hour and then multiplied by 1.25 to ensure that all time and related expenses were directly charged to sources other than OCLA.</p>
<p>Copies of complaints or allegations, from whatever source, alleging that NJP staff violated state rules or internal NJP policies regarding lobbying. Copies of any reports or communications relating or responding to complaints or allegations that NJP staff violated the policy or prohibition against lobbying.</p>	<p>Document Provided? <input type="checkbox"/> Y <input type="checkbox"/> N Comments/Observations: NJP advises that no complaints or allegations of conduct inconsistent with the requirements of this section were received during the biennium.</p>

INQUIRY AREA NO. 4:

RCW 2.53.030(5)(b) Grassroots Lobbying: (b) Grass roots lobbying. For purposes of this section, "grass roots lobbying" means preparation, production, or dissemination of information the purpose of which is to encourage the public at large, or any definable segment thereof, to contact legislators or their staff in support of or in opposition to pending or proposed legislation; or contribute to or participate in a demonstration, march, rally, lobbying campaign, or letter writing or telephone campaign for the purpose of influencing the course of pending or proposed legislation.

Copies of written policies and instructions implementing the prohibition against grass roots lobbying. If the policies are included in the Policy Manual produced in response to OCLA's request for documents, please so indicate.

Document Provided? Y N
Comments/Observations: Policy No. 20 establishes a complete ban on all such activities regardless of funding source.

Copies of complaints or allegations, from whatever source, that NJP staff violated the policy or prohibition against grass roots lobbying. Copies of any reports or communications relating or responding to complaints or allegations that NJP staff violated the policy or prohibition against grass roots lobbying.

Document Provided? Y N
Comments/Observations:
NJP advises that no complaints or allegations of conduct inconsistent with the requirements of this section were received during the biennium.

INQUIRY AREA NO. 5:

RCW 2.53.030(5)(c) Class action lawsuits:

Copies of written policies and instructions implementing the policy or prohibition against the use of state funding for class actions. If the policies are included in the Policy Manual produced in response to OCLA's request for documents, please so indicate.

Document Provided? Y N
Comments/Observations: Policy No. 8 establishes a complete ban on all such activities regardless of funding source.

<p>Copies of complaints or allegations, from whatever source, that NJP staff violated the policy or prohibition against filing or participating in class actions. Copies of any reports or communications relating or responding to complaints or allegations that NJP staff violated the policy or prohibition against filing or participating in class actions.</p>	<p>Document Provided? <input type="checkbox"/> Y <input type="checkbox"/> N Comments/Observations: NJP advises that no complaints or allegations of conduct inconsistent with the requirements of this section were received during the biennium.</p>
<p>INQUIRY AREA NO. 6:</p> <p>RCW 2.53.030(5)(d) Political Activities: Participating in or identifying the program with prohibited political activities. For purposes of this section, "prohibited political activities" means (i) any activity directed toward the success or failure of a political party, a candidate for partisan or nonpartisan office, a partisan political group, or a ballot measure; (ii) advertising or contributing or soliciting financial support for or against any candidate, political group, or ballot measure; or (iii) voter registration or transportation activities.</p>	
<p>Copies of written policies and instructions implementing the prohibition on engaging in political activities. If the policies are included in the Policy Manual produced in response to OCLA's request for documents, please so indicate.</p>	<p>Document Provided? <input checked="" type="checkbox"/> Y <input type="checkbox"/> N Comments/Observations: Policy No. 6 establishes a complete ban on all such activities regardless of funding source.</p>
<p>Copies of complaints or allegations, from whatever source, that NJP staff violated the policy or prohibition against engaging in political activities. Copies of any reports or communications relating or responding to complaints or allegations that NJP staff violated the policy or prohibition against engaging in political activities.</p>	<p>Document Provided? <input type="checkbox"/> Y <input type="checkbox"/> N Comments/Observations: NJP advises that no complaints or allegations of conduct inconsistent with the requirements of this section were received during the biennium.</p>

INQUIRY AREA NO. 7:

RCW 2.53.030(5)(e) Representation in fee-generating cases: For purposes of this section, "fee-generating" means a case that might reasonably be expected to result in a fee for legal aid if undertaken by a private attorney. The charging of a fee pursuant to subsection (6) of this section does not establish the fee-generating nature of a case.

A fee-generating case may be accepted when: (i) The case has been rejected by the local lawyer referral services or by two private attorneys; (ii) neither the referral service nor two private attorneys will consider the case without payment of a consultation fee; (iii) after consultation with the appropriate representatives of the private bar, the program has determined that the type of case is one that private attorneys do not ordinarily accept, or do not accept without prepayment of a fee; or (iv) the director of the program or the director's designee has determined that referral of the case to the private bar is not possible because documented attempts to refer similar cases in the past have been futile, or because emergency circumstances compel immediate action before referral can be made, but the client is advised that, if appropriate and consistent with professional responsibility, referral will be attempted at a later time.

Copies of written policies and instructions implementing the prohibition against representation in fee generating cases. If the policies are included in the Policy Manual produced in response to OCLA's request for documents, please so indicate.

Document Provided? Y N
 Comments/Observations: Policy No. 5 implements the LSC rule on fee generating cases, which is substantively consistent with the requirements of this section.

Copies of complaints or allegations, from whatever source, that NJP staff violated the policy or prohibition against representing clients in fee generating cases. Copies of any reports or communications relating or responding to complaints or allegations that NJP staff violated the policy or prohibition against representing clients in fee generating cases.

Document Provided? Y N
 Comments/Observations:
 NJP advises that no complaints or allegations of conduct inconsistent with the requirements of this section were received during the biennium.

A list of OCLA-eligible cases in which NJP claimed and collected damages on behalf of a client in an amount equal to or exceeding \$25,000. For each such case, documentation that (i) the case was referred to and rejected by the lawyer referral program or two private attorneys or that the referral service or attorneys would not consider the matter without prepayment of a consultation fee, (ii) the program consulted with the local bar association and determined that the case is one that private attorneys do not ordinarily accept without prepayment of a fee, or (iii) the Director's determination that referral of the case is not possible because

Document Provided? Y N
 Comments/Observations:
 On December 10, NJP provided information relating to four cases identified as having resulted in a claim for and award of damage equal to or exceeding \$25,000. Three of these were directly coded to a source other than OCLA funds. The fourth case involved emergent circumstances that made it impossible for NJP to try to refer the matter and because the case was in Okanogan County where there are few private attorneys, and even fewer with the

<p>of past unsuccessful efforts to forward refer similar cases.</p>	<p>subject matter expertise needed to handle the case. OCLA funding was used for this case consistent with the emergency and futility considerations of this section.</p> <p>NJP reports one other matter where the primary purpose of the action was to secure public records relating to its efforts to monitor compliance with a federal court order entered in a prior related action. This does not meet the definition of fee generating case as set forth in this section.</p>
<p>INQUIRY AREA NO. 8:</p> <p>RCW 2.53.030(5)(f) Representation of Unions: Organizing any association, union, or federation, or representing a labor union. However, nothing in this subsection (5)(f) prohibits the provision of legal aid to clients as otherwise permitted by this section.</p>	
<p>Copies of written policies prohibiting the use of state funding to organize labor associations, unions or federations and prohibiting NJP staff from representing unions. If the policies are included in the Policy Manual produced in response to OCLA’s request for documents, please so indicate.</p>	<p>Document Provided? <input checked="" type="checkbox"/> Y <input type="checkbox"/> N Comments/Observations: Policy No. 37 expressly prohibits the use of OCLA funding for the representation of any labor union.</p>
<p>Copies of complaints or allegations, from whatever source, that NJP staff violated the policy or prohibition embodied in RCW 2.53.030(5)(f). Copies of any reports or communications relating or responding to complaints or allegations that NJP staff violated the policy or prohibition against labor organizing or representing labor unions.</p>	<p>Document Provided? <input type="checkbox"/> Y <input type="checkbox"/> N Comments/Observations: NJP advises that no complaints or allegations of conduct inconsistent with the requirements of this section were received during the biennium.</p>
<p>INQUIRY AREA NO. 9:</p> <p>RCW 2.53.030(5)(g) Representation of undocumented aliens:</p>	

<p>Copies of policies and instructions governing the provision of legal services to aliens, including the process by which alien eligibility status is determined. If the policies are included in the Policy Manual produced in response to OCLA’s request for documents, please so indicate.</p>	<p>Document Provided? <input checked="" type="checkbox"/> Y <input type="checkbox"/> N Comments/Observations: Policy No. 12 outlines NJP’s extensive series of protocols designed to ensure compliance with this section and LSC’s complementary (although not identical) series of restrictions.</p>
<p>A description of NJP’s approach for determining eligibility of aliens for <i>state-funded</i> legal aid services and the systems employed by NJP to ensure that state-appropriated funding is not used to serve persons who are not citizens <i>and</i> who are in the United States without color of federal legal authority. Please provide Legal Server screen shots relevant to the immigration status eligibility process.</p>	<p>Document Provided? <input type="checkbox"/> Y <input type="checkbox"/> N Comments/Observations: The rules and protocols outlined in Policy No. 12 have been coded into the Legal Server CMS, and appropriate screen shots were provided demonstrating the sequence of inquiries relating to ensuring that no state funding is used to support legal representation to persons who are in the United States without color of legal authority.</p>
<p>Copies of complaints or allegations, from whatever source, that NJP staff used state-appropriated funding to represent persons who are not citizens and are not in the United States under color of federal legal authority. Copies of any reports or communications relating or responding to complaints or allegations that NJP staff used state-appropriated funding to represent persons who are not citizens and are not in the United States under color of federal legal authority.</p>	<p>Document Provided? <input type="checkbox"/> Y <input type="checkbox"/> N Comments/Observations: NJP advises that no complaints or allegations of conduct inconsistent with the requirements of this section were received during the biennium.</p>
<p>INQUIRY AREA NO. 10: RCW 2.53.030(5)(h) Picketing, demonstrations, strikes, or boycotts.</p>	
<p>Copies of policies and instructions prohibiting the use of state funds to underwrite directly or indirectly any of the activities prohibited by RCW 2.53.030(5)(h). If the policies are included in the Policy Manual produced in response to OCLA’s request for documents, please so indicate.</p>	<p>Document Provided? <input checked="" type="checkbox"/> Y <input type="checkbox"/> N Comments/Observations: These activities are expressly prohibited by Program Policy 20 (under the section designated “Political Activities”).</p>

<p>Copies of complaints or allegations, from whatever source, that NJP engaged in activities prohibited by this section. Copies of any reports or communications relating or responding to complaints or allegations that NJP staff violated the policy or prohibition against participating in picketing, demonstrations, strikes or boycotts.</p>	<p>Document Provided? [] Y [] N Comments/Observations: NJP advises that no complaints or allegations of conduct inconsistent with the requirements of this section were received during the biennium.</p>
<p>INQUIRY AREA NO. 11:</p> <p>RCW 2.53.030(5)(i) Engaging in inappropriate solicitation. For purposes of this section, "inappropriate solicitation" means promoting the assertion of specific legal claims among persons who know of their rights to make a claim and who decline to do so. Nothing in this subsection precludes a legal aid program or its employees from providing information regarding legal rights and responsibilities or providing information regarding the program's services and intake procedures through community legal education activities, responding to an individual's specific question about whether the individual should consult with an attorney or take legal action, or responding to an individual's specific request for information about the individual's legal rights or request for assistance in connection with a specific legal problem.</p>	
<p>Copies of policies and instructions prohibiting NJP staff from engaging in inappropriate solicitation of clients as defined by 2.53.030(5)(i). If the policies are included in the Policy Manual produced in response to OCLA's request for documents, please so indicate.</p>	<p>Document Provided? [X] Y [] N Comments/Observations: Policy No. 17 implements this restriction, which is substantially consistent with the corresponding federal restriction.</p>
<p>Copies of complaints or allegations, from whatever source, that NJP staff engaged in inappropriate solicitation of clients or potential clients. Copies of any reports or communications relating or responding to complaints or allegations that NJP staff engaged in inappropriate solicitation of clients or potential clients.</p>	<p>Document Provided? [] Y [] N Comments/Observations: NJP advises that no complaints or allegations of conduct inconsistent with the requirements of this section were received during the biennium.</p>
<p>INQUIRY AREA NO. 12:</p> <p>RCW 2.53.030(5)(j) Conducting training programs that: (i) Advocate particular public policies; (ii) encourage or facilitate political activities, labor or antilabor activities, boycotts, picketing, strikes, or demonstrations; or (iii) attempt to influence legislation or rule making. Nothing in this subsection (5)(j) precludes representation of clients as otherwise permitted by this section.</p>	

<p>Copies of program policies and instructions (if any) governing the content and limitations of training programs funded in whole or in part with state funding. If the policies are included in the Policy Manual produced in response to OCLA’s request for documents, please so indicate.</p>	<p>Document Provided? <input checked="" type="checkbox"/> Y <input type="checkbox"/> N Comments/Observations: Policy No. 9(7) establishes a categorical prohibition against NJP staff from engaging in such activities.</p>
<p>Copies of agendas for NJP-sponsored training programs supported in whole or in part with state-appropriated funds during the FY 2013-15 biennium.</p>	<p>Document Provided? <input type="checkbox"/> Y <input type="checkbox"/> N Comments/Observations: NJP provided a comprehensive list of skills and substantive law trainings it sponsored during FY 2013-15. All trainings were appropriate; none involved training on prohibited matters.</p>
<p>INQUIRY AREA NO. 13:</p> <p>RCW 2.53.030(7)(a) Audits: Contracts entered into by the office of civil legal aid with qualified legal aid programs under this section must specify that the program's expenditures of moneys distributed under this section:</p> <p>(i) Must be audited annually by an independent outside auditor. These audit results must be provided to the office of civil legal aid;</p>	
<p>OCLA has received a copy of the independent fiscal audit for 2013, including the LSC compliance audit and related management and board communications from the independent auditor.</p>	<p>Document Provided? <input checked="" type="checkbox"/> Y <input type="checkbox"/> N Comments/Observations: OCLA received and has reviewed the calendar year 2013 independent audit prepared by NJP’s independent auditors, Jacobson Jarvis. Under applicable federal auditing requirements, the independent audit must look not only at the reporting of income and expenses associated with its federal LSC funds, but also all other major federal grants. In addition, by federal rule – and without any indication of program specific concern – NJP’s independent auditors must treat the program as “high risk” for the purposes of conducting the audit.</p> <p>NJP’s 2013 audit was clean and unqualified. The independent auditors found no material weaknesses relating to the financial statements and determined the agency’s internal controls to be</p>

sound.

ADDITIONAL AREAS OF INQUIRY:

A. Board Governance and Administrative Capacity

Current board roster and contact information

Document Provided? Y N
Comments/Observations

A list of standing and special committees

Document Provided? Y N
Comments/Observations:

Date on which the most recent performance review of NJP's Executive Director was completed, and the criteria used by the Board of Directors to review the Executive Director's performance.

Comments/Observations: The most recent evaluation of the Executive Director (ED) was completed in October 2013. It was based on the written job description and informed by surveys of board, staff and stakeholders. The Board provided written feedback to the ED and a work plan was developed to guide both Board expectations and the ED's performance for the coming years. The work plan will serve as the baseline for the next review. NJP provided a copy of the ED job description and the survey instrument used in the 2013 ED performance review.

The identity and current statement of responsibilities of each member of NJP's statewide administrative team.

Comments/Observations: Information provided.

<p>A copy of NJP’s contracting policy, including threshold requirements for competitive bidding and rules governing the avoidance of conflicts of interest.</p>	<p>Document Provided? <input checked="" type="checkbox"/> Y <input type="checkbox"/> N Comments/Observations: NJP’s contracting policies are set forth in its Administrative Manual (provided) at pp. 21-25. The contracting procedures are consistent with general competitive bidding and review requirements.</p>
<p>B. Quality, Efficiency and Responsiveness of Client Representation</p>	
<p>Copy of NJP’s client grievance procedure and instructions to staff regarding the receipt and processing of client grievances.</p>	<p>Document Provided? <input checked="" type="checkbox"/> Y <input type="checkbox"/> N Comments/Observations: Policy No. 3 governs client grievances.</p>
<p>Please provide a table documenting each client grievance filed since 7/1/13 by number, substance of client grievance (Denial of Service, Quality of Service, Discriminatory Treatment, Other) and disposition (including at what level – e.g., staff, Director, Board -- that grievance was resolved).</p>	<p>Document Provided? <input checked="" type="checkbox"/> Y <input type="checkbox"/> N Comments/Observations: The requested tables were provided for calendar years 2013 and 2014.</p>
<p>Please provide copies of the principal documents employed in NJP’s performance review system for staff attorneys, senior attorneys, and non-attorney staff and a description of how such systems are employed.</p>	<p>Document Provided <input type="checkbox"/> Y <input type="checkbox"/> N Comments/Observations: NJP reports that the principal documents are the same as those provided in the 2012 review. NJP is considering additional changes to reflect new caseload guidelines recently adopted. The system for conducting performance reviews of employees is consistent with that reported in the 2012 report.</p>
<p>Please provide copies of NJP’s strategic plan, statewide client service objectives by category, and any corresponding list(s) of benchmarks or outcomes sought to be achieved in each of the areas of primary focus of the strategic plan. This does not include a request for any information protected by the attorney-client relationship or other information protected from disclosure under the Rules of Professional Conduct,</p>	<p>Document Provided <input checked="" type="checkbox"/> Y <input type="checkbox"/> N Comments/Observations: The 2012-17 Strategic Plan (Plan) remains as adopted in 2011 and discussed in the 2012 report. NJP actively monitors. The Plan provides a framework for identification of one or more Strategic Areas of Focus (SAF). NJP adopted removing barriers to employment as its initial statewide SAF.</p>

applicable statutes or the Washington State Constitution.

At the statewide and local levels NJP monitors a number of performance and effectiveness indicators relating to the SAF. These include, among other variables, numbers of cases; hours being spent in SAF-related client representational activities; time spent on non-client SAF related activities (e.g., community education, outreach, stakeholder identification and coordination); statewide task force related work.

NJP continues to document client service successes both within and outside of the SAF. NJP is developing issue-oriented objectives and benchmarks within the SAF, looking at both the macro (systems that operate to undermine the ability of low income people to obtain employment) and the micro (individual cases challenging decisions that affect their ability to obtain or retain employment).

At both the statewide and regional levels, NJP is working to identify and target cases within the SAF that may result in changes to agency practice and procedure that affect more than the individual client. NJP's work within the SAF employs a range of strategies (active engagement with agencies, strategic litigation, individual client cases, systems monitoring, etc.). NJP has developed coding within the Legal Server CMS to allow it to identify and track SAF-related cases, progress and outcomes. NJP has appointed statewide team leaders on each of the sub-areas of focus, and each team presents a chronicle of the prior year's efforts (successes, challenges, next steps, etc.) at NJP's annual all-staff meeting.

The SAF is an integrated statewide-regional effort, which respects the unique circumstances and issues faced by clients in each of the regional offices. The SAF incorporates a more integrated relationship between the specific SAF-related priorities and case acceptance criteria in each regional office and the statewide CLEAR hotline.

<p>Please provide any policies or statements of general applicability that create workload or caseload expectations for attorney staff and the manner in which such workload or caseload expectations are or will be managed.</p>	<p>Document Provided [] Y [] N Comments/Observations: In response to feedback received from the Legal Services Corporation in 2013 and in an effort to provide clarity and flexibility with respect to productivity/performance expectations for staff, NJP adopted a specific set of caseload guidelines. A copy of the Caseload Guidelines and the communication to staff adopting them was provided to OCLA. While a significant deviation from past practice, OCLA finds the guidelines to be thoughtfully presented and an appropriate tool to help NJP manage expectations of both staff and supervisors as well as create a framework for monitoring individual attorney productivity within the context of the full range of assigned client service and non-client service responsibilities.</p>
<p>Please be prepared to discuss and review the following. Where appropriate and as time allows, please provide a brief written outline of NJP’s efforts in each of the areas below.</p> <p>Please also highlight changes or deviations in the areas discussed below, if any, from practices chronicled in NJP’s 2013 Application for Funding or documented in the 2012 Biennial Review:</p>	
<p>Systems and approaches used by NJP to provide effective oversight, supervision and accountability of client service delivery.</p>	<p>Comments/Observations: NJP upgraded an Olympia based attorney to a full-time Statewide Advocacy Coordinator focusing on the program’s work in benefits, elder law, administrative practice and related areas. This resulted in the loss of a .5 FTE to the Olympia office – a position that has yet to be replaced due to funding limitations.</p> <p>Consistent with the descriptions set forth in the 2012 review, the Statewide Advocacy Coordinators (SAC’s) remain responsible for conducting local and regional office visits to support local advocacy initiatives and development of advocacy capacity. This role is now</p>

	<p>more robust as some of the ancillary HR related functions of AV office visits has been shifted to NJP's new HR director (see below). Senior attorneys continue to conduct performance reviews and professional development plans for all line advocates under their direction. These are completed over an 18 month cycle on average. Similarly, the Director of Advocacy carries out performance review of the regional and statewide Senior Attorneys.</p> <p>Responding to recommendations offered by both LSC and OCLA in recent years and consistent with the ED's vision of a more complete administrative team, NJP hired a new Human Resources (HRD) Director (Karen Holland) in 2014. Among her many functions, the HRD receives and maintains all such reviews and actively counsels the SA's on how to work effectively with their teams at both the individual and office levels.</p> <p>With the addition of the HRD, SAC's have been relieved of many of the HR related functions that they previously performed and are more focused on their client advocacy support responsibilities.</p>
<p>Systems and strategies to encourage and support professional development of attorney and non-attorney staff.</p>	<p>Comments/Observations: NJP maintains the basic systems outlined in the 2012 report. The new HRD is actively engaged in working with the rest of the management team and staff to build a culture of support characterized by good morale and a sense of common stake in the work of the program. The HRD is responsible for making sure that staff members are effectively supported and to help management comply with program policies and legal requirements relating to employment relationships. She has been asked to ensure that NJP's HR policies are strategically directed to further the program's stated objectives (as outlined in the Mission and Strategic Plan) in ways that further a supportive and effective working environment for NJP staff.</p>

Systems or approaches (including but not limited to case specific outcome tracking) through which NJP monitors, aggregates or otherwise evaluates the impact and effectiveness (qualitative or quantitative) of its client service efforts. Please be prepared to describe (or provide written) examples of changes, if any, in client service orientation initiated in response to internal effectiveness assessments during the current biennium.

Comments/Observations: NJP continues to explore ways to better understand the impact of its client representational work both with respect to the individual clients served as well as the broader communities of clients whose interests may be affected by its work. NJP's activities are focused in three general areas --

1. Impacts of Limited Assistance to Persons With Family Related Legal Problems. With funds previously allocated from OCLA, NJP has engaged an independent professional researcher and the Social and Economic Sciences Research Center (SESRC) at WSU to conduct a survey of recipients of limited services in family law cases. This effort is being managed by the Director of Strategic Initiatives.
2. Broader Tracking of Client Service Outcomes. NJP's Case Service Reporting (CSR) system has historically tracked output information relating to clients who have received services from the program. This includes the client's demographic and geographic characteristics, the nature of the legal problem, the office that provided services, the level of legal services provided and the reason for case closure. It has not generally tracked the substantive results achieved for the client in the case.

During this biennium, NJP has been working to develop an outcomes framework to track and monitor a range of indicators in each of the substantive areas of its practice that should help it assess the outcomes and value of the services provided to its clients. A pilot list of outcome indicators has been developed and was provided to OCLA. Protocols for tracking, inputting, monitoring and evaluating the effectiveness of NJP's client representational work are being developed and were slated to be pilot tested shortly after the on-site visit. These outcome indicators will be incorporated into the Legal Server CMS through dropdown menus for each substantive area of legal work.

	<p>While the principal reference point is assessing the importance of the work to the client, NJP may begin tracking fiscal or monetary impacts in those areas of client service that are conducive (e.g., benefits cases, foreclosure).</p> <p>This effort will also be designed to allow NJP to track both individual case outcomes and systemic client work in relation to the goals of the program's SAF.</p> <p>3. Statewide Alliance Outcomes Working Group. The DSI sits on a work group that is exploring ways to develop consistent indicators of client service impact and outcomes. This effort is being hosted by the Legal Foundation of Washington and is pending.</p> <p>NJP continues to await publication of guidance and/or directives from LSC relating to outcomes tracking and measurement. NJP understands that LSC may provide tool kits and other support resources that programs could look to in developing their efforts to identify and track relevant outcome indicators. No formal notice had been received from LSC at the time of the on-site visit.</p>
<p>Coordination of client service priorities, roles and responsibilities with other Alliance for Equal Justice delivery partners.</p>	<p>Comments/Observations: NJP has been involved in a number of collaborative initiatives with its equal justice delivery partners. Some examples include:</p> <ol style="list-style-type: none"> 1. Pro Bono Innovation Grant. NJP worked with the ATJ Board's recently created Pro Bono Council and its manager as well as a number of specific pro bono programs to develop a project to expand pro bono capacity to serve clients with compelling needs in family law cases. 2. NJP is working with the Legal Foundation of Washington (LFW), ATJ Board staff and the ATJ Board's Delivery Systems Committee to develop a statewide plan to expand and institutionalize efforts to meet the civil justice needs of low

	<p>income veterans and their families.</p> <ol style="list-style-type: none"> 3. NJP continues to host task forces and undertake other efforts to ensure that meaningful client service coordination occurs in the context of specific substantive areas of advocacy (e.g., drivers and occupational licensing, access to the courts) 4. NJP is part of an inter-program work group hosted by LFW to build capacity to address individual needs of individuals reentering from incarceration. 5. Staff associated with NJP's Foreclosure Prevention Unit (FPU) provides statewide support, training and coordination for all advocates involved in foreclosure related advocacy. 6. NJP is part of a coordinated statewide effort to ensure meaningful levels of funding and support for legal services to low income and vulnerable seniors.
<p>Focus and status of NJP's assessment of the value of brief and limited services provided to clients in family law matters and the timeline for completion of the assessment.</p>	<p>Comments/Observations: NJP has overcome a number of research related obstacles and is ready to move forward with this study. Additional fields have been added to the Legal Server CMS and final human subject research issues are being addressed by SESRC. Final scripts are being developed and the project will launch shortly.</p>
<p>External communications goals, strategies, internal and contracted capacities and any assessments of the effectiveness of NJP's external communications efforts.</p>	<p>Comments/Observations: NJP is aware that external communications is not an area where it has developed robust capacity. It prepares and publishes an Annual Report documenting its work, but is not actively engaged in chronicling and promoting its work in social media beyond its website and Facebook page.</p>
<p>Systems used to ensure accessibility of its services to those who experience cultural, linguistic, sensory, geographic, social, ability-based and related obstacles and the means by which NJP assesses the effectiveness of such systems.</p>	<p>Comments/Observations: NJP has maintained its ASL (American Sign Language) client interface despite loss of initial startup funding (TIG). The system is being actively used by deaf clients. The system is staffed by Kristi Cruz, the program's ASL interpreter/outreach coordinator and a part-time CLEAR attorney.</p>

	NJP is working to develop an array of community based outreach initiatives to reach low income veterans, many of whom have unique barriers (physical and mental health) that limit their access.
NJP's periodic priorities setting process and other approaches to identifying and engaging with clients and identifiable client communities in defining priorities, goals and objectives.	Comments/Observations: NJP delivered a detailed presentation on its priority setting and case acceptance processes at the December meeting of the Civil Legal Aid Oversight Committee. The full set of priority setting materials developed for NJP's annual Board review were provided in the April Board materials. NJP's priority setting process is thoughtful and disciplined.
C. Client Service Statistics	
List of hours spent on state-eligible cases as a percentage of all hours spent on cases for the periods 7/1/13 – 6/30/014; and 7/1/14 – 9/30/14.	Document Provided? <input checked="" type="checkbox"/> Y <input type="checkbox"/> N Comments/Observations: Provided as part of the fiscal review.
Copy of most recent Annual Report, if any, to LSC confirming internal review and integrity of CSR data.	Document Provided? <input checked="" type="checkbox"/> Y <input type="checkbox"/> N Comments/Observations:
A list of actions pending or taken by NJP in response to the findings and recommendations of the November 2013 LSC Office of Program Performance Program Quality Visit Report.	Document Provided? <input checked="" type="checkbox"/> Y <input type="checkbox"/> N Comments/Observations:
Please provide screen shots of Legal Server fields, copies of Excel spreadsheets or any other documents that show what and how NJP tracks case specific client service outcomes. A list of categories of client service outcomes that NJP regularly tracks to assess the value or impact of client services provided. These can provided through Legal Server screen shots, Excel spreadsheet or other appropriate documentation	Document Provided? <input checked="" type="checkbox"/> Y <input type="checkbox"/> N Comments/Observations: A full list of pilot outcome indicators was provided.
D. Compliance with applicable non-discrimination requirements, ADA and ATJ Technology Principles	
A description of NJP's attorney and staff recruitment processes.	Comments/Observations: Among other duties, the new HRD will be assuming responsibilities in the area of recruitment, interviewing, hiring and retention strategies.

<p>Systems and approaches used by NJP to achieve inclusion and diversity in staff composition. Please provide copies of any policies that guide NJP activities in this area beyond those included in the Policy Manual. Please also provide a numeric or percentage breakdown of NJP's workforce by position category and staff-disclosed race, ethnicity, gender, age, disability and sexual orientation.</p>	<p>Comments/Observations: Many of the initiatives documented in the 2012 report, including the work of the staff Diversity Committee continue. The HRD will be working on staff and staff training needs consistent with the Diversity Committee's stated goals and objectives. NJP is committed to building and maintaining a safe-environment for raising issues related to staff diversity and fairness of treatment issues, as well as issues relating to diversity, inclusion and fairness of treatment of clients.</p> <p>NJP's all-staff meetings have hosted speakers on diversity related issues, including conversations on intergenerational issues.</p>
<p>Systems and approaches used by NJP to achieve cultural competency for staff involved in outreach to and the delivery of client services. Please provide any policies that guide NJP activities in this area (if not included in the Policy Manual provided in advance of the visit). Please also identify training that NJP provided to staff on inclusion, diversity and cultural competency in the delivery of client services during the FY 2013-15 biennium.</p>	<p>Comments/Observations: NJP is intentionally working to identify and address considerations related client services to LBGTQ clients and client communities, including language used in and strategies used to target client advocacy materials.</p> <p>NJP is also working to educate and expand staff understanding of the cultures and characteristics of those who are victims of human trafficking.</p> <p>NJP has developed some internal trainings (lit-kits) on working with persons with mental health issues.</p>
<p>A description of training and other strategies, if any, that NJP uses to foster compliance with legal non-discrimination obligations and internal program diversity goals and objectives.</p>	<p>Comments/Observations: The HRD is and will continue to provide training for SA's on broad range of HR related issues, including issues relating to discrimination, fair treatment, accommodation, and working with persons who present diverse needs/competencies.</p>
<p>A description of systems or approaches, if any, that NJP uses to ensure that technology systems are compliant with applicable legal requirements regarding non-discrimination and access, and demonstrate consistency with standards and/or best practices in technology accessibility.</p>	<p>Comments/Observations: The Director of Administration (Sue Encherman) and Brian Rowe (NTAP Manager) are responsible for ensuring that NJP's technology systems are compliant with applicable legal requirements. Brian Rowe is intimately familiar with usability trends and best practices, and provides support both to NJP and to the national legal aid community through the NTAP program he administers.</p>

<p>A description of NJP’s approach to consideration of the ATJ Technology Principles in technology project development efforts. Please provide an example of the contemporaneous consideration of the ATJ Technology Principles in the development of NJP’s new telecommunications systems.</p>	<p>Comments/Observations: An updated statement of NJP’s approaches to complying with and implementing the ATJ Technology Principles was provided.</p>
<p>E. Oversight of Subcontracts</p>	
<p>Please Provide Access and Opportunity to Review: Documentation, including reports received from the LFW, client service statistics and other related information used by NJP to confirm that state funds are used by each entity that receives them exclusively to support the provision of civil legal aid services to eligible clients on matters falling within the areas of authorized activity set forth in RCW 2.53.030.</p>	<p>Access Provided: <input checked="" type="checkbox"/> Y <input type="checkbox"/> N Comments/Observations:</p>
<p>F. Third Party Complaints and Grievances</p>	
<p>Please provide a table documenting all written complaints filed with NJP by third parties who are not clients or prospective clients documenting (a) identity of the complaining party, (b) the nature of the complaint, and (c) the disposition of the complaint.</p>	<p>Document Provided <input type="checkbox"/> Y <input type="checkbox"/> N Comments/Observations:</p>
<p>Please provide a table documenting (a) all complaints known to NJP that were filed against NJP or any employee thereof with the Legal Services Corporation, the Washington State Bar Association or other funding or regulatory entities during the FY 2011-13 biennium, and (b) the disposition of such complaints. This request does not seek information that is protected from disclosure under the Rules of Professional Conduct, the Rules for Enforcement of Lawyer Conduct or other legal authority. If NJP asserts a right not to disclose the existence of any such complaint, allegation or grievance, please identify the source of legal authority for the same.</p>	<p>Document Provided <input checked="" type="checkbox"/> Y <input type="checkbox"/> N Comments/Observations: NJP advises that 8 grievances were filed against NJP attorneys during the biennium, all of which were dismissed with no action taken against the lawyers.</p>

ATTACHMENT 2

Civil Legal Needs Study Update



Results of a State-wide Probability Survey of Low- and Lowest-income Households



Social & Economic Sciences Research Center
Washington State University

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Executive Summary

Twelve years ago, the Washington Supreme Court's Task Force on Civil Equal Justice Funding published the first ever report on the civil legal needs of low-income Washingtonians. The [2003 Washington State Civil Legal Needs Study](#) (2003 CLNS) presented striking findings about the percentage of low-income households that experienced important civil (non-criminal) legal problems, the types of problems they experienced, differences in the prevalence and subject matter of legal problems experienced by different demographic subgroups, the percentage of households that sought legal help, where people went for legal help and the impact of legal assistance in resolving their legal problems.

Conditions affecting low-income Washingtonians have changed a lot since the data was gathered for the 2003 CLNS. The number of people living in poverty and the overall poverty rate increased. Many governmental programs that serve low-income people have been substantially altered or eliminated. Passage and implementation of the Affordable Care Act altered the availability and cost of health care services. And the Great Recession of 2008-10 caused great economic dislocation that continues to echo in social and economic indicators from unemployment to household income and wealth.

At the request of the Washington State Office of Civil Legal Aid (OCLA), the Washington State Supreme Court established a committee to oversee a comprehensive update of the 2003 CLNS. A twelve-member 2014 Civil Legal Needs Study Update Committee (2014 Update Committee) was appointed to oversee a comprehensive research effort grounded in the core areas of the 2003 study's focus, augmented to understand new and emerging legal problems. The study was conducted by the Social and Economic Sciences Research Center (SESRC) at Washington State University during the summer and fall of 2014.

Like the 2003 CLNS, this Update was designed to gain information about individual problems experienced by low-income household that do or could give rise to a specific need for civil legal assistance in one or more of the enumerated subject matter areas. Identification and exploration of broader systems, policies, practices or structures that operate unfairly with respect to the low-income population generally or specific sub-demographic components of that population was beyond the scope of this effort.

So, what did we find?

First, consistent with the 2003 CLNS findings, we found that more than 70% of low-income households had a civil legal problem within the prior 12 month period and that more than three quarters of those who had a legal problem did not seek or were not able to obtain legal help with respect to these problems. Also consistent with the findings of the 2003 study, we found that large percentages of low-income people did not get help because they did not understand that the problems they face have a legal dimension or because legal help was not available.

We also found significant differences from the 2003 findings. Most striking is the growth in the per capita incidence of civil legal problems, from 3.3 per household/yr. in 2003 to 9.3 per household/yr. in the 2014 CLNS Update. We also found significant changes in the types of

problems most often experienced by low-income Washingtonians. Whereas low-income respondents to the 2003 survey reported the greatest percentage of problems in the areas of housing, family relations and employment, respondents to the 2014 survey reported the highest percentage of problems in the areas of health care, consumer-finance and employment.

Looking at the impact of legal assistance, we found that of those who were able to get legal help, 61% were able to obtain some resolution of their legal problem(s), including 17% who obtained complete resolution of their problem(s). This is consistent with the 2003 finding that of those who were able to secure legal help, 61% were satisfied with the resolution of their problem.¹

At the same time, we learned that low-income people have limited confidence in the ability of the civil justice system to treat them fairly, help people like them protect important legal rights or help people like them solve important legal problems. Again, this is consistent with the 2003 CLNS finding that 48% of all low-income people who had a legal problem had a negative view of the justice system.²

Some additional important findings generated from the research effort include:

- Victims of domestic violence continue to have the highest number of legal problems per capita, averaging nearly 18 problems per household/yr.
- Significant disproportionalities in the prevalence of legal problems are experienced by African-Americans, Native Americans, Hispanic/Latinos, persons with disabilities and youth.
- Low-income respondents continue to experience high levels of problems associated with discrimination and unfair treatment. The highest rates of discrimination are experienced by racial and ethnic minorities, Native Americans, persons with disabilities, victims of domestic violence and youth. Discrimination and unfair treatment rates are highest in the areas of employment, rental housing, consumer-finance and health care. Youth experience high rates of discrimination and unfair treatment based on their sexual orientation and gender identity.
- In addition to discrimination and unfair treatment on the basis of legally protected characteristics (*e.g.*, race, gender, age, disability), significant percentages of low-income households experience unfair treatment on the basis of their credit histories, prior juvenile or criminal justice system involvement and their status as victims of domestic violence or sexual assault.
- The degree to which low-income Washingtonians look with confidence to the civil justice system for resolution of their legal problems differs by race, age, gender, family composition, and other demographic and status-based characteristics.

In the following pages we explore the data and break down the key findings into their component parts. As the purpose of this 2014 CLNS Update is to report on “what is” rather than “what should be,” we leave it to others in Washington State’s access to justice community to consider the implications relative to resource needs, changes in service delivery focus and related strategies to address the Justice Gap documented in this report.

¹ 2003 CLNS at 55, Fig. 24.

² 2003 CLNS at 56, Fig. 25.

Introduction

Washington State University's Social and Economic Sciences Research Center (WSU-SESRC) was engaged to undertake a comprehensive update of the [2003 Washington State Civil Legal Needs Study](#) (2003 CLNS). Throughout the summer and fall of 2014 SESRC conducted a study the main goal of which was to update and deepen understandings regarding the substance, prevalence and impact of civil legal problems experienced by low-income residents and the degree to which necessary legal assistance is obtained.

The study was designed to provide answers to the following questions:

- To what degree do legal problems previously identified in the 2003 CLNS (“persistent legal problems”) continue to affect low-income and very low-income households and target sub-demographic groups within the general low-income and very low-income population?
- What is the substance and prevalence of newly emergent civil legal problems; *i.e.*, types of significant problems that emerged since or were not assessed during the conduct of the 2003 CLNS?
- What are the differences in substantive legal problem areas, prevalence of legal problems and outcomes experienced by members of high priority sub-demographic groups relative to the general low-income population, and what is the substance and prevalence of civil legal problems associated with systems and structures that disproportionately affect members of low-income and very low-income racial and ethnic minority groups?
- To what degree are low-income and very low-income households able to access necessary legal help to address important civil legal problems; and for those who do not, the reasons therefore?
- What is the value and impact of securing timely civil legal help (from whatever source), and are there meaningful differences in experience/problem resolution depending upon whether the household did or did not secure legal help?
- How do the legal problems differ by reference to current socio-economic characteristics of these target populations?

Why This Study: Why Now?

Washington State's first-ever Civil Legal Needs Study was published in September 2003 (2003 CLNS). The study documented that more than three-quarters of low-income households in Washington experienced at least one significant civil legal problem for which they needed legal help each year and that of these nearly 90% could not get the help they needed to solve the problem consistent with their basic legal rights. Problems spanned the spectrum from housing, employment, and family-related legal problems to those affecting access to health, mental health, educational and other important services. The 2003 CLNS has guided public and private resource development and client civil legal aid delivery efforts in the twelve years since its publication.

In 2012, OCLA convened a Civil Legal Needs Study Update Scoping Group (Scoping Group) to assess whether there have been sufficient changes in circumstances to merit a comprehensive reassessment of the civil legal problems experienced by low-income residents of the state. The Scoping Group issued its [Final Report and Recommendations](#) in December 2012, concluding that there is a need to update the principal findings relating to the unmet civil legal problems of low-income people and recommending that the effort be guided by a Blue Ribbon panel led by a Justice of the Washington State Supreme Court. Acting on the Scoping Group's recommendation, the Washington Supreme Court established a 12-member 2014 Civil Legal Needs Study Update Committee (Update Committee) and appointed Justice Charles Wiggins to lead it. The Supreme Court asked OCLA to staff the project and serve as principal contracting agent with any research institution selected by the Update Committee to carry out the project.

Overview of the Research Approach

In 2014, OCLA entered into a contract with Washington State University's Social and Economic Sciences Research Center (WSU-SESRC) to conduct the comprehensive reassessment of the civil legal problems of Washington's low- and lowest-income residents. WSU-SESRC's approach employed two separate but complementary components:³

- A mixed-mode (web, mail, and phone) state-wide probability survey⁴ of low-income respondents; and
- A non-probability survey⁵ of individual low-income people throughout Washington who represent groups that were unlikely to be sufficiently represented in an address-based probability survey.

³ A detailed description of the methodology used to conduct this study is located in Appendix A.

⁴ A probability survey employs random sampling of representatives of a discrete target survey group. Depending on response rates and other methodological considerations, results may be used with differing levels of confidence to extrapolate findings to the general population represented by the survey group. The findings from this probability survey may predict experiences for low-income households with incomes at or below 200% of the federal poverty guideline with 95% confidence (+/- 3%).

⁵ A non-probability survey is not random and its results do not predict outcomes for the general population with statistical accuracy. The non-probability component of this survey effort was intended to fill gaps in data generated from the probability survey, particularly for those sub-populations that would not be expected to respond in sufficient numbers to a random, addressed based survey sampling method.

WSU-SESRC used a common questionnaire for both components to ensure comparability. The strategy was to ask respondents about each of 18 specific sets of circumstances, including total of 138 specific civil legal situations anyone in the household may have experienced during the prior twelve month period.

This report outlines the results of the *state-wide probability survey* only. The inclusive nature of the survey made it possible to analyze the extent and type of legal problems experienced by the low-income population as a whole, as well as by identifiable demographic sub-groups who might be expected to experience unique legal problems based on their status or identity.

A total of 3,125 households distributed throughout the state participated in screening for eligibility for the state-wide probability survey. Eligible households were defined as households with income up to 200% of the FPL poverty guidelines based on household size. A total of 1,375 completed surveys from eligible respondents were received. Three hundred sixteen (23.0%) were received via phone, six hundred seventy one (48.8%) were received via web, and three hundred eighty eight (28.2%) were received via mail.⁶

Principal Findings

1. Consistent with the findings of the 2003 CLNS, more than 70% of low-income households continue to annually experience at least one civil legal problem in one of the surveyed problem areas. Of these, more than three quarters do not seek or are not able to obtain legal help with respect to these problems.
2. The number of problems per household tripled from the level documented in the 2003 CLNS. Of those who experienced at least one problem, the 2003 CLNS found an average of 3.3 problems per household/year. The 2014 CLNS Update found that households with at least one problem averaged 9.3 problems per household/year.
3. The substantive types and prevalence of problems experienced by low-income households changed since the 2003 CLNS. Whereas low-income respondents to the 2003 survey reported the greatest percentage of problems in the areas of housing, family relations and employment, respondents to the 2014 survey reported the highest percentage of problems in the areas of health care, consumer-finance (including access to and terms of credit as well as debt collection) and employment.

The 2003 CLNS found an average of 3.3 legal problems per household, while the 2014 CLNS found an average of 9.3 per household.

⁶ A total of 1,375 completed questionnaires from eligible respondents is large enough to ensure a sample error of no larger than +/-3% sample error (SE) at the 95% confidence level. Thus, it is possible to draw conclusions about the low-income population as a whole that can be accepted with a high degree of confidence from observations about the survey respondents.

4. While health care, consumer-finance and employment are the areas with the highest prevalence of legal problems, low-income respondents sought legal help most often when faced with housing, family relations and consumer-finance related problems.
5. Victims of domestic violence and sexual assault continue to experience the highest number of problems per capita than any other demographic group. Members of this group who experienced at least one problem averaged nearly 18 problems per household/year across a broad spectrum of often interrelated substantive legal problems.
6. Very significant differences exist in the type and prevalence of problems respondents experienced depending upon their race, gender, age, disability, military service status and other status-based characteristics.
7. As they did in the 2003 CLNS, low-income respondents continue to report high levels of problems associated with discrimination and unfair treatment. The highest rates of discrimination are experienced by racial and ethnic minorities, Native Americans, persons with disabilities, victims of domestic violence and youth. Discrimination and unfair treatment rates are highest in the areas of employment, rental housing, consumer-finance and health care. Youth who are lesbian, gay, bisexual, transgendered or questioning their sexuality experience high rates of discrimination based on their sexual orientation.
8. In addition to discrimination and unfair treatment on the basis of legally protected characteristics (e.g., race, gender, age, disability, sexual orientation), significant percentages of low-income households experience unfair treatment on the basis of their credit histories, prior juvenile or criminal justice system involvement and their status as victims of domestic violence or sexual assault.
9. The vast majority of low-income people continue to face their civil legal problems without legal assistance. Most of those (65%) who experienced at least one civil legal problem did not take action to get legal help or assistance. Many did not know they had a problem for which assistance from an attorney could help. Many others who understood that they needed legal help did not believe they could afford to get legal help. Only 24% of survey respondents got help with one or more legal problems.
10. Of the respondents who tried to get legal help, most sought help from a legal aid provider, the statewide CLEAR hotline or a volunteer attorney. Many sought help from a paid private attorney. Relatively small percentages sought help from other legal and non-legal related entities such as the Office of the Attorney General, a government agency or a social or human services program.

The 2003 CLNS found that 12% were able to get legal help, while the 2014 CLNS Update found that 24% of households got legal help with one or more problems.

11. Consistent with the findings of the 2003 CLNS the 2014 Update documents that legal assistance makes a difference. Of those who were able to get legal help, 61% were able to obtain some resolution of their legal problem(s), including 17% who obtained complete resolution of their problem(s). This is consistent with the 2003 finding that of those who were able to secure legal help, 61% were satisfied with the resolution of their problem.
12. While most low-income Washingtonians have limited confidence in the civil justice system, perceptions regarding the degree to which that system offers a fair forum for the resolution of important civil problems differ by race, age, gender, family composition, and other demographic and status-based characteristics.

Acknowledgements

The 2014 Civil Legal Needs Study Update Committee would like to thank those who dedicated resources and time to make this Update possible:

Washington State Office of Civil Legal Aid
Legal Foundation of Washington
Washington State Supreme Court Gender and Justice Commission
Washington State Supreme Court Minority and Justice Commission
Washington State Supreme Court Access to Justice Board
Washington State Office of the Attorney General
King County Department of Public Defense
Washington State Bar Association
King County Bar Association
Washington State Association for Justice

The Update Committee also extends its appreciation to Washington State University's Social and Economic Sciences Research Center (SESRC) researchers Danna Moore and Arina Gertseva for providing expert guidance concerning project implementation, to other SESRC staff and students at Washington State University for support in the conduct of the survey and data analysis, to the staff of the Office of Civil Legal Aid for coordinating and staffing this effort, to the Washington State Center for Court Research, to members of the CLNS Update Technical Advisory Work Group, to Seattle University School of Law Students Tiffany Curtiss, Roger Derrick Chapman, and Donald (Robby) Barthelness who donated many hours of volunteer support, and to the thousands of low-income residents throughout Washington State who took the time to participate in this survey.

Washington State Supreme Court 2014 Civil Legal Needs Study Update Committee

Justice Charles Wiggins, Chair, *Washington State Supreme Court*
Justice Steven González, *Washington State Supreme Court, representing the Washington Supreme Court Access to Justice Board*
Robert Ferguson, *Washington State Attorney General*
Hon. Lorraine Lee, Chief Administrative Law Judge, *Washington State Office of Administrative Hearings*
Hon. Lesley Allan, *Chelan County Superior Court*
Elizabeth Thomas, K&L Gates, *representing the Legal Foundation of Washington*
David Keenan, *Orrick, Herrington & Sutcliffe, representing the Washington Supreme Court Minority and Justice Commission*
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Justice Steven González, *Washington State Supreme Court*

Christopher Lanese, *Washington State Office of the Attorney General*

Hon. Lorraine Lee, *Washington State Office of Administrative Hearings*

Hon. Lesley Allan, *Chelan County Superior Court*

David Keenan, *Orrick, Herrington and Sutcliffe*

Jim Bamberger, *Washington State Office of Civil Legal Aid*

Demographic Profile of Low-Income Residents of Washington State

This is a study of the civil legal needs of low-income residents of Washington State. The survey was targeted to individuals with household incomes at or below 200% of the federal poverty level (FPL).⁷

The basic standard for determining eligibility for state or federally funded civil legal aid is 125% of FPL, with some exceptions that allow assistance for persons with incomes up to 200% of FPL. In 2014, the household income limits by family size under these standards were:

Federal Poverty Level	Household Size				
	1	2	3	4	5
125% FPL	\$14,363/yr.	\$19,388/yr.	\$24,413/yr.	\$29,438/yr.	\$34,463/yr.
200% FPL	\$23,340/yr.	31,460/yr.	\$39,580/yr.	\$47,700/yr.	\$55,820/yr.

Understanding the demographics of poverty in Washington State helps provide additional context for understanding the substance, prevalence and impact of civil legal problems reported by different segments of the low-income population. The discussion below outlines key poverty demographic indicators and, where appropriate, changes since the 2000 Census which served as the framework for the 2003 CLNS.

According to the Census Bureau, the percentage of the US population living at or below 125% of the federal poverty level (FPL) was 16.5% in 1999 (the figure used for the 2000 Census). In 2013, the Census Bureau reports that the percentage of persons living at or below 125% of FPL increased to 20.6%.⁸

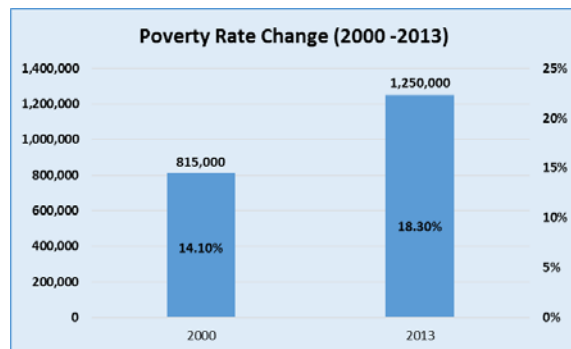


Figure 1: Poverty rate change in Washington between 2000 and 2013

This trend holds true for Washington State. The 2000 Census reported that 815,000 persons were living at or below 125% of FPL (14.1% of the general population). By 2013, this number had increased to 1,250,000 (18.3% of the general population). Figure 1 shows both number of people and the percentage of the general

⁷ For the most part, governmentally funded civil legal aid services, food and nutritional assistance, income assistance, health care, free or reduced lunch programs for students, housing assistance and many other programs employ eligibility benchmarks that range between 125% and 200% of the federal poverty level.

⁸ The Census Bureau measures social and demographic information against a range of poverty related levels. Some data is kept relative to people living at or below 100% of the federal poverty level, while other data is analyzed in by the Census Bureau in relation to households with incomes at or below 125%, 150%, 187% and 200% of FPL. Data presented here highlights salient demographic factors in relation to the most reliable benchmarks available from the Census Bureau's American Community Survey (ACS). Due to limitations in available ACS data, some information is presented in relation to 100% of FPL, while other information is presented in relation to the 125% FPL benchmark.

population living at or below 125% in 2000 and 2013.

The Census Bureau’s 2013 American Community Survey (ACS) showed large differences in poverty rates among Washington counties.⁹ In general, residents of counties in the more rural portion of the state and those living in eastern Washington were more likely to live at or below 125% of the poverty level. For example, 14.0% of residents of Island County, 15.5% of residents of King County and 15.4% of residents of Kitsap County had incomes at or below 125% of FPL, while 24.7% of residents in Grays Harbor County, 23.1% of residents in Cowlitz County, 23.0% of residents of Spokane County, 27.8% of residents of Franklin County and 29.0% of residents in Yakima County had household incomes at or below 125% of FPL.

Members of racial minority groups disproportionately have incomes at or below the poverty level. The incidence of poverty among African Americans, who represent only 4.0% of the total population in Washington State and Hispanics, who represent 11.9% of the population, exceeds that of whites by a factor of more than 2. In 2013, 26.7% of African Americans and 26.6% of Hispanics or Latino origin of any race had incomes below 100% of FPL, compared to 11.2% of non-Hispanic whites and 12.8% of Asians.

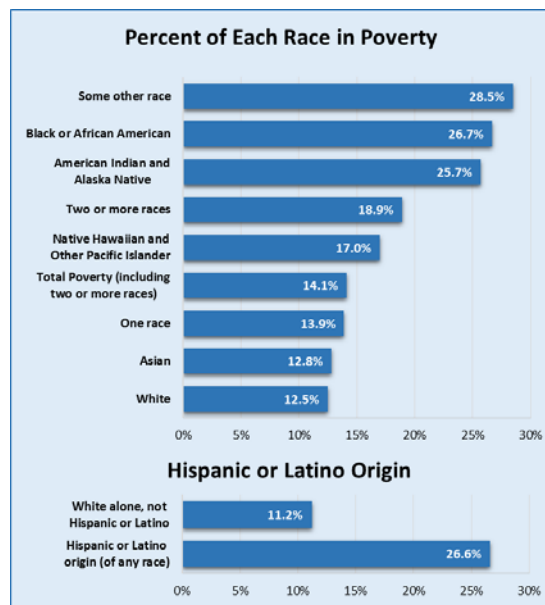


Figure 2: Percent of each race in poverty

Figure 2 shows the relative breakdown of respondents by race and the corresponding percentage of members of each group with incomes at or below 100% of FPL.

Geography also plays a role, intersecting with race. For example, Yakima, Adams and Franklin Counties have large Hispanic populations, while Ferry and Okanogan counties have the largest proportions of American Indians and Alaska Natives, two groups with consistently high poverty rates.

Beyond race and geography, poverty is concentrated among certain other groups. Women, children, persons who are unemployed, those with low levels of educational attainment or job skills and persons who have a disability are especially prone to poverty.

Women are more likely than men to live in poverty in Washington (15.2% compared to 13.1%, respectively). Several factors contribute to the overrepresentation of women among those living in poverty. Women are more likely to be the primary providers for children in single family households. Women also tend to live longer than men and are elderly with fewer resources in their household for their remaining years of life. Women also generally have lower wages than men. The 2013 ACS showed median incomes of about \$30,021 for women and \$40,687 for men who worked full time in Washington.

⁹ Unless otherwise referenced, demographic data comes from the US Census Bureau’s 2000 Decennial Census or the Census Bureau’s ACS.

More than thirty percent of all children in Washington (30.8%) lived at or below 100% of FPL in 2013. Children living in single female-headed families are especially prone to poverty. In 2013 a child living in a single female-headed family was nearly five times more likely to be poor than a child living in a married-couple family. In 2013, among all children living in single female-headed families, 43.3% lived at or below 100% of FPL. Only 9.5% of children living in households headed by married couple lived at or below 100% of FPL.¹⁰

In 2013, 12.6% of native-born residents were poor whereas 18.2% foreign-born residents were poor in 2013. The poverty rate among foreign-born naturalized citizens (11.0%, in 2013) was lower than that of the native-born U.S. population.

Adults with low education, those who are unemployed, or those who have a work-related disability are especially prone to poverty. In 2013, the poverty rate for the population 25 years and over who lacked a high school diploma was 26.2%. In contrast, only 9.7% of those 25 and over with at least a bachelor's degree were found to be living below the poverty line. Among persons who were unemployed in 2013, nearly 3 out of 10 (27.8%) were living at or below 100% of FPL; among those who were employed, only 6.4% had household incomes below 100% of FPL.

In 2013, adults (age 18-64) with disabilities rendering them unable to work represented 11.2%¹¹ of the total civilian non-institutionalized population of Washington. More than a quarter of persons in this group (27.8%) had household incomes at or below 100% of FPL.

In summary, the largest risk factors for living in poverty in Washington State include:

- Race
- Gender
- Family composition, particularly children living in single female head of household family
- Age (children under 18)
- Status as working or unemployed
- Education
- Having a disability that limits a person's ability to work
- Being a foreign national
- Geography

¹⁰ While this discussion singles out specific demographic characteristics, the disproportionate experience of poverty is felt by those who have more than one such characteristic. Poverty rates for minority women and children well exceed those of their white counterparts.

¹¹ http://factfinder.census.gov/faces/tableservices/jsf/pages/productview.xhtml?pid=ACS_13_1YR_S1810&prodType=table

Demographic Characteristics of Survey Participants

The survey methodology sought to secure participation from representative samples of the low-income population. Of the nearly 1,500 census tracts in Washington, 126 were identified that had either:

- 28.0% of individuals with household incomes at or below 125% of FPL
- At least 1,000 residents who identified as a member of a particular census-based racial or ethnic minority group and where at least 25.0% of the members of that group had household incomes at or below 100% of FPL.

Race and Ethnic Characteristics

One thousand three hundred forty-two respondents (1,342) provided information about their race/ethnicity. Table 1 shows the relative breakdown of survey respondents by race or other Census-based identifying characteristic and the corresponding numbers and percentages of members of each group in the overall poverty population.

Table 1: Demographic Characteristics of Washington State by Race and by Hispanic or Latino Origin and the Corresponding Percentage of Members of Each Group in the Washington State Poverty Population and the Survey Participants.

Race	Total	Poverty	Percent of Each Race in Poverty	Percent of Poverty Population	2014 CLNS Percentage Participation ¹²
One race	6,506,018	904,854	13.9%		
White	5,343,321	668,475	12.5%	69.1%	57.6%
Black or African American	248,640	66,402	26.7%	6.9%	9.2%
American Indian and Alaska Native	92,760	23,815	25.7%	2.5%	6.3%
Asian	529,174	67,765	12.8%	7.0%	7.6%
Native Hawaiian and Other Pacific Islander	41,111	6,972	17.0%	0.7%	1.4%
Some other race	251,012	71,425	28.5%	7.4%	3.1%
Two or more races	330,244	62,428	18.9%	6.5%	3.6%
Total Poverty (including two or more races)	6,836,262	967,282	14.1%		
Hispanic Or Latino Origin					
Hispanic or Latino origin (of any race)	815,416	216,692	26.6%	22.4%	20.4%
White alone, not Hispanic or Latino	4,854,186	543,367	11.2%		

¹² Because the racial and ethnic breakdown of 2014 CLNS survey participants is representative of the overall racial/ethnic breakdown of the poverty population in Washington State, the findings from the survey can be generalized with confidence to the sub-population(s) of interest.

Demographic Characteristics Other Than Race

The survey asked respondents to identify themselves by reference to other key Census-based demographic characteristics. Table 2 shows the relative breakdown of respondents by gender, age, marital status, household composition, immigrant and citizenship status, disability status, homeless status, income and employment status, military/veteran status and geographic region.

Table 2: Income and Household Characteristics of Survey Participants¹³

Demographic Characteristics	PS survey	
	n	%
Immigrant status (born outside the U.S.)		
Yes	325	26.8%
No	889	73.2%
Total	1,214	100%
Gender		
Male	468	38.6%
Female	736	60.8%
Transgender or other	7	0.5%
Total	1,211	100%
Age		
0-17	11	0.9%
18-24	123	10.2%
25-39	344	28.4%
40-64	509	42.0%
65+	224	18.5%
Total	1,211	100%
Marital Status		
Married	394	32.8%
Not married, but live and share household expenses with another	246	20.4%
Single and live alone	203	16.9%
Other	212	17.5%
Total	1,212	100%
Households composed of families with children		
Households without children	691	57%
Households with children	522	43%

¹³ Note: The table 2 includes only respondents who provided responses to questions asking about income and household characteristics.

Table 2: Income and Household Characteristics of Survey Participants¹³

Demographic Characteristics	PS survey	
	n	%
Total	1,213	100%
Homeless		
Homeless	21	1.7%
No	1,192	98.3%
Total	1,213	100%
Disability		
Disability	463	38.1%
No disability	752	61.9%
Total	1,210	100%
Caring for Dependent		
Yes	187	15.4%
No	1,026	84.6%
Total	1,213	100%
Military Status:		
Served in the military	201	16.6%
Did not serve in the military	1,011	83.4%
Total	1,212	100%
Citizenship		
United States citizen	1,073	88.5%
U.S. permanent resident, but not a U.S. citizen	78	6.4%
Citizen of another country	48	4.0%
Other	14	1.2%
Total	1,213	100%
Employment		
Not employed	650	53.9%
Employed full-time	276	22.9%
Employed part-time	218	18.1%
Self-employed	63	5.2%
Total	1,213	100%

Table 2: Income and Household Characteristics of Survey Participants¹³

Demographic Characteristics	PS survey	
	n	%
Income		
1 person: \$23,340 or below	393	28.7%
2 person: \$31,460 or below	308	22.4%
3 person: \$39,580 or below	209	15.2%
4 person: \$47,700 or below	202	14.7%
5 person: \$55, 820 or below	134	9.7%
6 person: \$63,940 or below	72	5.2%
7 person: \$ 72,060 or below	34	2.4%
8 person: \$80,180 or below	14	1%
9 person: \$88,360 or below	7	0.5%
10 person: \$96,540 or below	1	<0.01%
Total	1,375	100%

Substantive Legal Problem Areas

The survey instrument provided opportunities for respondents to say whether they had experienced one or more civil (non-criminal) legal problems within the preceding 12 month period. For purposes of the study, “legal problems” are problems that survey designers determined had a civil legal dimension the resolution of which could be enhanced with timely civil legal assistance. Survey respondents were asked about questions in 17 areas. Questions addressed 138 specific situations that could give rise to a civil legal problem.¹⁴ Ten (10) of the 18 categories of problems related to the following substantive areas:

- Employment
- Health Care
- Estate Planning
- Municipal Services And Utilities
- Rental Housing
- Education
- Family Relations
- Mobile Homes
- Access to Government Assistance
- Consumer and Financial Services

¹⁴ Respondents were encouraged to check all options that applied, so percentages may not sum up to 100%.

Seven (7) categories focused on problems relevant to specific survey target groups. These included:

- Problems experienced by persons with disabilities
- Problems experienced by immigrants
- Problems related to Native American status
- Problems experienced by military service members and veterans
- Problems experienced by youth and young adults
- Problems experienced by persons involved in the child welfare and foster care system
- Problems experienced by persons in juvenile and adult correctional facilities

Prevalence of Legal Problems – Entire Survey Group

Overall, seventy one (71.1%) percent of low-income households reported at least one legal problem during the 12 months preceding the survey. Among households with at least one legal problem the average was 9.3 legal problems.

Respondents reported an aggregate total of 7,460 separate legal problems in areas identified in the survey instrument.¹⁵ One in ten households (10%) reported having just *one* legal problem within the prior 12 months. Slightly less than a fifth (19.6%) of households reported having *two* to *four* legal problems and 40.9% of households reported having *five or more* legal problems during the 12 months preceding the survey.

Legal Problems by Substantive Area

In the following sub-sections we present findings regarding the prevalence of legal problems for all survey respondents by substantive areas of legal problem as well as the relative percentage of problems by subject matter area in relation to the total number of problems reported (excepting problems related to discrimination and unfair treatment, which are reported separately in Section I below).

The prevalence and relative percentages of legal problems by substantive area experienced by the entire survey group and each demographic group surveyed are set forth in Master Tables 1 and 1a in Appendix B. These tables document significant disproportionalities in the experiences of members of distinct sub-demographic groups relative to the general low-income population. Specifically, African-Americans, Native Americans, Hispanics, persons with disabilities, victims of domestic violence, youth and families that include service members or veterans experience substantially greater numbers of problems and different types of problems than the general low-income population. For example, Table 1 shows that 33% of all low-income households experienced one or more problems relating to employment, but that 44.7% of African American households and 56.7% of Native American households reported an employment-related problem. And, while 27.8% of all low-income households had at least one rental housing problem, 41.5% of African American households, 42.9% of Native American households and 37.8% of households that include a person with a disability had rental housing related problems.

¹⁵ Incidents of discrimination and unfair treatment reported by survey respondents are not included into this number.

B.1. Prevalence of Legal Problems by Substantive Area

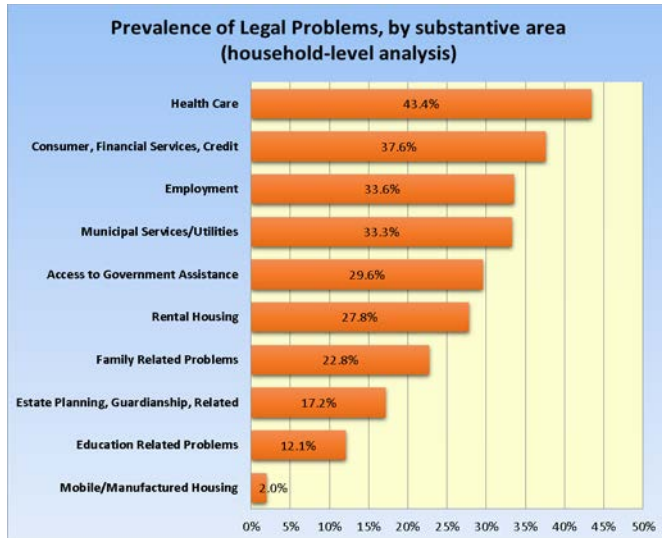


Figure 3: Percentage of households affected by legal problems, by category

Figure 3 documents the prevalence or the percentage of survey respondents who experienced legal problems by substantive category.

Thus, for example, 43.4% of all households, had at least one legal problem with health care, 37.6% experienced at least one consumer problem, 33.6% had at least one problem involving employment, etc.

B.2. Legal Problems as a Percentage of All Substantive Legal Problems Reported

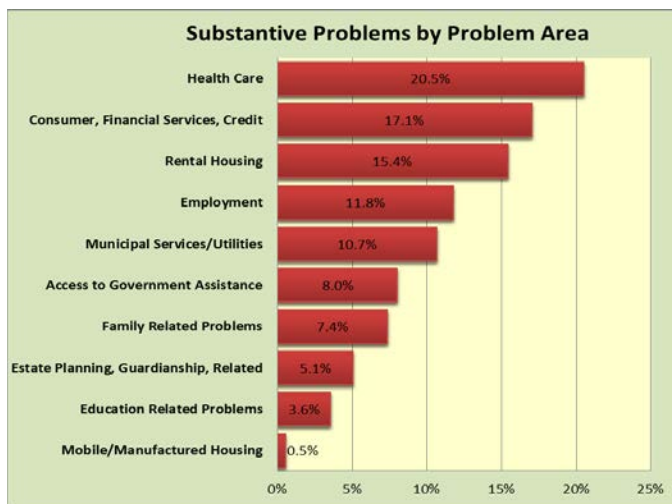


Figure 4: Relative percentage of problems, shown as a percentage of total number of substantive problems

Overall 7,460 separate legal problems were reported in the substantive areas of survey focus.¹⁶ Figure 4 shows the relative percentage of these problems, by legal problem area, as a percentage of all substantive problems reported in the survey. Health care, consumer, rental housing and employment problems account for more than half of all problems affecting low-income households.

¹⁶ Note: Problems relating to discrimination and unfair treatment are reported separately and are not included in the total reported here. Problems unique to specific survey target groups are also reported separately and not included in this presentation.

For What Types of Problems Do Low-income People Seek Legal Help?

The 2014 Update looked to assess whether and with respect to what categories of problems low-income people sought legal help. As was the case in the 2003 CLNS, the 2014 Update found there to be a significant difference between the type of problems that are most often experienced

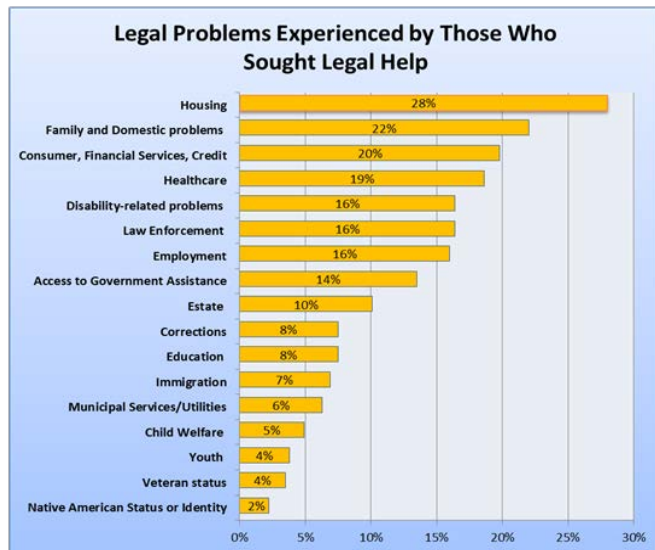


Figure 5: Percentage of problems by substantive area for which legal help was sought.

and types of problems for which legal help was most often sought. While the greatest prevalence of problems fall within the areas of health care (43.4%), consumer-finance-credit (37.6%) and employment (33.6%), low-income people most often seek legal help when they face problems involving housing (28.0%), family relations (27.0%) and consumer-finance-credit issues (20.0%). These appear to be areas of problems where, from the perspective of the low-income respondents, there is a clearer understanding that the problems have a legal dimension and that there are court-based solutions to resolve them.

D. Differences in Prevalence of Legal Problems in 2003 and 2014

A major focus of the study was to assess the degree to which the prevalence of problems identified in the 2003 Civil Legal Needs Study continued in 2014 and the degree to which there were changes in the prevalence of such problems. Table 3 and Figure 6 compare the percentage of households reporting at least one legal problem overall and within each substantive area of legal problems. Between 2003 and 2014, the prevalence of housing and family related problems decreased relative to other areas while problems relating to health care, employment, consumer-finance-credit (including debt collection) and access to state governmental assistance programs increased significantly.¹⁷

¹⁷ While the 2002-03 survey instrument served as its foundation, the 2014 instrument differed from the former instrument in a number of ways, making direct comparisons somewhat difficult, especially at the level of specific legal problems within general substantive areas. Nevertheless, most of the general areas of substantive inquiry were consistent between the two, allowing for the high level comparison shown in Table 1.

Table 3: Percentage of Survey Respondents Affected by Legal Problems

General Overview	2003	2014
Households experienced at least one legal problem ¹	75-79%	71.1%
The average number of legal problems per household	3.3	9.3
Households with four or more legal problems ²	38-54%	46.3%
Percentage of Households	2003	2014
Housing problems ³	41.3%	27.8%
Family Related problems	27.4%	22.8%
Employment problems	25.3%	33.6%
Consumer, Financial Services and Credit	27.0%	37.6%
Municipal Sevices/Utilities	25.6%	33.3%
Access to State Government Assistance/Public Benefits	20.4%	29.6%
Health problems	18.8%	43.4%
Estate Planning	11.3%	17.2%
Education problems	8.6%	12.1%
Mobile or manufacturing home	-	2.0%

¹ Percentage of households experiencing at least one legal problem varied by income group in 2003.

² Percentage of households experiencing four or more problems varied by income group in 2003.

³ Housing problems in 2014 were dealing primarily to Rental Housing. ⁴

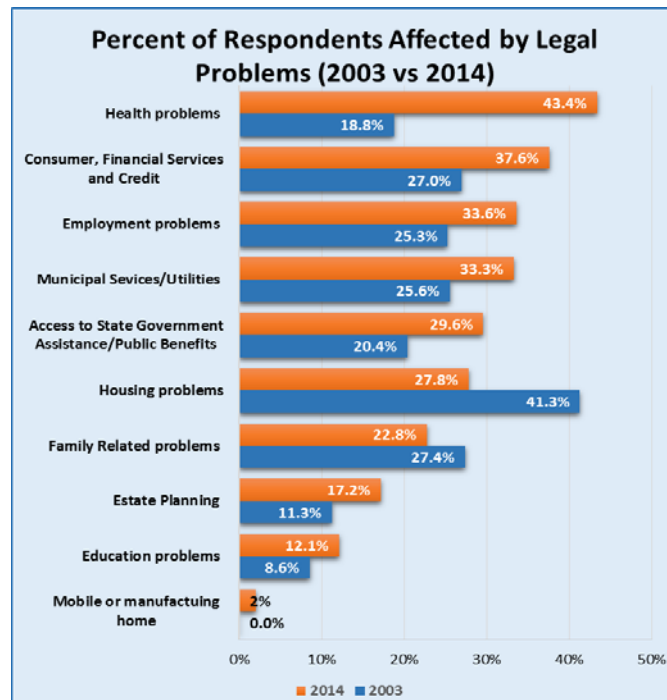


Figure 6: Percent of respondents affected by legal problems in 2003 and 2014

E. Differences in Relative Percentage of Legal Problems in 2003 and 2014¹⁸

Table 4 and Figure 7 compare the relative percentage of legal problems reported by substantive area as a total of all legal problems reported. For example, in 2003, 17.0% of all legal problems reported involved housing. The corresponding percentage for 2014 is 15.4%. In 2003, family related legal problems accounted for 14.0% of all legal problems reported. In 2014, that number is 7.4%.¹⁹

Table 4: Legal Problems as a Percentage of All Substantive Legal Problems Reported

Percentage of Substantive Legal Problems	2003	2014
Housing problems ¹	17.0%	15.4%
Family Related problems	14.0%	7.4%
Employment problems	13.0%	11.8%
Consumer, Financial Services and Credit	10.0%	17.1%
Municipal Sevices/Utilities	9.0%	10.7%
Access to governmental assistance/public benefits	8.0%	8.0%
Health problems	7.0%	20.5%
Estate Planning	5.0%	5.1%
Education problems	3.0%	3.6%
Mobile or Manufacturing home	-	0.5%

¹ Housing problems in 2014 were dealing primarily to Rental Housing



Figure 7: Relative percentage of problems reported in 2003 and 2014

¹⁸Note: Problems relating to discrimination and unfair treatment are reported separately and not included in this table.

¹⁹ The two survey instruments did not mirror one another and that the relative number of questions in each substantive area was different. Thus, the relative percentages are not directly comparable.

F. Prevalence and Relative Percentages of Problems by Substantive Area

In the following pages, this report presents data relating to the prevalence and relative percentage of specific problems reported within each substantive legal area. Each of the following subsections includes two tables – (a) a table showing the prevalence of specific problems within each of the broader substantive areas and (b) a table showing the relative percentage of specific problems within each of the broader substantive areas.

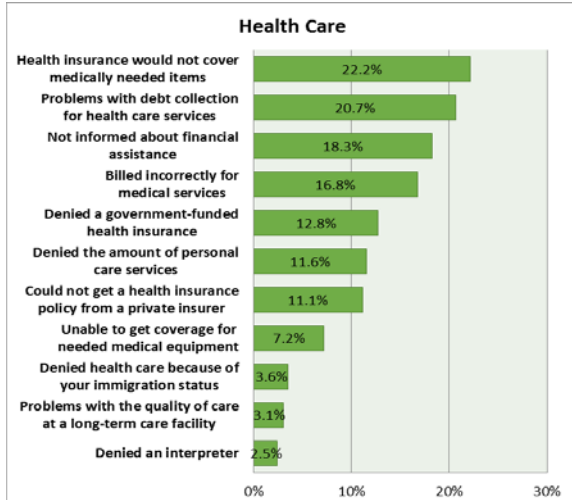


Figure 8: Percentage of households affected by problems relating to health care

F.1.a.

Figure 8 shows the prevalence or percentage of households affected by problems relating to health care. Of all households, 22.2% had a problem with health insurance, while 20.7% experienced at least one problem with collection of debt related to the provision of medical services, etc.²⁰

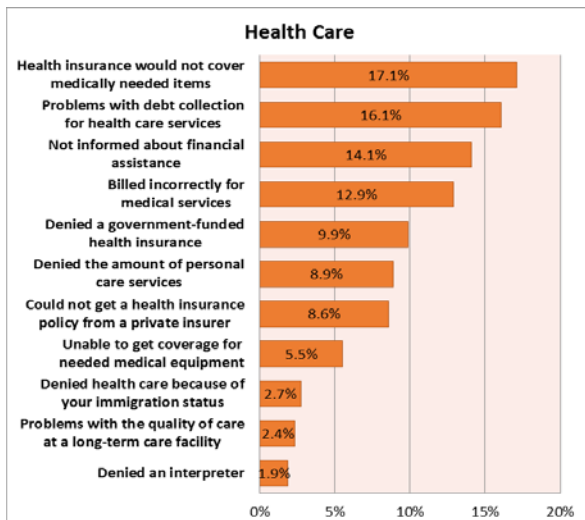


Figure 9: Relative percentage of specific health care problems, shown as a percentage of all health care problems reported

F.1.b.

Figure 9 shows the relative percentage of specific problems relating to health care as a percentage of all health care problems reported.

Of the total number of reported problems relating to health care, 17.1% were related to health insurance, 16.1% were related to collection of medical services related debt, 14.1% involved problems associated with financial assistance to defray medical expenses, etc.

²⁰ Because respondents were free to identify more than one legal problem in each area, the total of percentages exceeds 100%.

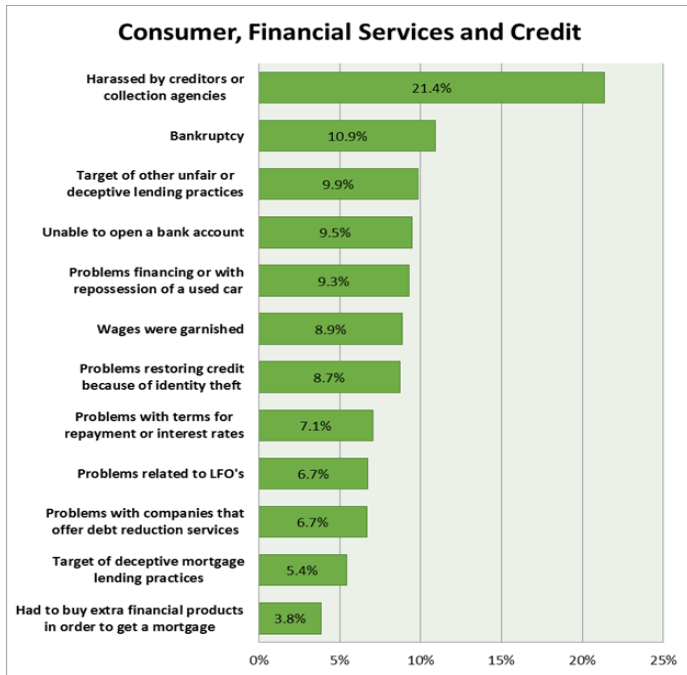


Figure 10: Percentage of households affected by problems relating to relating to consumer, financial services and credit

F.2.a. Prevalence of Problems Relating to Consumer, Financial Services and Credit

Figure 10 shows the prevalence or percentage of households affected by problems relating to consumer, financial services and credit.

Of all households, 21.4% reported problems with debt collection, 10.9% had problems involving bankruptcy, 9.9% were targeted by or experienced unfair or deceptive lending practices, etc.

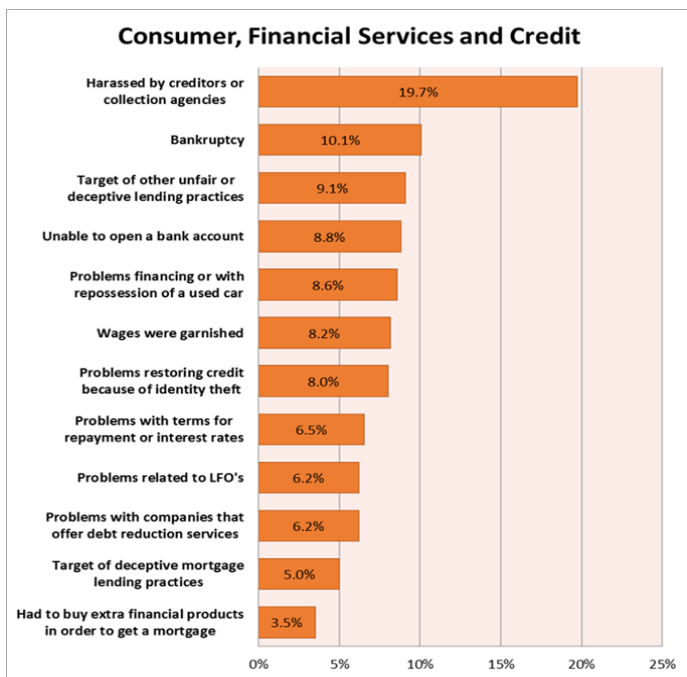


Figure 11: Relative percentage of specific problems, shown as a percentage of all problems in this area

F.2.b. Relative Percentage of Problems Relating to Consumer, Financial Services and Credit

Figure 11 shows the relative percentage of specific problems relating to consumer, financial services and credit as a percentage of all reported problems in this area.

Of the total number of reported consumer, financial services and credit related problems, 19.7% involved problems with debt collection, 10.1% involved bankruptcy, 9.1% involved unfair and deceptive lending practices, etc.

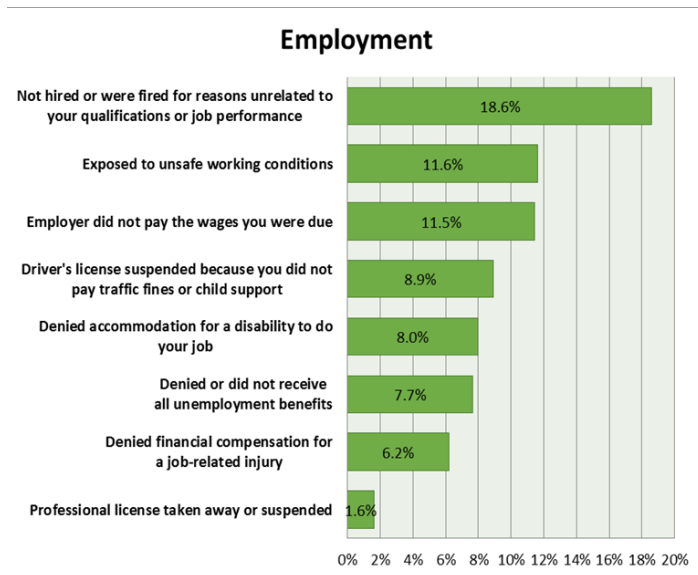


Figure 12: Percentage of households affected by employment problems

F.3.a. Prevalence of Problems Relating to Employment

Figure 12 shows the prevalence or percentage of households affected by employment problems.

Of all households, 18.6% had problems relating to an employer's refusal to hire or termination from a job for reasons unrelated to job qualifications or performance, 11.6% had problems with unsafe working conditions, 11.6% had problems relating to non-payment of wages, etc.

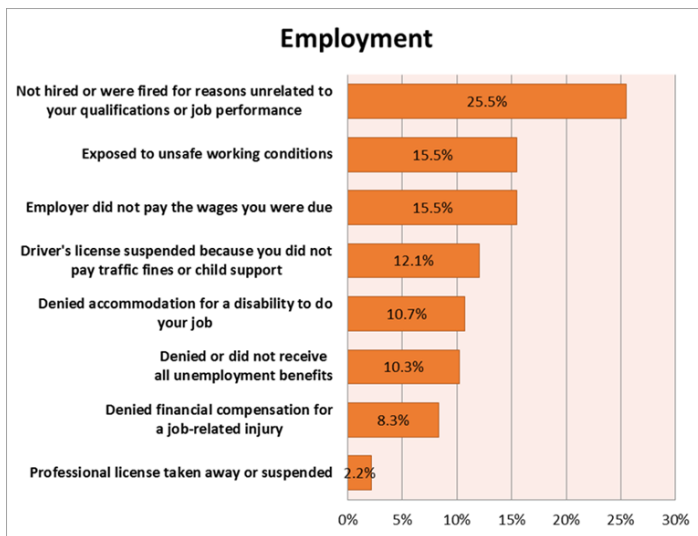


Figure 13: Relative percentage of specific employment problems, shown as a percentage of all employment problems reported

F.3.b. Relative Percentage of Problems Relating to Employment

Figure 13 shows the relative percentage of specific employment problems as a percentage of all employment problems reported in the survey.

For example, of the total number of problems relating to employment, 25.5% related to the improper denial of employment or wrongful termination, 15.5% related to unsafe working conditions, 15.5% related to non-payment of wages, etc.

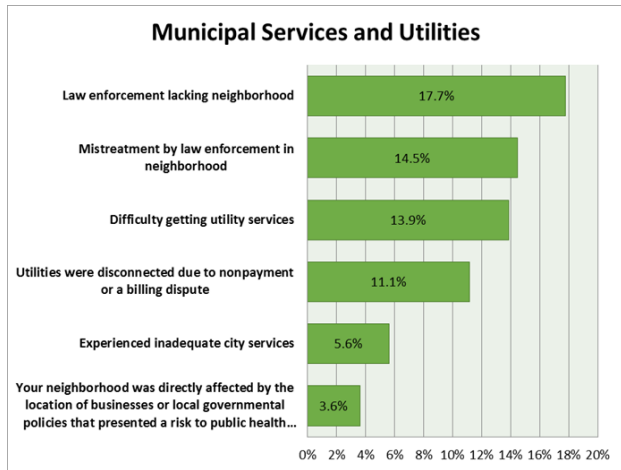


Figure 14: Percentage of households affected by problems relating to municipal services and utilities

F.4.a. Prevalence of Problems Relating to Municipal Services and Utilities

Figure 14 shows the prevalence or percentage of households affected by problems relating to municipal services and utilities.

Of all households, 17.7% experienced problems relating to insufficient or inadequate law enforcement services, 14.5% related to alleged mistreatment by law enforcement officials, 13.9% involved problems with getting utility services, 11.1% involved problems maintaining utility service, etc.

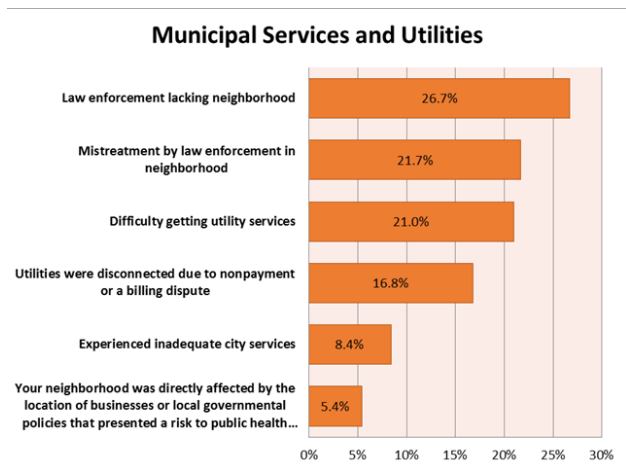


Figure 15: Relative percentage of specific problems relating to municipal services and utilities, shown as a percentage of all problems in this area

F.4.b. Relative Percentage of Specific Problems Relating to Municipal Services and Utilities

Figure 15 shows the relative percentage of specific problems in the area of municipal services or utilities as a percentage of all problems reported in this area. Of the total number of problems relating to the provision of municipal services and utilities, 37.8% related to an inability to obtain or maintain utility services, 26.7% related to inadequate law enforcement in the neighborhood, 21.7% related arose from perceived mistreatment by law enforcement officials, etc.

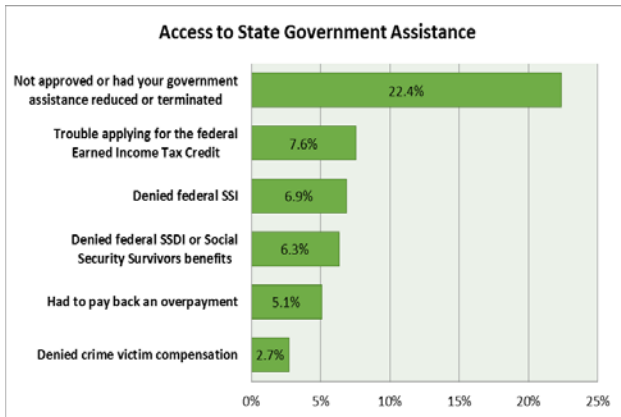


Figure 16: Percentage of households affected by problems relating to needs-based government assistance

F.5.a. Prevalence of Problems Relating to Needs-Based Government Assistance

Figure 16 shows the percentage of households affected by problems relating to needs-based government assistance. Of all households, 22.4% were denied, sanctioned, terminated from or had their level of state governmental assistance reduced in the prior 12 month period, 7.6% reported problems getting the Earned Income Tax Credit (EITC), 6.9% were denied federal Supplemental Security Income (SSI), 6.3% were denied federal Social Security Disability Insurance (SSDI) benefits, etc.

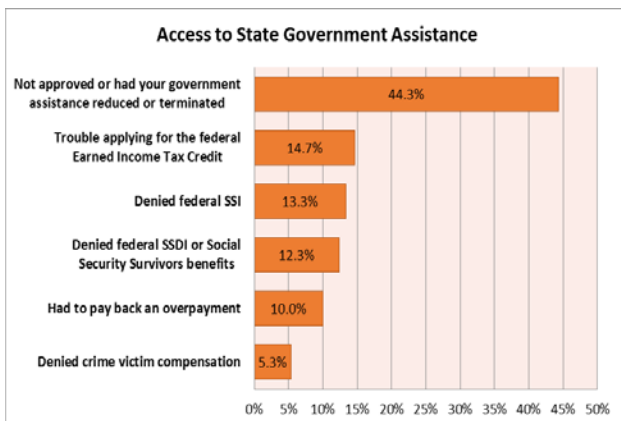


Figure 17: Relative percentage of specific problems relating to state government assistance, shown as a percentage of all problems in this area

F.5.b. Relative Percentage of Problems Relating to State and Federal Needs-Based Government Assistance

Figure 17 shows the relative percentage of specific problems involving access to state and federal needs-based government assistance.

Of the total number of problems involving access to needs-based government assistance, 44.3% involved the denial, termination, reduction or other adverse action in the administration of a state assistance program, 14.7% involved difficulty getting EITC payments, 13.3% involved denial or termination from federal SSI benefits, etc.

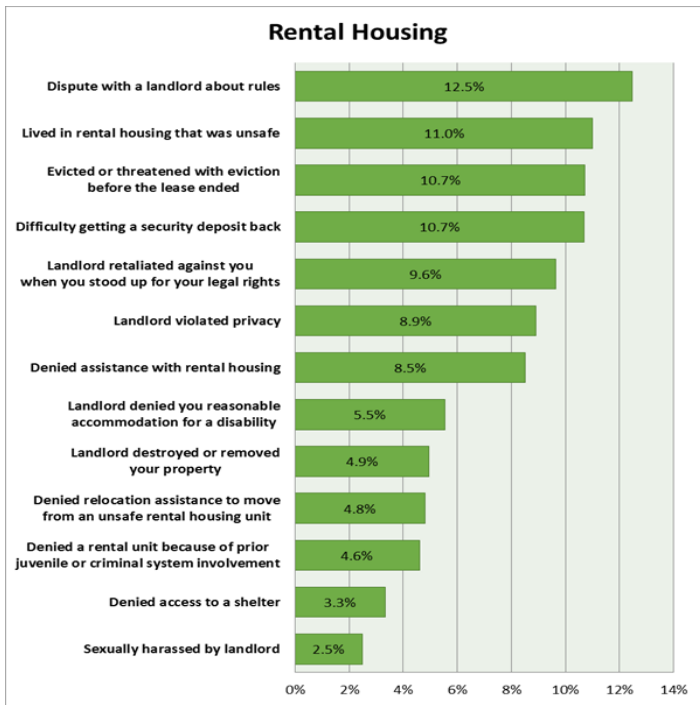


Figure 18: Percentage of households affected by problems relating to rental housing

F.6.a. Prevalence of Problems relating to Rental Housing

Figure 18 shows the prevalence or percentage of households affected by problems relating to rental housing.

Of all households, 12.5% had a dispute with a landlord about rules, 11.0% had problems involving unsafe housing, 10.7% had problems relating to eviction or wrongful termination of their lease, etc.

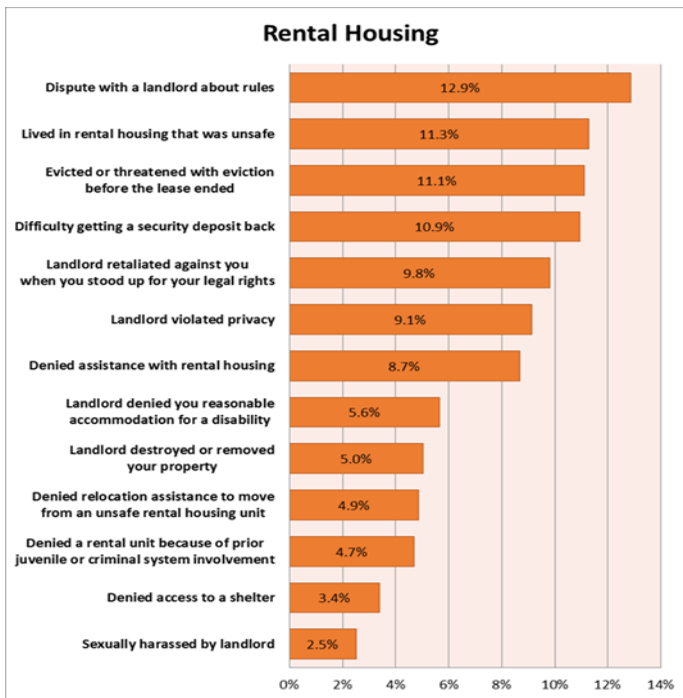


Figure 19: Relative percentage of specific problems relating to rental housing, shown as a percentage of all problems in this area

F.6.b. Relative Percentage of Problems Relating to Rental Housing

Figure 19 shows the relative percentage of specific problems involving rental housing as a percentage of all problems reported in this area.

Of the total number of problems involving rental housing 12.9% involved problems arising from disputes with landlords, 11.3% involved problems associated with unsafe rental units, 11.1% involved evictions, etc.

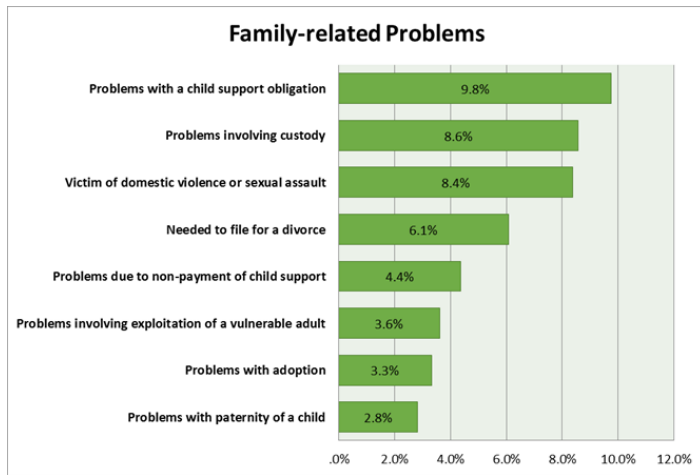


Figure 20: Percentage of households affected by family-related problems

F.7.a. Prevalence of Family-Related Problems

Figure 20 shows the prevalence or percentage of households affected by family-related problems. Of all households, 9.8% had a problem involving child support, 8.6% had a problem involving residential placement (custody) of children, 8.4% had problems associated with being a victim of domestic violence or sexual assault, etc.

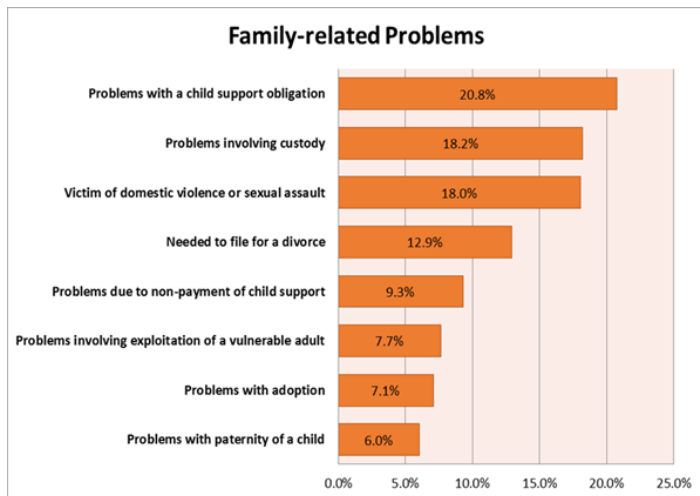


Figure 21: Relative percentage of specific family-related problems, shown as a percentage of all problems in this area

F.7.b. Relative Percentage of Problems Relating to Family Relationships

Figure 21 shows the relative percentage of specific problems involving family relationships.

Of the total number of problems involving family relationships, 20.8% were related to child support, 18.2% involved problems with placement of children (custody), 18.0% involved problems associated with being a victim of domestic violence or sexual assault, etc.

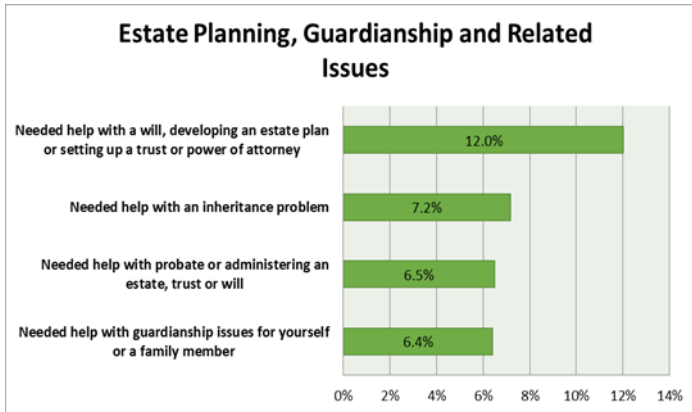


Figure 22: Percentage of households affected by problems relating to estate planning, guardianship, and related issues

F.8.a. Prevalence of Problems Relating to Estate Planning, Guardianship and Related Issues

Figure 22 shows the prevalence or percentage of households affected by problems relating to estate planning, guardianship and related issues.

Of all households, 12.0% needed help with a will or estate plan, 7.2% needed help with an inheritance problem, 6.5% needed help administering an estate, trust or will, etc.

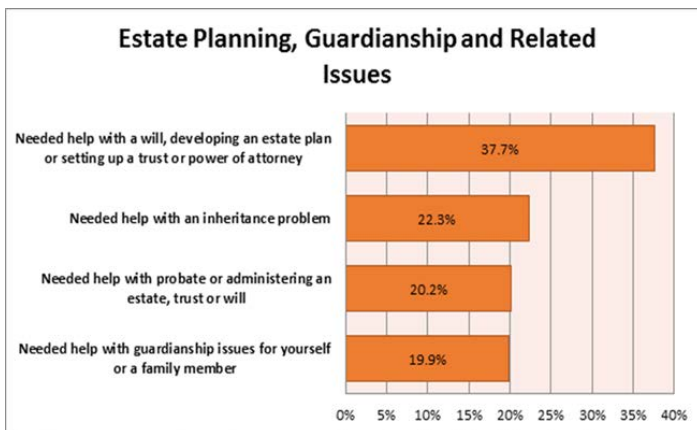


Figure 23: Relative percentage of specific problems relating to estate planning, shown as a percentage of all problems in this area

F.8.b. Relative Percentage of Problems Relating to Estate Planning, Guardianship and Related Issues

Figure 23 shows the relative percentage of specific problems involving estate planning, guardianship and related issues.

Of the total number of problems involving estate planning, 37.7% related to wills, estate planning, setting up a trust or establishing a power of attorney, 22.3% were related to inheritance problem, 20.2% were related to administering an estate, trust or will, etc.

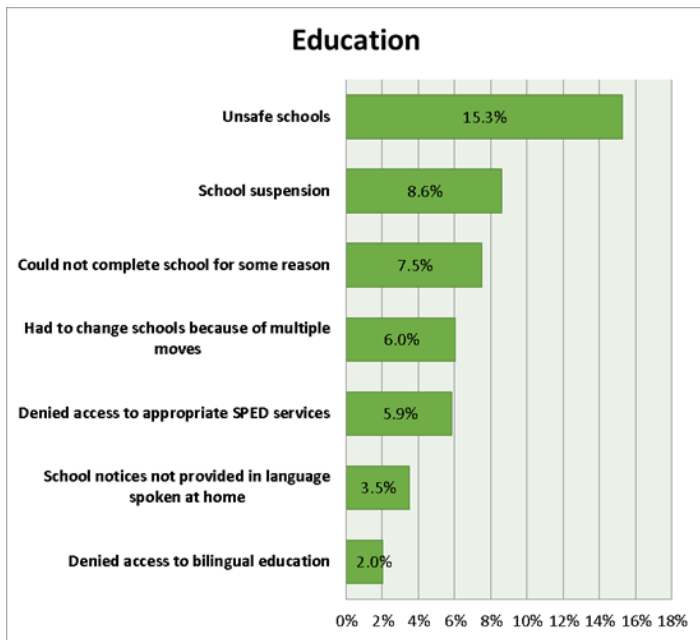


Figure 24: Percentage of households affected by problems relating to education

F.9.a. Prevalence of Education problems

Figure 24 shows the prevalence of education-related legal problems experienced by respondents who were in school or had someone in their immediate household in school.

Of these respondents, 15.3% experienced problems with unsafe schools, 8.6% with school suspension or permanent removal, etc.

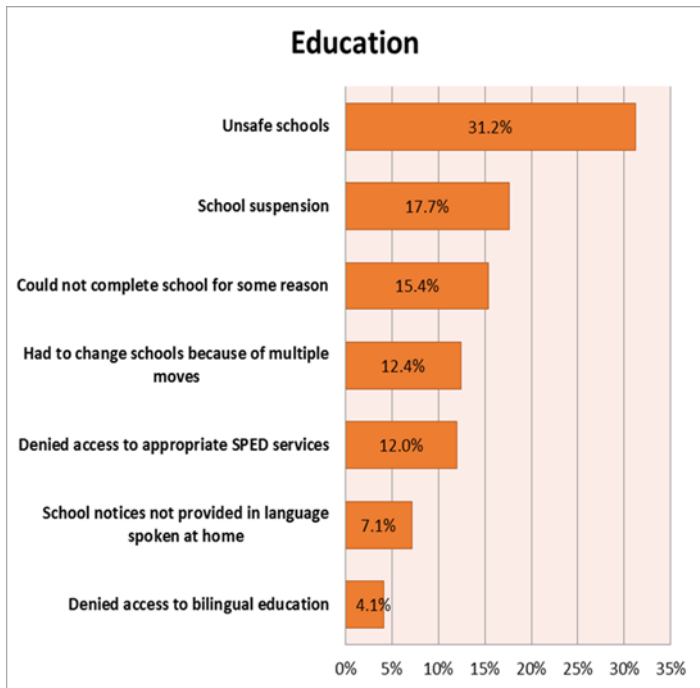


Figure 25: Relative percentage of specific problems relating to education, shown as a percentage of all problems in this area

F.9.b. Relative Percentage of Problems Relating to Education

Figure 25 shows the relative percentage of specific problems involving education.

Of the total number of problems involving education 31.2% related to unsafe schools, 17.7% related to school suspensions or permanent removal, 15.4% related to participation in judicial truancy proceedings or other obstacles to staying in or completing school, etc.

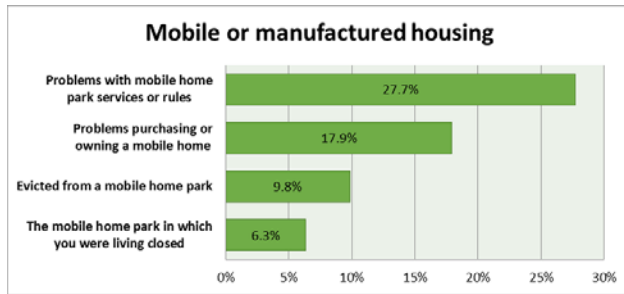


Figure 26: Percentage of households affected by problems relating to mobile or manufactured housing

problems with the purchase or ownership of a mobile or manufactured home, 9.8% had problems associated with eviction from a mobile home park.

F.10.a. Prevalence of Problems Relating to Mobile or Manufactured Housing

Figure 26 shows the prevalence or percentage of households who indicated that they owned, purchased or rented a mobile or manufactured home and had a problem relating to mobile or manufactured housing. Of those who owned, purchased or rented a mobile or manufactured home, 27.7% reported problems with mobile home park services or rules, 17.9% had

F.10.b. Relative Percentage of Problems Relating to Mobile or Manufactured Housing

Figure 27 shows the relative percentage of specific problems involving mobile or manufactured housing. Of the total number of problems reported in this area, 45.0% involved problems related to mobile home park services or rules, 30.0% related to problems purchasing or owning a mobile or manufactured home, 15.0% involved eviction from a mobile home park, and 10.0% involved problems associated with the closure of a mobile home park.

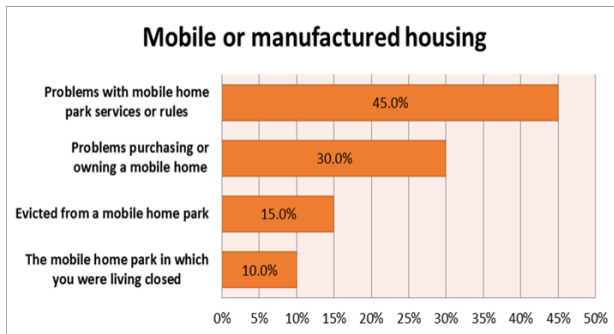


Figure 27: Relative percentage of specific problems relating to mobile or manufactured housing

H. Problems Experienced by Members of Survey Target Groups

The survey instrument asked respondents to identify whether one or more household members were members of specific categories of persons who might be expected to experience common problems relating to their status or circumstances (Survey Target Group). These included:

- Persons with disabilities (n=466)
- Persons who identify as Native Americans (n=78)
- Immigrants (n=326)
- Persons who are military service members or veterans (n=203)
- Youth ages 15-21 (n=151)
- Persons who had involvement with the child welfare system (n=48)
- Persons who have been incarcerated in a juvenile or adult correctional facility (n=50)

Specific questions were incorporated into the survey for each survey target group relating to problems that might arise affecting members of these groups and relating to their common

characteristics or status. The following figures present data showing the prevalence and relative percentage of problems specific to each of the target survey groups.

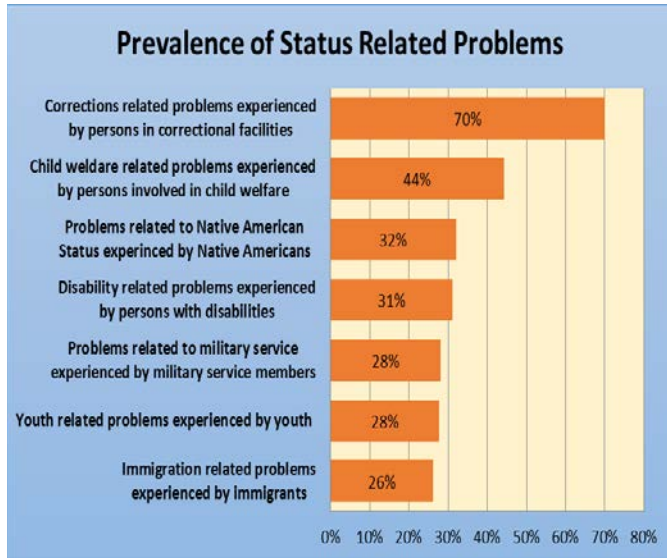


Figure 28: Percentage of households affected by status related problems

H.1. Prevalence of Status-Related Legal Problems Experienced by Members of Survey Target Groups

Figure 28 shows the prevalence of problems relating to the common characteristics or status unique to each group. Of those who identified as having a household member with a physical, mental, health, sensory or developmental disability (“disabled persons”), 31.0% reported experiencing a legal problem related to disability status. Similarly, of respondents who identified as immigrants, 26.0% experienced a problem relating to their immigration status.

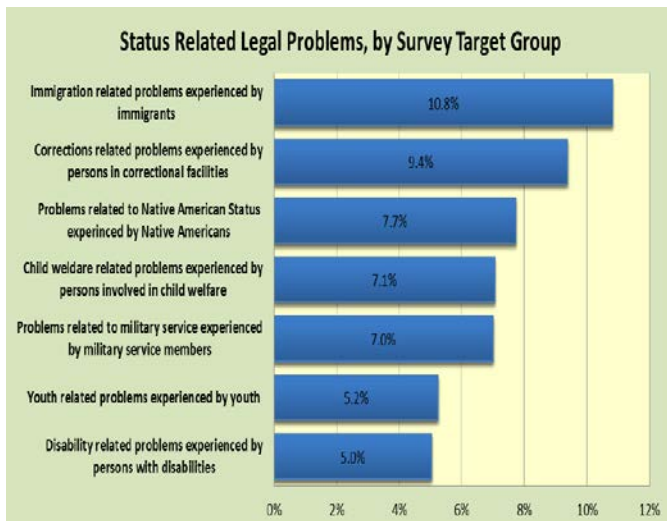


Figure 29: Status related legal problems by specific survey target group, shown as a percentage of all legal problems reported by members of each group

H.2. Percentage of Status-Related Legal Problems Experienced by Survey Target Group

Figure 29 documents the relative percentage of status-related problems experienced as a member of a survey target group in relation to the total number of legal problems experienced by members of each survey target group. Respondents who self-identified as immigrants reported a total of 1,924 legal problems, of which 208 (10.8%) related to immigration. Respondents who had been incarcerated in a juvenile or adult correction facility reported a total of 1,079 problems, of which 9.4% related to the circumstances of their confinement or that of a household member.

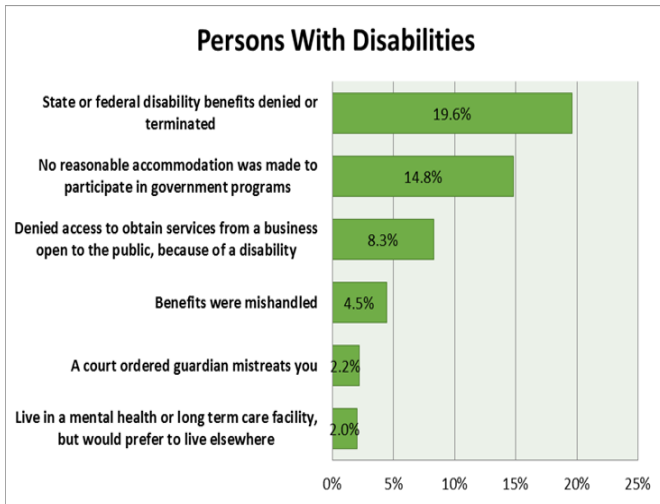


Figure 30: Percentage of persons with physical, sensory, mental health or developmental disabilities affected by disability-related problems

H.3.a. Prevalence of Disability-Related Problems Experienced by Persons with Physical, Sensory, Mental Health or Developmental Disabilities

Figure 30 shows the prevalence of disability-related problems experienced by respondents who indicated that they or a member of their household had a physical, sensory, mental health or developmental disability. Of the members of this group, 19.6% had problems involving the denial or termination of state or federal disability benefits, 14.8% had problems relating to the denial of necessary accommodations to enable them to participate in government programs, 8.3% were denied necessary accommodations to enable them to obtain services from a business open to the public, etc.

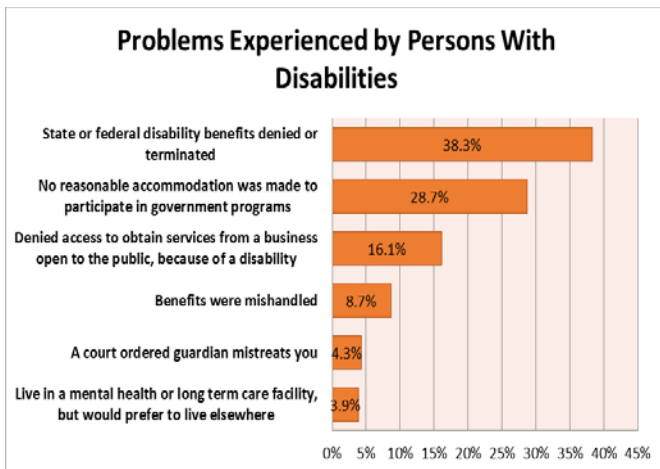


Figure 31: Relative percentage of disability-related problems experienced by persons with disabilities

H.3.b. Relative Percentage of Disability-Related Problems Experienced by Persons with Disabilities

Figure 31 shows the relative percentage of specific disability-related problems experienced by households with a member who had a physical, mental health, sensory or developmental disability. Of the total number of disability-related problems reported by respondents in this group, 38.3% related to the denial or termination of state or federal disability benefits, 28.7% involved the failure of a government agency to make reasonable accommodation necessary to enable them to participate in a program, activity or service, 16.1% involved denial of accommodations necessary to enable them to obtain services from private business, etc.

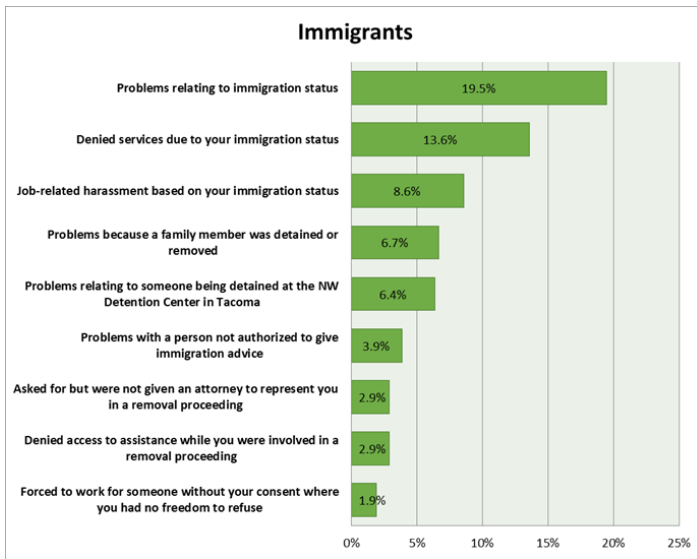


Figure 32: Percentage of immigration-related problems experienced by households with a member who was born outside the United States and experiencing at least one immigration-related problem

H.4.a. Prevalence of Immigration-Related Problems Experienced by Immigrants

Figure 32 shows the prevalence of immigration-related problems experienced by respondents who indicated that they or a member of their household was born outside the United States. Of these respondents, 19.5% experienced problems related to immigration status, 13.6% were denied housing, credit, health or other services due to a household member’s immigration status, 8.6% experienced harassment on the job due to immigration status, etc.

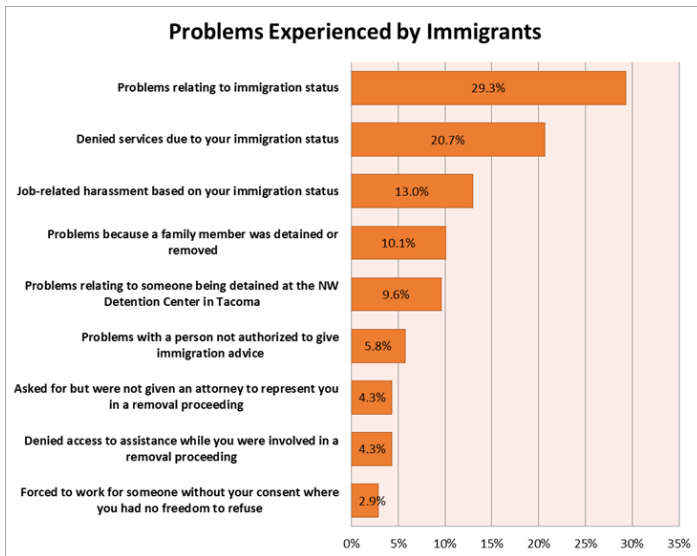


Figure 33: Legal problems experienced by immigrants, shown as a percentage of all legal problems reported by members of this group

H.4.b. Relative Percentage of Immigration-Related Problems Experienced by Immigrants

Figure 33 shows the relative percentage of immigration-related problems experienced by households with a member who was born outside the United States. Of the total number of immigration-related problems reported by respondents in this group, 29.3% related to their immigration status itself, 20.7% involved the denial of housing, employment, credit, health or other services due to their immigration status, 13.0% involved immigration-related on-the-job harassment, etc.

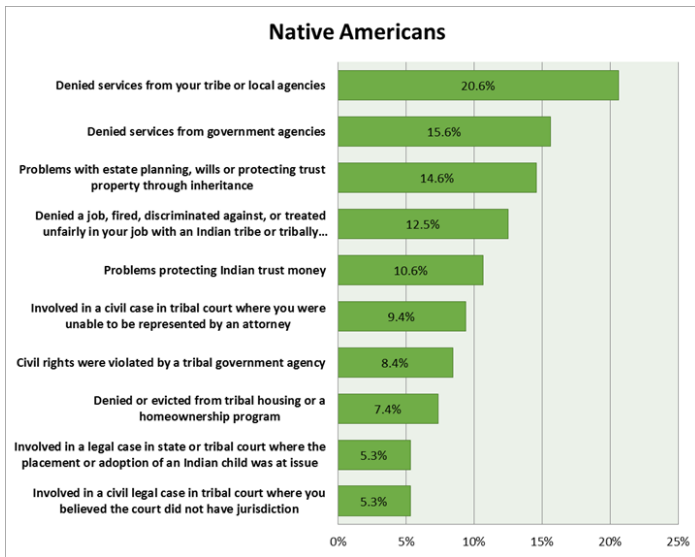


Figure 34: Percentage of Native American status related problems experienced by persons who identify as Indian or Native American

H.5.a. Prevalence of Native American Status Related Problems Experienced by Persons Who Identify as Indian or Native American

Figure 34 shows the prevalence of Native American status related problems experienced by respondents who identified as Indian or Native American and who had at least one problem associated with their Native American identity. Of these respondents, 20.6% were denied services from a tribe or local organization that provides services to Native Americans, 15.6% were denied services from the Bureau of Indian Affairs or the Indian Health Service, 14.6% had problems protecting Indian trust property, etc.

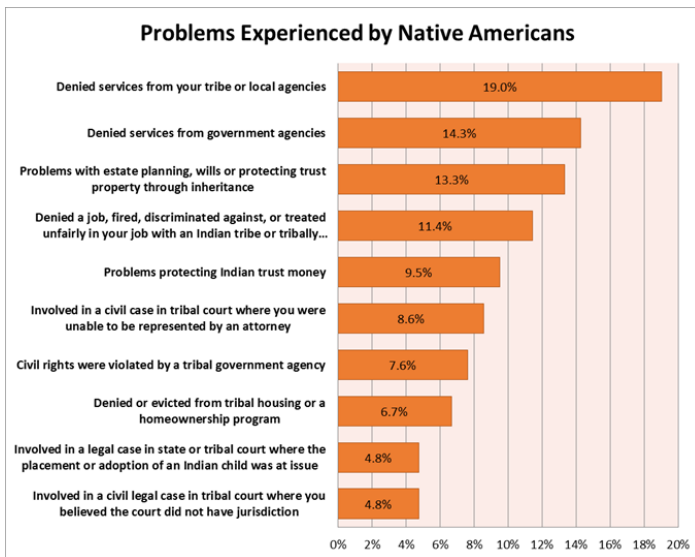


Figure 35: Legal problems experienced by Native Americans, shown as a percentage of all legal problems reported by members of this group

H.5.b. Relative Percentage of Problems Related to Native American Status Experienced by Native Americans

Figure 35 shows the relative percentage of specific Native American status related problems experienced by households with a member who identifies as Indian or Native American. Of the total number of Native American status related problems reported by respondents in this group, 19.0% involved the denial of services from a tribe or community based organization providing services to Native Americans, 14.3% involved the denial of services from the Bureau of Indian Affairs or the Indian Health Service, 13.3% involved problems with estate planning and protection of tribal trust property, etc.

H.6.a. Prevalence of Military Service Related Problems Experienced by Military Service Members and Veterans

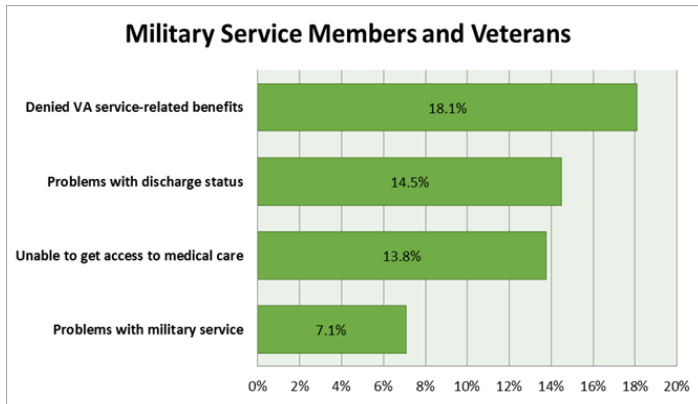


Figure 36: Percentage of military service members and veterans affected by military service related problems

Figure 36 shows the prevalence of military service related problems experienced by respondents who have a household member who currently serves or has served in the military. Of these respondents, 18.1% were denied VA service-related benefits, 14.5% had problems relating to their military discharge status, 13.8% were unable to access necessary medical care for a service-related physical or mental health condition, etc.

H.6.b. Relative Percentage of Military Service Related Problems Experienced by Military Service Members

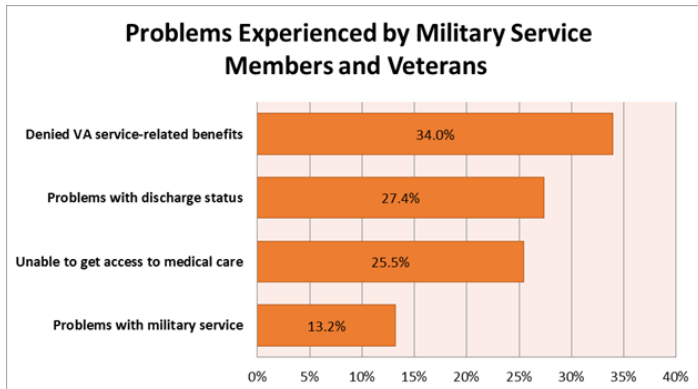


Figure 37: Legal problems experienced by military service members, shown as a percentage of all legal problems reported by members of this group

Figure 37 shows the relative percentage of military status related problems experienced by households with a member who currently serves or has served in the military. Of the total number of military status related problems reported by respondents in this group, 34.0% involved the denial of VA service related benefits, 27.4% involved problems with military discharge status, 25.5% involved the inability to get necessary medical care of a service-related physical or mental health condition, etc.

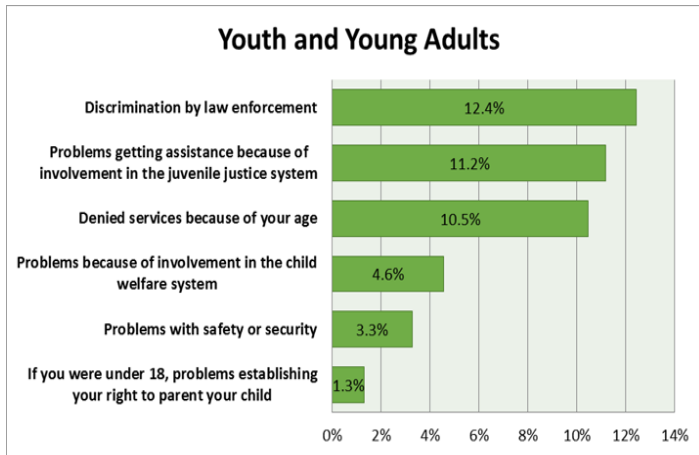


Figure 38: Percentage of youth related problems experienced by respondents ages 15-21

H.7.a.Prevalence of Youth-Related Problems Experienced by Youth Ages 15-21

Figure 38 shows the prevalence of youth related problems experienced by respondents who reported ages between 15 and 21 years of age. Of these respondents, 12.4% had problems involving discrimination or unfair treatment by police or other law enforcement, 11.2% had problems getting housing, a job, credit or educational services because of prior involvement in the juvenile justice system, 10.5% were denied access to housing, financial assistance, medical or mental health care, or educational services because of their age, etc.

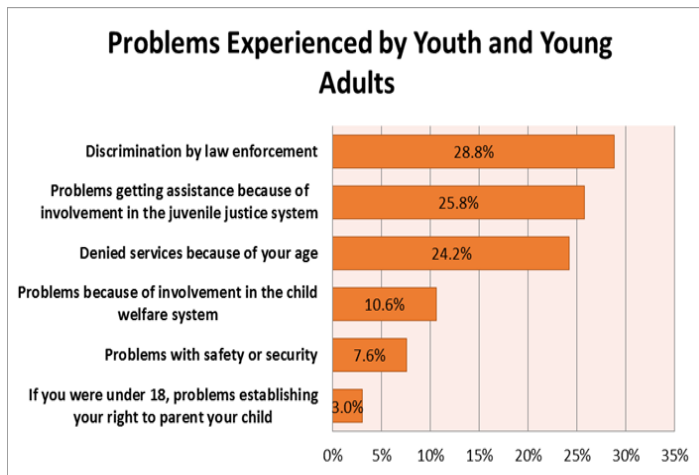


Figure 39: Relative percentage of specific youth related legal problems experienced by youth ages 15-21 shown as a percentage of all legal problems reported by members of this group

H.7.b.Relative Percentage of Youth Related Problems Experienced by Youth Ages 15-21

Figure 39 shows the relative percentage of specific status related problems experienced by young people between the ages of 15 and 21. Of the total number of status related problems reported by respondents in this group, 28.8% involved discrimination or unfair treatment by police or law enforcement, 25.8% involved the denial of financial assistance, medical or mental health care, or educational services because of the respondent's age, 24.2% involved the denial of housing, employment, credit or educational services as a result of prior involvement in the juvenile justice system, etc.

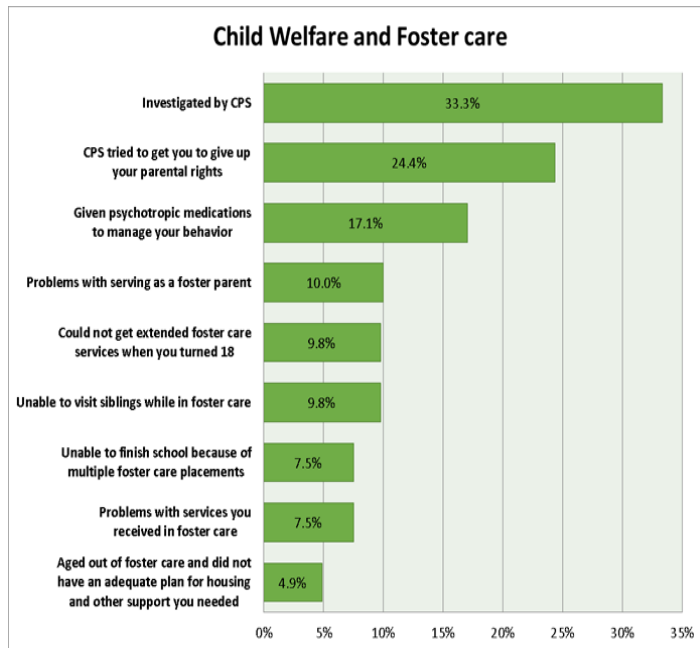


Figure 40: Percentage of households who were involved in a child welfare proceeding and who experienced a child-welfare related problem

H.8.a. Prevalence of Problems Experienced by Persons Involved in Child Welfare

Figure 40 shows the prevalence of child-welfare related problems experienced by respondents who, in the prior 12 months, were involved in a court proceeding involving the dependency of a child or the termination of a parent’s legal rights. Of these respondents, 33.3% reported problems associated with an investigation by Child Protective Services (CPS), 24.4% arose from efforts by CPS to get parents to give up custody of their children, 17.1% involved concerns arising from the involuntary administration of psychotropic medication, etc.

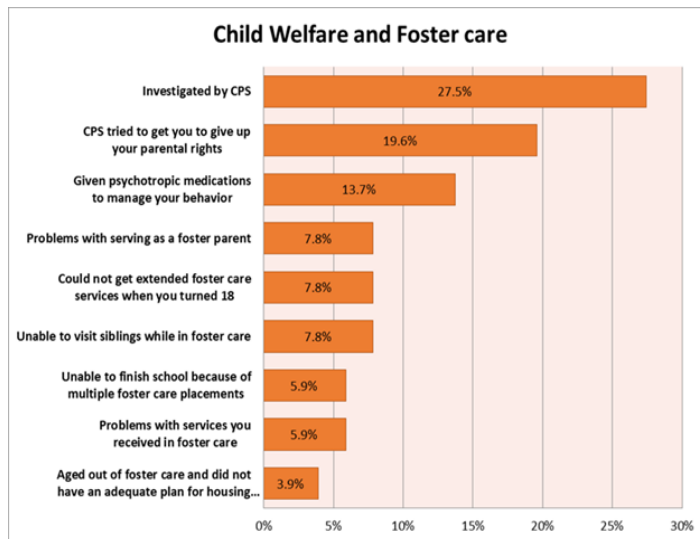


Figure 41: Relative percentage of child-welfare related problems experienced by persons involved in child welfare proceedings

H.8.b. Relative Percentage of Child-Welfare Related Problems Experienced by Persons Involved in Child Welfare Proceedings

Figure 41 shows the relative percentage of specific child welfare related problems experienced by respondents who reported involvement in a dependency or termination case in the prior 12 month period. Of the total number of child welfare related problems reported by respondents in this group, 27.5% involved investigations by CPS, 19.6% related to efforts by CPS to force parents to give up their custody rights, 13.7% involved the administration of psychotropic medicine, 7.8% involved problems related to service as a foster parent, etc.

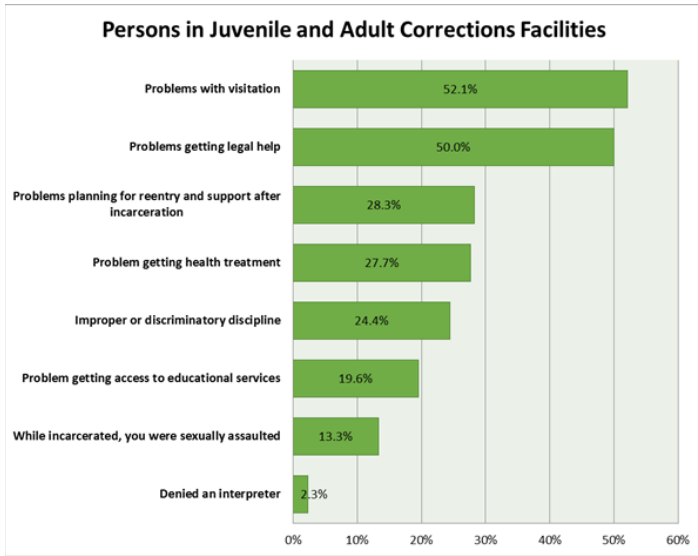


Figure 42: Percentage of incarceration related problems experienced by households with a member who had been confined to a juvenile, adult correctional or immigration detention facility with at least one problem relating to their incarceration.

H.9.a. Prevalence of Incarceration Related Problems Experienced by Persons in Juvenile or Adult Correctional Facilities

Figure 42 shows the prevalence of incarceration related problems experienced by respondents who, in the prior 12 months, were confined in a juvenile or adult correctional or immigration detention facility. Of these respondents, 52.1% reported problems with visitation or communicating with family members and friends, 50.0% had problems getting legal help, legal materials and resources or were not allowed to present information to a court, 28.3% experienced problems planning for reentry and support after their release, 27.7% had problems getting adequate medical or mental health care, etc.

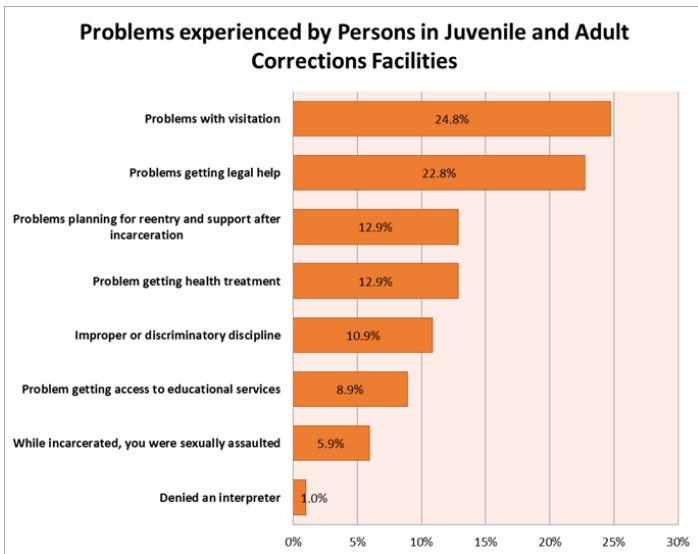


Figure 43: Relative percentage of incarceration related problems experienced by persons confined to juvenile or adult correctional facilities, shown as a percentage of all incarceration related problems reported by this group.

H.9.b. Relative Percentage of Incarceration Related Problems

Figure 43 shows the relative percentage of specific incarceration related problems reported by households where a member was confined to a juvenile, adult correctional or immigration detention facility in the prior 12 months. Of the total number of incarceration related problems reported by respondents in this group, 24.8% related to visitation of family members and friends, 22.8% involved lack of access to legal help or materials, 12.9% involved problems relating to planning for reentry and post-incarceration support, 10.9% involved the improper or discriminatory administration of discipline, etc.

I. Discrimination and Unfair Treatment

Consistent with the 2003 Survey, the 2014 survey instrument asked questions about problems relating to discrimination and unfair treatment. The 2003 survey reported that 27.0% of all respondents reported one or more problems involving discrimination.²¹

While the 2003 survey instrument focused exclusively on discrimination and differential treatment with respect to then-legally protected classes of individuals, the 2014 took a broader approach to this inquiry. The purpose of this broader inquiry is to assess whether and to what degree other forms of categorical treatment have an impact on the ability of low-income individuals and families to obtain and keep employment, stable housing, credit and educational services. The survey drafters were particularly interested in knowing whether and to what degree low-income people were treated differently because of their credit histories, prior involvement in the juvenile or adult criminal justice systems, their immigration status, their status as victims of domestic violence or sexual assault or other non-legally protected characteristics or status.

The following discussion is broken into two subparts:

- 1) Reporting and discussion of results for questions about discrimination and unfair treatment in relation to legally protected classes, characteristics and status, and
- 2) Discrimination and unfair treatment based on characteristics or status that do not currently have legal protection but may nevertheless give rise to a civil legal problem.

I.1.a. Discrimination and Unfair Treatment – Legally Protected Classifications

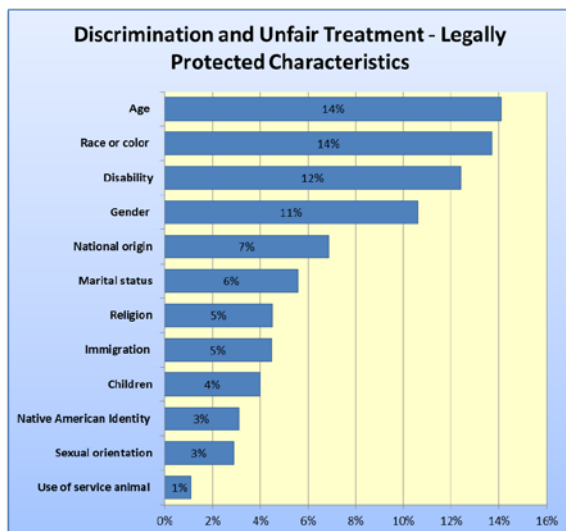


Figure 44: Percent of all responding households reporting discrimination or unfair treatment on the basis of at least one legally

Figure 44 shows the percentage of all survey respondents who experienced at least one problem associated with discrimination or unfair treatment on the basis of a state or federal legally protected classification.

Of all respondents, 14.0% experienced discrimination based on age, 14.0% based on race, 12.0% based on disability, etc.

²¹ 2003 CLNS at 39-41.

I.1.b. Prevalence of Discrimination or Unfair Treatment by Non-Protected Characteristics

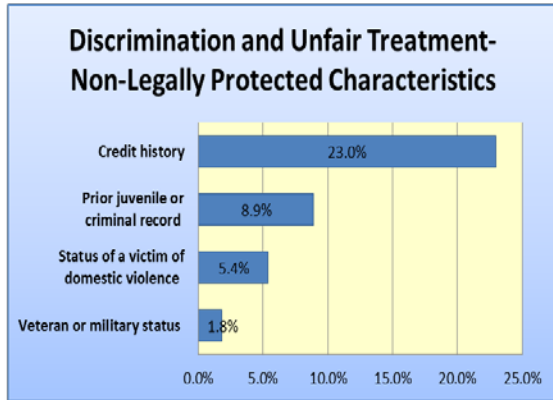


Figure 45: Percent of all responding households reporting discrimination or unfair treatment on the basis of at least one non-legally protected characteristic.

Figure 45 shows the prevalence of problems relating to discrimination or unfair treatment experienced by individuals with respect to characteristics that are not categorically protected under either state or federal law.

Of all survey respondents, 23.0% reported being discriminated against or unfairly treated on the basis of their credit history, 8.9% on the basis of a prior juvenile or criminal record, 5.4% on the basis of their status as a victim of domestic violence and 1.8% on the basis of their veteran or military status.

I.2.a. Discrimination and Unfair Treatment by Demographic Identity and Substantive Problem Area

Appendix B, Master Tables 2 and 2A show the relationships between respondents' reporting of problems relating to discrimination and unfair treatment by reference to their demographic identity/characteristics (X axis) and the substantive problem areas in which the reported acts of discrimination or unfair treatment occurred (Y axis). The tables allow comparison of the prevalence and relative percentages of problems involving discrimination and unfair treatment between different groups of respondents by substantive problem area. Master Table 2 shows the prevalence of discrimination and unfair treatment by demographic category and legal problem area. Table 2A shows the relative percentage of problems for each demographic group. These tables includes all reported instances of discrimination and unfair treatment, including those involving non-legally protected characteristics.

I.2.b. Prevalence of Discrimination and Unfair Treatment by Demographic Identity and Category of Discrimination (All Respondents)

Appendix B, Master Tables 3 and 3A show the relationships between respondents' reporting of problems relating to discrimination and unfair treatment by reference to their demographic identity/characteristics (X axis) and the type or category of discriminatory or unfair treatment they reported (Y axis). Master Table 3 shows that 36.9% of African Americans and 27.6% of Native Americans experienced at least one problem involving discrimination or unfair treatment on the basis of race. Seniors, youth and victims of domestic violence and sexual assault experienced discrimination and unfair treatment on the basis of age at higher levels than members of other demographic groups. African Americans, Native Americans, domestic

violence/sexual assault victims and persons with disabilities experienced the highest rates of discrimination and unfair treatment due to credit history. And African Americans, domestic violence/sexual assault victims and youth had the highest prevalence of discrimination and unfair treatment due to sexual orientation.²² Master Table 3A shows the relative percentage of legal problems involving discrimination and unfair treatment for each of the demographic groups.

²² Data from the federal Center for Disease Control, the federal Substance Abuse and Mental Health Services Administration (SAMHSA), the Washington State Office of the Superintendent of Public Instruction (OSPI) and other sources document that youth who are lesbian, gay bisexual, transgender or questioning their sexuality are at increased risk for negative experiences with discrimination and unfair treatment compared with the general population. See <http://www.cdc.gov/lgbthealth/youth.htm>; <http://www.k12.wa.us/SafetyCenter/LGBTQ/default.aspx>. SAMHSA documents that approximately 5-10% of the general youth population present as gay, lesbian, bisexual, transgender, or questioning (LGBTQ). <http://gainscenter.samhsa.gov/cms-assets/documents/93079-716738.lgbtq-youth.pdf>

Of the 1375 eligible respondents to survey, 151 randomly selected respondents identified as youth within the ages 15-21. Applying SMSHA estimates, between 8 and 15 of these would be LGBTQ. Of the 151 youth who responded to the survey, 10.1% (N = 15) indicated that they experienced discrimination or unfair treatment based on their sexual orientation. When the responses from the non-probability survey are included, this percentage jumps to 15.8%. While these are indirect measures, the results suggest that a very substantial majority of LGBTQ youth experience discrimination or unfair treatment on the basis of their sexual orientation. Literature indicates that this treatment can have profound consequences for LGBTQ youth and, among other things, drives highly disproportionate levels of self-harm and suicide. See, e.g., Killen-Harvey, A. (2006). *Culture and trauma brief: Trauma among lesbian, gay, bisexual, transgender, or questioning youth*. Retrieved from http://www.nctsn.org/nctsn_assets/pdfs/culture_and_trauma_brief_LGBTQ_youth.pdf

J. Steps People Take When Faced With Civil Legal Problems

Like the 2003 effort, the 2014 survey tried to find out what people did when faced with significant problems that have a civil legal dimension. Respondents were asked whether they sought legal help and if so for what types of substantive legal problems. They were also asked where they went for help and whether, and to what degree, they were able to solve their problem with the help they received.

The following discussion presents data regarding the percentage of respondents who sought legal help, where they went to get it, why many were unable to get the help they thought they needed and the degree to which the help they received made a difference.

J.1. Percentage of Respondents Who Take Efforts to Get Legal Help

Figure 46 shows the percentages of respondents who made efforts to get legal help with one or more of the problems they identified. Of all respondents who reported at least one legal problem (71.1% of all households), 24.0 % tried and got some level of legal help while 11.0% sought, but could not get it. Fully 65.0% did not take action to get legal help to solve legal problems ²³

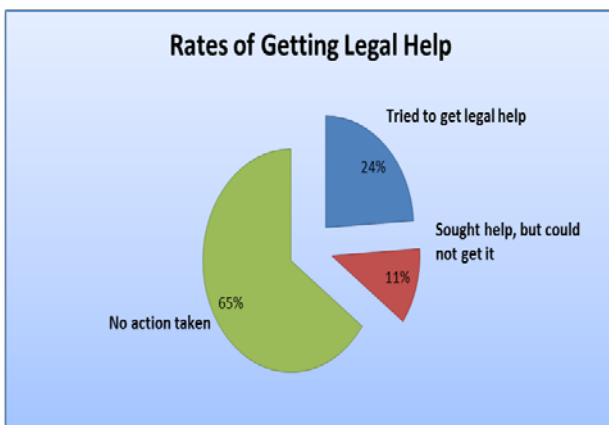


Figure 46: Percent of households who made efforts to get legal help with one or more problems

This is generally consistent with the percentages in the 2003 study and raises continuing questions about the ability of low-income people to understand that problems they experience have a civil legal dimension and that they might benefit from seeking legal help to resolve them.²⁴

Thirty-four percent (34.0%) of all 7,460 problems were experienced by persons who sought attorney help either from the CLEAR hotline, a legal aid provider, volunteer attorney or a paid private attorney. Sixty-six percent (66.0%) of all problems were experienced by respondents who did not seek help from an attorney.

²³ This section focuses on steps people take with respect to problems *other than discrimination*. The survey instrument asked those who identified problems relating to discrimination and unfair treatment to report on whether and, if so, where they went for legal help. The responses were generally consistent with those reported here. Sixty-five percent (65.0%) did not try to get legal help. Thirty-five percent (35.0%) of those who experienced a problem relating to discrimination or unfair treatment tried to get legal help, of whom 19% were able to get some level of legal assistance. Most sought help from a legal aid program (including the CLEAR hotline), a volunteer attorney or a private attorney.

²⁴ 2003 CLNS at 47 (40.0% did not know they had a problem that could be solved through the justice system).

J.2. Where Do Low-income People Go to Get Legal Help?



Figure 47: Percentage of households who tried to get legal help with one or more problems, by type of provider.

Of all respondents who tried to get legal help to resolve a problem they identified (Figure 47), 36.0% went to a paid attorney, 24.0% went to a legal aid, 12% went to the CLEAR hotline, and 19.0% went to a volunteer attorney, etc.²⁵

J.3. Did the Legal Help Make a Difference?

Legal assistance makes a difference. Figure 48 shows that of those who sought and obtained some level of legal help, 44% were able to solve some portion of their legal problem, while an additional 17% were able to solve their legal problems completely.

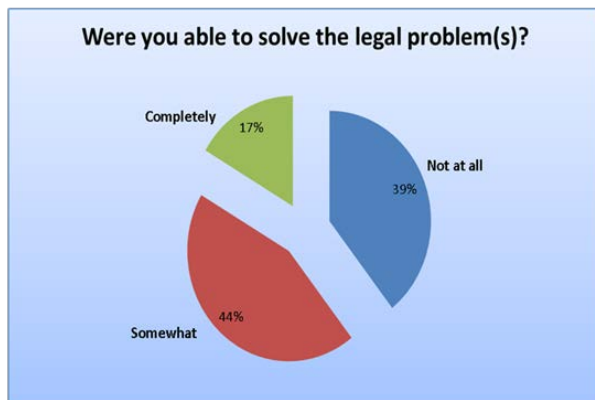


Figure 48: Resolution of problems for respondents who sought and obtained some level of legal help

J.4. Why Some Low-Income Households Were Not Able to Get Legal Help?

One hundred (100) respondents sought but could not get legal help. Respondents were offered an opportunity to explain why they were unable to get help. Nearly one-third (30) said they could not afford to pay for legal help. Other reasons included that they tried calling for help but the phone lines were busy or no one returned a call; they did not know where to go for help; the agency they called was not taking new clients; they did not qualify for free legal assistance; and that they did not understand or were confused by the information they had received.

²⁵ While often considered as part of a single enterprise, the survey instrument asked separately about “Legal Aid”, “CLEAR Hotline” and “Volunteer (unpaid) private attorney”. Survey Instrument, Q64. The survey instrument recognized that people with legal problems often go to more than one source for help. Because respondents were asked to identify each place they went for legal help, the total number of percentages exceeds 100%.

K. Respondents' Views of the Civil Justice System

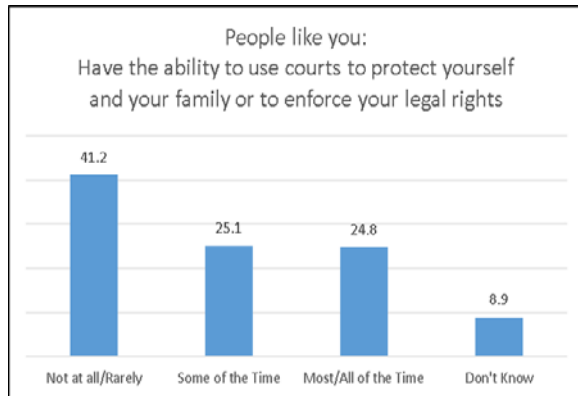


Figure 49: Respondents' views of the courts

Respondents were asked a number of questions relating to their perception of the civil justice system and its ability to effectively help people like them solve important legal problems.

Figure 49 shows that more than forty-percent of all respondents (41.2%) do not believe that people like them have the ability to use the courts to protect themselves and their families or to otherwise enforce important legal rights.

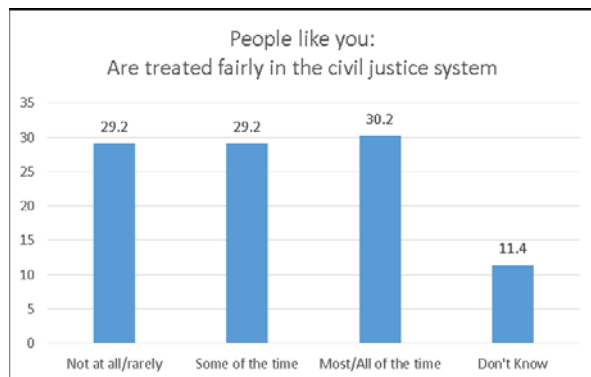


Figure 50: Respondents' views on fair treatment

Figure 50 shows that nearly 30 percent of all respondents do not believe that people like them are treated fairly in the civil justice system.

Respondents also felt that the civil justice system offered limited potential in helping people like them solve important problems. More than one quarter of all respondents (26.7%) felt that people like them could rarely if ever effectively resolve important problems through the civil justice system.

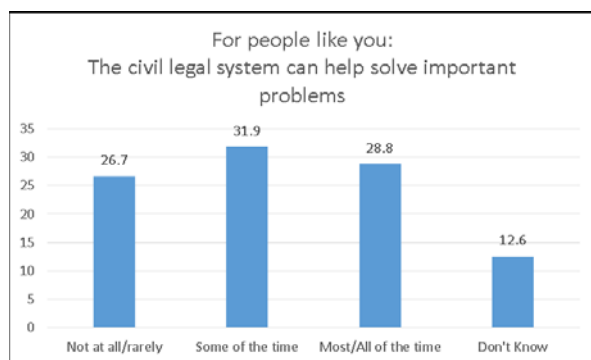


Figure 51: Respondents' views on solving problems

As shown in Figure 51, more than one quarter of respondents (26.7%) felt that the civil justice system offered limited value as a forum for solving important problems; and only 28.8% felt that the civil justice system could help people like them solve important problems most or all of the time.²⁶

²⁶ Perceptions and experience differed somewhat by demographic characteristics. Appendix B, Master Table X breaks out responses to these questions by demographic group.

L. Problems Limiting Effective Participation in State, Tribal or Federal Courts and Administrative Hearings

The survey also wanted to better understand the challenges that low-income participants in state, tribal and federal court proceedings and state and federal administrative proceedings experienced in presenting their cases and otherwise meaningfully participating in the proceedings. Sixty (60) respondents reporting having been involved in a state, tribal, federal or administrative proceeding in the prior 12 month period.²⁷ The following figures show the types of problems that respondents reported and the impact of these problems on their ability to meaningfully participate in the proceedings in which they were involved.

L.1 Prevalence of Problems Limiting Effective Participation in Legal Proceedings

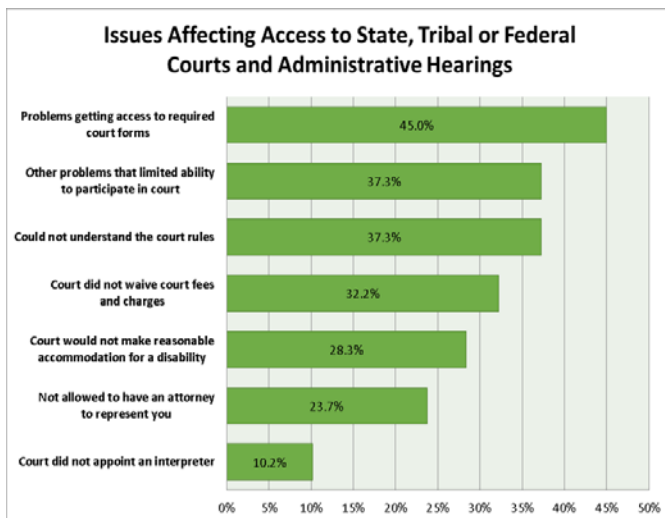


Figure 52 shows that nearly half (45.0%) of these had difficulty accessing and filing required court forms. More than a third (37.3%) reported problems that affected their ability to effectively participate in the proceeding, the same percentage (37.3%) had difficulties with understanding court rules and procedures, and 32.2% reported that the tribunal would not waive court fees and charges.

Figure 52: Percentage of households involved in a state, tribal, federal or administrative proceeding who reported problems associated with their participation in that proceeding

²⁷ The survey instrument did not ask respondents to identify the legal forum in which they had participated.

L.2. Relative Percentage of Problems Limiting Effective Participation in Legal Proceedings

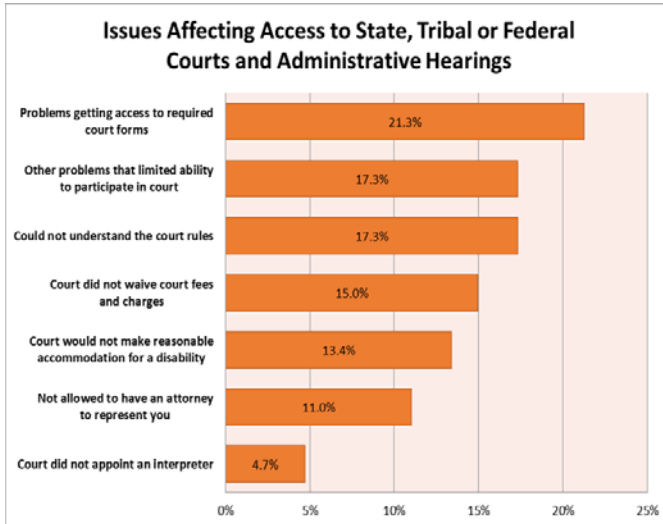


Figure 53: Relative percentage of problems limiting effective participation in state, tribal, federal and administrative proceedings

Figure 53 shows the relative breakdown of problems limiting the respondents' ability to effectively participate in a state, tribal, federal or administrative legal proceeding.

Problems getting access to required court forms account for more than a fifth (21.3%) of all problems reported in this category, followed by problems that limited a respondent's ability to participate in the proceeding (17.3%), problems understanding rules (17.3%), and problems associated with the tribunal's unwillingness to waive required fees and surcharges (15%).

L.3. Impact of Problems on Respondents' Ability to Present Their Cases or Otherwise Participate in the Court or Administrative Hearing.

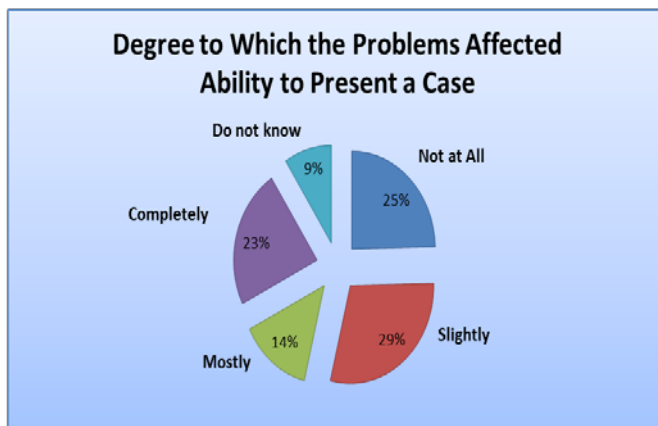


Figure 54: The impact of the problems reported above on the ability of respondents to present their cases or otherwise effectively participate in the court or administrative hearing

Figure 54 shows the impact of the problems reported above on the ability of respondents to present their cases or otherwise effectively participate in the court or administrative hearing. A large percentage (36.9%) said that the problems mostly or completely limited their ability to effectively participate in the legal proceeding.

An additional 29.2% said that the problems had a slight impact on their ability to participate while 24.6% said that the problems had no impact on their ability to participate in the proceeding.

APPENDIX A
METHODOLOGY

Methodology

In collaboration with OCLA, the CNLS Update Committee and a Technical Advisory Group convened by OCLA, SESRC developed a detailed strategy to employ multiple modes of data collection which effectively address the research agenda of the study. The study consisted on two components. The first component, the Probability Survey (PS), included a random probability based statewide (mail, web, and telephone) survey of adults in low- and lowest-income households.

To be eligible for the survey individuals must have a household income that falls at or below 200% of the federal poverty guidelines as established by the U.S. Department of Health and Human Services. In 2014, the average US poverty threshold for an individual living alone was \$11,670; for a two-person family, \$15,730; for a three-person family, \$19,790 and for a family of four, \$23,850.²⁸ The federal poverty threshold was used to determine the eligibility of a household for participation in the survey.

In particular, the eligibility income for an individual living alone was \$23,340 or below; for a two-person household, \$31,460 or below; for a three-person household, \$39,580 or below; for a four-person household, \$47,700 or below; and for a five-person household \$55,820 or below.

To efficiently reach lower-income respondents, 126 census tracts having more than 25% of individuals living at or below 125% of poverty have been selected for sampling.

The study used an Address Based Sample (ABS)—the sampling of addresses from a near universal database listing of addresses. An ABS frame is comprised of all residential addresses within a pre-defined geographic area and, thus, allows targeting the areas with the hard-to-reach demographic groups (e.g., lower income families, people with less education, those with disabilities, Blacks, Hispanics, rural residents, cell phone only households and households without phone service, etc.).

Another advantage of ABS frame is that it can be augmented with an array of socio-economic variables including household size, or neighborhood-level characteristics, such as mean income or education levels, predominant language spoken, and proportion of various racial or ethnic groups. This information can ensure the sample is more representative, particularly if the study wants to target and gain cooperation among the hard-to-reach demographic groups (i.e., people with disabilities, people of color, low-income individuals, new immigrants/English language learners, unemployed/displaced workers, and elders).

Finally, the residential addresses in the ABS frame can be matched against a database of telephone owners. Approximately 40 percent of the addressees in the sample had telephone numbers matched to the location. This allowed for a mixed mode data collection (mail, internet, and phone), the best approach in resident surveying to maximize response rates. Mixing modes

²⁸ Source: <http://familiesusa.org/product/federal-poverty-guidelines>

allowed us to ensure most members of the target population are given a chance to respond to a survey using a mode particularly appealing to them or using a mode that was only available to them.

Prior to conducting a large-scale probability survey, SESRC conducted a Pilot Study. The Pilot Study was designed to test the effect of prepaid cash incentives as well as promise of a \$20 payment upon completion of the survey on the response rate. The Pilot Study was initially fielded on August 8, 2014 and it continued through mid-September 2014.

Screening for the survey involved verifying that the respondent met the criteria of: 1) Being the most knowledgeable about family legal matters; and 2) Providing income information that allowed them to be classified by family income; and 3) Having family income below 200 percent of the Federal Poverty Level (FPL).

For the Pilot Study, a representative address based sample (ABS) of 2,000 households was selected from the 126 census tracts having more than 28% of individuals living at or below 125% of Federal Poverty Level (FPL). All 2,000 sample units were randomly allocated to one of the four experimental groups: 1) \$1 prepaid incentive and \$20 payment upon completion; 2) \$2 prepaid incentive and \$20 payment upon completion; 3) \$0 incentive but \$20 payment upon completion; and 4) \$0 prepaid incentive and \$0 payment upon completion. Members of all four groups were promised to be entered into a lottery drawing of one of three \$50 grocery certificates and one tablet computer upon completing the survey.

The pilot study has shown that the \$2 prepaid incentive and \$20 payment upon completion is generating a substantially higher completion rate.

All four groups were recruited using a mail-based letter-invitation that asked the head of household or a person the most knowledgeable about family legal matters to complete the online survey. The incentives were mailed along with this invitation to members of the incentive groups.

Twelve days later after the initial recruitment mailing, the portion of the sample with mailing addresses only was sent a mail-based invitation to complete the survey in three possible ways: 1) complete an enclosed paper-based version of the survey and return it via mail in the enclosed return envelope; 2) complete the survey via web (URL and unique access code were provided); and 3) complete the survey via phone (a toll-free number to call was provided).

The portion of the sample with known phone numbers was contacted via phone fifteen days later after the initial recruitment mailing and respondents were given the option to complete the survey over the phone at the time of the contact or at the time scheduled by the respondent. If a respondent indicated he/she was unable to complete the survey by phone, he/she was offered the survey URL and unique access code as an alternative way to complete the survey. An email message with the URL and access code were sent at the time of the phone call to those

respondents opting for the internet. The phoning has continued throughout the data collection period.

Five days after the second contact, those with mail addresses only (no corresponding phone number tied to the location) received a postcard-reminder with the URL, username and password that allowed respondents to go to a web survey to complete the survey. Those with known phone numbers are being contacted via phone.

Finally, a week after the third contact the portion of the sample with mailing addresses was sent another mail-based invitation to complete the survey in three possible ways: 1) complete a replacement paper-based survey and return it via mail in the enclosed return envelope; 2) complete the survey via web (URL and unique access code were provided); and 3) complete the survey via phone (a toll-free number to call was provided). Those with known phone numbers are being contacted via phone and were given the option to complete the survey over the phone at the time of the contact or at the time scheduled by the respondent.

The pilot study has shown that the \$2 prepaid incentive and \$20 payment upon completion is generating a substantially higher completion rate than the \$1 prepaid incentive and \$20 payment, and that both are exceeding the zero incentive. This combination of incentives (group 2 in the experiment) was chosen for the larger study because it yielded the highest proportion of responses.

The state-wide survey that was launched in October 2014 used the same data collection used in the pilot study. A sample of 15,000 households within 126 pre-selected census tracts with high concentration of poverty was invited to participate in the survey.

A total of 3,125 households distributed throughout the state participated in screening for eligibility for the study. 1,375 eligible low and lowest income households completed the survey.

A total of 1,375 completed questionnaires from eligible respondents is large enough to ensure a sample error of no larger than +/-3% sample error (SE) at the 95% confidence level. Thus, it is possible to draw conclusions about the low-income population as a whole that can be accepted with a high degree of confidence from observations about the survey respondents.

While conclusions about the entire sampling frame can be drawn with confidence, the word of caution is in order. The universe from which the sample was drawn—residential households—is only an approximation of the universe that the study seeks to measure. High degree of residential instability that was reflected in approximately 15% mailings returned to sender from the total number of surveys sent out indicates that some low and lowest income households were not reached. Further, some households may have limitations of language that prevented them from participating in the survey. Finally, some kinds of sensitive legal problems are difficult, under the best of conditions, to discuss with strangers. A telephone survey is less amenable to building the personal trust and confidence to induce the survey respondent to speak freely about sensitive matters like abuse, immigration problems, or a wide range of family issues.

APPENDIX B
MASTER TABLES

Master Table 1: Prevalence of Legal Problems by Substantive Area and Demographic Group

	All	White	Non-White	African-Americans	Hispanics	Asians	Native Americans	Seniors	Not employed	Persons with a disability	Military Service Members	Households with children	DV/SA victims	Immigrants	Youth	Women	Men
Employment	33.6%	30.5%	38.0%	44.7%	36.1%	21.2%	56.7%	16.3%	31.4%	40.1%	34.2%	37.9%	63.5%	29.3%	41.2%	33.6%	34.7%
Rental Housing	27.8%	26.1%	30.0%	41.5%	21.4%	25.3%	42.9%	11.2%	29.8%	37.8%	26.0%	27.7%	57.3%	18.8%	30.4%	30.0%	23.9%
Municipal Services/Utilities	33.3%	30.0%	37.6%	46.7%	29.2%	30.7%	55.1%	18.8%	33.7%	42.3%	30.9%	37.9%	63.5%	28.6%	41.3%	34.9%	31.8%
Consumer	37.6%	38.2%	38.2%	54.6%	29.2%	22.5%	59.6%	23.1%	38.3%	49.6%	44.9%	37.1%	69.8%	26.5%	39.3%	39.1%	35.8%
Government Assistance	29.6%	29.6%	29.5%	34.3%	23.7%	22.7%	43.4%	13.5%	32.8%	43.3%	28.2%	33.7%	59.8%	24.2%	32.2%	32.4%	25.2%
Health care	43.4%	42.0%	44.9%	46.4%	39.8%	37.5%	58.9%	33.5%	45.4%	57.7%	41.3%	43.8%	69.4%	43.5%	44.7%	45.7%	39.3%
Family	22.8%	20.7%	24.7%	26.6%	24.3%	12.4%	43.9%	10.8%	20.5%	28.7%	21.8%	33.1%	100.0%	17.6%	26.0%	26.1%	17.1%
Education	26.5%	23.3%	28.3%	36.7%	22.8%	19.6%	48.1%	21.1%	28.7%	40.8%	34.8%	31.7%	47.4%	22.7%	29.2%	28.6%	20.2%
Estate Planning	17.2%	18.7%	15.2%	13.8%	10.8%	14.8%	33.3%	25.0%	20.5%	25.3%	23.9%	14.3%	40.9%	11.8%	13.4%	18.5%	14.3%
Number of respondents	1,234	634	585	113	251	93	78	224	650	466	203	522	99	326	151	736	469

Note: DV/SA abbreviation stands for Victims of Domestic Violence and Victims of Sexual Assault

Master Table 1A: Relative Percentage of Legal Problems Shown as a Percentage of Total Number of Legal Problems by Substantive Problem Area and Demographic Group

	All	White	Non-White	African-Americans	Hispanics	Asians	Native Americans	Seniors	Not employed	Persons with a disability	Military Service Members	Households with children	DV/SA victims	Immigrants	Youth	Women	Men
Employment	11.8%	10.2%	12.3%	11.7%	15.1%	9.5%	10.8%	7.4%	10.4%	10.5%	11.1%	11.8%	10.8%	11.5%	14.1%	10.6%	12.9%
Rental Housing	15.4%	15.7%	14.9%	17.4%	11.9%	15.9%	14.4%	11.3%	15.9%	15.6%	15.1%	13.9%	16.9%	12.0%	14.4%	15.7%	13.9%
Mobile Housing	0.5%	0.4%	0.6%	0.0%	0.6%	1.7%	1.1%	1.1%	0.6%	0.5%	0.7%	0.5%	0.9%	0.9%	0.5%	0.3%	1.0%
Municipal Services/Utilities	10.7%	10.2%	10.9%	12.1%	9.4%	11.7%	11.3%	9.5%	11.0%	10.2%	8.8%	11.1%	9.2%	10.8%	11.9%	10.6%	10.8%
Consumer	17.1%	17.6%	17.1%	21.5%	15.3%	15.9%	15.8%	14.0%	16.4%	16.6%	19.4%	16.4%	15.2%	15.6%	13.9%	16.6%	18.7%
Government Assistance	8.0%	8.7%	7.5%	6.2%	7.2%	8.0%	7.6%	7.2%	9.1%	9.1%	7.8%	8.0%	7.3%	7.7%	9.1%	8.2%	8.0%
Health care	20.5%	21.2%	20.4%	16.2%	21.9%	21.4%	18.5%	28.8%	20.8%	22.1%	19.4%	18.7%	15.8%	25.1%	19.9%	20.9%	20.6%
Family	7.4%	7.5%	7.4%	7.4%	8.9%	7.0%	8.0%	4.4%	7.0%	6.8%	6.8%	9.9%	14.7%	6.5%	6.8%	8.2%	6.0%
Education	3.6%	2.6%	4.3%	4.5%	5.6%	3.1%	4.9%	1.1%	3.0%	3.2%	3.9%	5.9%	4.2%	5.2%	5.7%	3.7%	3.1%
Estate Planning	5.1%	6.0%	4.5%	3.0%	4.0%	5.8%	7.6%	15.5%	6.0%	5.4%	7.1%	3.8%	4.9%	4.7%	3.9%	5.2%	5.0%
Number of Legal Problems	7,460	3,234	4,010	881	1,281	515	842	666	3,998	3,921	1,255	3,654	1,770	1,590	1,087	4,600	2,502
Number of respondents	1,234	634	585	113	251	93	78	224	650	466	203	522	99	326	151	736	468
Mean number of problems per capita	6.05	5.10	6.85	7.80	5.10	5.54	10.79	2.97	6.15	8.41	6.18	7.00	17.88	4.88	7.20	6.25	5.35

Note: DV/SA abbreviation stands for Victims of Domestic Violence and Victims of Sexual Assault

Master Table 2: Prevalence of Discrimination and Unfair Treatment Based on Demographic Identity by Substantive Problem Area and Demographic Group

	All	White	Non-White	African-Americans	Hispanics	Asians	Native Americans	Seniors	Not employed	Persons with a Disability	Military Service members	Households with children	DV/SA victims	Immigrants	Youth	Women	Men
Employment	35.5%	35.9%	35.5%	40.5%	36.6%	34.2%	35.3%	26.3%	35.1%	35.4%	31.1%	39.1%	50.0%	36.4%	41.3%	34.2%	38.7%
Rental Housing	26.9%	27.3%	27.1%	44.6%	17.0%	18.4%	27.9%	15.0%	26.4%	32.4%	20.6%	29.7%	50.0%	17.5%	26.7%	32.1%	18.1%
Home ownership	7.8%	6.0%	10.0%	13.5%	6.3%	2.6%	17.6%	2.5%	8.0%	8.4%	8.7%	11.3%	20.8%	7.7%	6.7%	9.7%	5.4%
Utility Services	7.2%	5.0%	8.4%	5.5%	8.0%	5.3%	17.6%	2.5%	8.0%	9.2%	4.9%	8.2%	18.1%	7.0%	10.7%	6.7%	6.3%
Municipal Services/Land Use	3.5%	2.6%	4.0%	1.4%	3.6%	0.0%	13.2%	5.0%	3.7%	4.9%	1.0%	2.3%	6.9%	4.2%	2.7%	3.5%	3.2%
Law Enforcement	18.7%	16.9%	21.1%	21.6%	19.6%	15.8%	33.8%	7.5%	17.0%	23.5%	21.4%	20.2%	31.9%	17.5%	24.0%	16.1%	23.4%
Consumer	28.2%	30.9%	27.4%	33.8%	21.4%	26.3%	38.2%	18.8%	28.6%	32.7%	31.1%	30.0%	37.5%	18.9%	26.7%	28.6%	30.2%
Health care	22.3%	23.3%	21.5%	16.2%	19.8%	21.1%	32.4%	16.5%	26.3%	32.4%	22.5%	19.5%	29.2%	23.1%	21.3%	23.5%	20.8%
Government Assistance	17.7%	16.7%	19.7%	14.9%	16.1%	15.8%	29.4%	13.8%	20.9%	25.7%	24.3%	19.6%	33.3%	16.2%	18.9%	19.2%	15.8%
Education	10.7%	9.0%	13.0%	8.1%	13.4%	10.5%	23.5%	8.8%	11.2%	11.2%	9.7%	12.1%	16.7%	11.9%	18.7%	11.6%	10.4%
Government Programs	5.2%	2.6%	7.7%	5.4%	5.4%	7.9%	13.2%	5.0%	6.2%	7.4%	7.8%	4.7%	15.3%	4.9%	9.3%	5.1%	5.0%
Access to private business svcs.	6.6%	6.6%	6.4%	9.5%	2.7%	2.6%	11.8%	6.3%	7.1%	8.1%	7.8%	5.8%	9.7%	4.9%	12.0%	6.7%	6.8%
Number of respondents	1,234	634	585	113	251	93	78	224	650	466	203	522	99	326	151	736	469

Note: DV/SA abbreviation stands for Victims of Domestic Violence and Victims of Sexual Assault

Note: Percentages include reported problems involving discrimination and unfair treatment on the basis of credit history, juvenile and criminal justice system involvement, immigration status, veteran status and status of a victim of domestic violence or sexual assault

Master Table 2A: Relative Percentage of Legal Problems Involving Discrimination Based on Demographic Identity Shown as a Percentage of Total Number of Discrimination Problems by Substantive Problem Area and Demographic Group

	All	White	Non-White	African-Americans	Hispanics	Asians	Native Americans	Seniors	Not employed	Persons with a Disability	Military Service members	Households with children	DV/SA victims	Immigrants	Youth	Women	Men
Employment	18.7%	19.6%	17.6%	18.9%	21.6%	21.3%	11.6%	20.6%	17.7%	15.3%	16.3%	19.3%	15.7%	21.4%	18.9%	17.4%	21.1%
Rental Housing	14.1%	14.9%	13.4%	20.8%	10.0%	11.5%	9.2%	11.8%	13.3%	14.0%	10.7%	14.6%	15.7%	10.3%	12.2%	16.3%	9.8%
Home ownership	4.1%	3.3%	5.0%	6.3%	3.7%	1.6%	6.4%	2.0%	4.1%	3.6%	4.6%	5.6%	6.5%	4.5%	3.0%	4.9%	2.9%
Utility Services	3.8%	2.7%	4.1%	2.5%	4.7%	3.3%	6.9%	2.0%	4.1%	4.0%	2.6%	4.0%	5.7%	4.1%	4.9%	3.4%	3.4%
Municipal Services/Land Use	1.8%	1.5%	2.0%	0.6%	2.1%	0.0%	4.6%	3.9%	1.9%	2.1%	0.5%	1.2%	2.2%	2.5%	1.2%	1.8%	1.7%
Law Enforcement	9.8%	9.3%	10.4%	10.1%	11.6%	9.8%	12.1%	5.9%	8.6%	10.2%	11.2%	10.0%	10.0%	10.3%	11.0%	8.2%	12.7%
Consumer	14.8%	16.9%	13.6%	15.7%	12.6%	16.4%	12.1%	14.7%	14.4%	14.1%	16.3%	14.8%	11.7%	11.1%	12.2%	14.5%	16.4%
Health care	11.7%	12.7%	10.6%	7.5%	11.6%	13.1%	11.0%	12.7%	13.3%	14.0%	11.7%	9.6%	9.1%	13.6%	9.8%	11.9%	11.3%
Government Assistance	9.3%	9.1%	9.8%	6.9%	9.5%	9.8%	9.2%	10.8%	10.5%	11.1%	12.8%	9.6%	10.4%	9.5%	8.5%	9.7%	8.6%
Education	5.6%	4.9%	6.5%	3.8%	7.9%	6.6%	7.5%	6.9%	5.6%	4.9%	5.1%	6.0%	5.2%	7.0%	8.5%	5.9%	5.6%
Government Programs	2.7%	1.5%	3.8%	2.5%	3.2%	4.9%	5.2%	3.9%	3.1%	3.2%	4.1%	2.3%	4.8%	2.9%	4.3%	2.6%	2.7%
Access to private business srvc.	3.5%	3.8%	3.2%	4.4%	1.6%	1.6%	4.0%	4.9%	3.6%	3.5%	4.1%	2.9%	15.7%	2.9%	5.5%	3.4%	3.7%
Number of Legal Problems	1,209	551	603	159	190	61	173	102	640	658	196	519	230	243	164	731	408
Number of respondents	1,234	634	585	113	251	93	78	224	650	466	203	522	99	326	151	736	468
Mean number of problems per capita	0.98	0.87	1.03	1.41	0.76	0.66	2.22	0.46	0.98	1.41	0.97	0.99	2.32	0.75	1.09	0.99	0.87

Note: DV/SA abbreviation stands for Victims of Domestic Violence and Victims of Sexual Assault.

Note: Percentages include reported problems involving discrimination and unfair treatment on the basis of credit history, juvenile and criminal justice system involvement, immigration status, veteran status and status of a victim of domestic violence or sexual assault

Master Table 3: Prevalence of Discrimination and Unfair Treatment by Category of Differential Treatment and Demographic Group

	All	White	Non-White	African-Americans	Hispanics	Asians	Native Americans	Seniors	Not employed	Disability	Military	Households with children	DV/SA victims	Immigrants	Youth	Women	Men
Race or color	13.7%	6.5%	21.8%	36.9%	19.6%	9.4%	27.6%	6.4%	12.8%	18.2%	9.6%	16.8%	30.3%	15.1%	19.6%	14.9%	12.6%
National origin	6.9%	4.3%	10.0%	9.5%	11.9%	8.3%	10.6%	1.0%	6.0%	8.0%	4.8%	8.0%	14.9%	15.3%	8.0%	6.6%	7.9%
Religion	4.5%	3.1%	6.5%	7.3%	4.5%	3.5%	15.5%	4.5%	5.4%	7.0%	6.9%	4.4%	11.8%	4.1%	7.9%	4.8%	4.8%
Native American Identity	3.1%	0.9%	5.6%	2.1%	2.2%	3.5%	27.6%	2.5%	4.1%	5.0%	3.7%	2.1%	9.1%	2.1%	3.6%	2.9%	3.3%
Gender	10.6%	10.7%	11.3%	13.7%	5.8%	10.8%	23.5%	7.5%	10.9%	14.4%	11.0%	10.7%	20.9%	5.9%	17.3%	13.5%	6.5%
Marital status	5.6%	4.9%	6.6%	4.2%	5.5%	3.6%	10.6%	2.0%	5.9%	8.1%	4.8%	6.3%	20.9%	3.8%	8.0%	6.8%	3.6%
Children in home	4.0%	2.9%	5.4%	8.4%	1.3%	3.5%	10.5%	0.5%	4.2%	5.6%	4.2%	8.2%	15.1%	3.1%	5.1%	5.4%	1.9%
Sexual orientation	2.9%	2.6%	3.3%	7.3%	1.8%	3.5%	7.4%	2.0%	3.3%	3.9%	3.7%	2.3%	10.5%	1.4%	10.1%	2.3%	3.6%
Age	14.1%	13.7%	14.9%	19.0%	8.4%	11.5%	24.7%	17.6%	16.1%	20.9%	17.4%	12.0%	31.0%	9.5%	22.0%	14.4%	14.0%
Veteran	1.8%	1.7%	1.9%	2.1%	0.0%	2.4%	4.2%	2.1%	2.1%	3.8%	8.4%	0.8%	6.8%	0.7%	1.4%	0.9%	3.3%
Disability	12.3%	13.5%	11.1%	12.4%	6.7%	7.1%	25.8%	7.0%	17.7%	29.5%	15.9%	8.2%	28.2%	5.1%	11.6%	13.5%	10.5%
Service dog	1.1%	0.7%	1.7%	2.1%	0.5%	1.2%	0.0%	0.0%	1.2%	2.2%	1.6%	1.5%	3.4%	0.7%	0.0%	1.2%	1.2%
Prior Juv. or crim. record	8.9%	8.0%	10.0%	18.4%	5.4%	7.1%	20.8%	2.0%	8.2%	13.3%	7.3%	9.5%	24.2%	4.5%	6.5%	8.7%	9.0%
Credit history	23.0%	23.6%	23.2%	38.8%	15.0%	14.1%	38.8%	12.5%	23.8%	30.8%	23.6%	26.0%	44.1%	14.6%	20.7%	24.9%	21.3%
Immigration status	4.5%	0.9%	8.9%	4.3%	12.8%	7.1%	7.4%	0.0%	4.5%	4.4%	2.1%	8.4%	14.9%	15.4%	8.8%	4.2%	5.3%
DV/SA Victim Status	5.4%	5.0%	5.8%	7.4%	4.5%	5.8%	10.5%	3.6%	5.5%	8.7%	4.3%	6.3%	36.0%	3.7%	5.0%	7.1%	2.4%
Number of respondents	1,234	634	585	113	251	93	78	224	650	466	203	522	99	326	151	736	469

Note: DV/SA abbreviation stands for Victims of Domestic Violence and Victims of Sexual Assault

Master Table 3A: Relative Percentage of Legal Problems Involving Discrimination Shown as a Percentage of Total Number of Discrimination Problems by Category of Differential Treatment and Demographic Group

	All	White	Non-White	African-Americans	Hispanics	Asians	Native Americans	Seniors	Not employed	Disability	Military	Households with children	DV/SA victims	Immigrants	Youth	Women	Men
Race or color	11.4%	6.3%	15.2%	19.8%	19.2%	9.2%	10.5%	9.1%	9.8%	10.0%	7.3%	13.0%	9.5%	14.6%	12.9%	11.4%	11.5%
National origin	5.6%	4.2%	6.7%	4.7%	11.3%	8.0%	4.4%	1.4%	4.5%	4.3%	3.7%	6.0%	4.6%	14.6%	5.1%	5.0%	7.0%
Religion	3.7%	3.0%	4.4%	3.6%	4.2%	3.4%	5.3%	6.3%	4.0%	3.8%	5.3%	3.3%	3.5%	3.9%	5.1%	3.6%	4.3%
Native American Identity	2.5%	0.8%	3.7%	1.0%	2.1%	3.4%	11.4%	3.5%	3.1%	2.7%	2.8%	1.6%	2.8%	1.9%	2.3%	2.1%	3.0%
Gender	8.6%	10.3%	7.6%	6.8%	5.4%	10.3%	8.8%	10.5%	8.3%	7.8%	8.5%	8.1%	6.4%	5.5%	11.1%	10.2%	5.7%
Marital status	4.5%	4.7%	4.4%	2.1%	5.0%	3.4%	3.9%	2.8%	4.4%	4.3%	3.7%	4.8%	6.4%	3.6%	5.1%	5.1%	3.2%
Children in home	3.2%	2.8%	3.6%	4.2%	1.3%	3.4%	3.9%	0.7%	3.1%	3.0%	3.3%	6.2%	4.6%	2.9%	3.2%	4.1%	1.7%
Sexual orientation	2.3%	2.5%	2.2%	3.6%	1.7%	3.4%	3.1%	2.8%	2.5%	2.1%	2.8%	1.7%	3.2%	1.3%	6.5%	1.7%	3.2%
Age	11.6%	13.3%	10.2%	9.9%	7.9%	11.5%	9.2%	25.2%	12.3%	11.4%	13.4%	9.2%	9.2%	9.1%	14.3%	10.9%	12.8%
Veteran	1.4%	1.7%	1.3%	1.0%	0.0%	2.3%	1.3%	2.8%	1.6%	2.1%	6.5%	0.6%	2.1%	0.6%	0.9%	0.7%	3.0%
Disability	10.1%	13.1%	7.5%	6.3%	6.3%	6.9%	10.1%	9.8%	13.5%	16.2%	12.2%	6.2%	8.5%	4.9%	7.4%	10.3%	9.4%
Service dog	0.9%	0.7%	1.2%	1.0%	0.4%	1.1%	0.0%	0.0%	0.9%	1.2%	1.2%	1.1%	1.1%	0.6%	0.0%	0.9%	1.1%
Prior Juv. or crim. record	7.2%	7.8%	6.7%	9.4%	5.0%	6.9%	7.5%	2.8%	6.2%	7.3%	5.7%	7.1%	7.8%	4.2%	4.1%	6.5%	8.1%
Credit History	18.9%	23.1%	15.8%	20.8%	14.2%	13.8%	14.0%	17.5%	18.4%	17.1%	18.7%	20.0%	14.5%	14.0%	13.4%	19.1%	19.4%
Immigration status	3.7%	0.8%	5.9%	2.1%	12.1%	6.9%	3.1%	0.0%	3.4%	2.3%	1.6%	6.3%	4.6%	14.6%	5.5%	3.2%	4.7%
DV/SA Victim Status	4.3%	4.8%	3.9%	3.6%	4.2%	5.7%	3.5%	4.9%	4.1%	4.7%	3.3%	4.8%	11.3%	3.6%	3.2%	5.3%	2.1%
Number of Legal Problems	1,452	601	778	192	240	87	228	143	773	772	246	631	283	308	217	886	470
Number of respondents	1,234	634	585	113	251	93	78	224	650	466	203	522	99	326	151	736	468

Note: DV/SA abbreviation stands for Victims of Domestic Violence and Victims of Sexual Assault

Master Table 4: Relative Percentage of Legal Problems by Substantive Area and Region.

	King	Capitol	Southwest	North Central	South Central	South East	North East	Northwest	Overall Total
Employment	12%	9%	10%	12%	12%	15%	8%	14%	12%
Rental Housing	16%	17%	15%	17%	13%	14%	19%	15%	15%
Mobile/Manufactured Housing	0%	0%	0%	1%	1%	0%	0%	2%	1%
Municipal Services/Utilities	11%	11%	14%	9%	11%	8%	11%	11%	11%
Consumer/Finance	16%	20%	18%	17%	16%	15%	19%	18%	17%
Access Government Services	7%	9%	10%	8%	8%	9%	7%	8%	8%
Healthcare	21%	21%	21%	23%	22%	19%	18%	18%	21%
Family Related Problems	6%	7%	5%	6%	8%	10%	8%	9%	7%
Education Related Problems	4%	3%	2%	3%	5%	4%	3%	2%	4%
Estate	5%	4%	5%	6%	5%	6%	8%	4%	5%
Total	100%	100%	100%	100%	100%	100%	100%	100%	100%
Number of Legal Problems	2,166	1,167	294	531	1,486	871	242	703	7,460
Number of Respondents	374	151	59	116	242	260	28	145	1,375

Master Table 5: Extent to Which the Civil Legal System Can Solve Important Problems by Demographic Group as Reported by Survey Participants

	All	White	Non-White	African-Americans	Hispanics	Asians	Native Americans	Seniors	Not employed	Persons with a disability	Military Service Members	Households with children	DV/SA victims	Immigrants	Youth	Women	Men
Not at all	10.2%	8.1%	12.0%	8.0%	17.2%	7.5%	3.9%	10.0%	9.8%	8.1%	9.5%	13.1%	13.8%	10.8%	8.8%	10.1%	9.9%
Rarely	16.5%	16.1%	17.5%	20.5%	14.3%	19.4%	18.2%	10.0%	16.2%	17.8%	11.4%	16.4%	20.2%	14.9%	16.3%	17.1%	15.8%
Some of the time	31.9%	34.2%	30.9%	35.7%	27.9%	25.8%	39.0%	24.9%	30.9%	36.3%	38.3%	29.0%	31.9%	24.1%	36.7%	32.2%	31.5%
Most of the time	21.2%	22.1%	19.4%	14.3%	19.7%	24.7%	24.7%	26.7%	20.7%	19.4%	21.9%	20.4%	16.0%	22.5%	22.4%	20.2%	23.1%
All of the time	7.6%	6.1%	9.5%	8.9%	12.7%	4.3%	7.8%	11.8%	8.7%	5.9%	9.0%	8.8%	12.8%	11.4%	6.1%	6.9%	8.2%
Do not know	12.6%	13.3%	10.6%	12.5%	8.2%	18.3%	6.5%	16.7%	13.6%	12.3%	10.0%	12.3%	5.3%	16.2%	9.5%	13.5%	11.4%
Number of Legal Problems																	
Number of respondents	1,234	634	585	113	251	93	78	224	650	466	203	522	99	326	151	736	469

Note: DV/SA abbreviation stands for Victims of Domestic Violence and Victims of Sexual Assault

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TAB 7

Resolution 2015-01

In Support of the Federal Legal Services Corporation

WHEREAS, equal justice and the fair administration of justice are cornerstones of our democracy and core functions of our national and state governments and the Preamble to our national Constitution declares it to be an express purpose of the federal government “to establish justice;” and we as a nation daily pledge ourselves to a nation dedicated to “liberty *and justice* for all”; and

WHEREAS, as a nation grounded in the democratic rule of law, equal justice and the fair administration of justice are core governmental functions that have long transcended partisan difference, with all Americans standing together in common commitment to these ideals; and that in these times it is necessary that government focus on its core functions, including its essential duty to ensure fair and impartial justice for all; and

WHEREAS, for more than four decades a succession of United States Congresses and Presidents have looked to the federal Legal Services Corporation (LSC) as the keystone in federal policy designed to ensure meaningful access to civil justice for low income people facing profound civil legal problems; and

WHEREAS, ensuring equal justice is a joint federal and state responsibility, and that here in Washington State a bipartisan majority in our Legislature has joined with a succession of executive leaders to secure and maintain a commitment of more than \$12 million per year for essential civil legal aid services and support; that Washington State’s investment is predicated on a vital and enduring federal commitment to the civil legal aid delivery infrastructure established and maintained with funding from LSC, especially its support for the LSC’s grantee, Northwest Justice Project; and that reduction and/or withdrawal of federal funding would fundamentally undermine the vitality and effectiveness of our state-based civil legal aid delivery system; and

WHEREAS, Congress appropriated \$321 million for LSC in 1981 and that, if adjusted for inflation, this would translate into an appropriation of \$922 million in 2015 dollars; and

WHEREAS, current funding for LSC is \$375 million, less than one-third of the 1981 appropriation in real dollars; and

WHEREAS, the House of Representatives is considering a \$300 million level of funding for LSC in FY 2016 and that such level of funding, on an inflation-adjusted per capita basis, would represent just 23% of the federal investment in civil legal aid (\$6.69 per poor person in 2016 v. \$28.63 in 1981); and

WHEREAS, the Washington State Supreme Court's recently conducted Civil Legal Needs Study Update documents that the civil legal problems of low-income Washingtonians are profound and cover a wide range of situations that affect important aspects of daily life, and that this same study confirms that more than two-thirds of low-income Washingtonians who experience important civil legal problems do not get the help they need to solve them; and

WHEREAS, with the longstanding encouragement of the Congress, the civil legal aid system in every state has become a model public-private partnership and that federal funding leverages hundreds of millions of dollars of private volunteer legal aid services every year (including more than \$10 million/year here in Washington State); and

WHEREAS, the Washington State Civil Legal Aid Oversight Committee is a bipartisan body established by the Washington State Legislature to oversee the state's investment in civil legal aid service delivery through the Washington State Office of Civil Legal Aid, and that the Oversight Committee includes members appointed by both the Republican and Democratic caucuses in Washington State House of Representatives and Senate as well as members appointed by our Supreme Court and other judicial branch entities; and

NOW, THEREFORE, BE IT RESOLVED that the Washington State Civil Legal Aid Oversight Committee unanimously requests that all members of our state's congressional delegation oppose any proposal to cut LSC funding, and to support funding for LSC at the level necessary to provide critically needed services to low-income Americans, including those here in Washington State.

Adopted this 12th day of June, 2012.

Judge Ellen K. Clark, Chair