

OVERCOMING BARRIERS THAT PREVENT LOW-INCOME PERSONS FROM RESOLVING CIVIL LEGAL PROBLEMS

**A Study Prepared for the Legal Assistance to the Disadvantaged Committee of
the Minnesota State Bar Association**

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Hannah Lieberman, Project Manager

September 2, 2011

Key Findings

Currently, over half a million Minnesotans live in poverty. In towns, cities and far-flung rural areas in the State, persons of all ages and household sizes, encompassing a wide spectrum of races and ethnicities, educational levels and cultural backgrounds, struggle to get or retain shelter, income, education, health care, protection from violence or abuse and other basic necessities. An obstacle in even one of these areas can shatter the tenuous stability of their lives. Access to legal assistance often is the key to resolving the problem and clearing a path out of poverty.

Civil legal aid programs provide such critical assistance, free of charge, to low-income Minnesotans. Annually, they enable thousands of Minnesotans to preserve their housing, escape violent or exploitative circumstances, secure income supports and protect other basic rights. The need, however, far outstrips their resources. To help inform decisions about the use of such scarce resources, the Minnesota State Bar Legal Assistance to the Disadvantaged Statewide Client Access Subcommittee commissioned a study to (1) identify for the Bar and the legal aid community disproportionately underserved low-income populations; and (2) recommend strategies to enhance access and services for those populations. This report provides the results of that study and casts light on the complex, interrelated barriers that prevent low-income persons in Minnesota from resolving the legal underpinnings of their most serious problems.

Drawing primarily from the results of 10 focus groups and over 500 interviews, the report provides important information about the characteristics and unmet legal needs of Minnesota's increasingly diverse low-income population. It examines barriers that prevent poor residents from having their needs met by the State's civil legal aid programs and offers suggestions for overcoming those impediments. What this study clearly demonstrates is that access to effective civil legal assistance is a critically important resource for the most vulnerable in our communities.

The study focuses on four regions, whose varying demographic makeup captures a wide variety of low-income populations and communities: The "Twin Cities" (Hennepin and Ramsey Counties); the "South Central" region (Blue Earth, Watonwan, Cottonwood, Murray, Nobles, Jackson and Martin Counties); the "Northwest" region (Clay, Becker, Hubbard, Clearwater, southern Beltrami, Mahnommen Counties, including Native American reservations); and the less populated counties north of the Twin Cities dubbed the "Ex-Urban" area (Aitkin, Pine, Kanabec,

Isanti and Chisago Counties). We interviewed 370 persons whose household incomes were at or less than 200% of poverty and 149 persons who assist low-income residents (“providers”) across those regions.

The populations respondents identified most frequently as underserved included the working poor, immigrants and non-English speaking persons, persons with disabilities (particularly those with mental illness), the geographically isolated, youth and ex-offenders. Their most frequently experienced problems included those in the areas of transportation, housing, health care and employment.

The following are nine significant themes that emerged from the study:

Finding 1: Poor Minnesota Residents Need Access to Legal Assistance to Reduce Barriers to Employment and Protect Employment Rights

The “working poor” -- those struggling to find or survive in low-wage jobs -- was the low-income group respondents most frequently identified as needing help. Employment was one of the highest areas of need for providers’ clients and one in which low-income respondents – particularly immigrants and non-English speakers -- experienced the most problems.

Barriers that prevent low-income residents from getting and keeping jobs include: a lack of employment opportunities, particularly in the Ex-Urban counties; lack of transportation (in both rural and urban communities); the high cost and inadequate coverage of day care; and the impact of criminal records.

Despite the pervasiveness of employment concerns, few of the low-income respondents sought assistance from civil legal aid providers for employment-related problems. Indeed, most low-income respondents and providers did not identify employment as an area to which they would turn for legal aid assistance. Other significant barriers to obtaining and keeping jobs -- transportation, daycare and even criminal records problems -- were not problems for which these study respondents turned to legal aid for solutions.

The study suggests that legal aid programs can enhance accessibility and responsiveness¹ to the working poor by: 1) being accessible during non-work hours and offering services in the primary

¹ This report did not examine current operations of legal services programs in the State. We recognize that these programs may already have in place strategies that are suggested here. We also recognize that the legal aid system as a whole lacks the resources to respond to more than a fraction of the needs of low-income residents. We have intentionally provided a wide range of potential strategies in the areas of need we found, so that programs, their funders and their advocacy partners can consider those that may fill delivery system gaps,

language of low-wage workers; 2) promoting awareness of employment rights and the availability of civil legal aid resources to protect those rights through strategic outreach and community education; and 3) including employment-related advocacy among program priorities. We offer a range of suggestions for achieving accessibility, visibility and effective employment advocacy in the report. *See pp. 11 – 15, 51 – 52, 54, 55, 61, 63 – 68.*

Finding 2: Persons with Mental Illness Experience a High Incidence of Problems

Providers and low-income respondents agreed that persons with disabilities, particularly mental illness, are among those most in need of service. 36% of study respondents reported that they have a disability; they were almost equally divided between those who reported having a physical disability and those who have a mental disability (or both). Persons who reported suffering from a mental disability reported having experienced a significantly higher rate of problems, particularly those related to housing, transportation, access to social services, education, family, domestic violence, health care and discrimination.

Strategies to address the legal needs of persons with mental disabilities are multi-faceted. They include enhancing access by bringing legal aid to places persons with mental illness are likely to be (e.g., shelters for the homeless, community health centers) and developing partnerships with providers of other services, including health care professionals, police departments, substance abuse treatment centers and shelter staff. Close collaborations with social workers, whether on staff or in partner organizations can strengthen effective interaction with mentally ill persons, secure appropriate referrals and support and assist legal aid programs in securing reasonable accommodations for mentally ill clients. The study underscores the importance of advocacy to protect and advance the rights of persons with disabilities. *See pp. 9, 11 – 13, 15 – 17, 53 – 54, 57, 76.*

Finding 3: Low-Income Immigrants Often Face Linguistic and Cultural Barriers

Survey respondents identified recent immigrants (primarily those who are Hispanic, Sudanese, Somali and from Asian-Pacific countries) as well as “non-English speakers”, undocumented persons, and those with different cultural backgrounds, as among Minnesota’s most underserved populations. They identified a variety of challenges many low-income immigrants face:

consistent with their resources, and help them make excruciating choices about how to use the resources they have.

- Lack of access to affordable or free legal assistance for immigration issues;
- Pervasive discrimination – including school, employment, housing and interactions with law enforcement;
- Significant problems related to employment;
- Language barriers that prevent effective communication with government agencies, school personnel, health care providers, employers and law enforcement (including for victims of crime and abuse);
- Culturally different expectations relating to parenting, views of “appropriate” public behavior, relationship to authority, financial management.

There was a wide disparity in how providers, on the one hand, and low-income respondents, on the other, perceived the prevalence of discrimination facing immigrants. Their significantly different perception of immigrant experiences underscores the importance of strategies to improve communication and understanding between immigrants and the agencies with which they regularly interact.

Cultural, linguistic and knowledge barriers may deter immigrants from seeking assistance from legal aid organizations. Their distrust or reluctance arises from a variety of factors:

- Talking to strangers (or at all) about personal problems may be culturally taboo;
- Use of interpreters from their community raises legitimate fear about lack of confidentiality;
- Legal aid programs may lack bilingual, bi-cultural staff;
- Immigrants may be uncomfortable with the adversarial nature or complexity of the American legal system; and
- Immigrants may erroneously assume that legal aid is part of the government.

The report offers strategies to enhance the accessibility of legal aid programs for immigrants, emphasizing community-based partnerships, cultural and linguistic competency and visible connections through strong relationships with community leaders or program employees from those communities. We also offer potential advocacy strategies to respond to national origin or language-based discrimination. *See pp. 7, 11 – 13, 17 – 22, 37 – 38, 47, 53, 56, 61, 67 – 68.*

Finding 4: Youth are Falling Through the Cracks

Youth and young adults have serious unmet needs. The fact that respondents under 21 report a significantly higher incidence of problems in housing and employment than respondents as a whole underscores their vulnerability. Particularly in the Northwest, respondents emphasized how youth are consigned to life-long poverty because they have dropped out of high school or

have graduated without adequate skills. Providers frequently mentioned that youth transitioning to adulthood from foster care lack necessary supports.

Legal aid programs have opportunities to engage youth in further identifying and developing strategies to address the problems they face. Involving youth directly in planning and advocacy furthers the close alignment of legal aid advocacy to their needs and can develop advocacy and leadership skills. Connecting with youth often requires use of the technology and forms of communication favored by young people, including social media. In addition, youth need to be able to contact legal aid on weekends, after school and at places they can get to without a car.

The report provides suggestions of ways to reach and improve outcomes for youth, with close attention to means of ensuring meaningful educational opportunities. Working with community partners can also further legal aid programs' ability to support low-income youth. *See pp. 7, 11 – 13, 24 – 26, 52, 55 – 56, 58, 61, 72, 75.*

Finding 5: Lack of Transportation Is a Serious Barrier for Low-Income Persons

Lack of transportation prevents many low-income persons from overcoming poverty. It is a barrier to employment, health care, day care, social services, the courts and legal aid. Without consistent access to transportation, rural and urban low-income residents lack a vital linchpin for familial and economic stability. Transportation barriers include inadequate – indeed, often nonexistent -- or unaffordable public transit, the inability to get a drivers' license and the expense of private transport, including car repairs, fees for licenses and the cost of insurance.

Although transportation access is not a traditional area for legal aid work, the study suggests that development of effective strategies to alleviate transportation-related barriers could resolve many problems for which low-income persons ultimately seek assistance from legal aid. The report provides suggestions for such advocacy. We also offer ideas for enhancing accessibility of legal aid to geographically isolated persons through the use of technology. *See pp. 11 -13, 23 – 24, 54, 58 – 59, 68 – 70.*

Finding 6: Low-Income Persons Struggle – Often Unsuccessfully – To Find Safe and Affordable Housing

Housing tops the lists of both providers' and low-income respondents' unmet needs and encompasses a variety of issues. The lack of affordable housing creates enormous hardship for most of the populations that the study identified as underserved, including the working poor,

persons with disabilities, youth and persons with criminal records. Respondents' stories reflect the plight of the "invisible homeless," including persons who are not on the street because they are couch surfing, doubling or tripling up with other families or extended family, or living in crowded shelters.

The study confirms the necessity for legal aid programs to continue their traditional focus on securing and retaining safe and affordable housing for low-income persons. It suggests that programs also consider pursuing or participating in community-based strategies that support creation of affordable housing near jobs, schools and other services. *See pp.* 11 – 13, 27 – 29, 52, 55, 73, 77 – 78.

Finding 7: Legal Aid is a Valued Resource For a Limited Range Of Legal Issues

Survey results indicate that low-income respondents and providers are generally aware of legal aid and regard their services as very important. When asked about the kinds of services underserved persons in their community need, low-income respondents said "legal services" more frequently than any other except for jobs and housing.

The low income respondents reported a high level of legal needs. With the exception of immigrants, particularly Hispanics, they turned most frequently to legal aid as a source of legal help. Most respondents who had received help from legal aid organizations were satisfied with the assistance they received; providers also gave legal aid organizations high marks for effectiveness in resolving client problems.

Native American respondents in the Northwest region reported a much higher level of reliance on legal aid than other ethnic groups. They sought assistance from legal aid more frequently than any other ethnic group and were the least likely of all groups to access an alternative source of legal assistance.

Except for housing, the most difficult issues for which low-income respondents sought legal assistance did not correlate with the areas in which they most frequently experienced problems. For example, very few respondents sought assistance with employment, transportation (including drivers' license) problems, health care and discrimination. Although family law was the area in which they most frequently sought assistance, it was ranked on the low end of problems they experience.² Several hypotheses could explain these results: (1) clients and providers may not identify the legal dimensions of the problems they face; (2) legal

² Providers and low-income respondents identified domestic violence as a significant, widespread problem. In contrast to the low-income respondents, providers also said that their clients had high levels of unmet family law needs.

aid organizations are not seen as problem solvers for low-income people, but as organizations that provide services for a limited range of legal issues; or (3) legal aid organizations' current priorities are incompletely aligned with the most pressing underlying problems facing low-income residents. *See pp.* 39 – 51.

Finding 8: Social Stigma Inhibits Those in Need from Seeking Help

The study revealed that those in difficult circumstances may be deterred from seeking help because of a palpable social stigma that attaches to “neediness.” The stigma associated with dependence, particularly acute among senior respondents, may explain why many respondents report that they often look to family, friends or their own efforts to solve problems, instead of seeking legal assistance.

The report stresses the importance of relationship building between legal aid and community members to increase understanding of and compassion for the challenges facing low-income residents. Consistent, deliberate listening to community members and leaders, identifying common goals, building partnerships, and harnessing complimentary professional skills to achieve community-wide benefits are among the strategies the report consistently recommends.

Effective, strategic communication is also critical to convey to the public the positive impact of legal aid work for individual clients and the larger community. Such strategic communications can help break down the strong but elusive stigma associated with seeking help that the study revealed. *See pp.* 48 – 49, 61- 62.

Finding 9: The Complexity of the Social Services Network Is Overwhelming

Low income respondents face a bewildering and paper-intensive social services network, whose administrative and eligibility requirements are often incomprehensible or contradictory. Navigating confusing and, at times, hostile bureaucracies overwhelms many, particularly those who are disabled, illiterate, or from different cultures. The magnitude and volume of problems facing the poor exceed the diminishing capacity of their provider network. The report provides ideas for web-based and face-to-face system “navigators” to reduce the confusion and enhance coordination. *See pp.* 13, 34 – 35, 70 – 72.

INTRODUCTION

Purpose, Scope and Structure of the Study

Minnesota is home to a wide variety of communities, from the rapidly growing counties around the “Twin Cities” of Minneapolis and St. Paul to isolated, rural towns and Native American reservations. Over the last decade, dramatic changes have reshaped the demographics of the State. A rapid influx of immigrants has brought new cultures and languages to once homogeneous areas. Seniors constitute an increasing portion of the populations of some rural communities which are losing younger residents to urban areas.

Although their backgrounds and other characteristics may vary regionally, an increasing number of Minnesota residents are living in poverty. Between 2008 and 2009, the percentage of Minnesotans living below federal poverty guidelines rose from 9.6 to 11% (over 563,000 people).¹ The ranks of the poor have swelled as the faltering economy, the loss of jobs and lack of adequate health care have pushed many formerly middle class families below the poverty line.² For these low-income individuals and families, daily life includes an often relentless struggle to meet the most basic human needs: access to safe and affordable housing, health-care, education, employment (or income supports for those who are unable to work), and protection from violence and predatory practices.

Many of the problems that prevent low-income persons from achieving familial and financial stability can be ameliorated or resolved with the help of legally trained persons. In 2008, the Minnesota State Bar Association (MSBA) Legal Assistance to the Disadvantaged (LAD) Statewide Client Access Subcommittee commissioned a study to: (1) determine which groups of low-income persons are disproportionately underserved by civil legal aid providers and the nature of their needs; (2) identify the barriers that impede their access to services; and (3) recommend strategies to enable legal services providers to overcome those barriers. At that time, the economic landscape and opportunities to expand funding for civil legal services looked promising, and the expectation was that the study would help inform choices about how to use potential additional resources.

¹ See, e.g., www.census.gov/prod/2010pubs/acsbr09-1.pdf; <http://www.mnbudgetproject.org/news/articles/2010/09/28/poverty-rises-significantly-in-minnesota-median-income-falls>.

² See, e.g., Legislative Report, “Commission to End Poverty in Minnesota by 2020,” January, 2009, http://www.commissions.leg.state.mn.us/lcep/LCEP_Final_Report_SinglePgs.pdf.

By 2010, when the MSBA secured funding for the Study, the prospect of additional resources had evaporated. As the economy floundered, funding for civil legal services plummeted and client demand skyrocketed. Mirroring the circumstances of their clients, programs faced their own economic crises even as their staffs were besieged by ever-increasing need.³ However, the sudden change in circumstances has made the questions the MSBA posed in 2008 even more important to answer to help Minnesota's civil legal aid community make extraordinarily difficult decisions about the use of their even scarcer resources.

This Study does not provide definitive answers to these difficult questions. What it does provide is fresh insight about low-income populations in different parts of the State who have unresolved problems with legal underpinnings, and it offers a range of possible strategies for increasing their access to legal assistance and resolving the problems they face.⁴ It does not claim to be comprehensive or scientifically valid.

Moreover, the Study was not intended to be, nor does it provide, a roadmap for how Minnesota's robust and diverse network of civil legal services programs should allocate scarce resources. It does, however, bring information to program managers and their funders that is not captured by census or program data about the characteristics and needs of significant sub-sets of Minnesota's low-income populations. While at times anecdotal, this information can help inform decisions that civil legal aid programs need to make about how to respond to the most serious problems facing the low-income persons and communities they serve.

Ultimately, the Study affirms the critical role for civil legal services in a society where securing basic needs often requires the intervention of a law-trained person. While underscoring the importance of many traditional areas of legal services emphasis, it also suggests that shifting demographics and the economy warrant new methods for reaching potential clients and responding to their needs.

The barriers to legal and other services facing Minnesota's poor may seem intractable and, at least initially, may appear to go beyond the means or expertise of any civil legal aid program. While those seemingly intractable areas – lack of transportation, lack of employment opportunities, poor education, for example -- cannot be solved in their entirety without the concerted efforts of agencies of government, business and local and state political bodies, the

³ Statewide, legal services programs have seen their total revenue decrease by 16% from 2008 to 2011. The most significant cuts in funding include a loss of \$2,000,000 per year in Interest On Lawyers' Trust Account (IOLTA) grants (from \$2,900,000 in FY08 to \$900,000 in FY12) and \$2,284,000 per year in state legislative funding (from \$13,300,000 in FY08 to \$11,016,000 in FY12).

⁴ The Study did not include a review of current legal aid program activities. Programs may already have in place services that are responsive to the underserved populations or unmet needs identified in the report. In response to a draft of this Study, programs have prepared an outline of those services, which the MSBA will make available in tandem with its issuance of the report.

strategies section of this report demonstrates that there are realistic and effective ways in which legal aid organizations can chip away at those enormous barriers, to make a tangible and lasting difference for clients. We have intentionally offered a wide spectrum of possible strategies for programs to consider and mold to fit their circumstances and those of the clients and communities they serve.

Approach

The goals of the Study were to: (1) identify the characteristics of low-income persons in Minnesota who are disproportionately underserved by civil legal aid providers; (2) identify the barriers that impede their access to legal services; and (3) recommend strategies to reduce those barriers. “Access” to legal aid involves both the ability to reach a legal services office and having one’s problem effectively addressed. The study, therefore, examined the unmet legal needs of the affected populations as well as impediments to access.

From the outset, it was recognized that, given the limited resources for the Study, it could not cover the entire State and, for some sub-populations, sample sizes would likely be too small to be statistically valid. It was designed, therefore, to focus on a cross-section of regions whose different demographic characteristics could be illustrative for areas which the Study did not examine. The effort was focused on “listening” to low-income residents and the providers who serve them, to achieve a better understanding of the obstacles low-income persons face, the factors that affect their ability and willingness to seek the assistance of civil legal aid programs, and how programs might meet some of their unmet needs.

Selection of Regions

To inform the selection of regions, we examined demographic (primarily census) data and reviewed the level and type of civil legal services provided by county. We conducted focus groups with legal services staff who serve virtually all areas in the State⁵ to elicit their views on (1) who their current clients are; (2) who in the low-income population is less likely to seek or receive services; (3) the problems low-income persons face for which legal services programs do not currently provide assistance; and (4) what they would like to do if they had additional resources. We also consulted with staff at the University of Minnesota Center for Survey Research (the “Center”) and the Advisory Committee⁶ to the Study.

Based on our consultations, analyses and focus group information, we selected four regions for more intensive study: The “Twin Cities” (Hennepin and Ramsey Counties); the “South Central”

⁵ The focus groups were held in Minneapolis, St. Paul, Alexandria, Brainerd and Redwood Falls.

⁶ The Advisory Committee members are listed in the Acknowledgements at p. iv.

region (Blue Earth, Watowan, Cottonwood, Murray, Nobles, Jackson and Martin Counties); the “Northwest” region (Clay, Becker, Hubbard, Clearwater, southern Beltrami, Mahnommen Counties, including Native American reservations); and the suburban to rural counties north of the Twin Cities which we dubbed the “Ex-Urban” area (Aitkin, Pine, Kanebec, Isanti and Chisago Counties). See Appendix 2 (Map of Selected Regions).

The concentration of population in the Twin Cities area virtually required it to be one of the regions for further study. The area also includes a growing immigrant population. The counties are home to many of Minnesota’s foreign-born residents, including Hmong, Somali, Vietnamese, and persons from a variety of other African, Asian and Spanish-language countries.⁷ In 2008, Hennepin and Ramsey Counties had the second and fourth highest percentages of populations of color among counties in the State.

The South Central region offered an opportunity to examine the barriers facing the highest concentrations of non-English (primarily Spanish) speakers and immigrants outside of the Twin Cities area. Mankato is a growing regional hub. Despite the presence of industries (including meat processing) that hire low-wage workers, unemployment and poverty levels remain high in the region. Including the more sparsely populated south-western counties within the region was intended to capture information about the circumstances of persons in rural counties with shrinking populations.

High levels of poverty among, and historic marginalization of, Native persons were among the compelling reasons to include the Northwest region of the State. We also focused on this region to examine the circumstances of non-Native low-income residents in very rural, high poverty areas with significant levels of unemployment.

Including the “Ex-Urban” region allowed us to examine a continuum of shifting economic conditions and demographics potentially applicable to other areas near emerging regional or urban centers in Minnesota. As the counties in this cluster radiate outward from the Twin Cities, they become increasingly less affluent and more rural. Those furthest from the Twin Cities are losing population, leaving an increasingly high percentage of seniors, while Isanti and Chisago Counties have experienced rapid growth over the past twenty years. We expected that Pine, Kanebec and particularly Aitkin Counties would provide information useful to other areas (adjacent Crow Wing, Morrison and Todd counties among them), experiencing high levels of poverty, unemployment and stagnant economic conditions. While residents of Isanti and Chisago Counties have relatively high income and education levels and the percentage of persons living at or be-

⁷ See, e.g., http://www.minnpost.com/stories/2011/01/05/24587/twin_cities_suburbs_face_array_of_adjustments_and_challenges_with_rise_in_foreign_born_residents.

low the poverty line is relatively low, rising foreclosure rates suggest that an increasing number of Isanti and Chisago County residents – including those who may not have previously experienced poverty -- are having trouble meeting basic needs. We expected that this region would allow us to examine the challenges facing a new clientele for legal services programs and capture the often obscured needs of low-income persons in more affluent communities.

The Interviewing Process

Following selection of the regions, we worked with the Minnesota Center for Survey Research (the “Center”) to design interviewing instruments to explore the experiences and perspectives of low-income persons and those who provide services to low-income persons. The instruments, which included both multiple choice and open-ended questions, were designed to capture: (1) the populations which, in respondents' views, are relatively underserved; (2) the substantive areas in which the low-income respondents had experienced problems or as to which providers' clients had unmet needs; (3) barriers preventing low-income persons from meeting their needs; (4) community strengths; (5) visibility, use and perceived effectiveness of, and satisfaction with, free civil legal aid programs; and (6) suggestions for improving access to legal aid and resolving identified problems.⁸ See Appendices 3 and 4 (Survey Instruments).

The Center trained legal service program staff, volunteer lawyers and law students to conduct the interviews.⁹ A “point person” was responsible for ensuring that interviews were well-distributed and completed for each region. While the selection of persons and providers was left to the cadre of interviewers in each region, they were instructed to spread the interviews geographically and strive for diversity in all respects -- including age, background, race and ethnicity, employment status and gender. Respondents were interviewed at places where low income people are likely to congregate, including shelters food banks, community health and workforce centers, as well as places where persons of varied incomes might be found, such as libraries, public parks, bus stops and grocery stores.¹⁰ Interviewers were asked not to interview persons in legal aid offices or cluster their interviews in one location. Other than being urged to pay attention to diversity on all demographic dimensions, they were not given any specific distributional requirements.

⁸ With the assistance of the Center, we also prepared an on-line survey that was distributed to a variety of organizations associated with the civil and criminal legal systems. Unfortunately, the limited number of responses do not provide reliable information and, therefore, have not been considered in this analysis.

⁹ We turned to legal services program staff to conduct the interviews to take advantage of their experience and credibility to engage effectively with low-income persons.

¹⁰ No interviews were conducted with institutionalized persons – either those who are currently incarcerated or persons in other institutions, such as nursing homes.

Program staff conducted 366 interviews of low-income Minnesotans and 149 providers over the course of four months.

Identification of Barriers and Development of Responsive Strategies

The Center compiled the interview results, from which we prepared preliminary analyses on an aggregate and regional bases. We then conducted five follow-up focus groups in the regions to review the preliminary analyses and to discuss possible strategies to meet identified barriers. The focus groups were held in Moorhead, Cambridge, Minneapolis, Mankato and St. Paul and included staff of legal services programs, community organizations and service providers as well as others from the community.

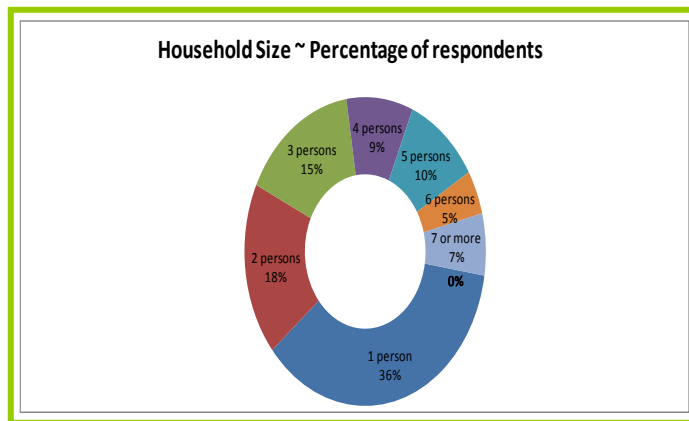
The strategies suggested in this report emerged from a variety of sources: the second round of focus groups, suggestions providers and low-income respondents offered in their interviews, research conducted in the course of the study and the knowledge of Study team members of the work of many legal services programs nationally.

The Survey Respondents

A. Characteristics of the Low Income Respondents

Income, Location and Gender.¹¹ To be included in the Study, low-income respondents had to have household incomes below 200% of the federal poverty guidelines.¹² Of the 370 low-income respondents, 104 (28%) were from the Twin Cities; 90 (24%) were from the “Ex-Urban counties”; 75 (20%) were from the South Central counties and 100 (27%) were from the Northwest. 56% were women; 42% were men.

Household Size¹³. Overall, almost 70% of the respondents came from small households, with approximately 36% living alone, 18% living in households of two, and slightly over 15% living in a household of three. Of the 31% who live in household of four or more, 8.9% live in a household of four and 10% in a house-



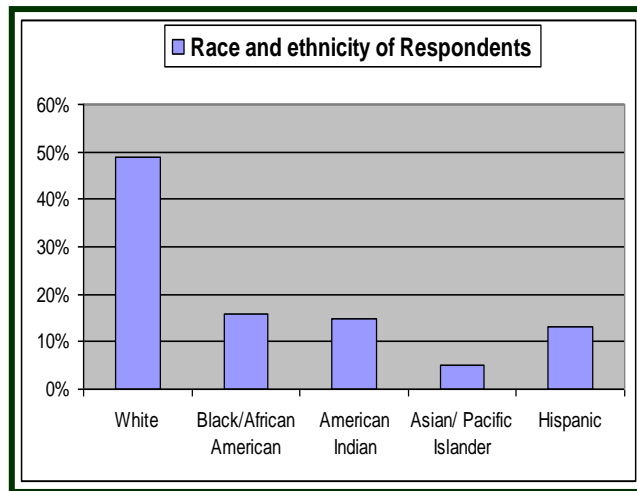
¹¹ See Appendix 5 at pp 27, 37 - 38.

¹² The study did not attempt to capture or adjust for assets or verify respondents’ income. It did not explore the respondents’ definition of “household,” although it did ask for the number of persons in the household and the number under the age of 18. It asked for sources of income for the household generally.

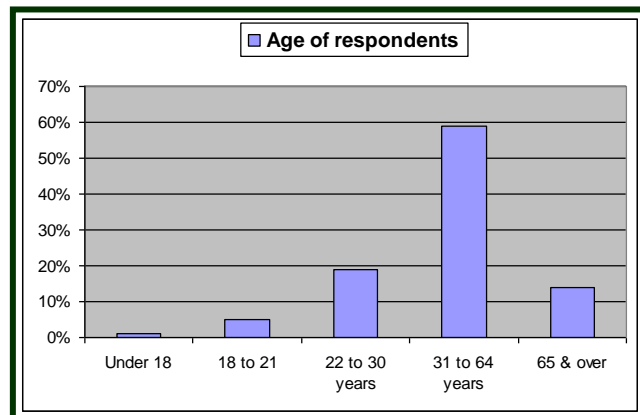
¹³ See Appendix 5 at p. 30.

hold of five. Many did not have any children in their household.¹⁴

Race and Ethnicity.¹⁵ Almost half of the respondents were Caucasian, while 16% identified as Black/African American, 15% as American Indian, 13% as Hispanic and 5% as Asian/Pacific Islander. U.S. citizens made up 87% of the respondents. Of the non-citizen respondents, 12% identified themselves as undocumented. See p. 21. Non-citizen respondents came from a variety of countries: 38% were from Mexico, 21% from Somalia, 15% from Guatemala, and smaller percentages from Vietnam, Laos, and other countries.



Age.¹⁶ Persons between 31 and 64 years old made up 59% of the respondents. The second largest group of respondents were 22 to 30 year olds at 19%, followed by seniors (14%) and youth at or younger than 21 (6%), of whom 1% were under 18.



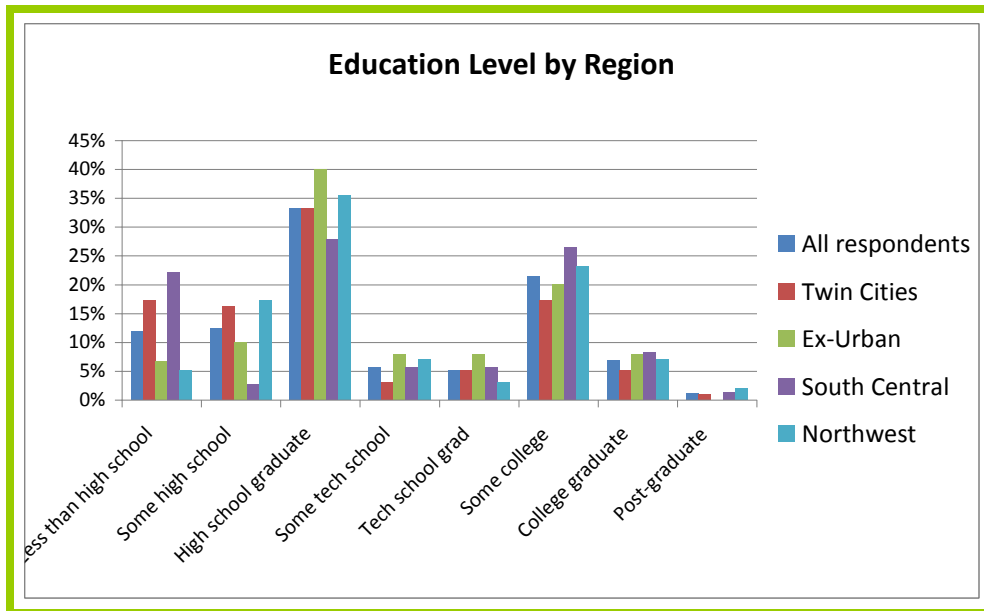
Education.¹⁷ Respondents had widely varying levels of education. A third of the respondents were high school graduates. However, almost a quarter (24.3%) did not complete high school and, of those, 12% had less than a high school education. Almost 11% had some technical school training; 5% were technical school graduates. Close to 21% had completed some education at the college level. Almost 8% were college graduates.

¹⁴ 17% of the surveys explicitly stated that there were no children. Another 40% did not report a number of children in the household, but did not mark "0." Appendix 5 at p. 31. We suspect that a substantial number of the 40% were childless households. The high proportion of single persons and small households could be due to the sampling process or reflect a trend among low-income families. It warrants further attention, because, as noted below, the Study suggests that one group of low-income persons who appear to be underserved is "single" adults (and parents).

¹⁵ Appendix 5 at pp. 31-32. Some of these sub-populations are so small that findings with respect to them are not statistically significant.

¹⁶ *Id.* at pp. 27 – 30.

¹⁷ *Id.* at p. 34.

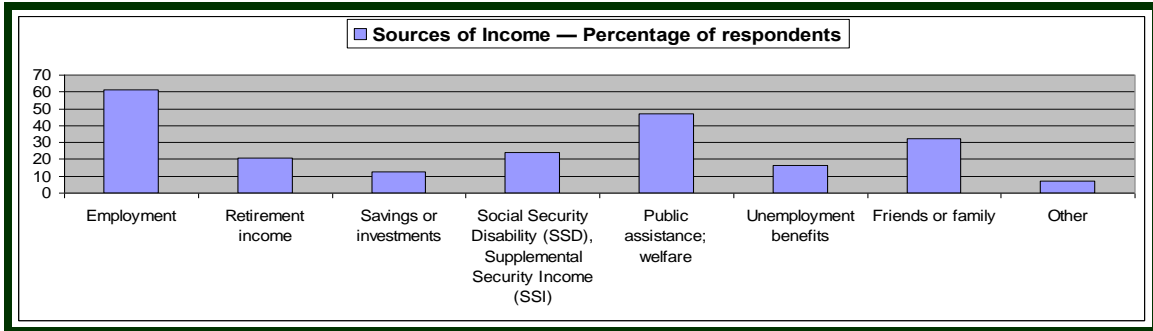


Employment.¹⁸ At the time of their interview, over half (58.4%) of the respondents were not employed. A significant percentage (24%) were not employed because they were disabled and receiving disability benefits.¹⁹ Only 15% were employed full-time; almost 24% were employed on a part-time basis and 2% were employed full time and part time.

The Study results suggest that many low-income persons maintain at least an intermittent connection to the workforce. Over 60% reported that they had employment income during the past year. Approximately 21% received some form of retirement benefits (including Social Security, private pension, veterans benefits or railroad retirement), indicating that they or their spouse had been employed. At the same time, over half also reported receipt of income supports during the past year: 47% had received public assistance or welfare and 16% had received unemployment insurance.

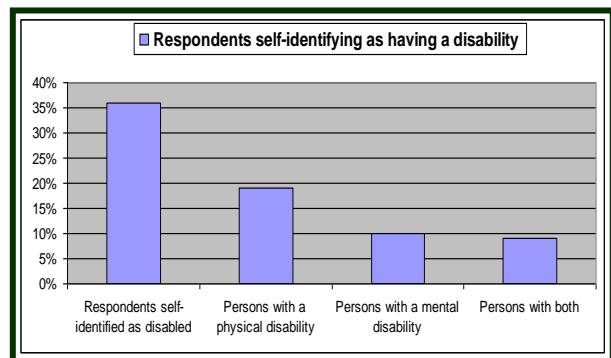
¹⁸ *Id.* at p. 35 .

¹⁹ Eligibility for social security disability benefits, for example, requires that the recipient have a disability that prevents the person from engaging in substantial gainful employment for at least a year. See, e.g., <http://www.ssa.gov/dibplan/dqualify.htm>. Presumably among the unemployed are also the very young, many seniors and transitioning youth.



In light of what appears to be widespread unevenness of employment, it is not surprising that 72% of respondents reported that they had trouble making ends meet in the last year, with over 40% reporting that they had skipped or delayed a payment, or used a credit card to pay for basic living expenses, such as rent, mortgage, heat or electricity. Almost a third of the respondents received financial assistance from friends or family over the past year.²⁰

Disability.²¹ The respondent pool included a high proportion of disabled persons, with 36% self-identifying as disabled. Of those, 52% reported having a physical disability, 27% a mental disability and 26% reported having both physical and mental disabilities.



B. Characteristics of the Providers

“Providers” who were interviewed for the study consist of staff at a wide range of organizations that provide services to low-income persons. Those organizations included:

- Shelters for victims of domestic violence, homeless persons and families, and other persons in need of transitional housing;
- Community action agencies;
- Employment services (unemployment offices, welfare-to-work programs, one-stop centers);
- Community organizations (including churches);
- Public sites such as schools, libraries, youth centers and senior centers;
- Organizations that serve persons with disabilities;
- Emergency food centers.

²⁰ Appendix 5 at pp. 35 – 36.

²¹ *Id.* at p. 34.

The organizations provide a wide range of services to low-income persons, including:

- Food
- Shelter
- Access to public benefits
- Health care (including mental health)
- Safety planning
- Education (including Head Start)
- Counseling and therapy
- Housing and utility payment assistance
- Financial management
- Job training and placement
- Youth-related services
- Child care services

Of the 149 provider respondents, 23 were in the Twin Cities area, 46 in the “Ex-Urban” counties, 28 in the South Central region and 52 in the Northwest.²²

Providers’ clients reflect the demographics of the regions. Thus, many of the providers in the Twin Cities and the South Central area serve immigrants from Asian/Pacific countries (Laos, Burma, Cambodia, Korea and Vietnam), Central or Latin American countries (Mexico, Guatemala, El Salvador and Nicaragua), and African nations (Somalia, Ethiopia, Eritrea, Sudan, and countries in “West Africa”). Providers in the Northwest region have the highest concentrations of Native American clients but also serve immigrants from Somalia, Russia, Bosnia and other eastern European countries, as well as a growing numbers of Iraqis and Kurds. By contrast, providers in the “Ex-Urban” counties have a predominately Caucasian clientele, with a smattering of Hispanics and African Americans.

CHARACTERISTICS AND NEEDS OF UNDERSERVED POPULATIONS

A determination of who among Minnesota’s low-income population is underserved by civil legal services organizations is a two-part inquiry. The first part requires identification of the characteristics of the marginalized persons or groups. To be underserved, however, a population must have unmet needs or experience problems that can be resolved or ameliorated with the help of law-trained persons. Making legal aid – or any other service – more accessible to particular populations is meaningless if access does not offer a real opportunity to solve their problems. Thus, the second part of the inquiry involves ascertaining the unmet needs of the identified groups and determining whether those needs can be addressed by civil legal aid programs.

We approached this part of the study as follows: From the initial focus groups held with legal services provider staff and demographic research, we compiled an extensive list of potentially underserved types of low-income persons. We also compiled one that embraced a wide array of potential needs. We used the lists as a starting place for interviews with providers, who were asked, based on their experience, which of the enumerated populations were under-

²² Appendix 6 at p. 57.

served and what needs they had. Providers had the opportunity to add to the lists, and they provided particularly extensive comments on the nature of their clients’ needs and the barriers that prevent their clients from meeting those needs.

Low-income respondents were asked in an open ended question to identify the groups of low-income people they believe need help. They were also asked about whether they had experienced problems in the list of identified areas of need and what changes would improve their lives and communities.

The responses demonstrate the difficulty of neatly separating underserved populations, needs and barriers. Some of the underserved populations that emerged are defined by particular characteristics (age, ethnicity, disability); others are defined by their circumstances (newly unemployed, homeless). At times, the defining characteristic of an underserved population is also a barrier that contributes to difficulties accessing assistance (the geographically isolated; persons with mental illness). Some of the needs, employment, transportation, health care and social services, for example, cut across populations and are accompanied with equally cross-cutting barriers, although they may affect different populations to different degrees.

In this section, we first discuss the most frequently identified populations, needs that are closely associated with them and that often affect others as well, and some of the barriers they face. We then examine additional needs that many, and often all, of the identified populations as well as other low-income populations experience. We have tried to capture regional variations and any notably divergent views between provider and low-income respondents. To place the individual discussions in context, we first set forth tabulations of some overall results.

A. Overall results of underserved populations and substantive needs

Underserved populations. The following table provides provider and low-income respondent rankings of underserved populations. The provider results are readily quantifiable because providers responded to a check-off list. Because low-income respondents were asked for narrative responses to questions about which groups are not getting the help they need, their results do not have percentages attributed to them.

RANK	UNDERSERVED POPULATIONS IDENTIFIED BY PROVIDERS	%	UNDERSERVED POPULATIONS IDENTIFIED BY LOW-INCOME RESPONDENTS
1	Working poor	64%	Poor people
2	Persons with mental illness, other disabilities	56%	Immigrants / Non-English speakers / Undocumented persons

RANK	UNDERSERVED POPULATIONS IDENTIFIED BY PROVIDERS	%	UNDERSERVED POPULATIONS IDENTIFIED BY LOW-INCOME RESPONDENTS
3	Persons in rural areas/geographic isolation	54%	Homeless persons/persons with housing problems
4	Low wage workers	54%	Youth
5	Previously incarcerated persons	47%	Working poor/Low wage workers/The unemployed/People who want to work
6	Youth	44%	Seniors
7	Recently Unemployed/Newly Poor	43%	Mentally Ill/Disabled Persons
8	Persons With Substance Abuse Problems	41%	Native Americans (Primarily Northwest region)
9	Persons who are illiterate/low-literacy, limited education	41%	Alcoholics (Northwest region only)
10	Persons whose cultural backgrounds may inhibit knowledge/ability to access legal services (beyond language)	36%	African Americans/persons of color/"minorities" (primarily Twin Cities)
11	Undocumented persons	34%	Persons with limited education
12	Persons who do not speak English	32%	Single persons, single mothers
13	Native Americans	32%	Victims of (domestic) violence or abuse
14	Seniors	30%	
15	Veterans	30%	
16	Homebound persons	29%	
17	Socially stigmatized (sex workers, HIV-positive persons, persons with AIDS, persons with other chronic diseases)	28%	
18	Persons in institutions	28%	
19	LGBT adults	21%	
20	Farming families	19%	
21	Refugees or other discrete non-citizen groups	18%	

RANK	UNDERSERVED POPULATIONS IDENTIFIED BY PROVIDERS	%	UNDERSERVED POPULATIONS IDENTIFIED BY LOW-INCOME RESPONDENTS
22	Migrant or seasonal workers	17%	
23	Other (singles most frequently mentioned)	12%	

Areas of need. Providers and low-income respondents were both presented with a list of areas in which low-income people may experience problems. Providers were asked to check the areas in which the persons whom their organizations serve had needs. Low-income persons who were interviewed were asked if they had personally experienced problems in each of the areas listed. The responses yielded the following results:

RANK	Percentage of PROVIDERS who identified the following as areas of need	%	Percentage of LOW-INCOME RESPONDENTS who experienced problems in the following areas	%
1	Transportation	95%	Housing	37%
2	Housing	93%	Health Care	37%
3	Health care	89%	Transportation	35%
4	Employment/job training	87%	Employment/job training	33%
5	Social services (food stamps, general assistance ,welfare)	87%	Social Services (food stamps, general assistance, welfare)	29%
6	Domestic Violence/Abuse	86%	Discrimination	28%
7	Family issues (non-DV)	85%	Law Enforcement	26%
8	Education	72%	Domestic Violence/Abuse	24%
9	Law Enforcement	71%	Education	18%
10	Daycare	67%	Consumer issues	17%
11	Consumer issues	66%	Family issues (non-DV)	16%
12	Discrimination	65%	Public Safety	12%
13	Public Safety	58%	Immigration	8%
14	Immigration	36%	Daycare	7%
15	Other (including legal help, mental health assistance)	28%	Other	7%

B. Low-income working people need help getting and keeping decent paying jobs.

The Study reflects that many low-income people are working at least episodically, but are nonetheless struggling, often unsuccessfully, to meet their basic needs. Providers and low-income persons across all regions identified people at the bottom of the workforce as those who are most underserved or not getting the help they need with their problems. The consistent message about the crucial significance of jobs and wages underscores how important it is for low-wage workers to know and be able to protect their workplace rights. While low-wage workers experience problems across a broad range of substantive needs identified in the Study, needs relating directly to work were consistently among the most pressing.

As the table on page 13 shows, over a third of the low-income persons interviewed reported that they had personally experienced employment-related problems. Employment and job training issues were clustered with housing, healthcare and transportation as the most frequently encountered problems by the low-income persons interviewed. Jobs, a decent wage, and job training were also among the most frequently cited changes that low-income respondents said would improve their lives. Said one respondent: “[T]raining would ease the mind;” another reflected that “...job training would affect all areas of [my] life.” Many spoke of searching endlessly for work in communities where opportunities appear to have vanished: “I have a small job at McDonalds. I’ve been trying to find another job, but it’s like trying to get all the fish out of the ocean.”

Providers’ comments echoed those of the low-income interviewees, as they identified lack of job opportunities, the need for jobs that pay a reasonable wage and job training as among the most significant problems facing their low-income clients. Providers’ comments stated the problem simply: “There are no jobs,” and “... just no jobs around.” “...Services are not giving people the kind of information and training that will get them jobs.” “There are many more job searches than jobs.”

Low-income persons interviewed in the Ex-Urban region expressed frustration and hopelessness in the face of dwindling and dead-ended employment prospects, with 39% identifying employment-related problems as the most frequent one they experienced. Their comments paint a bleak picture of individuals and families scraping by, with few opportunities for jobs that would allow them to have a better life. Lack of transportation hampers their efforts to get to

jobs. Northwest respondents also reported virtually the same, high proportion of employment problems (39%).²³

Both providers and low-income respondents in the South Central region ranked employment-related needs lower and reported a lower level of employment problems than their counterparts in other regions. Despite the lower frequency, employment problems were second only to health care among South Central low-income respondents.²⁴ By contrast, providers in the Twin Cities region ranked employment only as a middle tier problem.

The South Central results are interesting, given the large number of low wage and immigrant workers in the community, who were identified as among the most disproportionately underserved by both providers and low-income respondents there. *See p. 20.* The results raise questions about whether the relatively lower level of employment problems reported is because of lack of knowledge about workers' rights, lower expectations regarding terms and conditions of work, culturally-based definitions of "problems" or other reasons.

While 30% of respondents from the Twin Cities area reported employment problems, it was not among the areas in which problems were most frequently experienced. Nonetheless, Twin Cities respondents reported that, next to housing, jobs and job training are the most important things that could improve their circumstances.

Other unmet needs and barriers stand in the way of finding and keeping employment. Among them are the lack of transportation and the lack of affordable day care, both of which are discussed below. *See pp. 22 - 22, 655.* Providers and low-income respondents agree that day care is expensive and often unavailable during evenings, overnight and weekends for persons with non-traditional work hours. One Ex-Urban region provider noted "*whole checks go to daycare.*" Several noted the need for affordable adult day care, particularly on the reservation, as well as daycare for infants.

C. Mental illness defines an underserved population and is itself a barrier.

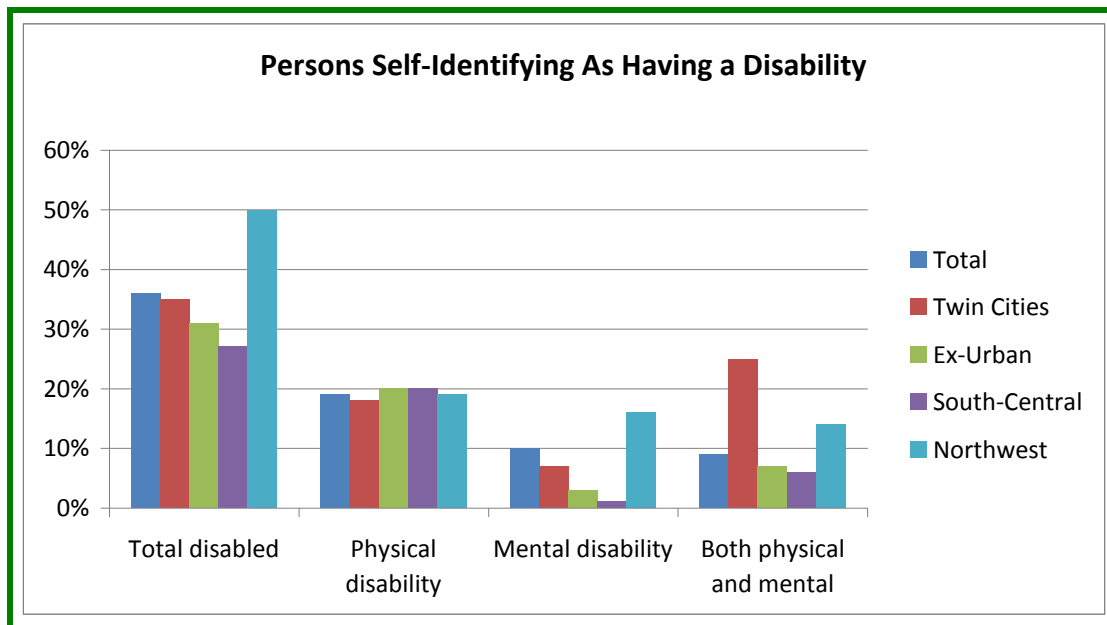
As noted above, *see p. 9*, a high percentage of low-income respondents self-identified as having a physical or mental disability, or both. Providers in all regions and many low-income res-

²³ Low-income respondents in the Northwest reported experiencing a larger number of problems than respondents from other regions. Native American respondents, the largest proportion of whom were in the Northwest area, reported a higher level of problems experienced than any other ethnic group.

²⁴ Low-income respondents in the South Central area reported lower levels of problems overall than did respondents in any of the other regions. Persons who identified as Asian/Pacific Islander also tended to report a markedly lower level of problems than any other group, although the sample size is very small.

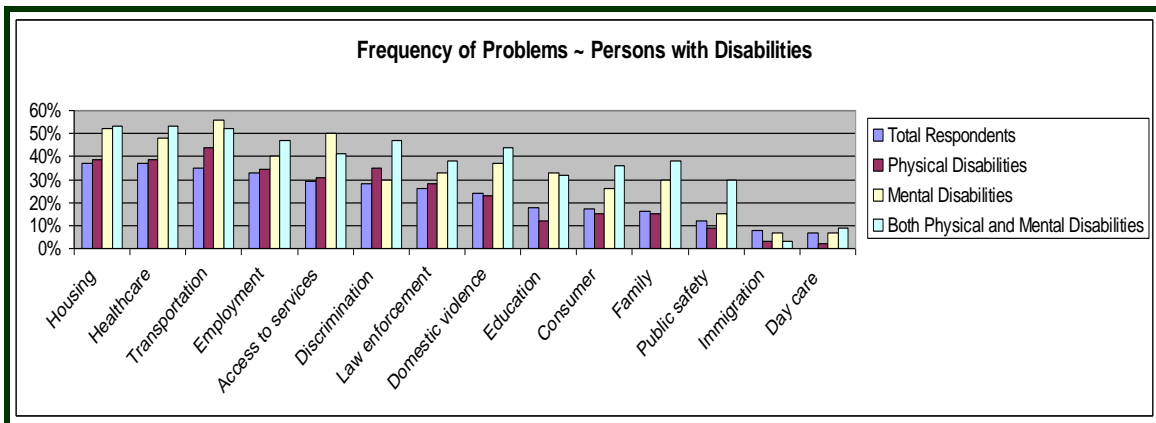
pondents (particularly in the Northwest region) identified persons with mental illness and other disabilities as one of the most underserved low-income populations.²⁵

There were some interesting regional differences in the low-income responses to the questions about disability. South Central respondents reported a substantially lower level of mental disabilities than those in other regions, whereas more respondents in the Northwest self-identified as disabled, with a substantially higher percentage stating that they suffered from mental illness:



Persons who self-identified as suffering from a mental disability reported a significantly higher frequency of problems in all categories except for day care, immigration and public safety. (See Chart below). Disparities were largest in the areas of transportation and access to social services, followed by housing, education, family, domestic violence and health care. Among persons who self-identified as having both mental and physical disabilities, the frequency of need skyrocketed in every area except day care and immigration. Persons with physical disabilities experienced problems at a rate much closer to respondents' overall experience levels, with noticeably higher rates only in areas of transportation and discrimination.

²⁵ Mental illness is a significant problem among the homeless – a group that low-income persons frequently singled out in their interviews as not getting the help they need with their problems. See p. 12.



Lack of services for persons who are mentally ill recurred as a complaint with some respondents specifically noting the lack of services for mentally ill youth. One Northwest respondent pleaded “[s]top letting mentally ill people fall through the cracks.”

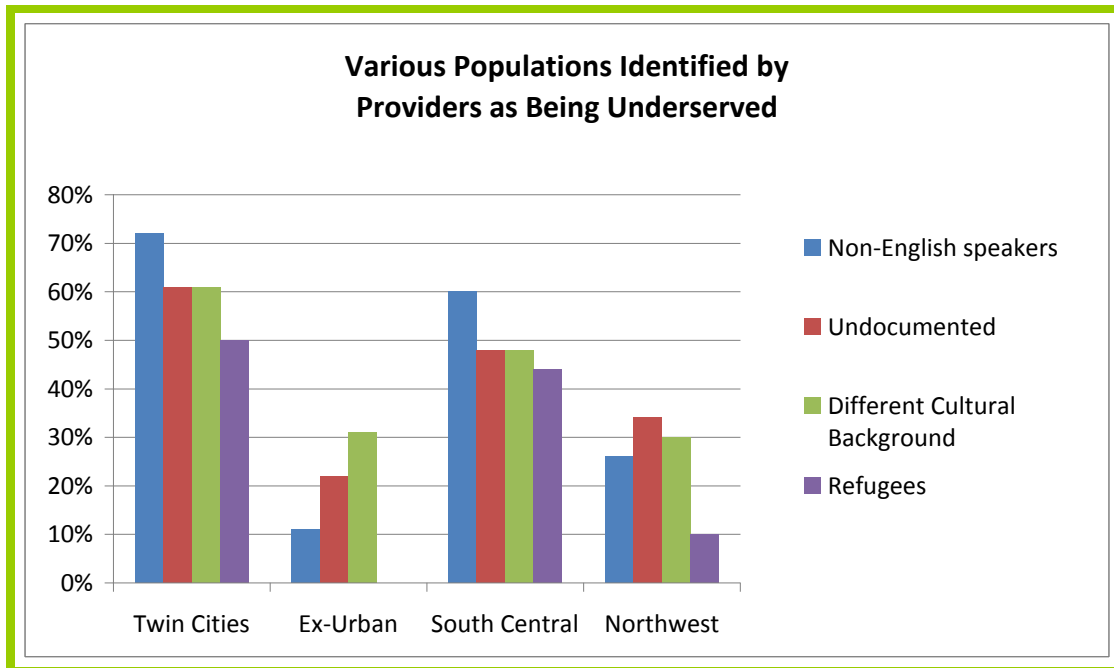
D. Language, lack of documentation and cultural differences cause many low-income immigrants to be underserved.

“Low income immigrants” is a designation applicable to a wide range of persons whose nationalities, histories, cultures, languages and circumstances vary dramatically. Discussion of “immigrants” as a group runs a risk of ignoring important distinctions among them. Nonetheless, persons interviewed tended to speak in general terms about immigrants or clusters of variously defined immigrant groups. Thus, this report reflects and speaks in terms of the categories respondents applied to immigrant communities, particularly where we lack data to draw finer distinctions.²⁶

The Populations. The immigrant populations most frequently identified by persons interviewed as being underserved were Hispanic persons, Somali, Sudanese and Asians. Providers and low-income respondents in the Twin Cities and South Central region were the most likely to identify immigrants as underserved, as the following chart of provider responses illustrates.²⁷

²⁶ While sample sizes for discrete groups of immigrants in this Study are often too small to provide a reliable basis for definitive conclusions about them, the Study provides important information about the needs and barriers facing persons who are new arrivals to the country, are not documented or do not speak English well.

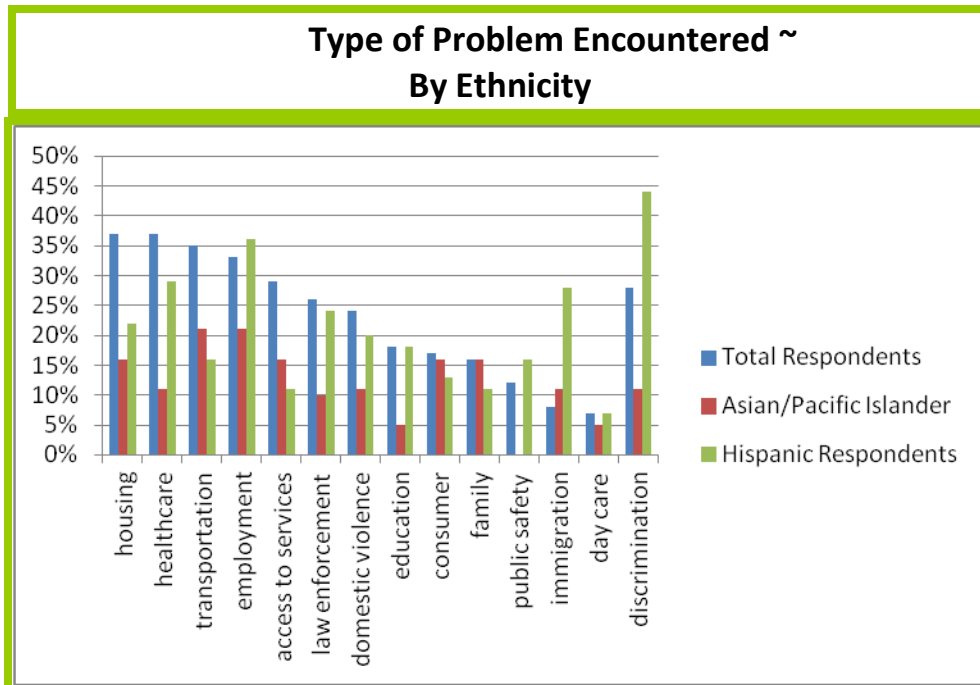
²⁷ Very few immigrants were among the low-income respondents in the Ex-urban region, and most of the Ex-urban region providers described their clients as Caucasian. While a number of providers in the Northwest noted that they serve a wide range of immigrants, including Bosnians, Kurds, Somalis, Albanians and Russians, their comments about the populations they served and their needs did not enable us to distinguish among the groups.



The following chart compares the frequency of types of problems experienced by persons who self-identify as Hispanic and Asian or Pacific Islander – the only sub-sets of immigrants for whom there were a sufficient number of interviews to provide a snapshot of their experiences.²⁸ It reflects a significantly higher incidence of problems with discrimination and immigration than among respondents as a whole, although discrimination was also a significant problem for persons who self-identified as Black or African American, persons with disabilities and for Native Americans. It is not surprising that, for these immigrants who populate low-wage workforces, employment issues dominate most other categories.

By contrast, immigrants reported far fewer problems with housing, transportation and access to social services. Respondents who identified as Asian/Pacific Islander reported markedly lower frequencies of all types of problems. Immigrants also reported noticeably lower levels of trust in, and relationships with, civil legal services programs, as discussed below.

²⁸ The significantly lower number of problems Asian Pacific respondents reported bears further investigation. It could be different, culturally based expectations, fear of disclosure or a lack of knowledge about legal protections. It suggests a need for targeted outreach and strategic partnerships between civil legal services programs and those communities and their leaders, as noted in the strategies section below.



Discrimination. Low-income immigrant respondents, particularly those who are Hispanic, expressed concerns about discriminatory treatment in a variety of contexts -- schools, jobs, law enforcement and housing. Since almost a third of the low-income respondents in the South Central region are Hispanic, results from that region are illustrative. Discrimination was the third highest area in which low-income respondents in the South Central region experienced problems, and the third highest area for which they sought legal assistance (although not from civil legal aid programs).

South Central Hispanic respondents explained that discriminatory treatment rippled through various areas of their every-day life -- from being watched with concern as they shopped, to selection for training and treatment in the workplace, to being viewed suspiciously by the police. One respondent voiced a common complaint: *"[A] police officer stopped me for no reason, I had not violated any traffic rules."* Respondents repeatedly spoke of disrespectful treatment of themselves or their children in school, including bullying, teasing, prohibiting students from speaking Spanish in the classroom and being ignored by teachers. One provider observed that children of refugees were often born in refugee camps where there were no schools. Consequently, *"they need to cover a lot of ground to be accepted in schools here."* "Fair" treatment, respect for immigrants and non-English speakers, and cross-cultural and language training for police were among the things that South Central respondents said would make their lives better.

The results from low-income respondents stand in rather startling contrast to the views of South Central providers. Unlike low-income respondents, South Central providers ranked dis-

crimination as a relatively less frequent problem for their clients, near the bottom of their list of needs.²⁹ The following table strongly suggests that there are significant differences in perceptions about needs between providers and low-income residents of the area, particularly those who are Hispanic³⁰ regarding discrimination, employment, which these low-income respondents report as one of their most frequent problem areas, and family issues, which respondents overall rank much lower than do providers. *See also* , pp. 37-38.

AREAS OF NEED/PROBLEMS EXPERIENCED – SOUTH CENTRAL

RANK	PROVIDERS	%	LOW-INCOME RESPONDENTS	%	HISPANIC RESPONDENTS/In South Central	%
1	Transportation	96%	Health Care	33%	Discrimination	44%;52%
2	Social Services	92%	Employment	27%	Employment	36%;35%
3	Housing	89%	Discrimination	24%	Health Care	29%;36%
4	Health Care	86%	Social Services	20%	Immigration	28%;22%
5	Family	81%	Transportation	20%	Law Enforcement	24%;22%
6	Employment	78%	Housing	17%	Housing	22%;13%
7	Education	78%	Education	16%	Domestic Violence	20%;9%
8	Domestic Violence	78%	Immigration	13%	Education	18%;22%
9	Consumer	74%	Other	13%	Public Safety	16%;14%
10	Immigration	74%	Law Enforcement	12%	Transportation	16%;9%
11	Day Care	70%	Domestic Violence	12%	Consumer	13%;9%

²⁹ While this disparity could be at least partially due to the fact that providers' clients include persons who are neither immigrants nor ethnic or racial minorities, the difference raises questions that are worth further exploration.

³⁰ Most of the immigrants who were interviewed in the South Central region self-identified as Hispanic, where they were approximately 30% of the interviewees. They represent almost half of the total number of Hispanic interviewees (the vast majority of the remaining Hispanic respondents were in the Twin Cities area). We have provided percentages for the total number of Hispanic respondents here and those for South Central Hispanics. We caution, however, that the latter set is too small a basis from which definitive conclusions can be drawn, although the responses raise questions for further inquiry.

RANK	PROVIDERS	%	LOW-INCOME RESPONDENTS	%	HISPANIC RESPONDENTS/In South Central	%
12	Discrimination	65%	Consumer	12%	Family	11%;4%
13	Public Safety	64%	Public Safety	11%	Social Services	11%;13%
14	Law enforcement	56%	Daycare	8%	Day Care	11%;9%
15	Other	40%	Family	8%	Other	5%; 10%

Immigration law needs. Providers and low-income respondents agree that immigrants have a need for, and difficulty finding, assistance with legal issues relating to their status, including obtaining documentation and meeting requirements for permanent residency and citizenship. The challenge is particularly acute outside of the Twin Cities. These problems are even more complicated for immigrant families that have both documented and undocumented persons in the household, especially, as some providers noted, when children are affected. Low-income interviewees repeatedly stressed how important it is for lawyers who help them with immigration and other problems speak their language and understand their culture.

Language Barriers. The Study underscores the wide-sweeping impact of language barriers. For example, providers in the South Central region reported that language barriers deter immigrant women from seeking help from law enforcement for domestic violence. Spanish speaking, low income respondents noted the difficulty of explaining problems to non-Spanish speaking police. Language barriers foster distrust: *“Many people are afraid of the police – the Hispanic people, and if they are afraid, who will help them?”*

Language barriers confront immigrants in other critical ways:

- Non-English speakers report difficulty passing drivers’ tests: *“I can’t get a license. [I] keep failing the exam because I don’t speak the language.”*
- According to both providers and low-income respondents, particularly in the South Central region, a dearth of qualified interpreters make it difficult for non-English speakers to apply for benefits and to understand and comply with on-going reporting requirements to retain those benefits. Low-income respondents stressed the need for more bi-lingual and culturally sensitive staff at government agencies.

- Lack of adequate interpretation inhibits access to, and delivery of, health services.

A number of respondents recognize that English language training is needed among immigrants as well. Their children face challenges when their parents do not speak English, a situation which continues to force them to serve as their parents' translators. Respondents noted that those children also need Spanish instruction to maintain competence in their family's native tongue.

Cultural Education and Sensitivity. Providers in the South Central region noted the need for cross-cultural education. Many emphasize how different cultural expectations about what constitutes appropriate parenting, lack of knowledge about financial matters, difficulties with budgeting and being "better neighbors" creates problems for immigrants in the community and inhibits effective interaction with agencies and employers. Participants in the South Central focus group noted that refugees tend to have a wider cultural gulf than other immigrants and, perhaps due to the significant upheaval and trauma they have experienced, more adjustment problems.

Providers stressed that the immigrants whom they serve need assistance learning how to interact with American bureaucracies, including the school system and government agencies. Several suggested that organizations and agencies need to demonstrate sensitivity to cultural and religious differences. For example, one noted that Muslim women cannot use community pools because there is insufficient separation of men and women. We heard in the focus group that companies that employ large numbers of Muslim worker are often unmindful of how to accommodate religious practices, even when they are trying to be sensitive to the issue. Yet other providers report a need for increased cultural sensitivity among doctors in the community. In their responses, immigrants speak to their desires for increased civility, respect and understanding across cultural and ethnic lines.

Daily exposure to cultural and linguistic walls is likely to deter immigrants and non-English speakers from seeking assistance when they experience difficulties. Indeed, survey responses suggest that a combination of those barriers and others make non-English speakers and persons from different cultures reluctant to seek assistance from civil legal aid organizations. See pp. 41-2; 477.

E. Many Low-Income Persons Are Isolated Because They Lack Adequate Transportation.

Transportation is an ubiquitous problem. It is particularly acute for, but not limited to, rural residents. Providers in all regions except for the Twin Cities identified the "geographically isolated" as among the top three underserved populations. Only 8 out of the 149 providers inter-

viewed did **not** identify transportation as a need of their low-income clients. Even for low-income respondents from the Twin Cities, transportation loomed as large a problem as it was for their more rural counterparts – it was second only to housing in frequency among Twin City respondents.

Lack of transportation affects virtually all of the identified underserved populations and prevents them from meeting basic needs, including access to jobs, health care, day care, social services, the courts and legal services. One respondent noted that “[j]obs in suburbs [are] not easy to get to [by] bus.” Low-income persons in the Northwest explained that that lack of transportation prevents getting to clinics and court hearings. Northwest providers stressed the difficulty of getting children to day care without dependable transportation. Paying for transportation services is costly in the Northwest and, when late or unavailable, increases day care costs and jeopardizes employment. Difficulties with transportation can make food shopping unnecessarily expensive or difficult. Without dependable transportation, the low-income respondents lack a vital linchpin for familial and economic stability.

The Study revealed that transportation problems are more complex than just an inadequate supply of public transportation, although that is an undeniably severe problem for respondents outside of the Twin Cities. Even where there is public transportation, providers and low-income respondents complained about the lack of bus routes that reach low-income neighborhoods or areas where employment can be found, as well as the lack of bus service for persons who work non-traditional shifts. Twin Cities respondents expressed a common refrain: “I use the bus and it doesn’t run late enough for my job”; “[the] bus only runs in the afternoons, not [in the] morning, and it is very slow.”

Northwest providers commented on the lack of transportation for persons who need to get to jobs and daycare for nontraditional shifts. Indeed, a Northwest respondent noted that even the casino – an employer dependent on workers for nontraditional shifts – does not run its own bus for all of those shifts. Several Mankato providers echoed the comment that “[the] city transportation system [] doesn’t operate at the same time the people need to work” and added that the city bus system does not serve areas where low-income persons live. A chorus of Twin City respondents stressed that bus fares are expensive, causing many to walk instead of ride. The experience of one is illustrative: “I need a car, buses are expensive. . . [it costs me] three dollars to get to [a] temporary job, [my] first hour of work [goes] to bus costs.”

Cars are not realistic alternatives for many. The cost of purchase, insurance and repairs are often prohibitive. Yet, as one Ex-Urban resident pointed out “no jobs [are] available without [a] car.”

Lack of a drivers' license – attributable to a variety of factors – is a frequent barrier. South Central providers and low-income respondents reported problems associated with passing the driver's test in English or not being able to take the test in their native language. Other respondents underscored the prohibitive cost of getting a license and insurance; yet others noted that the loss of licenses (due to DWI convictions or other penalties) has a destabilizing, ripple effect. (*"After [I had a] DWI, [I] had no license and lost [my] job because [I] drove for work"*). Reinstatement of lost licenses can be costly: One respondent said that restoration would cost \$1600 and re-taking the test.

F. Youth experience a wide variety of serious problems.

Providers and low-income respondents consistently expressed concern about youth. Providers in the Twin Cities (65%) and the Northwest (52%) expressed the highest levels of concern. By contrast, only 32% of providers in the South Central region identified youth as underserved, despite the theme among low-income respondents of problems experienced by Hispanic children in school. *See p. 19.*

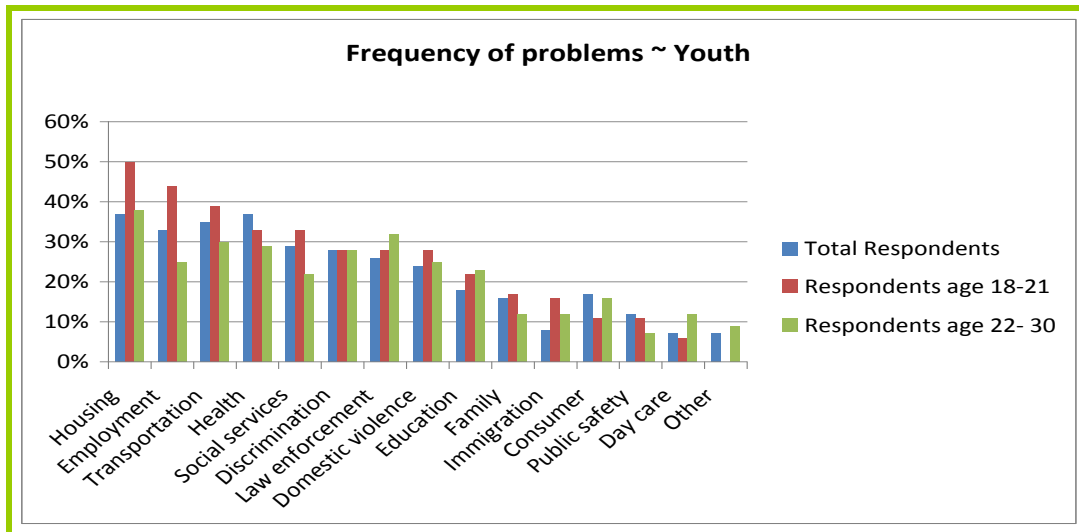
Low-income respondents also identified young people among the groups they considered most in need of help, particularly in the Twin Cities. *"Youth,"* one respondent commented, *"need someone to listen to them."* These respondents most frequently identified appropriate and adequate education services among the needs of youth.

Although the sample size of respondents between 18 and 21 years olds was very small, it offers interesting anecdotal insight and suggests areas for further examination. This age group's responses tend to support the perceptions reflected by many providers and low-income respondents about the need to pay attention to transitioning youth. As the chart below illustrates, young adults between 18 and 21 reported that they had experienced a significantly higher frequency of housing (50%) and employment (44%) problems than the low-income population as a whole. Without stable housing or employment, they are at risk of exploitation or being drawn into criminal activity. On the other hand, this age group reported fewer problems with health-care and social services than did respondents overall.³¹

Overall, respondents between 22 and 30 years old reported fewer problems than younger adults. However, that cohort had the highest frequency of day care difficulties -- almost double that of the population as a whole. Their responses include a recurrent chorus about the high

³¹ Only 5 interviewees were under 18 and, therefore, we do not discuss this group. However, we encourage further "listening" to persons under 18. Many of the problems identified in this Study have their origins in the experiences of the young and there are opportunities for making a lasting difference for low-income people if their needs are addressed at an early stage. We have therefore included suggestions in our "strategies" section for further examination and advocacy on behalf of these youth. *See pp. 52, 72.*

cost of day care relative to wages and the lack of availability of day care for persons who work non-traditional hours, underscoring the vulnerability of young parents and families struggling to make ends meet.



Concerns about youth focused both on low-income young people generally, and specifically youth aging out of foster care. Providers and low-income respondents underscored the need for more supports for youth transitioning into adulthood – both for those leaving foster care (*“no direction after foster care;”* *“youth in foster care are sent out into the world with no skills at all”*) as well as for those who are not in the child welfare system.

A recurrent sub-theme, particularly in the Northwest region, was a concern about the challenges facing very young, often single parents who may need to complete their own education (including acquisition of parenting and workplace skills) but are struggling to do so when they also need income and day care. Comments of both providers and low-income respondents in the Northwest suggest that many young people feel defeated by the lack of opportunities they see for themselves and an absence of role models. Mentoring and teaching young people about how to get and keep a job while they are still in school were among the services respondents thought youth in the Northwest needed.

Many of the problems experienced by low-income youth relate to educational deficits, including lack of a high school diploma or GED. This was mentioned most frequently by providers in the Northwest region (*“kids [are] dropping out of school left and right”*), followed by providers in the Ex-Urban counties. Some Native American respondents in the Northwest region felt that their children were treated differently in school. One stated that *“my daughter was harassed so much at school I had to pull her out.”* Providers occasionally mentioned unmet special edu-

cation needs. Predictably, youth with limited education have difficulty getting jobs.³² Some low-income respondents in the Twin Cities and Ex-Urban counties noted the difficulty of finding money to go to college.

Other challenges facing youth identified by respondents were the need for early intervention with youthful offenders, access to healthcare (especially dental needs) and mental health services.

Finally, low-income respondents outside of the Twin Cities repeatedly pled for more recreational and other activities for kids. Some specifically singled out the need to provide activities for older teens and young adults. The comments underscore another recurrent theme: a pervasive appreciation for strong, local communities whose members care for each other and the concomitant need to support the core of such community strength found in social centers and other opportunities for communal activity.

G. Ex-offenders face obstacles to employment, housing and transportation.

47% of providers overall identified previously incarcerated persons as an underserved population, making this category the fifth highest in ranking (fourth, if the working poor and low-wage workers are combined). The South Central region had the lowest percentage of providers (40%) who identified ex-offenders as an underserved population. In addition, very few, if any, low-income respondents from the South Central region mentioned prior incarceration or criminal records as a problem nor did they single out formerly incarcerated persons as an underserved population.

Ex-offenders experience a variety of barriers to successful re-entry. Persons interviewed in this Study focused on the barriers presented by the existence of a criminal record (which can, of course, affect both persons who were actually incarcerated and those who were not). Accordingly, this Study focuses on criminal records as a barrier and a substantive problem and does not address other problems associated with incarceration that make re-entry difficult, such as untreated health conditions, mental illness, substance abuse and the accrual of child support while incarcerated.

³² While not specifically related to youth, it is important to note that 41% of providers identified persons with low or no literacy or limited education as an underserved group. Appendix 6 at p. 58. Results varied regionally: 56% of providers in the South Central region identified persons with limited education as an underserved group, compared with 48% in the Northwest and a low of 29% in the Ex-urban communities. While providers' responses place this low-income population in the mid-range of the ranks of underserved populations overall, it is still sobering. It suggests that, without strategies to keep youth in school and educated for the job market, they will continue to be among the most vulnerable members of our communities, for whom there is an inadequate safety net.

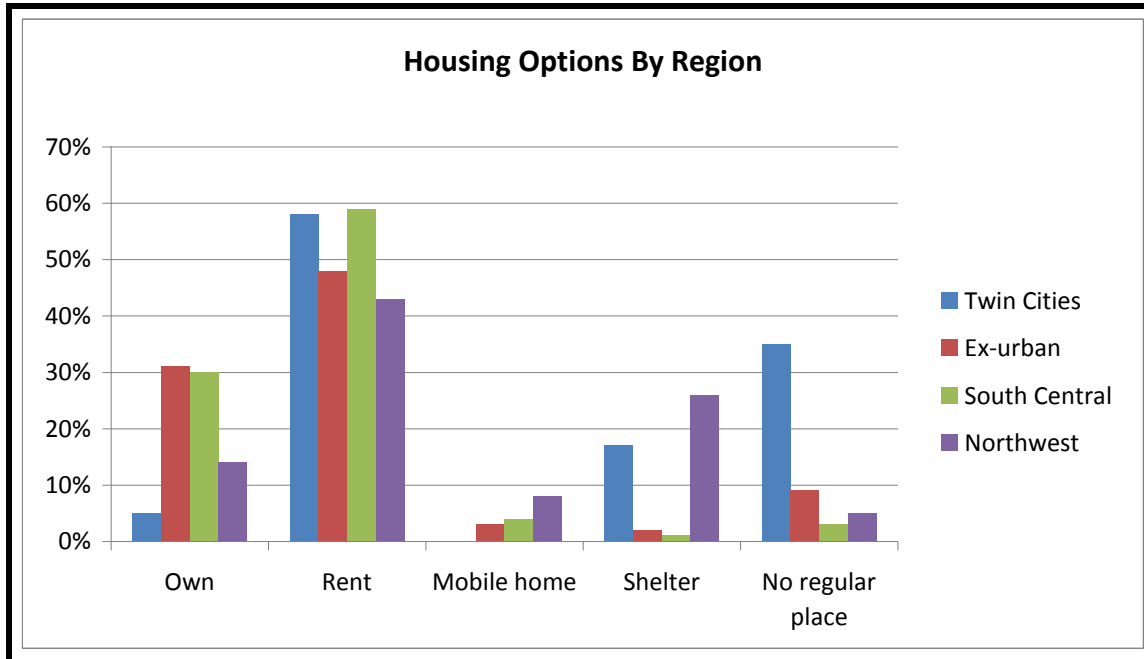
Providers and low-income respondents outside of the South Central region emphasized that criminal records are serious obstacles to getting employment and housing. Homeless persons with a criminal record repeatedly cited that fact as preventing them from getting housing. One respondent in the Northwest suggested that he was unable to get housing because of misdemeanor convictions, including those arising from indigency – pan-handling, having an open container and drinking in public. Other respondents observed that they are unemployed because of prior arrests or convictions. Sometimes their inability to get jobs resulted directly from the criminal record, at other times it was because their lack of a drivers’ licenses due to convictions or other ctions meant that they could not get to work.

H. The lack of affordable housing contributes significantly to the unresolved problems of homeless persons.

In all areas except for South Central, significant numbers of low income respondents identified the homeless as a group that needs help. There are, of course, many reasons why people may be homeless. The population includes, for example, persons who are mentally ill (see p. 15), and those who cannot get housing because of criminal records (p. 26), as well as those who cannot find affordable housing (the unemployed, disabled or low-wage workers). It is a problem that is intertwined with lack of employment, recent job loss, mental illness, substance abuse and domestic violence. Respondents in the Study often attributed their difficulty getting housing to discrimination based on race, ethnicity and disability. The specter of homelessness haunts persons of all ages including seniors and, as noted above, is a significant challenge for youth transitioning to adulthood. In sum, the Study suggests that getting and retaining affordable housing is a challenge in all areas and for most, if not all, of the underserved populations identified in this Study.

Most of the low-income persons interviewed were renters (58% in the Twin Cities, 59% in South Central counties, 48% in the Ex-Urban region and 43% in the Northwest). Only 5% of those interviewed in the Twin Cities owned their homes although percentages were higher in other regions. The Northwest had the highest number of respondents who live in mobile homes or a trailer house.³³

³³ It should be noted that more interviews were conducted at shelters in the Twin Cities and the Northwest than in the other regions and it is therefore not valid to conclude that 20% of the low income populations in these regions lack a regular place to live.



Affordability is a daunting and widespread problem across all four regions. Housing was the most commonly cited service low-income respondents needed across the board, and they report that resolving housing problems would significantly improve their circumstances. *“Most of [my] income goes to pay rent,”* said a Twin Cities respondent. One Ex-Urban provider commented that affordable housing was *“nonexistent”*; another commented that the need for affordable housing in the area was *“huge,”* adding that *“a whole middle class that doesn’t qualify for low income [housing] fall[s] in the gaps.”* A respondent from the Northwest admitted that he has *“slept outside because housing [was] not available.”*

Providers and low-income respondents expressed serious concern about the lack of Section 8 vouchers and the long wait lists for housing subsidies. Some low-income respondents explained that they could not get housing because of their poor rental or credit histories. Both sets of respondents decried the poor conditions of the affordable housing that does exist in the regions.

Unable to afford housing of their own, families “double and triple up.” Providers noted that youth may “couch surf” to avoid homelessness. Many Twin Cities respondents report temporary or make-shift living arrangements with friends and relatives. Providers in the South Central region noted that large African families had particular difficulty finding large enough units. One South Central respondent described living with 9 others in a house intended for 5 with one bathroom. Across all regions, providers and low-income respondents stressed that the cost of utilities (primarily heat) is another serious problem that affects the affordability of their housing. Their stories and observations bring an immediacy to the statistics provided above and

confirm the urgency and pervasiveness of unaffordable housing for struggling individuals and families seeking to avoid homelessness.

Very few respondents, including providers, mentioned foreclosures as a problem. As noted above, renters in the Study outnumbered homeowners. We note that the survey instruments did not identify foreclosure as a separate category; however, very few providers or low-income persons mentioned foreclosure in response to a variety of open-ended questions about problems or needs.

I. Native Americans report a high frequency of problems and have unique issues with law enforcement.

Reflecting regional demographics, 52% of providers in the Northwest identified Native Americans as an underserved population, compared to 33% of providers overall (39% in the Twin Cities, 18% in Ex-Urban counties, 20% in South Central). Over 60% of the providers interviewed in the Northwest serve Native Americans. They report that their clients include multiple families living in one household, persons with mental illnesses, disabilities and chronic diseases, as well as those who are homeless or live in isolation. Low income respondents in the Northwest identified Native Americans as a group that needs help,³⁴ and singled out persons struggling with alcoholism³⁵, elders who are vulnerable to exploitation (sometimes by family members) and children as particularly needy subsets of the Native population. Native American respondents echoed some of the characteristics noted by providers when speaking of needs in their communities: *“Elders and younger children hav[e] to live with other family members, a lot of people are homeless, they stay with someone until [they] get kicked out.”*

There are some interesting differences between the responses of Native Americans and other low-income persons. First, Native Americans reported a much higher frequency of problems virtually across the board than did any other ethnic group. *See chart at p. 30.*

Second, the most common problems of Native American respondents were significantly different from respondents generally, and even, at times from the group of Northwest respondents. For example, Native respondents expressed significant levels of distrust of the police, with 63% of them having experienced problems associated with law enforcement, including those in the Twin Cities. Northwest respondents complained that police did not respond timely when problems do exist and that they are treated unfairly (*“I feel I was treated harder [for DUI arrest] because I am Native American”*). Providers also recognized the high level of distrust of law en-

³⁴ 43% of the low-income persons interviewed in the Northwest self-identified as Native American.

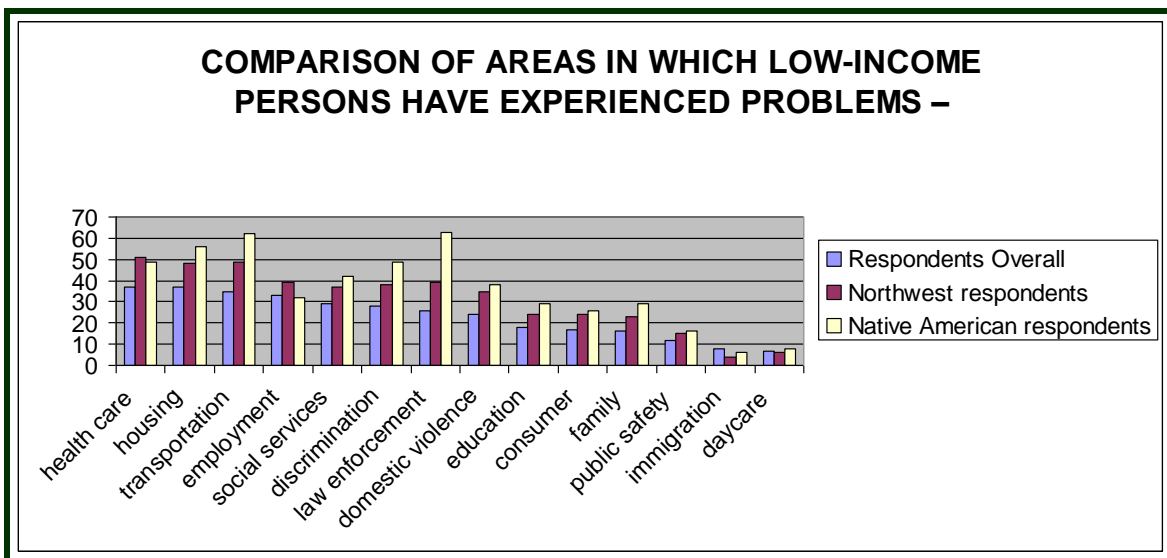
³⁵ 41% of providers generally identified persons with substance abuse problems as among the underserved. Appendix 6 at p. 58.

forcement among low-income residents. Greater responsiveness and sensitivity on the part of the police force would, according to many, make their communities better (*“stop cop harassment of teen kids”*). Their 63% rate of having had problems with law enforcement problems vastly outstrips respondents overall (26%), including that of Black/African Americans, who reported the second highest level of law enforcement-related problems (28%).

Native Americans also reported the highest level of problems involving discrimination (49%) of all ethnic groups, followed by persons who identified as Hispanic (44%) and Black/African Americans (38%). One Native respondent from the Twin Cities described that she is followed around when shopping. Another said that she experienced discrimination *“every day.”* A third explained that *“Native Americans don’t get listened to, [they are] treated like criminals before [they have] even done anything, [people] just assume kids are in gangs, [they] assume drugs – [its] not true for everybody but [it] makes kids mad.”*

Complaints of discrimination also abound among Northwest respondents. They observed that Native Americans are ticketed by the police in situations where white people are not. They report that police *“follow people in Bemidji if they have tribal plates.”* Several stated that Indians are denied jobs or are the first to be laid off because of ethnicity, and that Indian children are treated differently from white youth.

Native Americans also reported the highest level of problems with domestic violence (38%) and family issues (29%). Their comments also reflect frequent problems with debt collection and the consequences of bad credit, including the inability to rent housing.



Despite the high incidence of reported problems, at least some groups of Native Americans may not be as underserved as others by civil legal services providers. As noted in the following section of this report, Native Americans reported greater awareness and use of legal services, higher satisfaction levels with the service provided and a higher incidence of receiving extended services from civil legal aid programs. See p. 45. Many think that more lawyers would be helpful. Thus, while anecdotal, the information gathered in this Study suggests that Native Americans have a daunting array of needs, but, compared to other groups, they may have relatively good access to and more understanding of, civil legal services programs.

J. Seniors: Identified as underserved but with a lower frequency of reported problems.

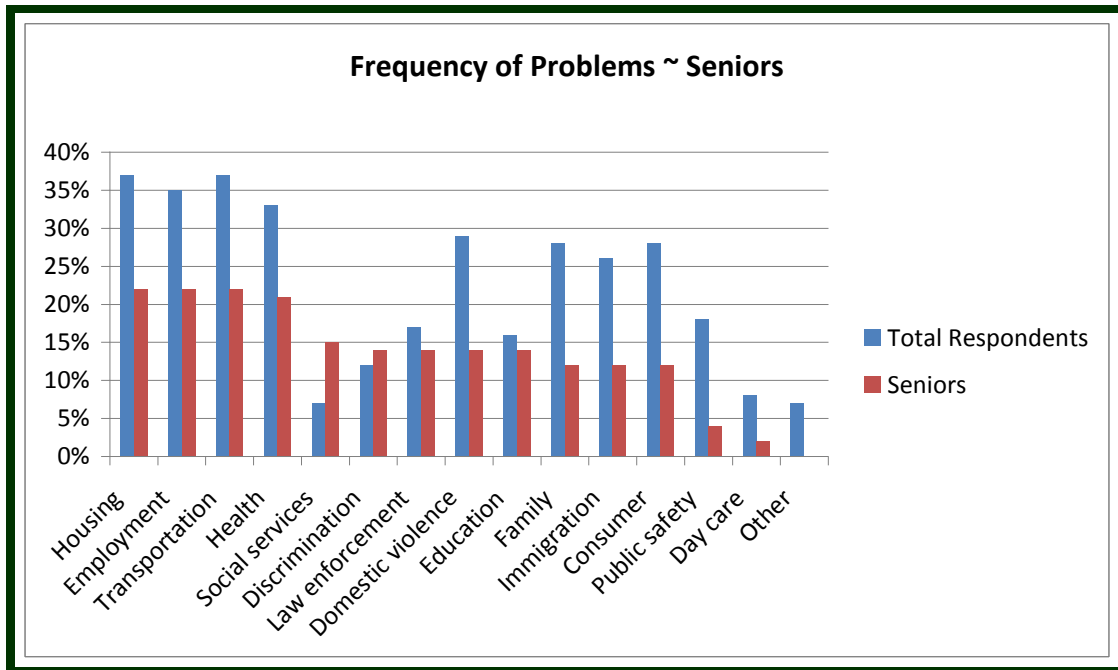
Study results suggest that providers and low-income residents have different perceptions of the extent to which seniors are underserved. A relatively low proportion of providers responded that seniors were underserved,³⁶ while seniors were among the groups most often mentioned as needing help from low-income respondents. The need was identified particularly frequently in Ex-Urban communities.³⁷

Seniors themselves reported markedly lower levels of problems across virtually all substantive areas. Their generally limited narrative responses made it impossible to determine whether they actually face fewer problems or they are simply readier to accept difficulties as inevitable facts of life.

It is interesting that employment is one of the more frequently encountered areas of difficulty for seniors, suggesting that an increasing number of seniors may be trying to remain in the workforce. Indeed, a handful of respondents complained about age discrimination that they believed prevented them from keeping or getting jobs.

³⁶ It is possible that the way the category was listed and read to providers caused them to interpret the category more narrowly than was intended. On the survey form the interviewers used, the category was Seniors (LGBT seniors, Non-English speaking seniors, geographically isolated seniors), without the use of “including” to preface what were intended to be illustrative examples of sub-sets of the senior population who had been identified in earlier research or focus group discussions as potentially underserved. However, the narrative responses to questions to elicit barriers facing those populations did not suggest that seniors’ problems stood out from the others discussed in this report.

³⁷ Significant sampling differences prevent meaningful comparisons among regions. The distribution of senior interviewees among regions was uneven. The Twin Cities and Northwest were at the low end, where only 6 and 8% of interviewees respectively were over 65. 18% of interviewees in the South Central area were seniors, and 22% of persons interviewed in the Ex-urban region were over 65. Despite the differences, it is interesting that it is not exclusively low-income seniors who self-identify as a population that needs help, but low-income non-seniors, particularly in the Northwest, regard seniors as underserved.



Providers who serve seniors noted that costs associated with health care, including medicine, transportation and tests that are not covered by Medicare are problems for their clients. Seniors also mentioned that they had problems with out-of-pocket health care costs (including paying for teeth and glasses) and occasionally expressed dissatisfaction with the quality of health care they receive. Some, especially in Ex-Urban counties, noted difficulties accessing transportation, commenting that they were dependent on others for rides.

It is possible that, in identifying seniors as an underserved population, low-income respondents were reflecting their concern that seniors may tend to become isolated as their mobility decreases and they lose close familial ties and community connections. Rather than identifying specific substantive problems, low income persons interviewed tended to emphasize the risk of isolation facing the aging poor, noting that seniors may be “alone” or “left out.” Indeed, senior centers were among community strengths specifically identified by respondents in the Ex-Urban counties, underscoring the importance of community-based gathering places, particularly for persons who may no longer have family nearby. As noted above, Native American respondents in the Northwest region mentioned elder abuse as a problem in their communities.

“Single persons” may have overlooked needs.

“Single persons” is a category of underserved persons that emerged from both provider and low-income respondents’ answers to a variety of questions. The frequency of comments about the unmet needs of “single persons” warrants close examination, because it suggests that social service agencies, and likely civil legal aid programs, may need to refocus their emphasis to meet demographic shifts.

Social service agencies and, to some extent, civil legal aid providers, have historically focused their attention on families – either two-parent families or families with an “absent” parent. Recently, more attention has been paid to the increase in grandparents who are raising grandchildren, and there were occasional comments among survey respondents regarding the needs of those grandparental caregivers (especially among Native Americans in the Northwest). However, the repeated references to “single persons” reveal different, although multifaceted, living patterns among low-income persons.

Provider and low-income respondents described underserved single persons in various ways – some of which are not truly “single,” since they include children. They refer to single adults, single adults without children, persons who are alone without family, single moms, single dads, men, one-parent households, women, senior singles and divorced persons. Their comments are consistent with (or may simply reflect) the fact that 55% of low-income persons interviewed were in households of one or two. *See p. 6.* The focus on single persons may also indicate that the low-income population includes an increasing number of single seniors, young people and unmarried single parents.

The needs of this somewhat ill-defined group cover most of the substantive areas addressed in this Study. A provider in the Twin Cities explained that there are a lack of programs for young singles without children and for single fathers. Another claimed that there are no attorneys available for poor single women who need Orders for Protection. One provider in the Ex-Urban region noted that single women and men without children have a particularly hard time finding affordable or subsidized housing. Providers and respondents commented on the lack of assistance for single parents seeking child support as well as for child support obligors, and the difficulty of surviving without a two-income household.



When providers were asked about underserved populations, they were given a list of potential populations. The populations on the list that providers did not identify as among the most underserved included veterans, homebound persons, persons who were likely to be stigmatized (such as sex workers, trafficked persons, HIV persons, persons with AIDS or other chronic diseases), institutionalized persons, LGBT adults, farming families, migrant farmers and refugees and persons with substance abuse problems. Results with respect to those populations are included in Appendix 6 at p. 58.

Poor people in general experience additional, common problems.

As noted above, identification of underserved populations is inextricably linked to identification of undermet needs. In addition to needs that may be more acute for specific populations, the

Study revealed that poor people in all of the regions shared some common problems. Indeed, the largest group of persons that low-income respondents identified as in need of help were “poor people.” Providers and low-income respondents all emphasized the need for more funding and resources to help poor people generally. The problems affecting poor people generally include some of those discussed above, such as housing, employment and transportation, as well as additional areas of need. This section provides results regarding additional, common problems low income persons in the four regions experience.

- **Health Care**

Providers and low-income respondents, except for immigrants, ranked health care among one of the areas of highest need. *See p. 13.* Lack of insurance, coverage and high costs, particularly for the working poor, were the most frequent complaints. A number of respondents expressed frustration about being slightly over income for Medicaid or Minnesota Cares but still poor and saddled with unpayable bills.

Respondents in every region outside of the Twin Cities commented on the lack of available and affordable dental care; one South Central provider reported seeing children with rotting teeth.

In the Northwest and Ex-Urban areas, respondents noted the problem of lack of transportation to doctors. Respondents reported being unable to get needed treatment and medication, with seniors not getting basics that Medicare does not cover, including glasses and teeth.

Providers and low-income respondents report that needed mental health needs go unaddressed. Some providers lamented the lack of preventative care, including education about nutrition. Providers in the Northwest repeatedly noted that underfunding of the Indian Health Services meant that it cannot cover the full range of medical needs of eligible recipients. One provider of services to Natives commented that *“many clients have no healthcare, or they spend all [of their] disposable income on healthcare.”* Not surprisingly, low-income respondents reported that access to health care ranked right below employment, transportation and housing as a change that would most improve their circumstances.

- **Access to social services**

Providers and low-income persons identified significant problems associated with accessing social services. Providers spoke of being overwhelmed by the need and under-resourced. They and respondents concur that applicants for government benefits need help completing confusing paperwork and navigating a bewildering bureaucracy. A fragmented system is overwhelming for persons with multiple needs who have to wend their way through an array of agencies and requirements. The impact can be paralyzing: one Ex-Urban resident *“[doesn’t] know where to start,”* another *“can’t fill out [the] form, can’t get help, [and] social workers [are] not*

helpful or understanding.” A senior in South Central noted that *“it’s hard to know what you’re qualified for.”* Administrative hurdles, including endless paperwork and follow-up compliance requirements may be insuperable obstacles for persons with low literacy levels, mental impairments or illness, limited English proficiency, or different cultural experiences and expectations.

Non-English speakers have particularly acute problems. Providers in the South Central area described how recipients lose benefits because they cannot read or understand deadlines. They need, but do not consistently have, interpreters to translate notices to ensure compliance and ensure that eligible persons remain qualified. One described the cluster of barriers: *“[There are] problems because of all the paper work involved to apply for benefits [without] help from family services. . . [there are] no evening hours available to request help. . . [there are] language barriers – most forms [are] not available in a lot of dialects, [and applicants and recipients] can’t read due dates.”*

Many low income respondents complained about insulting, disrespectful or rude behavior and bad attitudes on the part of workers. They described applying for assistance as hard, time-consuming and confusing, with burdensome paperwork. *“They make everyone jump through so many hoops.” . . . ; [By substituting “teams” for case managers], they don’t know you as an individual, you are treated as a number.”* Recipients and some providers in the Northwest region were particularly frustrated. One frustrated provider commented: *“[S]ocial services needs to get their [*!?!*] together. They always misplace paperwork, never return calls, often are rude. They need to cut out all the careless mistakes because it create huge hardships on women dependent on social services assistance.”*

Many respondents expressed frustration at their ineligibility for benefits, notwithstanding their low incomes. Intermittent employment and uneven income likely contributes to eligibility fluctuations that seem arbitrary and unpredictable, particularly when the recipient still cannot meet basic needs.

A few providers and low-income respondents in the Ex-Urban areas reflected a view that some recipients of assistance were not “deserving,” echoing a stigmatizing undercurrent that emerged in the comments from this region. See p 488.

- **Domestic violence or abuse and family problems**

The Study raises significant questions about the relative importance of family law problems for low-income persons, particularly where domestic violence is not an issue. These questions are important to pursue, given the significant resources civil legal aid programs devote to individual family law problems.

The Study asked providers and low-income respondents about the prevalence of domestic violence and family problems. Interviewers talked to respondents at domestic violence and homeless shelters.³⁸ Responses of providers and low-income respondents diverged markedly. While providers ranked domestic violence and family law problems relatively high among their clients' needs, *see p. 13*, low-income respondents placed family problems near the bottom of the list of problems they experience. *Id.*

Providers included a wide variety of types of problems within the spectrum of family issues. In addition to divorce, custody and support, they mentioned difficulties associated with caring for seniors, particularly those with chronic diseases or dementia. They also noted, as family problems, the general economic stresses that families face, particularly lack of stable housing and basic necessities, including food and clothing, the struggle to find day care, the impact of addiction and problems associated with isolation from extended family.

In every region a relatively small number of low-income respondents talked about problems with getting a divorce, custody and child support. Domestic violence is a more significant concern among respondents in all regions. What the results may suggest, however, is that addressing the problems that low-income persons identify as among their most pressing and frequently encountered (employment, access to health care, transportation and housing) could contribute substantially to their economic, personal and familial stability and independence, enabling them to address or overcome family issues more effectively. As one respondent said, *"bill paying would make [my] family [life] less stressful."*

- **Consumer**

In light of the economy and the deluge of lawsuits by debt collectors, it was surprising that providers and low-income persons ranked consumer matters relatively low compared to other areas of need. *See p. 13*. Participants in the focus groups suggested that survey's use of the term "consumer," rather than "problems with debts or bills" may have led some respondents to focus on difficulties obtaining consumer goods. The Study, therefore, should not be interpreted as establishing that "consumer" issues are not a serious area of need for low income Minnesotans.

A number of providers did describe consumer problems facing clients. The most frequently mentioned were bad credit, collection efforts and general inability to pay bills. Low-income respondents, particularly Native Americans, expressed concern about their inability to pay bills

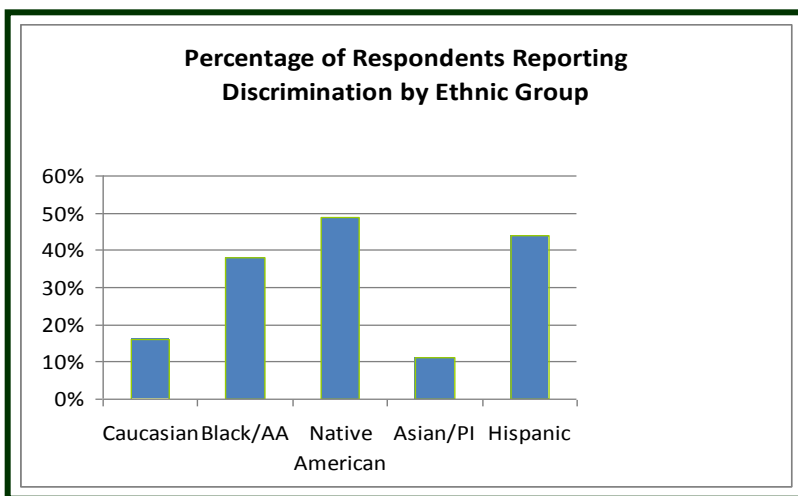
³⁸ Appendix 5 at p. 36.

and the burden of medical bills. Occasionally, providers mentioned problems with consumer fraud, including predatory loans, deceptive advertising and pay day lending.

Providers, particularly those in the South Central region, frequently spoke of the need for financial literacy, commenting that their clients do not know how to manage money or budget. Indeed, low-income respondents acknowledge their need for financial education, planning and management and debt counseling.

- **Discrimination**

As discussed above, immigrants frequently mentioned having been the victim of discrimination. Problems with discrimination, however, were reported to affect more than immigrant populations. Black or African American and Native American respondents also reported experiencing high levels of discrimination.³⁹ In addition to reporting more formal forms of



discrimination (denial of jobs and housing in particular), Hispanic and Native respondents frequently report that they were watched conspicuously in public places, particularly stores, signaling to them a mistrust based on their ethnicity.

It is interesting to note that providers in every region except for the Twin Cities ranked discrimination noticeably lower among problem areas than did all non-Caucasian low-income respondents. Almost all Twin Cities providers (96%) thought their clients had needs related to discriminatory treatment. Perhaps reflecting that their clientele is predominantly White, only 59% of Ex-Urban providers identified discrimination as an area of client need, placing it as the second lowest area of need among the choices. In spite of the more diverse demographics of the regions, relatively fewer providers in the South Central (65%) and Northwest (63%) regions listed

³⁹ The relative rank of discrimination among problem areas for different ethnic and racial groups is also interesting, although consistent with the overall comparative results. For Caucasians and Asian/Pacific Islanders, discrimination was 9th and 8th respectively of 14 problem categories and in one of the lower frequency clusters. For both Black/African Americans and Native Americans, it ranked 4th and in the first and second highest frequency cluster, respectively. Hispanics ranked it as their most frequently experienced problem by a significant margin.

discrimination as an area in which their clients had problems. Similarly, they placed it as the second and third lowest ranking area, respectively.

This is an area that warrants further examination and discussion among providers and leaders in immigrant and communities of color, given these apparently divergent perceptions. In some provider responses, particularly in the South Central area and to a lesser extent among those from the Ex-Urban region, there was an undertone of skepticism about the legitimacy of clients' perceptions of discrimination. For example, providers cautioned that discrimination could be *"real or perceived"*; that *"people have mentioned they felt discriminated against, but don't mention specifics;"* or that *"people talk about some of this."* One provider observed that *"many low income families have given up searching for employment; [o]ften citing discrimination [because of] who they are and their name."*

Providers and low-income respondents did often agree about discriminatory treatment in housing, where providers noted landlords discriminate against young persons and those with disabilities. Employment was the next most frequent arena in which providers and low-income persons both reported discrimination problems, most frequently on the basis of race or ethnicity, disability or age. One Ex-Urban provider noted the particular problem of dislocated workers experiencing age discrimination. Low-income persons in all regions except for the Ex-Urban, cited discriminatory treatment by police as a problem.

Responses of both providers and low-income respondents suggest that schools are venues where discriminatory behavior unfortunately is modeled. For example, providers in the South Central area frequently noted that children of color and those who live in low-income housing are teased and bullied, including in school. One provider reported that, in one such instance, the "help" provided by the school was to transfer the children.

Finally, providers report that class distinctions and poverty status are stigmatizing, and cause discriminatory treatment in some of their communities. One Ex-Urban provider who identified class and poverty as the basis for discrimination noted that family history matters – *"Who [your] relatives are [or] were."* A provider in South Central reflected that *"intentionally or unintentionally this community isolates lower income people."*

Increasing Access of Underserved Populations to Civil Legal Aid

To offer suggestions about how civil legal aid programs can better reach and effectively resolve problems for the underserved populations identified in the Study, we needed to get a sense of how and for what kinds of problems members of those populations currently seek legal assis-

tance. We sought to gather that baseline information by exploring the extent to which respondents sought legal help from any source. We also gathered information regarding the problem which caused the individuals to seek legal help, the type of assistance they received, its apparent success and clients' satisfaction levels.

We also specifically sought to measure low income respondents' awareness of civil legal aid programs, their use of legal aid, the reasons why they might or might not contact legal aid for assistance, and their level of satisfaction with the legal aid help they received. From providers, we obtained information regarding their knowledge of and confidence in free civil legal aid programs as well as their likelihood of making referrals to them. We also asked both low-income respondents and providers for suggestion about how free legal aid programs could meet the needs of low-income people.⁴⁰

We begin this part of the report with the results of the baseline inquiries, to establish current knowledge and experience. We then provide a range of potential strategies to increase both components of the “access” concept . The strategies are divided into two sections; the first offers ideas to facilitate the ability of underserved persons and programs to reach each other, and the second provides advocacy strategies that respond to some of the needs of identified underserved populations. The advocacy strategies in particular span an intentionally broad continuum. They are designed to encompass effective responses to individual client problems as well as those geared to resolving underlying causes of those problems, to benefit others who face similar difficulties. For example, a program may be able to prevent an eviction and also address its potentially broader cause, such as a failure of a multi-unit landlord to provide reasonable accommodations to persons with disabilities generally or a policy that prevents disabled persons from getting or keeping housing subsidies. While this Study does not recommend the adoption of specific strategies, the types of needs and the barriers the study found have both individual and systemic implications, amenable to a variety of advocacy choices. We therefore offer a spectrum of possible approaches which programs might adapt to suit local client needs, program resources and individual program missions.

A. Experience with Lawyers and Perceptions of Legal Aid

Low income respondents expressed a high level of awareness of the importance of legal services and of the availability of legal aid as a resource. When asked about the kinds of services underserved persons in their community needed, low-income respondents said “legal services” more frequently than any other except for jobs and housing.

⁴⁰ We did not attempt to evaluate the effectiveness of provider delivery systems nor the quality of their services.

1. Low-income Respondents' Efforts to Secure Legal Assistance

Where people sought help.⁴¹ Over half of the low-income respondents (55%) had tried at some point to get legal assistance. Legal aid was the most common place to which low-income respondents turned for legal help, although they also sought assistance from a variety of other sources. More than a quarter of respondents who looked for help (27%) sought it from a legal aid organization.⁴² Hispanic respondents were significantly less likely than persons who self-identified as White, Black/African American or Native American to seek assistance from a legal aid organization.⁴³ Instead, members of this group appear to rely on their own network of contacts, seeking assistance through sources known to them more so than members of any other demographic cohort. *See Chart at p. 41.*

The Study also found regional differences in the degree to which the low income persons interviewed were likely to seek assistance from legal aid. Ex-Urban respondents (47%) and those in the Northwest (39%) contacted legal aid more frequently than respondents from South Central (27%) or the Twin Cities (25%).

Lawyer referral services were not a resource to which low-income respondents turned. Similarly, very few reported using the internet or relying on advertisements.⁴⁴

⁴¹ Appendix 5, p. 40.

⁴² Interviewees sought multiple responses, so the figures reflect multiple efforts for some respondents.

⁴³ Over 60% of White respondents and 59% of Native Americans reported seeking legal help. Among persons who self-identified as Black or African American, 53% had done so. Only 19 Asian/Pacific Islanders answered the question. Of those, four had sought legal help; none had looked to legal aid. More citizens (37%) than non-citizens (13%) contacted legal aid for help. While 80% of citizens had heard of legal aid, only 48% of non-citizens knew about it.

⁴⁴ Legal aid providers report that these responses are not consistent with the usage statistics for the website they support -- lawhelpmn.org.

WHERE RESPONDENTS TRIED TO FIND LEGAL HELP⁴⁵

ALL RESPONDENTS	%	WHITE	%	BLACK/AFRICAN-AMERICAN	%	NATIVE AMERICAN	%	HISPANIC	%
Legal Aid	27	Legal Aid	34	Legal Aid	37	Legal Aid	52	Referral from someone known	29
Talked to a lawyer	16	Talked to a lawyer	28	Talked to a lawyer	20	Talked to a lawyer	8	Talked to a lawyer	12
Phone Book	11	Phone Book	16	Courthouse Personnel	13	Phone Book	12	Legal Aid	6
Referral from someone known	8	Referral from someone known	9	Phone Book	12	Referral from someone known	12	Called number in radio, TV, newspaper ad	6
Courthouse personnel	7	Courthouse personnel	8	Internet	6	Courthouse personnel	12	Social worker	6
Internet	3	Called number in radio, TV, newspaper ad	3	Lawyer Referral	3	Other	28	Other	6
Called number in radio, TV, newspaper ad	2	Lawyer referral	2	Referral from someone known	3	No answer	4	No answer	29
Social worker	2	Internet	2	311	3				
Lawyer referral	1	Social worker	2	Government office	3				
Government office	1	Government office	1	Other	7				
Other (includes unspecified, 311 call)	7	Other	5	No answer	27				
No answer	17	No answer	19						

Where people found help.⁴⁶ 58% of the survey respondents who sought legal assistance succeeded in getting some form of help from a lawyer, with 26% paying for the service, 27% getting help from legal aid and 5% getting free assistance from a private lawyer. Two persons reported getting help from a self-help clinic while the remainder either did not get any help (21%) or received it from a source that may not have been law-trained (community organization,

⁴⁵ Totals may exceed 100% because interviewers were asked to probe for two answers. We caution that sample sizes are very small – indeed, some of the small percentages reflect only one or two respondents.

⁴⁶ See Appendix 5 at p. 44 .

website, a friend who is not a lawyer or other place).⁴⁷ Native American and Black/African American respondents reported receiving the highest levels of assistance from legal aid, while Hispanic respondents and persons who self-identified as non-citizens were far more likely to pay for a lawyer. Native American respondents had a much higher level of reliance on legal aid than other ethnic groups, with both the highest frequency of seeking and receiving assistance from legal aid and the highest level of persons who were unable to find any help. Very few respondents reported getting help from a self-help clinic or websites.

WHERE RESPONDENTS FOUND LEGAL HELP

ALL RESPONDENTS	%	WHITE	%	BLACK/AFRICAN-AMERICAN		NATIVE AMERICAN	%	HISPANIC	%
Paid a lawyer	27	Paid a lawyer	35	Legal Aid	32	Legal Aid	43	Paid a lawyer	41
Legal Aid	26	Legal Aid	23	Paid a lawyer	26	Paid a lawyer	7	Legal Aid	12
Free help from a private lawyer	5	Free help from a private lawyer	4	Free help from a private lawyer	10	Free help from a private lawyer	6	Help from friend	12
Help from friend	3	Website	3	Website	3	Help from friend	3	Free help from a private lawyer	6
Website	2	Self-help clinic	2	Other	10	Other	10	Website	0
Self-help clinic	1	Help from friend	1					Self-help clinic	0
Community organization	1	Other	13					Other	12
Other	13							Don't know/No Answer	6
Don't know/No Answer	1								
DID NOT RECEIVE HELP	22	DID NOT RECEIVE HELP	22	DID NOT RECEIVE HELP	19	DID NOT RECEIVE HELP	30	DID NOT RECEIVE HELP	12

On a regional basis, 42% of respondents from the Northwest region received help from a legal services program, compared to 25% in the Twin Cities and South Central and 11% in the Ex-

⁴⁷ We caution that these results are neither consistent with national surveys that had a significantly bigger sample size nor with legal aid program statistics about the high number of persons they are unable to serve. We cannot identify what factors may have contributed to the fact that an unusually high percentage of these particular respondents reported receiving legal aid assistance.

Urban counties. More respondents in Ex-Urban counties paid for legal help (44%), followed by those in South Central (33%), the Twin Cities (22%) and the Northwest (12%).

Problems for which respondents sought help.⁴⁸ Asked to identify the most difficult problem for which they had sought legal help, most respondents said family law (including custody, divorce, visitation, child support and paternity), housing (evictions, affordability and security deposits), elder law issues (wills, trusts, powers of attorney, advance directives) and Social Security. Not surprisingly, immigration was identified as their most difficult problem more frequently by Twin Cities and South Central respondents than by respondents in the Northwest or Ex-Urban regions. As discussed below, except for housing, the most difficult issue for which these respondents sought legal assistance did not correlate with the areas in which they most frequently experienced problems.

MOST DIFFICULT PROBLEM FOR WHICH RESPONDENTS SOUGHT LEGAL HELP

ALL RESPONDENTS	%	TWIN CITIES	%	EX-URBAN	%	SOUTH CENTRAL	%	NORTHWEST	%
Family (divorce, custody, visitation, child support, paternity, other)	26	Family	18	Family	40	Elder	17	Family	32
Housing	9	Social Security	13	Elder	10	Family	15	Housing	11
Elder (wills, trusts, estates, etc.)	9	Housing	11	Bankruptcy	10	Housing	14	Elder	9
Social Security	8	Immigration	9	Domestic violence	8	Social Security	9	Social Security	7
Immigration	4	Juvenile	7	Housing	2	Immigration	9	Domestic Violence	4
Bankruptcy	4	Domestic violence	2	Employment	2	Housing	6	Consumer	4
Consumer (debt, cell phone, other)	34	Discrimination (not housing, employment)	2	Unemployment	2	Domestic Violence	6	Public Benefits	4
Domestic violence/OFP	4	Bankruptcy	2	Other	16	Foreclosure	3	Discrimination (not housing, employment)	2
Employment (promotions, termination, wages, work-	3	Consumer	2			Unemployment	3	Employment	2

⁴⁸ Appendix 5 at pp. 42 - 43.

MOST DIFFICULT PROBLEM FOR WHICH RESPONDENTS SOUGHT LEGAL HELP

ALL RESPONDENTS	%	TWIN CITIES	%	EX-URBAN	%	SOUTH CENTRAL	%	NORTHWEST	%
ers" comp)									
Health	2	Health	2			Employment	3	Bankruptcy	2
Juvenile	1	Employment	2			Other	11	Health	2
Discrimination (not housing, employment)	1	Employment	2					Other	31
Public Bene-fits/food stamps	1	Other	31						
Unemployment	1								
Foreclosure	1								
Other	23								

Nearly one third (30%) of all low-income respondents reported that they had experienced a problem where a lawyer might have been helpful, but for which they did not seek legal help. Cost (31%), lack of knowledge regarding the availability of help (18%), fear or lack of trust (8%) and a belief that they could resolve the problem on their own (6%) were the major reasons they did not contact a lawyer.⁴⁹ While the number of respondents in each region was too small for statistical validity, it is interesting that respondents in South Central, followed by the Twin Cities, were deterred more frequently by fear than elsewhere; possibly a reflection of distrust on the part of immigrant respondents.

Overall, Respondents expressed satisfaction with the legal help they received. As discussed below, satisfaction levels did not vary significantly between those who received help from legal aid and the overall sample group (which included legal aid and other sources, including private lawyers). See p. 46.

2. Low-income respondents' knowledge of and experience with legal aid.

Knowledge and use of legal aid services.⁵⁰ Awareness of legal aid was high among low-income respondents. Overall, 76% had heard of legal aid, with familiarity decidedly highest at 87% among respondents from the Northwest region, especially among Native Americans, and lowest in South Central (66%). The survey suggests that specific name recognition is not high, except for Anishinabe Legal Services. Respondents tended to identify legal aid generically, adding

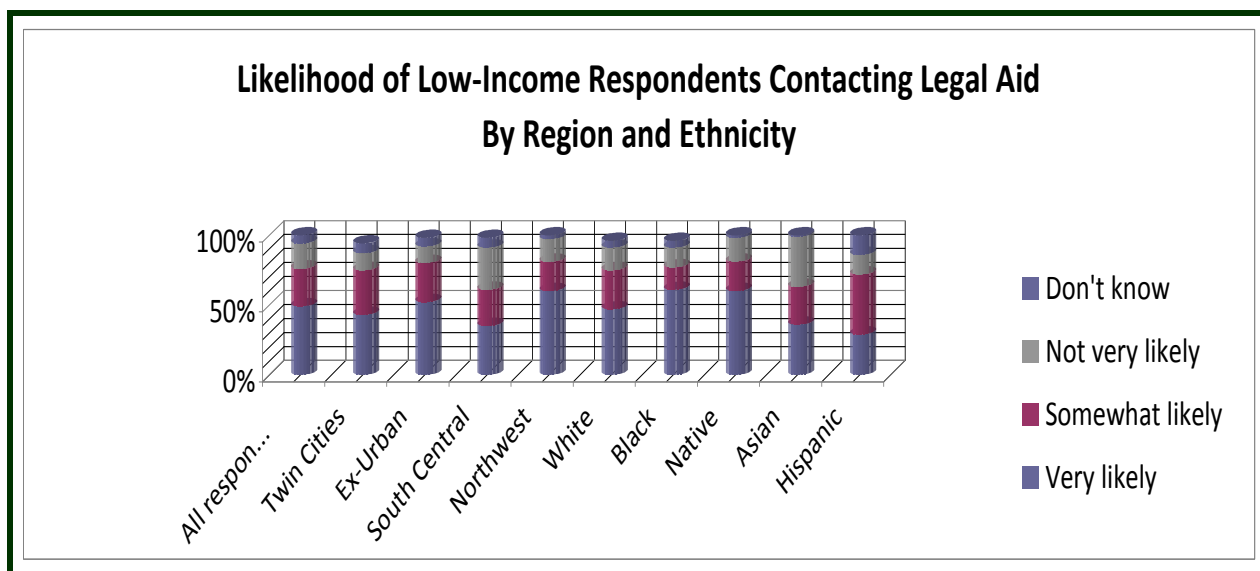
⁴⁹ *Id.* at pp. 45 - 46.

⁵⁰ *Id.* at p 46 .

an office location to specify the program with which they were familiar (e.g., “legal aid Moorhead”).⁵¹ Similarly, respondents tended to describe legal aid services generically (e.g., “legal advice,” “representation,” “assistance,” “court issues”). They most frequently associate legal aid with providing assistance in family-related matters (custody, divorce, child support) and housing.⁵²

Of those low-income respondents who indicated that they had heard of legal aid, three quarters indicated that they would be "very likely" (49%) or "somewhat likely" (26%) to contact a legal aid program for help. Only 18% said that it was "not very likely" that they would seek help from legal aid.⁵³

As the chart below reflects, there were some noteworthy regional and ethnic differences. In the Northwest, 81% of both all low-income respondents and of Native Americans were “very likely” or “likely” to contact legal aid. Only 61% of the South Central respondents said they would “very likely” or “likely” seek legal aid assistance. Almost a third (30%) would not likely seek legal aid help. (We discuss reasons that deter respondents from seeking help from legal aid below).



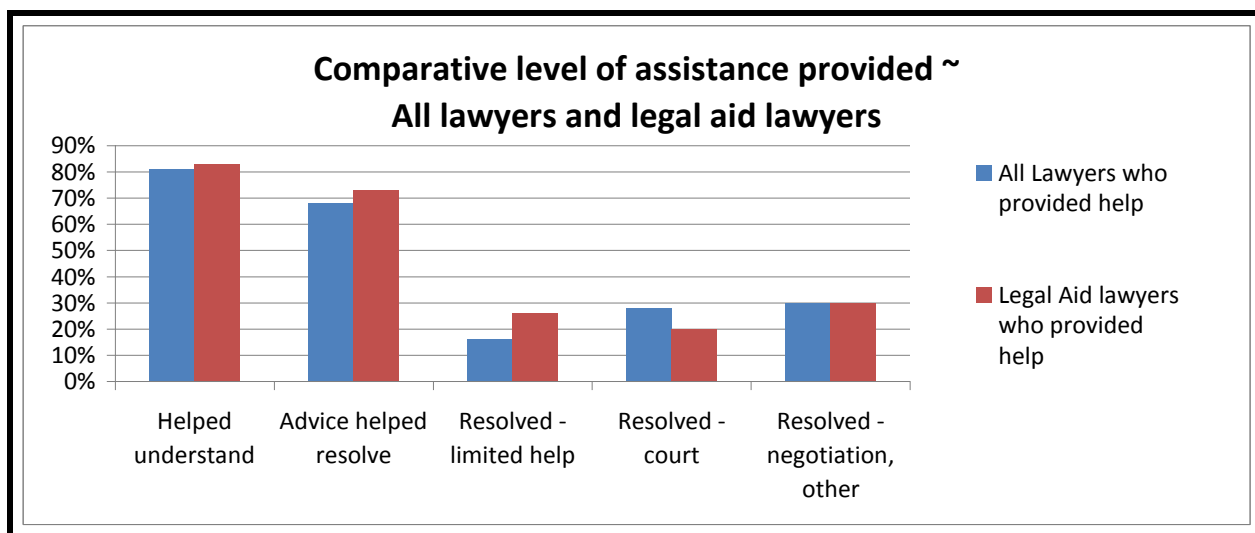
⁵¹ *Id.* at pp. 46 – 48.

⁵² *Id.* at pp. 48 - 50.

⁵³ *Id.* at p. 50. The fact that the services are free was the most common reason respondents gave for seeking legal aid assistance. Other reasons included: a need for help, a desire to understand the law and recognition of how legal advice can facilitate better decision-making. A small number noted that legal aid had helped them before.

Approximately 35% of the low income persons interviewed reported that they had sought help from a legal aid program, with 55% of those reporting that they received assistance.⁵⁴ The types of problems for which they sought help most frequently correspond to the areas they recognized as those in which legal aid programs provide services: family law issues, housing problems and social security.⁵⁵

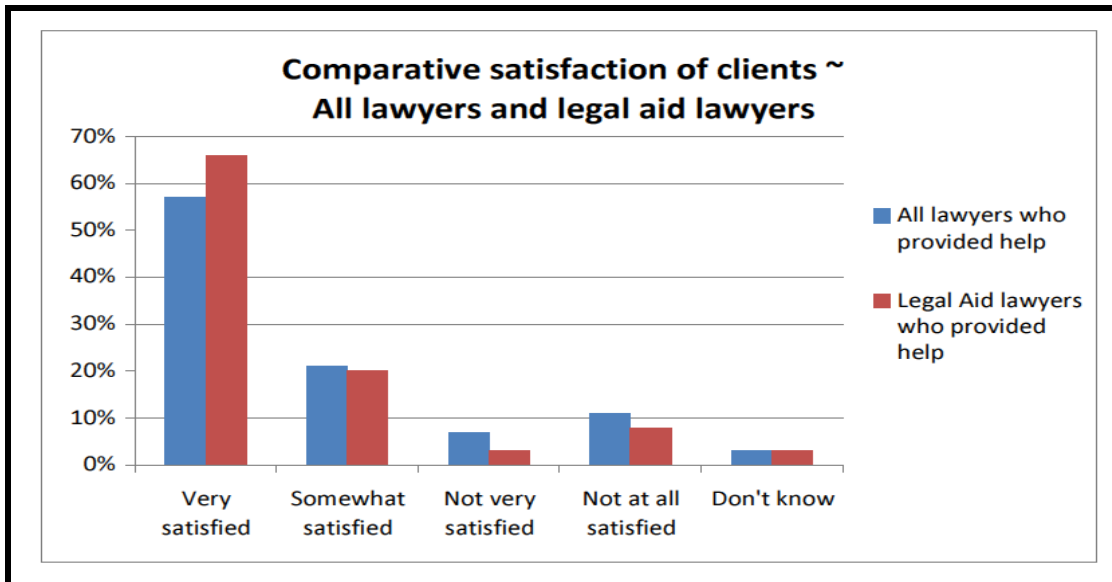
A comparison of respondents' answers regarding their experience with lawyers generally and with legal aid in particular reveals few significant variations. Similar percentages (81% v. 83%), said that the lawyer helped them understand the legal problem. A slightly higher percentage of persons who obtained assistance from legal aid received advice that helped them resolve their problem. Slightly fewer legal aid lawyers solved respondents' problems by going to court or through negotiations and more solved it with limited assistance.



Respondents who received legal aid services had slightly higher satisfaction levels than respondents reported overall for all types of legal assistance. Only a few of the dissatisfied respondents provided an explanation. The reasons they gave for their dissatisfaction included bad outcomes, fees, perceived inaction or limited help.

⁵⁴ *Id.* at pp. 51, 54. This results is also inconsistent with national surveys and program experience.

⁵⁵ *Id.* at pp. 53 - 54. It appears that a number of persons did not answer this question or the answer was included with the answer to problems for which the person sought legal assistance generally and was not reported again in response to the question focused only on legal aid experience. It is therefore not possible to provide specific percentages.



3. Reasons respondents may not contact legal aid.

Very few respondents who said they would be unlikely to contact legal aid explained their answer. Among the reasons that were given: a prior bad experience, they already had an attorney, they would prefer to take care of the matter on their own and fear or a lack of trust. Study results suggest some further explanations.

Mistrust among immigrants. In focus groups composed of legal aid staff and community members, we explored the reasons Hispanics and Asian/Pacific Islander respondents were less likely to seek assistance from legal aid. *See p. 411.* Focus group participants offered the following reasons for that apparent reluctance:

- Persons from different cultures, particularly those who have fled oppression, may assume that legal aid organizations are a government agency and, therefore, not trustworthy.
- Talking to strangers (or at all) about certain kinds of problems, such as domestic violence, may be taboo in their culture and communities.
- Interpreters, particularly for less frequently spoken languages may come from the same community as clients and clients fear that the interpreter will not keep the information they hear confidential.
- Lack of bilingual, bi-cultural staff in legal aid programs is a barrier to trust-building and effective communication.
- Other cultures may have different, and perhaps less adversarial or procedurally simpler ways of resolving disputes. Potential clients may be confused or made uncomfortable by American court processes. They may tend to think of the American legal system as only involving lawsuits.

Non-identification of legal issues. With the exception of housing, the Study found a disconnect between problems that low income respondents indicated that they experience and the issues for which they seek assistance from legal services. For example, very few respondents sought assistance with employment, transportation (including drivers' license) problems, health care and discrimination. Although family law was the area in which they most frequently sought assistance, it was ranked on the low end of problems they experience. This suggests two possible barriers that cause the most frequently experienced problems of low income persons to remain unresolved. The first is that potential clients, and perhaps providers, may not identify the legal dimensions of the problems they face. The second is that they may not perceive legal aid organizations as problem solvers for low-income people, but as organizations that provide services in very narrow, specified areas. Several respondents commented that, after being interviewed, they are now more likely to contact legal aid. Their comments suggest that more discussions between low-income persons about their needs and the services that legal aid organizations can provide are likely to encourage low-income persons to seek assistance for a wider range of issues that are important to them. Such discussions could also lead to consideration by programs of shifts in their priorities or emphasis, or community education about the wider breadth of existing program practices and expertise.

The deterrence factors of pride and stigma. A strong but elusive barrier to seeking assistance from legal aid, or any other sources, may well be a cluster of judgmental attitudes toward poor people that surfaced repeatedly in interviews. Providers and low-income respondents frequently noted that pride, a desire to avoid dependence, and a palpable social stigma that attaches to neediness, make people reluctant to seek help. Those widespread attitudes may contribute to why low-income respondents looked to family, friends or their own efforts to solve problems, instead of seeking legal assistance or going to legal aid. Seniors may have a particularly hard time seeking and accepting assistance, according to some providers, fearing that seeking help would compromise their independence, force them from their own home, or expose closely guarded, private information. One provider noted that it is *"hard to take help when you have been self-sufficient."*

A sense of stigma was palpable in many responses of providers and, occasionally, low-income respondents. Although it appeared to be a decidedly minority view, a noticeable fraction of providers viewed poor people's problems as a consequence of their own laziness. These respondents offered opinions such as *"families have low motivation to be other than what they have been"* and *"people just don't want to work."* These attitudes were most pronounced among providers in the Ex-Urban and Northwest regions.

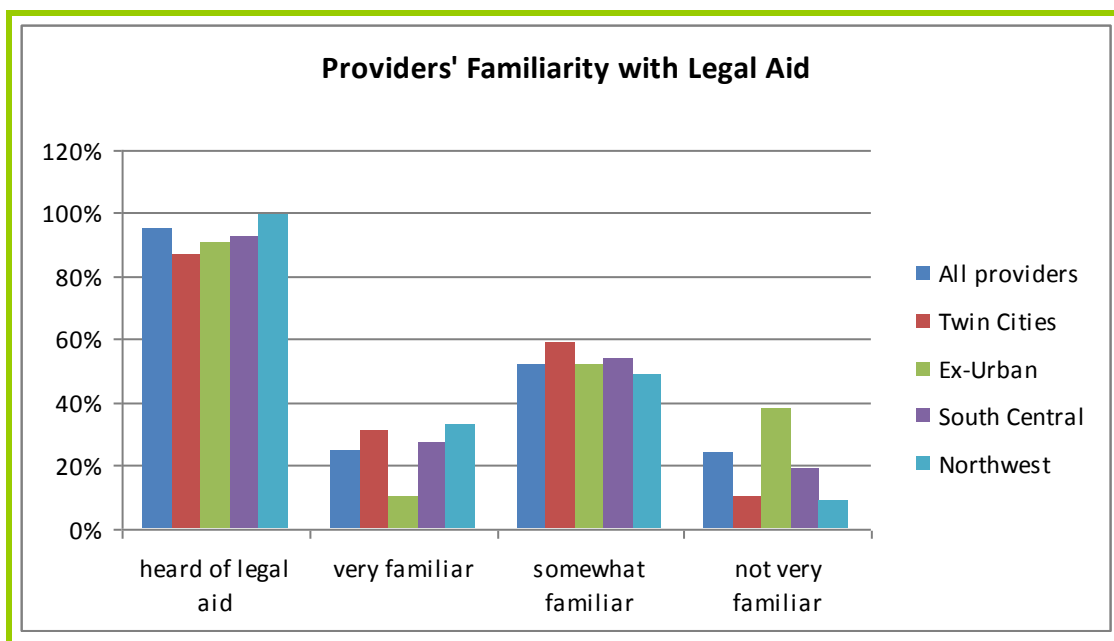
Feelings of unworthiness may develop early in life and are probably reinforced when exposed to the type of judgments expressed in interviews. Providers, particularly in the Northwest, note

that, lacking self-esteem and role models, many of the low-income youth with whom they interact have neither the resources nor the drive to improve their circumstances: *“Kids [are] not being taught how to work themselves out of poverty.”*

Other factors. As discussed above, transportation is a significant barrier for low-income respondents in all regions. The lack or cost of transportation makes getting to legal aid and to court difficult for many. In addition, many working persons are not able to get to legal aid during the work day; thus, programs that do not offer evening or weekend hours create a hurdle for many of the most underserved group identified in the Study.

4. Provider knowledge of, and experience with, civil legal aid

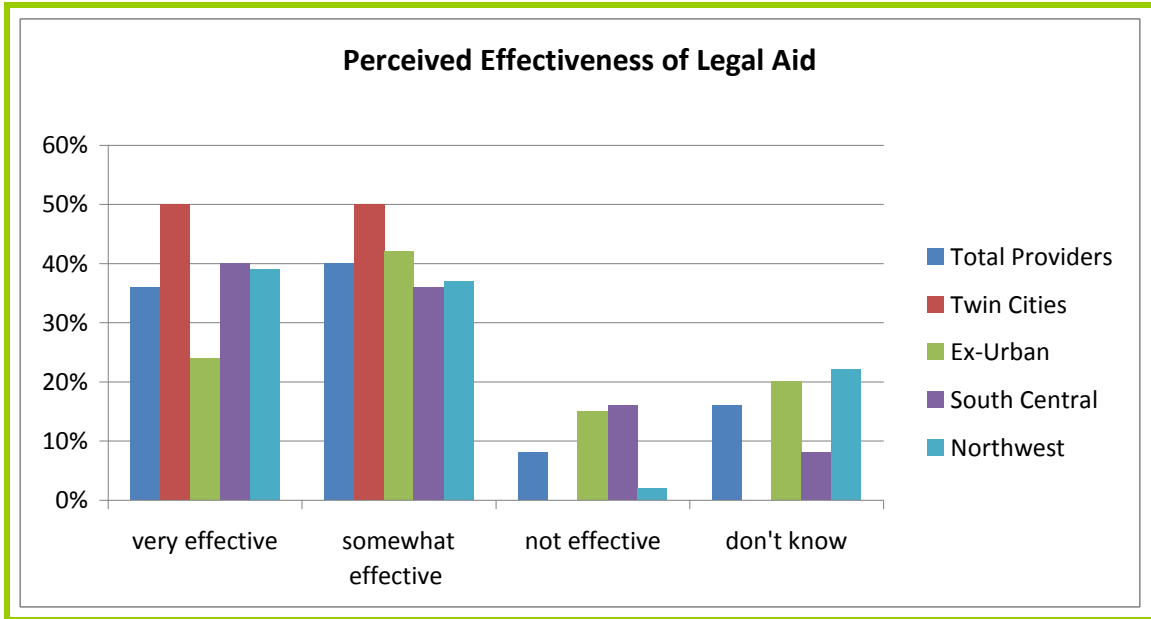
Legal aid is highly visible among providers in all of the regions included in the Study. Almost all providers had heard of legal aid, although they were guarded about their level of familiarity with legal aid programs.⁵⁶



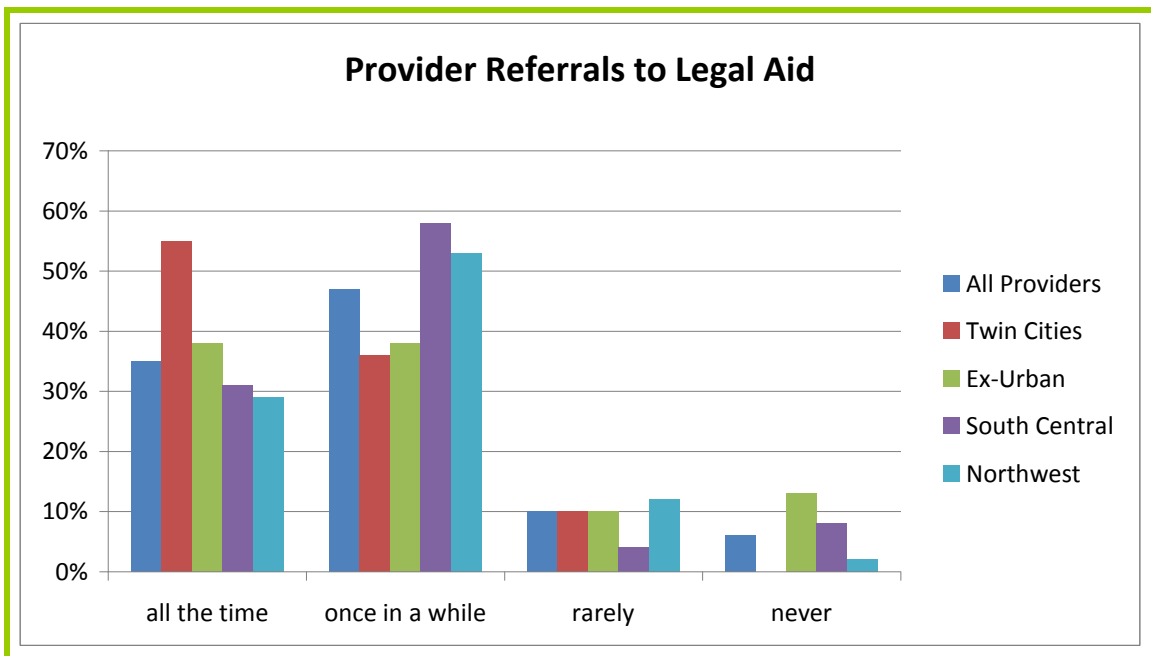
Providers expressed a high degree of confidence in legal aid’s ability to resolve client problems;⁵⁷ approximately three quarters (76%) considered legal aid effective or very effective, although a significant fraction of those outside of the Twin Cities did not know.

⁵⁶ Appendix 6 at pp. 59, 63 - 64.

⁵⁷ *Id.* at p. 64.



Predictably, given their general knowledge and perceptions of overall effectiveness, providers frequently refer clients to legal aid.⁵⁸



Perhaps mirroring their overall only moderate familiarity with legal aid practice, providers, like low-income respondents, often identified the legal aid services of which they were aware in general categories, such as “legal advice,” “general services” or “legal representation.” Family law, housing and domestic violence were the areas of legal aid practice with which they were

⁵⁸ *Id.* at 64.

most familiar. Occasionally providers cited immigration, consumer/debt, social security/SSI, elder law issues (wills, health care directives) and employment as additional legal aid practice areas.⁵⁹

B. Strategies to connect members of underserved populations with legal aid

In this section, we offer strategies to address the first component of “accessibility” that we defined above – the ability of potential legal aid clients and programs to reach each other. We have provided a range of ideas for Minnesota programs to consider and tailor as appropriate to fit their own circumstances and resources. The suggestions are drawn from ideas offered by provider and low-income respondents in the Study, by program staff and representatives of community organizations who participated in focus groups that explored strategies to overcome identified barriers and from strategies employed by legal aid programs elsewhere in the country. Some of the suggestions are undoubtedly familiar to Minnesota legal aid programs and may already be part of their delivery system. They are nonetheless included to underscore their continued usefulness and the importance attached to them by providers, low-income respondents and focus group participants.

We have identified six major areas of focus for strategies designed to enhance the ability of low-income persons to reach legal aid and for programs to find persons who may otherwise not reach them: (1) targeted, strategic outreach; (2) working through partnerships; (3) enhancing program capacity; (4) effective and innovative use of technology; (5) increasing visibility and cultivating relationships; and (6) attacking the “stigma” factor.

1. Targeted, strategic outreach

Strategically focused outreach can be an effective method of increasing knowledge about legal services and bringing advocates to underserved clients. Focus group participants impressed upon us how meeting community members where they feel safe and accepted may reduce fear or shame associated with seeking help. Such “safe” places can include youth, senior, cultural and other community centers, churches, community centers and community health clinics. Focus group participants also emphasized that, to be effective, outreach needs to be more than a scattershot or occasional effort; it should be designed to achieve specific advocacy or access goals and foster on-going connections in the community.

The working poor. Targeted outreach is important for reaching the working poor, particularly in the vicinity of work sites. Reaching workers near the workplace is not just a convenience for the workers. It can also enable program staff to learn about employment practices and patterns in particular industries more directly, to become known among members of the work-

⁵⁹ *Id.* at 62 – 63.

force and to be available to respond to immediate issues. Informational outreach to low-wage workers can be combined with other strategies to enhance worker access to legal aid assistance and legal aid's ability to address employment-related issues. For example, in tandem with outreach, legal aid could:

- Conduct regular workers' rights clinics in the community. A drop-in, non-appointment-based clinic or periodic advice service could facilitate access for workers who have limited time availability.
- Develop a cadre of worker "eyes and ears" by training low-wage workers to flag potential workplace violations and to act as a bridge between workforce members and legal aid staff.

The homeless. Homeless persons may have difficulty reaching legal aid programs due to a lack of phones, transportation, the ability to navigate the intake system, or, for those who may have a mental disability, the capacity to enter an office on their own. Legal aid programs are more likely to reach homeless persons through services, including clinics with follow-up services, at homeless or domestic violence shelters. Pro bono lawyers can help staff such clinics. On-site assistance also enables legal aid staff to work directly with shelter staff who can help access complimentary support services to reduce the barriers facing the particular client or family.

Youth. Targeted outreach is also important to reach youth, particularly those in their mid-to late teens. Explaining their educational, employment, legal, familial and health care rights, as well as ways to acquire and maintain "financial health" will help them transition to self-sufficient adulthood. Educating immigrant youth can enable them to be more effective cultural bridges and links to legal aid assistance for their parents.

Effectively reaching youth includes using youth-focused technology and locations. Youth should be involved in the design and language of the outreach. Outreach opportunities include:

- Social media, including facebook and twitter. Websites and content need to be regularly and frequently updated; youth are aware of and avoid stagnant sites.
- Street law events in areas where youth congregate. These can be effective attention-grabbers but need follow up, to demonstrate the program's genuine commitment to taking action for youth.
- Library-based events. Homeless children who go to libraries for free internet and computer access can benefit from presentations at libraries after school or on weekends.
- Informational booths at health clinics.

- Educational and confidential advice session at homeless shelters that serve youth and families.
- Appearances at neighborhood-based organizations or centers where young people gather, including informal gathering places (e.g., outside the convenience stores).
- Partnerships with agencies that have contact with youth, including departments of social services, juvenile services and foster care services, to determine how to get information to youth in their systems.
- Relationships and partnerships with public defenders who deal with juvenile offenders to help address the civil legal needs of young offenders.

2. Work through partnerships

Legal aid organizations do not have either the resources or the expertise to respond to the entire spectrum of potential clients and problems in the communities they serve. We heard in the focus groups about invaluable resources and expertise available among community organizations, including some of the providers in the Study. Through partnerships, programs can bring multi-disciplinary solutions to client and low-income community problems. Partnerships offer opportunities to stretch scarce and currently diminishing resources. A variety of partnership ideas emerged in the focus groups and our research. We have noted the particular applicability of each to underserved populations identified in the Study, but recognize that many of the ideas can be tailored to other low-income communities:

Immigrants. Partnerships with organizations that are embedded in immigrant (including refugee) communities can provide critical bridges to the linguistically or culturally isolated. They may provide the opportunity for face-to-face contact with community members, including an intake site, and may be able to help address community-wide issues. Programs may be able to conduct informational sessions or do intake and provide advice and brief service at community centers that serve an immigrant population. Their informational sessions could dovetail with others designed to assist participants with non-legal needs, such as financial management, tips on getting a job, renting a home, succeeding in school or even starting a small business. Such linkages increase the awareness among participants of how legal issues are present in the every-day problems they encounter.

Mentally ill persons. Partnerships with organizations or professionals who are likely to treat or encounter mentally ill persons (medical-legal partnerships, hospitals, health clinics, shelters, police departments, courts, substance abuse treatment centers) provide important links to persons who might otherwise not reach legal aid. Those organizations may have the expertise to assist the individual with behavioral and other non-legal issues, facilitating more effective resolution of legal problems. Partnerships that create “seamless” referrals or enable legal aid to

conduct intake or hold informational session at a partner site may prevent fragile clients from falling through the cracks.

As noted below, social workers can become the glue for such partnered services, facilitating and monitoring referrals between them, dealing with clients with special needs and behavioral issues, ensuring an holistic response to the client's situation and helping advocates respond more effectively to problems clients with disabilities or substance abuse issues may face.

Ex-offenders. Partnerships with pre- and post-release programs can enable civil legal aid programs to reach offenders both before and after they leave incarceration. Such partnerships may enable lawyers to address both the criminal record-related problems discussed above as well as other problems affecting ex-offenders, such as access to appropriate health care, restoration of drivers' licenses and job training.

Public defenders can be invaluable partners for meeting the civil legal needs of indigent defendants and offenders. Persons involved with the criminal justice system may not have the time, resources or emotional energy to seek out civil legal aid on their own, particularly if the civil problems seem less pressing than the criminal charges they may be facing. Collaborations with defenders can bring civil legal assistance to them. The partnerships can also help ensure that defense strategies consider the collateral civil consequences that flow from criminal convictions. They also may provide opportunities to develop strategies to avoid incarceration or sentences from which the most harmful collateral consequences flow, including the problems associated with criminal records identified by Study respondents.⁶⁰

Geographically isolated persons. Partnerships with community agencies and organizations may help reduce the significant transportation-related barriers identified in the Study, particularly in rural communities. Through partnerships, organizations that have transportation services, such as senior centers, assisted living facilities, mobile health services or organizations that assist persons with disabilities, could bring persons they serve to legal aid offices at scheduled times. Alternatively, as many focus group participants noted, legal aid programs could (and often do) provide on-site assistance at locations to which low-income persons are transported, such as senior centers, and such efforts could be expanded to include places like community health centers, emergency rooms or after-school centers.

Working poor. Participants in the South Central focus group suggested that unions in industries where a segment of the workforce includes low-wage workers could help legal aid identify

⁶⁰ There are organizations in Minnesota that focus on the needs of ex-offenders that offer legal aid programs opportunities for collaboration and to connect to resources that serve this population.

and address workplace issues or serve as a conduit to legal aid for workers with issues in addition to those relating to employment.

Homeless persons, youth, seniors and others. Public libraries in Minnesota offer significant partnership opportunities for a variety of underserved populations. Indeed, as several focus group respondents, including a librarian, noted, some are already engaged with legal services providers. Homeless persons, youth and persons seeking access to computers and information to help resolve problems, regularly use public libraries. Libraries may provide facilities for community education efforts or interacting with clients via technology. *See* , pp. 59 - 59. Library staff's interaction with low-income persons, including some of the most marginalized, gives them the opportunity to make referrals to legal aid. Programs can make use of the experience and insights among library staff to help identify recurrent problems in the local low-income community and to help inform legal aid choices about priorities and advocacy goals.

Youth. Partnerships can bring the expertise of other disciplines to address client problems that have dimensions beyond the legal. Such multi-disciplinary partnerships may be particularly helpful in enhancing access to legal aid for at-risk children and youth, such as those that involve health care professionals, social workers, counselors, teachers and others in the foster care or juvenile justice systems. Youth may benefit from a team approach among these professionals and legal aid, who together can work to monitor and respond to their educational, psychosocial, health and other needs, whether they are children in foster care, in the juvenile justice system, in school, transitioning youth or young adults.

General. Alliances with community partners can strengthen mutual goals and advocacy efforts. Legal Aid and its clients can convey the needs of low-income people to policy makers and entities that make decisions that affect the lives of clients (housing authorities, welfare agencies, child support enforcement offices, schools, etc.). Legal aid can provide a legal hammer to back up efforts to achieve change for low-income people led by community organizations. For example, the focus group discussion in the Northwest revealed common areas of concern and potential collaboration around transportation needs among the community organization representatives and legal aid advocates.

3. Enhance program capacity

For underserved populations, access to legal aid might be enhanced through internal changes to program structure and increasing staff skills. Brainstorming in focus groups produced a variety of ideas, included below and in the technology section that follows:

Expanded program hours for the working poor and youth. People who are working or in school may only be able to reach legal aid in the evening or on weekends. Low-wage workers may not be able to make a private telephone call during the work day. Non-traditional work

hours are not just needed for intake but to provide opportunities for working clients to meet with their advocates throughout the course of their case.

Youth also need to be able to reach legal aid and their lawyers after school hours and on weekends. In addition, the office or meeting place should be located someplace that youth can reach without having to drive. Programs might consider conducting intake where young people gather, including a space in a mall that affords privacy, or at a local library.

Consider ways to provide assistance to persons whose incomes are unstable and hover around program eligibility levels. Low wage workers may cycle in and out of a program's income eligibility guidelines. To enable these borderline persons or families to receive help before their problems escalate into more serious crises, we offer the following suggestions:

- Apply income eligibility guidelines that take into account the instability of, or fluctuations in, income for applicants who have jobs, are seeking employment or where the advocacy will help keep someone in a job, retain a home or provide access health care.
- Implement a sliding scale fee option for persons ineligible for free legal assistance where assistance would affect the client's economic stability. Programs might be able to enlist the private Bar to provide such sliding scale services.
- Hold informational clinics on frequent problems and do not screen for income eligibility for those clinics. Clinics could be conducted on issues that particularly face the working poor, such as workplace rights, homeownership and credit, managing finances, debtor's rights/bankruptcy and asset-building.

Staff skills. There are a variety of skills that promote effective service to underserved populations. Some, like cultural competency and substantive law knowledge are necessary and can be achieved through training. Others, like social work capacity, are offered as suggestions:

- **Cultural competency for serving immigrants, Native Americans and those with different cultural backgrounds:** Staff need to be able to interact with clients from other cultures in ways that foster client trust. Cultural competency training should include providing all staff with an understanding of the cultural differences that may prevent clients from accessing services effectively. Cultural competency should also include an understanding and avoidance of stigmatizing or judgmental behavior toward all clients. Staff should not project the judgmental attitudes that surfaced among providers in the Study. At times, overworked staff can be unintentionally

brusque, and, therefore, appear to clients to be dismissive, uncaring or judgmental. Focus group participants agreed that front-line staff may benefit from training on how to deal with persons in crisis, their own stress, and persons with mental illness or other disabilities.

- **Capacity to handle clients with mental illness.** Programs should give high priority to staff training on dealing with persons with disabilities, particularly mental illness.
- **Substantive law training to meet identified needs.** Programs may need to provide training in areas such as employment and education law to enable advocates to identify and address needs of underserved populations identified in this Study. It is helpful for staff who conduct intake and outreach to have a working knowledge of the issues in any new areas, so that they are able to flag potential issues and communicate to potential clients that the program has the willingness and capacity to do the work.
- **Social work expertise, particularly for clients with disabilities or substance abuse problems.** Most lawyers are not professionally trained to work with persons with mental illness or substance abuse problems. Social work expertise can be a valuable resource to help legal advocates (1) communicate effectively with clients with mental illness or substance abuse challenges; (2) identify appropriate supports and interventions available for those clients, including those that would constitute “reasonable accommodations” to retain housing, benefits or employment; and (3) achieve appropriate referrals for the client’s non-legal needs.

Social workers can be extremely helpful in education, family law/domestic violence, housing and public benefits work. Some social workers are also trained in working with community organizations and could help programs develop effective community engagement strategies to promote access for underserved populations and to help build coalitions to address community-based problems. To the extent that State licensing and other requirements permit, programs might seek to leverage social work resources through collaborations with social work programs in local colleges and universities.⁶¹ Since many programs and lawyers are not used to dealing with social workers, establishing clear protocols or guidelines about the roles of both lawyers and social workers is helpful to avoid confusion and clarify boundaries.

⁶¹ State laws vary about the ways in which social workers can participate in businesses of other professionals. Programs should also consider the implications of any “mandatory reporter” requirements imposed on social workers on the attorney-client privilege. Whether a program could provide social work counseling or treatment together with social work support for advocacy, also requires further analysis.

- **Youth advisors:** Programs might consider starting a youth advocacy committee⁶² to engage youth with the program and give them an opportunity to guide its youth-focused advocacy. These youth could help develop objectives for a youth-focused practice and, in the process, they would learn about organizational governance, advocacy and even basic presentational skills, such as public speaking and appropriate dress. Out of this effort could emerge opportunities to place youth members on the program’s Board.⁶³ The advocacy committee could also develop advocacy capacity among youth. Young people on the advocacy committee can undertake advocacy efforts under the guidance of program staff, either on their own or in partnership with other community youth organizations, including boys and girls clubs or after school programs.

4. Effective and innovative use of technology

Technology offers a variety of opportunities to reach and serve clients, particularly those who are isolated because they lack access to transportation. For many who only need limited guidance or a relatively quick answer to a question or problem, telephones still provide an efficient and effective way of delivering service, including advice on simple issues through a lawyer-staffed “hotline.” However, the constant struggle to limit time waiting in the telephone queue, particularly since low-income cell phone users frequently pay by the minute, remains a problem for most high volume legal aid offices.

Interestingly, some of the most underserved populations may be the most “plugged in.” For example, we heard in focus groups that many refugees and other immigrants are comfortable with internet and technology use, in part because they communicate with family overseas via Skype and similar services. Youth are also comfortable with and often expect to use technology. For seniors, on the other hand, even call distribution menus can be barriers. It is, therefore, important to ensure that the technology fits the population. The following are ideas that make use of current and emerging technology:

⁶² We would avoid the use of “advisory” because to youth it can suggest tokenism.

⁶³ We suggest that Board membership emerge from an initially more limited type of youth involvement that prepares young people for meaningful Board service. If a program moves toward youth representation on the Board, we recommend that it have more than one active youth member. Board members could be elected from a youth advocacy committee, allowing the committee to provide support and guidance to their Board representatives. Youth Board members would benefit from a mentor or “buddy” on the Board. There are organizations that have youth on their Boards who can provide guidance on practices that maximize the ability of youth to contribute to Board activities and program oversight.

- Programs might explore greater use of technology that would allow them to interact with applicants and clients through video connections on their own PC or “smart” cell phones. These include personal communication devices that permit individualized video connections.
- Programs have increased their use of web-based technology, which offers a variety of benefits:
 - On-line intake offers convenience to geographically isolated persons, those who work during the day, youth, and those with limited mobility. We recognize that some rural areas are still developing the broadband capacity to make web-based connections a viable option.⁶⁴ However, where web-based connections are reliable, an on-line intake system could include a process where an application for services is transferred to an advocate after eligibility screening, for prompt telephonic or live chat follow-up and assistance.
 - Interactive web-based services could be used to provide information in the form of “community education” webinars, tailored to particular audiences and delivered in appropriate languages.
 - Live chat forums – a regular “ask the lawyer” hour, for example -- might provide a way to disseminate information on a broad scale and provide an opportunity for discussion.
 - Programs might consider combining on-line document assembly of simple pleadings, letters, applications and the like with an opportunity to have the completed forms submitted to the program for review by a lawyer. This could be an opportunity for pro bono involvement.
- Videoconferencing may enable programs to establish “virtual offices” in community centers, libraries and other facilities in remote areas. Such “offices” need to have a private space to preserve confidentiality, and someone who is available to guide individuals through the use of the technology. The “office” should be equipped with a fax machine or scanning device, so documents can be exchanged and discussed during a call. Finally, video conferencing may be a way for some courts and administrative agencies to hold hearings or certain procedures, where an in-person presence is not necessary to the outcome of the process or is impossible.

⁶⁴ Legal aid might consider ways to promote broadband access in its service areas, using the examples from this Study and its own experience to demonstrate the efficiencies and utility of that capacity.

5. Increase knowledge and visibility.

Providers and low-income respondents across the board stressed the importance for legal aid programs to establish and maintain a visible presence in local communities. They repeatedly stressed the impact and value of personal visibility, encouraging staff to “*walk around, directly talk to people*”; and to “*knock on doors.*” The strong message among respondents and focus group participants was that they want to see legal aid staff out and about, participating formally and informally in local life, events and forums. Regular, sustained contact, not just occasional efforts to “get the word out” are necessary to build community trust and confidence.

In these difficult economic times, we know that having more local offices is not likely to be a realistic option. Nonetheless, strategies designed to enhance visibility and create at least a temporary physical presence are worth considering and we know from focus group participants that some have been used by Minnesota programs in the past. Such strategies would include scheduled “circuit riding” to identified and advertised intake sites, maintaining small satellite intake offices (perhaps located at a partner organization), or conducting regular intake and brief advice “office hours” at community organizations or public libraries. A program might also consider whether it could set up a temporary “office” at a place where low-income persons may gather, such as at a large shopping mall that lower-income youth are likely to visit or a site near an industrial complex where low-wage workers are employed.

Both provider and low-income respondents’ comments convey the importance of relationship-building. Developing relationships with community leaders across professions and organizations, even when there is no immediate program or client objective to be achieved, builds mutual understanding and trust and can lead to enhanced access and benefits for underserved populations. Like partnerships, long-term relationship building and nurturing gives legal aid programs an opportunity to exchange information and ideas about clients, trends and problems that might benefit from collaboration or enhanced referral systems. It enables legal aid staff to demonstrate the breadth of legal aid services and the capacity of legal aid organizations to act as problem solvers for community and client needs. It can provide a foothold for collaborative work to achieve common goals. It thus has benefits for both enhancing “access” and supporting advocacy. Ideas for effective relationship-building include:

All populations. Actively participate in community events and forums, including making the legal aid office available for meetings of client or client-focused organizations. Such organizations could include those that bring together members of any of the underserved populations identified in the Study.

Working poor. A program whose staff has taken the time to know community leaders, such as rotary club leaders or local employers, may have cultivated an ally, or at least a more receptive ear, when it comes time to advocate for community responses to client needs. Those contacts can be critically important when opportunities arise that could benefit low-income clients and residents; for example, ensuring that local residents are hired when a new development project is undertaken or a large business opens in town. Those relationships may foster finding common ground about accommodating the cultural or religious needs of foreign-born members of the workforce, as a community organization in South Central did. Cultivating relationships with business owners, educators and health care providers could pave the way to collaborate on building structure that helps low-income persons and potentially others. Examples are efforts to increase dental services that will accept Medicaid patients and locations of new bus routes. Those relationships might prompt employers and others to refer employees struggling with non-work related problems to legal aid, understanding that resolution of the problem could improve job attendance or performance.

Youth. Getting to know school personnel could help address problems that youth and parents identified, including treatment of non-English speaking or immigrant youth, improper placement of non-English speaking students, and communicating with non-English speaking parents. These relationships could offer opportunities to work with schools to develop non-punitive responses to school discipline issues and enable both the schools and advocates to address the needs of children with disabilities promptly and effectively.

Immigrants. Focus group participants emphasized that cultivating visible connections to trusted members or leaders of linguistically or culturally isolated populations is critical to building bridges to immigrant, refugee and non-English speaking communities. A program could engage an individual respected in a particular immigrant community as an employee or volunteer to serve as a community liaison. The individual could guide the program's efforts to provide a comfortable and culturally-appropriate resource for community members, help "translate" American law and customs to the community and teach both staff and community members about each other's values, experience and expectations.

6. Influencing Attitudes and Reducing Stigma

The palpable undercurrent of stigma associated with seeking help reflected in interviews in this study has two potential major areas of impact: it may make potential clients reluctant to seek help to solve their problems and it may make the public less receptive to the needs of low-income persons. Reducing the sense of stigma requires changing deeply held cultural and political views and values, and is difficult to measure. It is, however, important to enhance program accessibility, generate support for legal aid in the community and enable legal aid to work with

other organizations to adopt strategies to meet client needs. Its presence places a premium on careful communications strategies. The following suggestions are aimed at reducing the stigma associated with seeking help:

- Legal aid programs could consider developing a long-term communications strategy to convey the consistent message that low-income persons are neighbors who are worthy of assistance and whose success contributes to overall community health.
- Program might examine their current external communications to ensure that they humanize their clients, avoid speaking in terms of “legal” outcomes and emphasize the social and economic benefits arising from their work.
- Respected allies in other professions can help carry the messages about clients and their legitimate needs. Health care professionals and educators, for example, are likely to understand the need to overcome judgmental attitudes, may have access to different audiences, use different language and bring different perspectives regarding the needs of low-income people.
- Through newsletters or similar communications, programs can relate stories of their successful advocacy that convey the breadth of their work, its impact and the dignity of clients. Such communications can be distributed to a wide variety of audiences, from policy makers to community members, providers and organizations that bring low-income people together. They can be provided to various media and can help chip away at attitudinal barriers while creating increased understanding about the impact and importance of civil legal aid work.
- The Study revealed an important counter to the presence and effects of stigma. Respondents in the Ex-Urban, South Central and Northwest regions and even, to a lesser extent, among Twin City respondents, identified a sense of collective responsibility, “caring for each other,” as an important and valued community strength. In reflecting on their communities, respondents noted that people pull together in times of crisis and help others in need. Respondents in rural areas talked about the virtues of small, closely-knit communities, where people are friendly. Ultimately, that shared appreciation of the importance of community, a desire for neighborhood and an abhorrence of social isolation – all of which came through in the interviewing process – should provide a basis for optimism, even in bleak times. The presence of those values provides a powerful foundation for whittling away at judgmental attitudes and for reducing barriers facing underserved populations.

C. Advocacy Strategies to Address Unmet Needs of Underserved Populations

Reaching legal aid is only meaningful if the program is able to respond effectively to the client's problem. By providing the following ideas for strategies to address the needs of underserved populations identified in this Study, we are not suggesting in any way that there are shortcomings in Minnesota's current services or delivery system. Indeed, some of the advocacy strategies we suggest may already be in place, which bodes well for the populations identified in the Study. Other suggestions may give programs some concrete ideas about how they might adjust their services and focus, in light of the information the Study provides.

1. Attending to the Needs of the Working Poor

With the working poor at the top of the lists of underserved populations, and employment problems at or near the top of low-income respondents' problems, *see pp. 11-12, 13*, removing barriers that enable low-income persons to get and keep jobs, to receive the wages due them and to work in safe conditions, is imperative. The following strategies focus on removing those barriers and protecting workplace rights:

Removing Barriers to Employment. Programs could prioritize work that gets or keeps low-income persons in jobs. Some of this work can involve traditional employment litigation and other strategies described below. It can also encompass efforts to reduce other barriers the working poor face, including lack of day care, criminal record problems, excessive wage garnishments, suspensions of drivers' licenses, transportation supports, access to health care supports for themselves or family members for whom the person is caring and other problems that may threaten their ability to get or keep a job.

Program staff could develop a protocol for screening applicants for services who are at risk of losing employment or have a particular type of problem preventing employment. For some programs, serving these clients might mean changes in work flow or structure to facilitate work for a client across traditional units. Establishing a direct referral process for persons working with job training, job training, re-entry, welfare-to-work agencies or other work readiness organizations would also be a way to identify persons trying to get or keep a foothold in the job market.

Employment rights. As noted above, program staff should be trained to identify signs of possible violations of employment rights, which may not be a client's presenting problem. For example, clients may have been denied unemployment benefits because they were misclassified by their employer as an independent contractor. The misclassification may, in turn, have resulted in the nonpayment of overtime or payroll taxes. Advocates can challenge the unem-

ployment decision and lawyers can seek to remedy the harms associated with the misclassification.

The Fair Labor Standards Act (FLSA) and comparable state wage and hour laws protect workers from a wide variety of exploitative practices. They provide significant remedies, including double and, at times, treble damages and recovery of attorneys fees, for prevailing parties. Often these cases can be resolved promptly with a demand letter. These laws give programs strong tools to address common employment problems, including:

- Wage and hour violations, including overtime, uncompensated waiting time, “off the clock” work, “tip shaving” and the failure to pay minimum wage. Immigrant workers may be particularly vulnerable to illegal employment practices.
- Misclassification of individuals as independent contractors rather than employees wrongfully makes the workers ineligible for unemployment and overtime and means that the employer has not paid payroll taxes. This may be a problem for persons hired by some temporary agencies that often provide a gateway into the workforce for many low-income persons, such as home health providers, cleaning services and temporary office personnel. Focus group participants noted that such agencies have proliferated around the State, particularly in the Ex-Urban counties.
- Recurrent violations in a particular industry. Targeting industry- or community-wide practices may achieve benefits for more than the program’s immediate clients.
- Other employment-related problems, such as discrimination, wrongful termination and workers’ compensation. These are cases that members of the private Bar may be willing to handle or co-counsel.

Tax and employee benefits. Tax and employee benefits problems are areas in which the working poor have problems that may be particularly well suited for pro bono lawyers.⁶⁵ Tax problems may arise as a result of independent contractor misclassifications, identity theft, and incompetent or fraudulent tax preparers who may prey on unsophisticated consumers (particularly immigrants). Left unaddressed, tax problems can result in penalties and fines, bad credit records and even prosecution.

⁶⁵ Tax and ERISA are areas that require specialized training. However, they are also services for which face-to-face contact with clients is frequently not necessary. A legal aid-related (or pro bono) service that provided tax or employee benefit assistance could provide services to persons across a large geographic area without having a local presence. For divorce cases involving the distribution of retirement and other spousal benefits (e.g. QDROs), such a non-local source of assistance could partner with local legal aid lawyers.

Low income persons, particularly seniors, encounter employee benefit (ERISA) problems following layoffs or as a result of a working spouse's death or divorce. It can be extremely difficult to follow the paper trail for tracking and establishing rights under benefit plans when the employer no longer exists or the entity has changed. Both tax and benefits practices lend themselves to the involvement of pro bono attorneys, including those who traditionally have been less connected to legal aid work.

Day Care. As respondents in the Study and focus group participants confirmed, affordable child care is a significant barrier for many of the low-income respondents trying to get or keep jobs. *See p. 15.* The availability of safe and affordable day care makes a tangible difference: “[B]y improving outcomes for at risk children, supporting employment activities for their parents, and stimulating economic development in their communities, family child care has the potential to be a powerful tool for neighborhood growth and development’.”⁶⁶

A civil legal aid program could try to address this barrier by:

- Representing community groups or entities to help them establish day care centers or cooperatives, particularly centers that are available to persons with non-traditional work hours. This work could engage pro bono lawyers to assist with regulatory, corporate, zoning, tax, insurance and other issues that may need to be resolved.
- Providing legal assistance to a client group to establish a day care center on a barter or “time dollars” basis, so that persons who use the center also contribute “sweat equity” toward its operation.
- Working with existing day care centers and providers to develop lower cost options for low-income parents, expand hours to include evenings, nights and weekends, and offer care for special needs children, including those with fetal alcohol syndrome (a problem mentioned by several Northwest respondents).
- Advocacy to ensure that clients receive child care subsidies to which they are entitled.
- Representation of individual providers on licensing, housing or other issues that threaten or impede an individual's ability to offer child care services. Low-income women often look to child care jobs as a way to enter the workforce.

⁶⁶ Amy Gillman, Surdna Found., “Strengthening Family Child Care in Low-Income Communities 4 (2001), quoted in Ehrenberg & Rasmussen, “South Brooklyn Legal Services’ Child Care Network Support Project: How Legal Aid Programs Can Support Family Child Care,” *Clearinghouse Review* 334 – 344 (2002). The Ehrenberg/Rasmussen article provides a detailed discussion of South Brooklyn’s representation of child care networks, issues facing child care providers and advocacy strategies to address those issues.

- Representation of individuals who may face barriers to employment by day care providers because of (1) criminal record issues that do not raise questions about fitness to care for children; (2) language barriers that prevent passing a licensing test; (3) unwarranted inclusion on an abuse or neglect registry; or (4) a poor credit record.
- Policy advocacy with local or state legislators to provide day care subsidies.
- Determining whether programs that provide adult home care benefits for kinship caregivers could be tailored to childcare. Participants in the Ex-Urban focus group suggested that adaptation of adult home care models might permit certification of a broader group of child care providers.
- Working with local school systems, Headstart programs and others to explore the possibility of expanding the availability of day or after school care or activities.

Job creation. Program advocacy can lead to job creation. The following are examples drawn from experiences of legal aid programs:

- Local and regional development efforts often take place without consideration of the opportunities and impact they have on poor people in the community. Legal aid programs might seek opportunities to participate in forums where development decisions are made. For example, programs have successfully advocated for local workforce hiring as a condition for development or redevelopment in their communities.
- Serving as counsel to a community group can help the group pursue job creation efforts. One legal aid program helped a community organization research the immediate and longer-term employment needs of the largest employers in its region. The program then served as the legal advisor and occasional negotiator, as its client, a community organization, collaborated with local community colleges to provide training in identified areas of need. The colleges agreed to provide technical training in the area identified by the employers, initially, welders, in exchange for a commitment from the employers to guarantee a certain number of jobs. As a result, several hundred program “graduates” held jobs that paid in excess of \$30 per hour plus benefits and had marketable skills, and the community organization had a replicable model for local job creation.

2. Reducing Cultural and Linguistic Divides

The immigrants, non-English speakers and undocumented persons whom both providers and low-income respondents identified as underserved populations face a panoply of barriers. As discussed above, lack of language access, discrimination and a host of difficulties arising from the cultural divide that separates them from the majority in their communities, make many aspects of daily life difficult. Those barriers can deprive them of legal rights to educational services, workplace protections, public benefits and fair treatment by local authorities. *See pp. 17-22.* A variety of legal protections are available to limited or non-English speaking clients, as well as to English-speaking persons from other countries. These protections may enable legal aid organizations to respond to many of the problems facing these populations that were identified as underserved by both providers and low-income respondents in the Study.

Language Access. Title VI of the Civil Rights Act of 1964 prohibits discrimination on the basis of national origin in federally-assisted programs. To avoid violating the Act, agencies and organizations that receive federal funding generally need to provide access to persons with limited English proficiency in their native language.⁶⁷ The possibility of a Title VI violation should be examined when limited or non-English speaking clients or community members consistently run into difficulty accessing the services of a government agency or organization that may receive federal funds. Public schools, community health clinics and state agencies with which clients routinely interact are likely recipients of federal aid and, therefore, subject to Title VI. Complaints for violations of the law can be filed with the Office of Civil Rights of the U.S. Department of Justice by persons other than those who are the victims of the practice, enabling legal aid organizations to lodge complaints on behalf of groups, other organizations or on their own.

Anti-discrimination. Discrimination on the basis of national origin may be actionable under a variety of laws. Landlords who refuse to rent to Spanish-speaking persons, for example, likely violate the federal Fair Housing Act. State or local agency policies or practices that treat immigrants⁶⁸ differently from citizens, including public schools, may violate federal and state equal protection guarantees. Under Title VII of the Civil Rights Act, employers may not make employment decisions, including those involving recruitment, hiring, firing, and promotion, on the basis of national origin, foreign accent, or an English-only requirement that is not necessary for the effective performance of a job. Harassment based on national origin in the workplace may support a claim of hostile work environment. Employers may not deny workers the protections

⁶⁷ Needless to say, the precise requirements of Title VI and its implementing regulations exceed the scope of this report. Its applicability to a particular situation will be heavily dependent on the facts, including the demographics of the relevant region.

⁶⁸ Persons who are not documented have fewer protections than immigrants who are.

of the Fair Labor Standards Act, including payment of minimum wage, to non-citizens. Private attorneys may be a resource to take or work with legal services programs on discrimination cases.

Targeting immigrants. Persons who are unfamiliar with American law and customs or do not speak English are vulnerable to consumer and other scams. These include improper practices of “notaries,” who may deceptively hold themselves out to immigrants as a source of legal assistance. They also include vocational school fraud scams, which induce students to enroll, and take out loans to do so, through false promises of training and jobs. These practices rob low-income persons of scarce resources, destroy their credit (which employers and landlords may check) and may prevent them from obtaining educational loans in the future, if they default. State law and, under some circumstances, federal protections, are available to respond to unscrupulous trade school practices. Developing close connections and increased visibility in immigrant communities helps program staff learn about such targeted schemes and may give legal aid programs opportunities to educate members of the community about how to guard against such scams.

3. Overcoming Geographic Isolation and Lack of Transportation

Providers, low-income respondents and focus group participants concurred: lack of transportation keeps many low-income Minnesotans trapped in poverty. Without transportation, they are unable to get to jobs, day care, health care, social services, court and legal aid. See pp. 22-24. Transportation barriers arise both from structure problems (lack of public transport) and from an individual’s personal circumstances (lack or loss of a driver’s license). Both sets of transportation barriers can be addressed by legal aid organizations, yet it is not a common priority. We offer a range of strategies to address both the micro and macro aspects of transportation deficits:

- Respondents in the Study noted that persons with disabilities are disproportionately affected by their lack of access to transportation. Lawyers can pursue access to transportation for persons with physical or mental disabilities as a reasonable accommodation. Title II of the Americans with Disabilities Act (ADA) requires reasonably accessible public transportation services and paratransit opportunities where fixed bus and rail lines operate. Organizations that focus on the rights of persons with disabilities are valuable partners for both individual and systemic advocacy around such issues.
- In the context of their public benefits work, programs can ensure that clients' children are receiving the transportation services they need to enable them to access medical care. Ear-

ly Prevention, Screening, Detection and Treatment (EPSDT) benefits for children under Medicaid include transportation assistance. Low-income respondents noted that lack of transportation affects their ability to get to doctors.

- Programs can invoke the protections of the McKinney-Vento Homelessness Assistance Act (McKinney-Vento) to obtain transportation to school for homeless children or many children at risk of homelessness. The children who providers and low-income respondents described as “couch surfing” or in families that were “doubling and tripling” up are likely to qualify for McKinney-Vento services.
- As part of helping clients get and keep employment, programs can pursue advocacy to remove barriers to getting drivers’ licenses, avoid their suspension or secure their reinstatement. Strategies include:
 - Assisting low-income obligors whose licenses may have been suspended because they were unable to pay child support;
 - Helping ex-offenders get licenses reinstated;
 - Ensuring that drivers’ tests are administered in appropriate languages for non-English speaking clients;
 - Advocating for fee waivers for drivers’ licenses.
- Advocates might consider participating in forums where decisions about bus routes are made. Do routes under consideration facilitate access between areas where clients tend to live and where opportunities for work cluster? . . . Are decisions made that routinely benefit more affluent areas? . . . Do those decisions have a disparate impact based on race or national origin?
- Programs could also seek to participate in local and regional economic planning that may involve transportation-related decisions or plans and help clients and client groups to do so. The ADA provides for public participation when municipalities consider providing certain services to disabled persons.
- Members of the business community or potential employers may share a goal of bringing workers to job sites. Participants in the Northwest region focus group indicated casinos in that area provide some transportation for workers. There may be an opportunity to persuade employers who have a sizeable, low-wage workforce to subsidize transportation costs or provide van service to convenient drop-off points. Community partners or perhaps unions could be helpful allies in such an effort.

- Programs could advocate for expansion of public transportation options and against reductions in public transportation in the face of budget cuts.
- Participation in existing transportation advocacy coalitions or creating such coalitions where they do not exist is a way to develop expertise, exchange ideas and find non-traditional partners. A variety of stakeholders, including health care providers and employers, may benefit directly from such efforts and bring additional clout to the table.
- Lawyers could help community organizations develop a program for providing taxi cab vouchers or exchanges for driving services, for people needing access to health care and other services. Pro bono lawyers could bring significant corporate, insurance, tax and other backgrounds to development of small businesses to provide cost-effective transportation for low-income persons.
- One focus group participant suggested that legal aid lawyers could serve as counsel to an organization that obtains used cars and makes them available for group members. Such an organization could also look into a training program for mechanics who could provide low-cost repairs. A New Hampshire non-profit, “More Than Wheels”, has developed an innovative model that helps low-income persons buy reliable cars at low-interest rates while also providing on-going financial planning and credit repair teaching and assistance.⁶⁹
- Legal aid lawyers could advocate for allocation of TANF funds for transportation support for geographically isolated persons or persons for whom the cost of transportation is prohibitive, as Twin Cities respondents reported about the bus. Many states use discretionary TANF funds for transportation because they recognize that “lack of transportation continues to be documented as one of the leading barriers to employment participation, especially among otherwise unemployed single mothers.”⁷⁰ Transportation support may be provided to recipients directly, through vouchers or passes, for example, or allocated to efforts to strengthen low-income communities.⁷¹

4. Working Toward A User-Friendly and Coordinated Social Services System

A common refrain among the Study’s low-income respondents was the difficulty of navigating a complex, fragmented and paper-intensive social services system. Providers and low-income respondents identified lack of knowledge about benefits, the processes associated with getting

⁶⁹ See <http://opinionator.blogs.nytimes.com/2011/08/11/on-the-road-and-out-of-the-red/?emc=eta1>.

⁷⁰ “On TANF & Transportation,” National Resource Center for Human Service Transportation Coordination, June 16, 2010, at <http://nrccapitolclips.blogspot.com/2010/06/on-tanf-transportation.html>

⁷¹ Id.

and keeping assistance, and the unclear relationships among benefits and agencies as significant barriers. Low-income respondents complained, often bitterly, about rude or insensitive conduct of social service agency staff. Occasionally respondents noted the difficulty of getting through legal aid's own extensive screening and appointment procedures. The mere anticipation of having to run a confusing, time-consuming gauntlet of administrative procedures in order to get services may in itself be a disincentive to seeking help.

Collaborative work among a variety of stakeholders, including legal aid, may be able to improve and simplify this complex system. The following are suggestions for such an effort:

- Community organizations and legal aid partner create and support a gateway organization that coordinates the varying supports that an individual or family needs to achieve stability. For example, the gateway organization might have a cadre of service “facilitators” or diagnosticians who identify the range of issues facing the individual or family. The facilitator explains the range of options and services to the individual and makes the contact with the appropriate service providers. The facilitator tracks the follow-through of the individual and agencies, and ensures that the services and requirements for clients are compatible, coordinated and manageable.
- Legal aid and community partners could develop a web-based, interactive “map” of social and legal services available for various problems. The “map” could include an on-line diagnostic questionnaire. Responses to particular questions or combinations of questions could generate referral possibilities. For example, a person who sought income supports (food stamps, welfare), could be “asked” to respond to prompts about previous employment or disabilities. If the person indicated a recent job loss, the program could provide a set of responses, such as information about applying for unemployment benefits. If the person indicated a disability, the program could generate a list of referrals for services available to persons with disabilities.
- With or without partners, legal aid could help develop a web-based link on an existing or new web-site that would provide a “chat room” or live telephonic help, to walk the caller through the types of holistic, diagnostic assessments and referrals described above. For those who might be unable to participate effectively on their own in such on-line discussions, such as some seniors, non-English proficient or non-computer proficient persons or persons with cognitive impairments or mental illness, community organizations might provide assistance.

- Legal aid programs could test the efficacy of the systems described above on a limited scale. A successful pilot project might provide the basis for expansion towards a more comprehensive system.
- Programs could prepare linguistically and culturally appropriate informational materials designed to help low-income persons understand and interact effectively with the range of agencies they are likely to encounter.
- Programs might consider inviting staff from other organizations to cultural competence and other in-house training.
- To ensure that their own intake systems are as user-friendly as possible, legal aid and social service organizations could periodically conduct "blind tests" of their friendliness, responsiveness and accessibility. Interviewees occasionally complained about cumbersome intake procedures.

Collaborative strategies, such as those among the foregoing suggestions, may not be realistic or solve all of the social service agency problems about which many respondents and providers complained. Legal aid can – and often does – challenge through litigation improper burdens placed on non-English speakers, persons from different countries or persons with disabilities, as well as problems such as agency delays and inadequate notices. Programs might also consider whether administrative advocacy, including providing comments to proposed regulatory changes and policy advocacy, are likely to improve agency practices.

5. Attending to the Needs of Youth

Providers, low-income respondents and focus group participants consistently expressed concern about the unmet needs of young people – from children facing mistreatment in school because of their national origin or inadequately addressed special education needs to youth transitioning to adulthood without adequate skills for employment, parenting or financial management. *See pp. 24-26.*

Legal services programs traditionally address the challenges facing youth through representation of their parents. In some cases, this may be legally required. However, parents (or the State) may not always be able to protect or adequately represent the needs of youth, particularly those who may be homeless, displaced or transitioning from foster care. Programs might consider enhancing the impact they could have for at-risk youth by developing strategies to reach and represent young people directly. Some strategies to consider are listed below.⁷²

⁷² We did not examine, and do not address, barriers facing children in the foster care system.

Identify issues of concern to youth. We recommend that programs explore issues of concern to youth with young people in their communities. Such direct discussions will not only raise program visibility among youth, but help the program identify the most pressing issues facing young people in the service area. The effort could include examining the issues facing immigrant and first generation children. Providers noted that children of immigrants are growing up in a culture and under circumstances that are unfamiliar to their parents, and which parents may not understand. The experience gap within recent immigrant and refugee families creates additional burdens on their children.

Education Law. Providers and many respondents identified education deficits – the lack of a high school diploma or GED -- as major impediments for young people. An education practice can enable a legal aid program to help children stay and thrive in an appropriate school environment:

- Programs can prevent improper or excessive suspensions and expulsions. Children in public schools have basic due process rights. Fair hearings for suspensions and expulsions may prevent unwarranted punishment and reveal unaddressed special education needs.
- Many legal aid programs are familiar with and protect the right of children with disabilities to a free and appropriate public education in the least restrictive, appropriate, environment. Advocacy for special needs children can ensure that they will have the education they need to transition into adulthood successfully.
- Homeless children have a variety of rights under the McKinney-Vento Homeless Assistance Act, including the opportunity to remain in their school “of origin,” free textbooks, transportation and other benefits. Programs can ensure that the school system is providing these rights to homeless children in the community and that persons who are homeless, at risk of homelessness or who serve homeless families or youth, are aware of them. The “couch surfing” youth or those in families the Study’s respondents described as doubling and tripling up, likely fall within the McKinney-Vento definition of “homeless.”
- Non-English proficient students have rights to specialized language instruction to enable them to participate meaningfully in school programs. Under Title VI, public schools must provide non- and limited-English proficient students with services to learn English and skills in all academic areas. Legal aid programs can help parents ensure that their children receive proper language instruction and are not, for example, placed in classes for students with disabilities simply because of their lack of English language proficiency.

Limited English proficient parents are similarly entitled to receive school information in a language, form and manner they will understand. They are entitled to interpreters for meetings with school personnel about their children. Legal aid programs can help ensure that these parental rights are protected as well.

- Education law can be a time-consuming practice. Programs might consider how to target resources to where they can make the most difference. They might consider aiming advocacy efforts at schools where there are chronic problems. Are there schools where older students are dropping out at a higher rate? . . . Schools with disproportionately high suspension or expulsion rates? . . . Do those rates correlate with ethnicity, disability or other characteristic?⁷³
- Programs might also consider non-litigation strategies to address school discipline issues. A program might be able to work with a school system or a particular school to substitute positive behavioral interventions to punitive disciplinary measures.

Meeting the Needs of Transitioning Youth. Many respondents mentioned the need to help youth prepare for adulthood. Strategies to address the needs of transitioning youth beyond those noted above for keeping them in school include:

- Conduct street law programs that teach such things as financial literacy (banking, the importance and ramification of good credit), tenant rights and responsibilities, family law, including child support, and other issues important to youth and young adults.
- Educate homeless shelter providers about resources for homeless youth and establish teams of advocates and social service providers to address their multi-faceted needs.
- Work with partners, perhaps even some local landlords, to develop incentives for them to rent to young people. A focus group participant suggested advocating for an indemnification fund to provide landlords with a source of compensation in the event that young renters damage property.
- Develop strategic partnerships with Departments of Juvenile Services, Juvenile Justice agencies and public defender organizations, to provide civil legal assistance to youth leaving foster care or those coming into, or leaving the juvenile justice system. Explore with them ways to avoid juvenile incarceration.

⁷³ During the Ex-urban focus group, we heard about a school system that may be placing pregnant students in alternative schools. If true, such a practice raises serious legal questions.

- Incorporate youth-awareness in all program work and give a high priority to threats to the stability of young people. For example, if a housing complex is being demolished and residents are being relocated, determine whether there is a significant impact on young residents. Are their interests adequately protected? . . .What are the consequences to them of relocation? . . .Are there young adults or families at risk?
- Low-income respondents, particularly in the Northwest and Ex-Urban regions, frequently said that recreational facilities and activities for youth would improve their communities. Many identified activities for youth as a significant need. The program could represent a group or participate in a community-based coalition to develop more opportunities for youth in the community.

6. Minimizing the Adverse Impact of Criminal Records

Ex-offenders – one of the groups identified in this Study as underserved, encounter a variety of barriers as they struggle to reenter society. See pp. 26-27. This Study does not address the myriad of obstacles ex-offenders face. The advocacy suggestions listed here respond to providers' and low-income respondents' frequent observations and incorporate ideas offered in the focus groups, to reduce barriers created by criminal records, particularly for jobs and housing.

Expungement. Expungement of criminal records is a critically important opportunity for those who qualify. Minnesota's courts and legal services providers appear to have taken important steps toward making expungement opportunities known and available to ex-offenders, including integration of expungement-related assistance through self-help centers. We encourage such programs, and recommend regular evaluation to ensure that they are effective and publicized. We did hear from participants in focus groups that there are ways in which the expungement process does not fully remove the burdens of an expunged criminal record. There may be opportunities for systemic advocacy to address the shortcomings of the process.

Policy advocacy. Generally speaking, the serious marginalization and likelihood of reoffending that criminal record bans create means that the bans should have a reasonable public safety or business rationale. They should not be just an additional punishment and, whenever possible, should have reasonable time limits. While this is obviously a highly-charged and politicized area, policy advocacy to avoid unnecessary barriers can contribute to successful reentry.

Programs might consider working with local housing authorities to limit their consideration of criminal records to the narrowest sets of circumstances. They may represent Resident Advisory Boards that can advocate for appropriate admissions policies for public housing and ensure that such policies are followed in practice. In sum, the Study results strongly indicate that advocacy

to reduce the ability of housing authorities, employers, licensing authorities and landlords to obtain and consider criminal record histories is worth legal aid consideration.

As noted above, restoration of drivers' licenses is often a key to ex-offenders achieving self-sufficiency. Advocacy to reduce the circumstances under which drivers' licenses can be suspended, or reinstatement of drivers' licenses may be critical for persons leaving prison.

7. Reaching and Effectively Assisting the Mentally Ill

Providers, in particular, identified persons with mental illness as an underserved population. As described above, persons with mental disabilities, or both physical and mental disabilities, experience a significantly higher frequency of problems than persons who are not disabled. *See* , pp. 15-17. As noted in the discussion regarding access to legal aid, there are significant challenges associated with representing persons with mental illness. *See pp.* 533-54. There are also specific advocacy strategies programs can and often do adopt, to protect basic necessities and opportunities for mentally ill persons.

Housing law practices of many legal aid programs includes achieving reasonable accommodations for mentally ill persons. As noted above, persons with mental illness, including youth, have rights to reasonable accommodations in areas in addition to housing, including employment and education. Protection of those rights can make a significant difference for legal aid clients.

Persons with mental illnesses may also be unable to comply with administrative and other requirements of government or other agencies on which they depend for supports, including welfare offices and housing authorities. Their disability may prevent them from regularly recertifying for benefits, attending meetings with case workers, complying with job search requirements and other agency expectations. Programs can ensure that persons with mental disabilities are afforded reasonable accommodations to prevent loss of often critical benefits and services from those organizations.

As suggested above, partnerships with organizations or professionals who are likely to treat or encounter mentally ill persons can create links to persons who might otherwise not reach legal aid. *Id.* Such partnerships can become effective, multi-disciplinary advocacy teams to achieve changes in policies and practices to avoid criminalization of mental illness. Through collaborations with other professionals, legal aid may be able to create systems of care to avoid incarceration of mentally ill persons and assist them in retaining the legal and other supports they need.

8. Pursuing Strategies to Retain and Create Housing Opportunities

Study interviews underscored how getting and keeping safe and affordable housing is a constant challenge for low-income persons, *see pp. 277-29*; indeed, it is an area to which civil legal aid providers, including those in Minnesota, appropriately devote significant resources. This Study reaffirms the importance of housing as a fundamental legal aid priority. It also suggests that strategies to create affordable housing address an urgent need of clients and client communities.

As noted above, a variety of complex factors contribute to homelessness and housing loss. Lack or loss of employment, or catastrophic, costly health problems, may leave individuals and families without income for rent or mortgage payments. Clearly, effective strategies to increase income or address those circumstances also increase housing security. We provide here some additional thoughts regarding strategies for programs to consider to prevent loss of shelter for vulnerable persons and to increase the availability of affordable housing in their service areas:⁷⁴

- Landlords are increasingly checking rental and credit histories before they will rent to a new tenant. Such histories, which are increasingly available through commercial reporting agencies, are often inaccurate or incomplete. For example, housing court records may not indicate that a case brought against a tenant was dismissed, or was actually brought by the tenant to challenge substandard conditions. The information collected may be about the wrong person. Participants in the St. Paul focus group noted the serious problems associated with rental and credit histories and identified the need to develop broad-based advocacy strategies to address the problems.
- The process of getting housing assistance is fraught with minefields. Participants in the St. Paul focus group described how, in a welter of confusing paperwork, applicants may inadvertently fail to disclose information and are then denied assistance or, worse, pursued for fraud. Advocacy to simplify application procedures, including ensuring that persons with limited literacy or English language skills can understand what is being asked of them, could lead to fewer unnecessary denials and associated hardships.
- Programs should be alert to plans in their communities to build, rebuild, destroy or otherwise change the housing inventory, including rental, mobile home parks and homeownership. Participation in planning processes helps provide a voice for low-income

⁷⁴ We do not address foreclosure prevention and mitigation strategies here. While we believe that foreclosures are a significant problem in parts of the State, the issue only arose among focus group participants in St. Paul. We expect that legal aid programs and others will continue to examine strategies to protect homeowners and tenants in foreclosed properties and will utilize the variety of state and federal laws to address improper practices in the areas of loan issuance, servicing and foreclosure.

persons as housing policies are developed. Through such participation, programs may be able to obtain guarantees that new development projects will include truly affordable units. Programs have successfully raised fair housing concerns, as well as tax credit requirements, to secure such guarantees.

- State law provides protections against discrimination based on status with regard to public assistance. Legal aid organizations are among the few entities that are likely to pursue enforcement of such laws on behalf of clients who may be denied housing because they receive Section 8 or other public assistance.

9. Paying Attention to the Shifting Terrain of Health Care

As noted above, providers and low-income persons underscored the urgency of improving access to health care. The substantial changes that will occur over the next few years in the health care arena make it premature to offer very specific strategies. We, therefore, provide the following general observations:

- Legal services programs should look for opportunities to “be at the table” as Minnesota develops its health care exchange(s) and makes choices available to it for low income persons.
- Programs should understand the Medicaid expansion provisions that will phase in by 2014 so that they can ensure that newly eligible clients, including single persons and those who are not currently “categorically eligible”, obtain coverage. Participation in the exchanges may be critically important for low-wage workers whose employers do not provide healthcare. Legal aid programs might consider working with other stakeholders to ensure that low-income persons in the communities they serve understand the expanded options and associated procedures.
- Programs can make sure that information about new health care options is available in appropriate languages and that government agencies are adhering to their language access obligations.
- Providers and low-income respondents frequently complained about the lack of dental services for both adults and children. The “essential benefit package” in the Affordable Car Act leaves the precise scope of dental coverage to regulation. Legal services programs, particularly those that serve rural areas, should consider submitting comments to proposed regulations, highlighting their clients’ unmet needs. Coordinated responses to regulations can have a positive impact on final rules.

- The Study indicates a significant unmet need for mental health services for low-income Minnesotans. Precise definition of the Medicaid mental health benefit package is also left largely to the regulatory process. Programs have a similar opportunity to provide information and advocacy regarding the precise scope of needed mental health services through the public comment process.

CONCLUSION

The Study offers a sobering picture of the complex, interrelated problems facing low-income Minnesotans. At the same time, it offers reasons for optimism. First, it confirms that free legal aid services can and do make a critical difference in ensuring that low-income persons have the basic necessities to which they are entitled. Second, it reminds us that legal aid organizations are not operating in a void. Across all four regions, provider and low-income respondents expressed appreciation for strong community bonds, a desire for healthy and welcoming neighborhoods and an abhorrence of social isolation. Interview results reflect significant agreement among providers and low-income respondents that strong communities need healthy, safe, well-housed and educated residents. Overwhelmingly, the low-income respondents of working age struggle to get and keep jobs -- work is valued. Grounding advocacy and public policy on those areas of widespread agreement -- which we hope and expect resonate for many Minnesotans -- should provide a strong foundation for whittling away at the significant barriers facing our low-income neighbors and at the judgmental attitudes that stigmatize them. We hope that this Study will be useful for legal aid and other organizations as they consider how they can best use their limited resources to overcome barriers to poverty, ensure access to justice and strengthen the social fabric upon which we all depend.

OVERCOMING BARRIERS THAT PREVENT LOW-INCOME PERSONS FROM RESOLVING CIVIL LEGAL PROBLEMS

A Study Prepared for the Legal Assistance to the Disadvantaged Committee of
the Minnesota State Bar Association

APPENDICES

September, 2011

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Team Members

Hannah Lieberman

John Tull

Rossana Armson & University of Minnesota Center for Survey Research

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Provider Survey Instrument

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Provider Survey Results

APPENDIX ONE

TEAM MEMBERS

Hannah Lieberman, Project Manager

Project Manager Hannah Lieberman has over sixteen years of experience directing the advocacy of two federally funded legal services programs -- Community Legal Services (Arizona) and Maryland's statewide Legal Aid Bureau (LAB), with its staff of over 130 attorneys. Her programs covered urban, suburban and rural communities, supported migrant and seasonal farm worker and urban Indian units and developed projects to address the needs of youth, seniors, ex-offenders, non-custodial parents, institutionalized and geographically isolated persons, as well as those with physical or mental disabilities, language barriers and cultural differences. Prior to joining legal services, she was a litigation Partner in a large Washington, D.C. law firm.

Ms. Lieberman has led multi-forum advocacy efforts (including complex litigation) in a variety of areas, including housing, health care, employment, consumer, juvenile rights and public benefits. At LAB, she spearheaded the design and implementation of a comprehensive, multi-faceted examination of the unmet needs of low-income populations in Maryland, and helped structure the ensuing strategic planning process to reexamine the program's service delivery system in light of the findings.

Ms. Lieberman currently runs her own consulting company that focuses on helping legal aid and public interest law firms strengthen the quality and impact of their advocacy. She also provides evaluation, strategic planning and litigation and supervision skills training to legal aid programs and members of their staffs.

Ms. Lieberman was responsible for the overall coordination of team efforts. She (1) coordinated the involvement of Minnesota program staff in Study activities; (2) conducted staff focus groups; (3) developed the analysis supporting the selection of the regions for the in-depth examination; (4) coordinated the analysis of the information regarding populations and barriers; (6) developed recommendations regarding advocacy, service delivery and other strategies to overcome identified barriers; (7) conducted focus groups with stakeholders to identify strategies to overcome barriers; and (8) lead the preparation of and was the principal author of the final report.

John A. Tull

Mr. Tull has 37 years of experience in legal aid work. He served as a staff attorney and then as Executive Director of Southern Arizona Legal Aid (SALA), which delivered services to sparsely populated and isolated rural counties and several Native American reservations. Since 1984, he

has worked as a private consultant assisting legal aid programs and funders, with the exception of a 4 1/2 year period when he served as Director and Vice President for Program Operations at the Legal Services Corporation.

Mr. Tull has extensive experience developing standards and best practices for the delivery of legal aid to low-income persons and communities. He was the Reporter to the American Bar Association in 1986 when it adopted *Standards for Providers of Civil Legal Services to the Poor*, and again in 2006 when it adopted *Standards for the Provision of Civil Legal Aid*. He was also Reporter to the ABA when it considered and adopted *Standards for the Monitoring and Evaluation of Providers of Legal Aid to the Poor* in 1991.

Mr. Tull has extensive experience assessing legal aid programs and guiding strategic planning processes to increase their capacity to respond strategically to the legal needs of low income communities. Mr. Tull is experienced in working with different cultural and language groups and is fluent in Spanish.

Mr. Tull: (1) provided guidance throughout the course of the project; (2) conducted staff focus groups; (3) participated in interview data analyses; (4) developed recommendations regarding advocacy, service delivery and other strategies to overcome identified barriers; (3) conducted focus groups with stakeholders to identify strategies to overcome barriers; and (4) helped with the writing of the final Report.

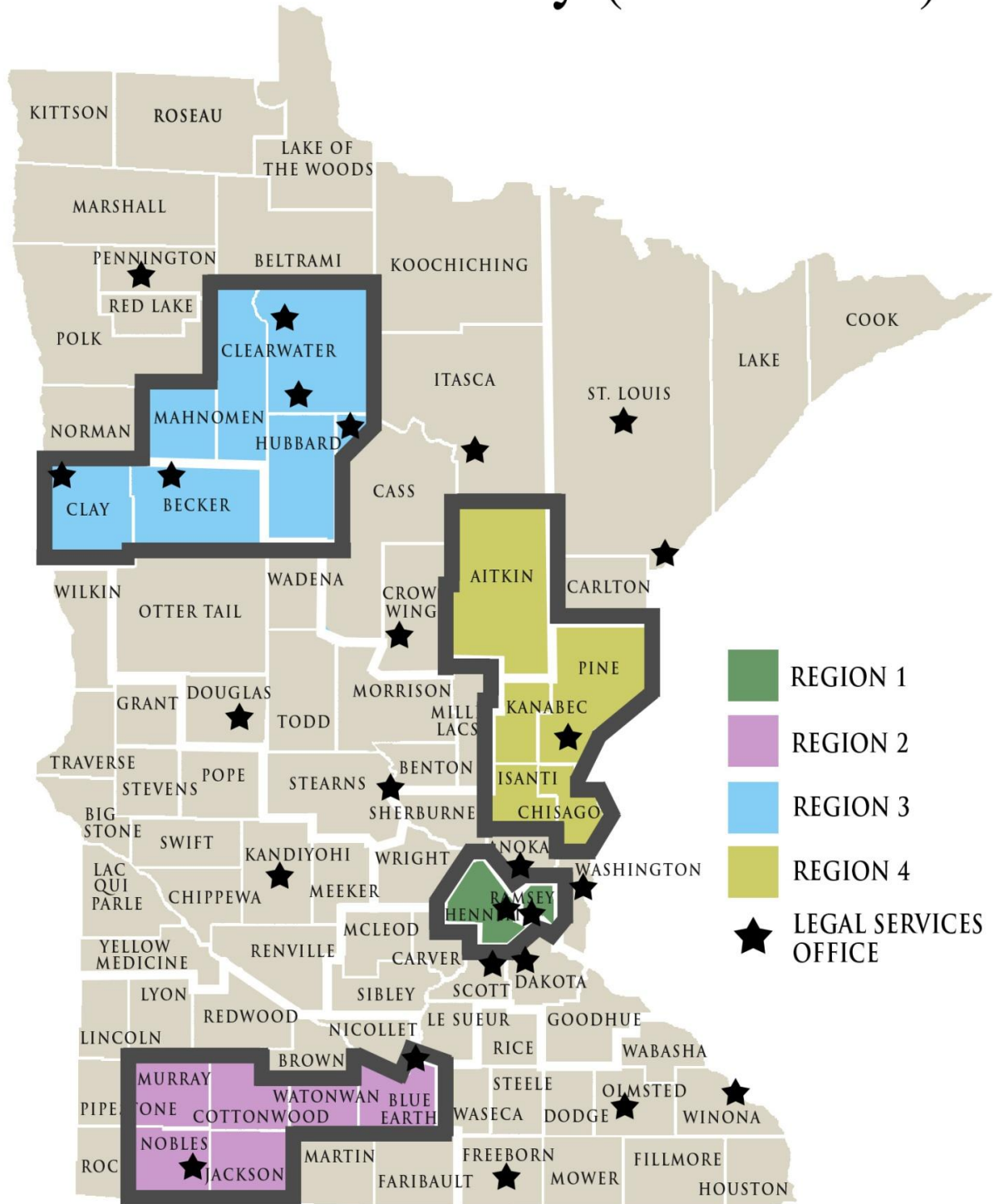
Rossana Armson & The Minnesota Center for Survey Research

Rossana Armson has been affiliated with the Minnesota Center for Survey Research (Center) since 1982, and has been its Director since 1991. She has coordinated client contact, questionnaire development, and data collection for numerous projects completed by the Center. Projects at the Center have utilized various data collection methods, including telephone surveys, personal interviews, mail surveys, on-line surveys, and focus groups. She has conducted surveys involving a number of the populations that this Study sought to identify. Ms. Armson has experience with both quantitative and qualitative survey methodology.

Ms. Armson (1) consulted regarding the selection of geographic areas to recommend for the in-depth examination; (2) developed the survey instruments; (3) trained the interviewers; and (4) trained and supervised staff at the Center who compiled the interview data and transcribed the completed interviews.

APPENDIX TWO

Regions for Minnesota Client Access and Barriers Study (MN-CABS)



APPENDIX THREE

Low-income Respondents Survey

MINNESOTA CLIENT ACCESS STUDY

9/23/10

INTRODUCTION

- A. Hello, my name is _____. I came here today to talk to people about the kinds of problems they have in their lives and that they see in their communities and about the use of legal services. Do you have about 15 minutes to answer some questions for me?
- B. Your answers will be combined with a lot of other people's, so you can't be identified in any way. If there are questions you don't care to answer, we'll skip over them. Okay, let's begin.

A. ELIGIBILITY

The first questions are about your household.

QA1. How many people live in your household, including yourself?

NUMBER: ____ ____ (IF ONE, SKIP TO 2)

88 DK
99 REF

a. (IF MORE THAN ONE) How many children under 18 live in your household?

NUMBER: ____ ____

88 DK
99 REF

(INTERVIEWER: Circle the answer the person gave to QA1 in this table and use the INCOME VALUE in QA2.)

QA1 answer	1	2	3	4	5	6	7	8	9	10
Income Value	\$21,000	\$29,000	\$36,000	\$44,000	\$51,000	\$59,000	\$66,000	\$74,000	\$81,000	\$89,000

QA2. Was your total household income for 2009 before taxes above or below (INCOME VALUE)?
(Circle one answer)

1. Above (IF ABOVE) I'm sorry, but you don't meet the qualifications for the study.
Thank you for being willing to talk to me.

- 2. Below
- 8. DK
- 9. REF

B. YOUR PROBLEMS/YOUR COMMUNITY

QB1. First, I'm going to read a list of areas in which some people experience problems. For each one, just tell me if YOU have had problems in that area and, if so, what the problems were. (Circle one answer for each area)

		PROBLEM	NOT A PROBLEM	DK	REF
A.	Law enforcement	1	2	8	9
B.	Immigration	1	2	8	9
C.	Domestic violence or abuse	1	2	8	9
D.	Public safety	1	2	8	9
E.	Discrimination	1	2	8	9
F.	Transportation	1	2	8	9
G.	Education for you or your children	1	2	8	9
H.	Health care	1	2	8	9
I.	Employment or job training	1	2	8	9
J.	Housing	1	2	8	9
K.	Daycare	1	2	8	9
L.	Family	1	2	8	9
M.	Consumer issues	1	2	8	9
N.	Social services, such as Food Stamps, General Assistance, or welfare	1	2	8	9
O.	Any other areas	1	2	8	9

NOTES ABOUT WHAT THE PROBLEMS WERE (START WITH THE LETTER THAT IDENTIFIED THE PROBLEM ON THE LIST IN QB1):

QB2. Which of these problems, if they could be changed, would make your life better?

QB3. What are the strengths of your community? What is good about your community?

QB4. What are the things in your community that should be improved?

C. USE OF LEGAL SERVICES

The next questions are about legal services that you might have used.

QC1. Have you ever TRIED to find a lawyer or to get legal help? (Circle one answer)

- 1. Yes
- 2. No (IF NO, SKIP TO 2)
- 8. DK (IF DK, SKIP TO 2)
- 9. REF (IF REF, SKIP TO 2)

a. (IF YES) What did you do to TRY to get legal help? (PROBE FOR TWO ANSWERS)

b. (IF YES) What was the most difficult problem that made you TRY to get legal help?

c. (IF YES) Did you RECEIVE any legal help? (Circle one answer) From where?

- 01. Yes, from a free legal aid program (SPECIFY) _____
- 02. Yes, from a lawyer I paid
- 03. Yes, from a private lawyer who helped me for free
- 04. Yes, from a community organization
- 05. Yes, through my church or other religious organization
- 06. Yes, from a self-help clinic
- 07. Yes, from a website
- 08. Yes, from a hotline that provides answers to questions
- 09. Yes, a friend who is NOT a lawyer told me what to do
- 10. Yes, from some other place (SPECIFY) _____
- 11. No (IF NO, SKIP TO 2)
- 88. DK (IF DK, SKIP TO 2)
- 99. REF (IF REF, SKIP TO 2)
- . NOT ASKED

d. (IF YES) Did the lawyer help you to understand your legal problem? (Circle one answer)

- 1. Yes
- 2. No
- 8. DK
- 9. REF
- . NOT ASKED

e. (IF YES) Did the lawyer give you advice? (Circle one answer)

- 1. Yes, and it helped me resolve my legal problem
- 2. Yes, but it did NOT help me resolve my legal problem
- 3. No
- 8. DK
- 9. REF
- . NOT ASKED

f. (IF YES) Did the lawyer solve your legal problem for you? (Circle one answer)

- 1. Yes, provided limited assistance (made a call, helped you fill out papers)
- 2. Yes, went to court for you
- 3. Yes, negotiated a solution to the problem
- 4. Yes, other (SPECIFY) _____
- 5. No
- 8. DK
- 9. REF
- . NOT ASKED

g. (IF YES) How satisfied were you with the legal services that you received . . . very satisfied, somewhat satisfied, not very satisfied, or not at all satisfied? (Circle one answer)

- 1. Very satisfied (IF VERY SATISFIED, SKIP TO 2)
- 2. Somewhat satisfied (IF SOMEWHAT SATISFIED, SKIP TO 2)
- 3. Not very satisfied
- 4. Not at all satisfied
- 8. DK (IF DK, SKIP TO 2)
- 9. REF (IF REF, SKIP TO 2)
- . NOT ASKED

h. (IF YES) Tell me more about why you were NOT satisfied.

QC2. Have you ever had a problem where a lawyer might have been helpful but you did NOT seek legal help? (Circle one answer)

- 1. Yes
- 2. No (IF NO, SKIP TO 3)
- 8. DK (IF DK, SKIP TO 3)
- 9. REF (IF REF, SKIP TO 3)

a. (IF YES) Why didn't you seek legal help?

QC3. Have you heard of legal aid, legal services, or services that provide a lawyer to low-income or elderly people for free? (Circle one answer)

- 1. Yes
- 2. No (IF NO, SKIP TO 4)
- 8. DK (IF DK, SKIP TO 4)
- 9. REF (IF REF, SKIP TO 4)

a. (IF YES) What was the name of the program that you heard about or where was it located?

b. (IF YES) As far as you know, what kinds of services do free legal programs provide?

c. (IF YES) If you needed help with a problem you were having trouble solving on your own, how likely would you be to contact a free legal program for help . . . very likely, somewhat likely, or not very likely? (Circle one answer)

- 1. Very likely
- 2. Somewhat likely
- 3. Not very likely
- 8. DK (IF DK, SKIP TO 4)
- 9. REF (IF REF, SKIP TO 4)
- . NOT ASKED

c-1. (IF VERY LIKELY OR SOMEWHAT LIKELY) Why would you be likely to contact them for help?

c-2. (IF NOT VERY LIKELY) Why would you NOT contact them for help?

QC4. Have you ever TRIED to get help from a free legal program? (Circle one answer)

1. Yes
2. No (IF NO, SKIP TO 5)
8. DK (IF DK, SKIP TO 5)
9. REF (IF REF, SKIP TO 5)

a. (IF YES) What was the name of the program that you tried to get help from or where was it located?

b. (IF YES) What was the problem that made you TRY to get help from the free legal program? (IF IT WAS THE SAME PROBLEM THEY TOLD YOU ABOUT EARLIER IN QC1b, WRITE 'SAME PROBLEM' AND SKIP TO 5)

c. (IF YES) Did you RECEIVE any help from them? (Circle one answer)

1. Yes
2. No (IF NO, SKIP TO 5)
8. DK
9. REF
- . NOT ASKED

d. (IF YES) Did the lawyer help you to understand your legal problem? (Circle one answer)

1. Yes
2. No
8. DK
9. REF
- . NOT ASKED

e. (IF YES) Did the lawyer give you advice? (Circle one answer)

1. Yes, and it helped me resolve my legal problem
2. Yes, but it did NOT help me resolve my legal problem
3. No
8. DK
9. REF
- . NOT ASKED

f. (IF YES) Did the lawyer solve your legal problem for you? (Circle one answer)

1. Yes, provided limited assistance (made a call, helped you fill out papers)
2. Yes, went to court for you

- 3. Yes, negotiated a solution to the problem
- 4. Yes, other (SPECIFY) _____
- 5. No
- 8. DK
- 9. REF
- . NOT ASKED

g. (IF YES) How satisfied were you with the services that you received . . . very satisfied, somewhat satisfied, not very satisfied, or not at all satisfied? (Circle one answer)

- 1. Very satisfied (IF VERY SATISFIED, SKIP TO 5)
- 2. Somewhat satisfied (IF SOMEWHAT SATISFIED, SKIP TO 5)
- 3. Not very satisfied
- 4. Not at all satisfied
- 8. DK (IF DK, SKIP TO 5)
- 9. REF (IF REF, SKIP TO 5)
- . NOT ASKED

h. (IF YES) Tell me more about why you were NOT satisfied.

QC5. Back at the very beginning of this survey we talked about areas in which some people experience problems. I'd like to ask you now about whether you think there are GROUPS of other people in your community who have problems, including those types of problems that we talked about at the beginning of the survey.

What groups of people in your community are not getting the help they need with their problems?

QC6. What kinds of services or help do they need?

QC7. In your opinion, what could be done to make sure these groups of people in your community get the help they need?

D. BACKGROUND QUESTIONS

Before ending this interview, I have a few remaining background questions.

QD1. What county do you live in?

COUNTY NAME: _____

QD2. What is your zip code?

____ _

88888 DK
99999 REF

QD3. What year were you born?

____ _

8888 DK
9999 REF

QD4. What is the highest level of school you have completed? (DO NOT READ LIST. CLARIFY 'HIGH SCHOOL' OR 'COLLEGE') (Circle one answer)

01. Less than high school
02. Some high school
03. High school graduate
04. Some technical school
05. Technical school graduate
06. Some college
07. College graduate (Bachelor's degree, BA, BS)
08. Post-graduate or professional degree (Master's, Doctorate, MS, MA, PhD, Law degree, medical degree)
09. Other (SPECIFY) _____
88. DK
99. REF

QD5. Do you own or rent, or do you have some other type of housing arrangement? (Circle one answer)

1. Own a house, duplex, condo (IF OWN, SKIP TO 6)
 2. Own a mobile home/trailer house (IF OWN, SKIP TO 6)
 2. Rent (IF RENT, SKIP TO 6)
 3. Other
 4. Incarcerated in prison or jail (IF INCARCERATED, SKIP TO 6)
 8. DK (IF DK, SKIP TO 6)
 9. REF (IF REF, SKIP TO 6)
- a. (IF OTHER TYPE OF HOUSING ARRANGEMENT) Do you live in a group home, a shelter, in housing that is provided by your employer, an institution such as a nursing home, assisted living, a halfway house, or a veteran's home, or do you not have a regular place to live? (Circle one answer)
1. Group home
 2. Shelter (DV, homeless, youth, other)
 3. Employer-provided (including migrant or farm camp)
 4. Institution (nursing home, assisted living, half-way house, vets home)
 5. No regular place to live (homeless, staying with friends or relatives)
 8. DK
 9. REF
 - . NOT ASKED

QD6. Are you employed full-time or part-time? (Circle one answer)

1. Yes, full-time
2. Yes, part-time
3. Yes, both
4. No
8. DK
9. REF

QD7. In the last year, have you had trouble 'making ends meet'? (Circle one answer)

1. Yes
2. No
8. DK
9. REF

QD8. In the last year, has your household skipped or delayed a payment or had to use a credit card to pay for basic living expenses such as your rent, mortgage, heat, or electricity? (Circle one answer)

1. Yes, skipped or delayed a payment
2. Yes, used a credit card
3. No
8. DK
9. REF

QD9. Do you have a disability of any kind? (Circle one answer)

1. Yes
2. No (IF NO, SKIP TO 10)
8. DK (IF DK, SKIP TO 10)
9. REF (IF REF, SKIP TO 10)

a. (IF YES) Is it a physical disability or a mental disability? (Circle one answer)

1. Physical
2. Mental
3. Both
8. DK
9. REF
- . NOT ASKED

QD10. In the past year, has your household received income from any of the following sources?
 (Circle one answer for each item)

(PROBE: In the past year, has your household received income from _____?)

	Yes	No	DK	REF
a. Employment	1	2	8	9
b. Retirement income, including Social Security, pension, Veterans benefits, railroad retirement	1	2	8	9
c. Savings or investments	1	2	8	9
d. Social Security Disability, also called SSD, or Supplemental Security Income, also called SSI	1	2	8	9
e. Public assistance or welfare	1	2	8	9
f. Unemployment benefits	1	2	8	9
g. Friends or family	1	2	8	9
h. Any other source (SPECIFY) _____	1	2	8	9

QD11. What race do you consider yourself? (DO NOT READ LIST UNLESS NEEDED)
 (Circle one answer)

1. White or Caucasian
2. Black or African-American
3. American Indian → → What tribe are you a member of? _____
4. Asian or Pacific Islander
5. Hispanic
6. Other (specify) _____
8. DK
9. REF

QD12. Are you a United States citizen? (Circle one answer)

- 1. Yes (IF YES, SKIP TO 13)
- 2. No
- 8. DK
- 9. REF

a. (IF NO) How many years have you lived in the United States?

YEARS: ____ ____

- 88 DK
- 99 REF
- . NOT ASKED

b. (IF NO) What country are you from? (Circle one answer)

- 01. Cambodia
- 02. China
- 03. Ethiopia
- 04. Laos
- 05. Somalia
- 06. Sudan
- 07. Vietnam
- 08. Other (SPECIFY) _____
- 88. DK
- 99. REF
- . NOT ASKED

c. (IF NO) Remember, everything that you tell me is confidential, but if you don't want to answer this question, just tell me so. Are you in the United States legally or not? (Circle one answer)

- 1. Yes
- 2. No
- 8. DK
- 9. REF
- . NOT ASKED

QD13. Thank you very much for answering all of these questions. I really appreciate it.

(AFTER THE INTERVIEW IS COMPLETED)

QD14. Was the respondent male or female? (Circle one answer)

- 1. Male
- 2. Female
- 9. REF

QD15. Where did the interview take place? (Circle one answer)

- 01. Community center
- 02. Places youth gather (formal and informal centers, other places likely to meet low-income youth)
- 03. Low-income housing complexes, mobile home parks
- 04. Tenant associations/resident councils
- 05. Shelter (homeless shelter, Domestic Violence shelter, other type of shelter)
- 06. Senior center
- 07. Church
- 08. Food bank
- 09. Community health clinic
- 10. Social service waiting room, if permitted and if conducive to a conversation
- 11. Places people congregate in farming communities
- 12. Legal aid waiting area (limit the number here because we want to get beyond the people who find legal aid)
- 13. Prison/jail
- 14. Nursing home
- 15. Veterans' home
- 16. Other (please specify) _____

QD16. How many minutes did the interview take (from the time you approached this person until they answered the last question)?

MINUTES: ____ ____

- 88 DK
- 99 REF

QD17. Is there any reason we should treat the responses from this person with caution? (Circle one answer)

- 1. Yes (SPECIFY) _____
- 2. No

QD18. What region was this interview completed for? (Circle one answer)

1. Twin Cities metro area
2. Ex-urban area north of the Twin Cities
3. South Central
4. North

QD19. What date was this interview completed?

MONTH: ___ ___ DATE: ___ ___

QD20. What are your initials?

___ ___ ___

APPENDIX FOUR

Provider Survey

MINNESOTA CLIENT ACCESS STUDY - SERVICE PROVIDERS

9/20/10

INTRODUCTION

- A. Hello, my name is _____ and I'm doing a survey on behalf of the Minnesota State Bar Association to find out how legal aid services are doing when it comes to meeting the needs of low income populations in this area. We are particularly interested in low-income populations that are very hard to reach or who may be underserved. The survey will take about fifteen minutes and I'd like to talk to a person who is knowledgeable about the needs of your organization's low income clients. (OPTIONAL: Could I schedule an appointment to meet with him/her?)
- B. Your answers will be combined with a lot of other people's, so you can't be identified in any way. If there are questions you don't care to answer, we'll skip over them. Okay, let's begin.

The first questions are to help me learn more about your organization.

Q1. What kind of services does your organization provide to low income people?

Q2. What are the CHARACTERISTICS of the low income people that your organization serves?

- a. Ethnicity:
- b. Age:

c. Language(s) other than English:

d. Other characteristics:

Q3. Do the low income people that your organization serves have specific needs in the following substantive areas? (Circle one answer for each area)

	YES	NO	DK	REF
A. Law enforcement	1	2	8	9
B. Immigration	1	2	8	9
C. Domestic violence	1	2	8	9
D. Public safety	1	2	8	9
E. Discrimination	1	2	8	9
F. Transportation	1	2	8	9
G. Education for you or your children	1	2	8	9
H. Health care	1	2	8	9
I. Employment or job training	1	2	8	9
J. Housing	1	2	8	9
K. Daycare	1	2	8	9
L. Family	1	2	8	9
M. Consumer issues	1	2	8	9
N. Social services, such as Food Stamps, General Assistance, or welfare	1	2	8	9
O. Any other areas	1	2	8	9

NOTES ABOUT WHAT THE NEEDS WERE (START WITH THE LETTER THAT IDENTIFIED THE PROBLEM ON THE LIST IN Q3):

Q4. What are the factors that keep those needs from being met?

Q5. In your opinion, which of the low income populations in your geographic area that are listed on this page are disproportionately underserved? (HAND THEM THE SEPARATE PAGE)

Q6. For those you have identified as underserved, what additional factors keep THEIR needs from being met, that you haven't already mentioned?

Q7. Have you heard of legal aid, legal services, or services that provide a lawyer free to low-income or elderly people in this geographic area? (Circle one answer)

- 1. Yes
- 2. No (IF NO, SKIP TO 8)
- 8. DK (IF DK, SKIP TO 8)
- 9. REF (IF REF, SKIP TO 8)

a. (IF YES) What are the names of the programs that you heard about or where were they located?

b. (IF YES) As far as you know, what kinds of services do they provide?

c. (IF YES) How familiar are you with these free legal programs . . . very familiar, somewhat familiar, or not very familiar? (Circle one answer)

- 1. Very familiar
- 2. Somewhat familiar
- 3. Not very familiar
- 8. DK
- 9. REF
- . NOT ASKED

d. (IF YES) In your opinion, how effective are these free legal programs in solving the problems that low income people have . . . very effective, somewhat effective, or not very effective? (Circle one answer)

- 1. Very effective
- 2. Somewhat effective
- 3. Not very effective
- 8. DK
- 9. REF
- . NOT ASKED

e. (IF YES) How often does your organization refer people to these free legal programs . . . all the time, once in a while, rarely, or never? (Circle one answer)

1. All the time
2. Once in a while
3. Rarely
4. Never
8. DK
9. REF
- . NOT ASKED

f. (IF YES) Can you tell me more about that?

g. (IF YES) What other kinds of communication or what other relationship does your organization have with these free legal programs?

Q8. What suggestions do you have for things free legal programs could do to help meet the needs of low income people?

Q9. Does your organization have a statistical breakdown of client characteristics that is available in an existing report that I could get a copy of? (Circle one answer)

1. Yes
2. No
8. DK
9. REF

Thank you very much for answering all of these questions. I really appreciate it.

(AFTER THE INTERVIEW IS COMPLETED)

Q10. What type of organization was this? (Circle one answer)

01. Education (Title I schools, Head Start programs, libraries)
21. GED Centers, Vocational education programs
02. Youth (youth centers, group homes, foster homes, "safe" shelters, juvenile facilities)
03. Health (clinics, mental health clinics, hospitals, rehab centers)
04. Community Action Agencies
05. Shelters (Domestic violence, homeless, transitional)
06. Housing Inspectors, Section 8, Housing Authority
07. Tenant organizations
08. Community organizations (churches, community centers)
09. 4-H centers, other meeting places in rural, agricultural communities
10. Senior Centers, nursing homes
11. Veterans homes
12. Law enforcement
13. Reentry programs
14. Prisons, jails
15. Employment (Unemployment offices, welfare-to-work programs, one-stop centers)
16. Job training or job readiness programs
17. Organizations that serve the Lesbian/Gay/Bisexual/Transgender population
18. Organizations that assist immigrants, refugees
19. Organizations that help sex workers
20. Other (SPECIFY) _____

Q11. How many minutes did the interview take? ___ ___ MINUTES

Q12. What region was this interview completed for? (Circle one answer)

1. Twin Cities metro area
2. Urban area north of the Twin Cities
3. South Central
4. North

Q13. What date was this interview completed? MONTH: ___ ___ DATE: ___ ___

Q14. What are your initials? ___ ___ ___

WHICH LOW INCOME POPULATIONS IN YOUR GEOGRAPHIC AREA ARE UNDERSERVED?

01. Working poor
02. Recently unemployed (newly poor)
03. Illiterate/low literacy/limited education

04. Low-wage workers
05. Persons who do not speak English
06. Refugees or other discrete non-citizen groups
07. Undocumented persons (victims of abuse/domestic violence who are undocumented)
08. Persons whose cultural background may inhibit their knowledge/ability to access legal services (beyond language)
09. Youth: disconnected youth, youth in foster care, older teens, LGBT youth, young parents (especially young, single moms), sex-trafficking youth (especially youth of color, immigrant youth), victims or witnesses to domestic violence, youth who parents were deported
10. LGBT adults
11. Seniors (LGBT seniors, Non-English speaking seniors, geographically isolated seniors)
12. Homebound persons
13. Migrant or seasonal workers
14. Native Americans
15. Persons with mental illnesses, other disabilities
16. Veterans, particularly dishonorably discharged vets
17. Persons in institutions (nursing homes, veterans homes, foster care group homes, prisons/jails/juvenile facilities)
18. Previously incarcerated persons
19. Persons in rural areas/geographic isolation
20. Social stigmas (sex workers, trafficked persons, victims of DV or sexual assault, HIV-positive persons/persons with AIDS, persons with other chronic diseases)
21. Persons with substance abuse problems
22. Farming families
23. Other (PLEASE DESCRIBE) _____

APPENDIX FIVE

Results for low income respondents

INCOME GUIDELINES APPLIED TO SCREEN LOW-INCOME INTERVIEWEES

Interviewers were instructed to apply the following guidelines for income screening. They were permitted to use some discretion, so that someone with income slightly above these levels could be included in the sample set.

Household Size	1	2	3	4	5	6	7	8	9	10
Income	\$21,000	\$29,000	\$36,000	\$44,000	\$51,000	\$59,000	\$66,000	\$74,000	\$81,000	\$89,000

RESPONSES OF LOW-INCOME PERSONS TO CLOSE-ENDED QUESTIONS

DEMOGRAPHIC INFORMATION

Gender:

<u>Freq.</u>	<u>(%)</u>	
155	(42)	Male
207	(56)	Female
8		BLANK

Year of birth:

Year	Frequency	Percent
1917	1	.3
1924	1	.3
1925	3	.8
1926	2	.5
1927	2	.5
1928	3	.8

1931	2	.5
1932	3	.8
1933	1	.3
1934	2	.5
1935	1	.3
1936	4	1.1
1937	3	.8
1939	3	.8
1940	2	.5
1941	7	1.9
1942	2	.5
1943	2	.5
1944	4	1.1
1945	3	.8
1946	3	.8
1947	7	1.9
1948	4	1.1
1949	7	1.9
1950	4	1.1
1951	4	1.1
1952	2	.5
1953	6	1.6
1954	5	1.4
1955	3	.8
1956	9	2.4
1957	7	1.9

1958	9	2.4
1959	7	1.9
1960	9	2.4

1961	6	1.6
1962	5	1.4
1963	8	2.2
1964	8	2.2
1965	12	3.2
1966	8	2.2
1967	9	2.4
1968	7	1.9
1969	12	3.2
1970	4	1.1
1971	3	.8
1972	7	1.9
1973	7	1.9
1974	4	1.1
1975	6	1.6
1976	5	1.4
1977	13	3.5
1978	7	1.9
1979	3	.8
1980	7	1.9
1981	4	1.1
1982	7	1.9
1983	8	2.2
1984	8	2.2
1985	8	2.2
1986	7	1.9
1987	11	3.0
1988	9	2.4
1989	5	1.4

--	--	--

	1990	3	.8
	1991	9	2.4
	1992	2	.5
	1993	2	.5
	1994	2	.5
	1995	1	.3
	Total	366	99.5
Missing	System	4	1.1
Total		370	100.6

Household size:

Number	Frequency
1	135
2	67
3	57
4	33
5	37
6	17
7	5
8	7
9	5
10	4
DK	3
Total	370

Number of Children in Household

Number	Frequency
0	64
1	55
2	51
3	29
4	8
5	3
6	7
7	1
8	1
9	1
Total	220
Missing System	150
Total	370

Race (self-identified):

<u>Freq</u>	<u>(%)</u>	
179	(48)	White or Caucasian
58	(16)	Black or African-American
56	(15)	American Indian
19	(5)	Asian or Pacific Islander
47	(13)	Hispanic
6	(2)	Other
0	(-)	Don't Know
2	(1)	Refused to Answer
3		BLANK

United States citizen:

Freq (%)
321 (87) Yes
45 (12) No
1 (0) Don't Know
0 (-) Refused to Answer
3 BLANK

Country of origin (non-citizens):

0 (-) Cambodia
0 (-) China
0 (-) Ethiopia
1 (2) Laos
9 (20) Somalia
0 (-) Sudan
3 (7) Vietnam
7 (16) Other
18 (40) Mexico
7 (16) Guatemala
0 (-) Don't Know
0 (-) Refused to Answer
320 NOT ASKED

In the United States legally (for non-citizen respondents):

17 (44) Yes
17 (44) No
1 (3) Don't Know
4 (10) Refused to Answer
326 NOT ASKED

Years Lived in the US:

Years	Frequency	Percent
1	2	.5
2	2	.5
3	1	.3

4	1	.3
5	3	.8
6	4	1.1
7	2	.5
8	4	1.1
9	3	.8
10	5	1.4
11	2	.5
14	2	.5
15	2	.5
16	1	.3
18	1	.3
19	1	.3
20	2	.5
21	1	.3
22	1	.3
25	1	.3
26	1	.3
30	2	.5
33	1	.3
Total	45	12.3

Highest level of school completed:

<u>Freq</u>	<u>(%)</u>	
44	(12)	Less than high school
47	(13)	Some high school
124	(34)	High school graduate
21	(6)	Some technical school
19	(5)	Technical school graduate
79	(21)	Some college
25	(7)	College graduate (Bachelor's degree, BA, BS)
4	(1)	Post-graduate or professional degree (Master's, Doctorate, MS, MA, PhD, Law degree, medical degree)
0	(-)	Other
0	(-)	Don't Know
2	(1)	Refused to Answer
5		BLANK

Have a disability:

134	(36)	Yes
225	(61)	No
3	(1)	Don't Know
2	(1)	Refused to Answer
6		BLANK

Type of disability:

68	(52)	Physical
27	(21)	Mental
34	(26)	Both
0	(-)	Don't Know
2	(2)	Refused to Answer
237		NOT ASKED

Housing arrangement:

69	(19)	Own a house, duplex, condo
190	(51)	Rent
91	(25)	Other
0	(-)	Incarcerated in prison or jail
14	(4)	Own a mobile home/trailer house
0	(-)	Don't Know
2	(1)	Refused to Answer
4		BLANK

For "other" type of housing arrangement:

4	(5)	Group home
46	(53)	Shelter (DV, homeless, youth, other)
4	(5)	Employer-provided (including migrant or farm camp)
4	(5)	Institution (nursing home, assisted living, half-way house, vets home)
28	(32)	No regular place to live (homeless, staying with friends or relatives)
0	(-)	Don't Know
1	(1)	Refused to Answer
279		NOT ASKED

Employment status:

<u>Freq</u>	<u>(%)</u>	
57	(15)	Employed full-time
86	(23)	Employed part-time
7	(2)	Employed full and part-time
214	(58)	Not employed
1	(0)	Don't Know
1	(0)	Refused to Answer
4		BLANK

Income sources:

	Yes 1	No 2	DK 8	REF 9	BLANK	
a. Employment	227 (63)	134 (37)	0 (-)	0 (-)	9	Freq (%)
b. Retirement income, including Social Security, pension, Veterans benefits, railroad retirement	77 (22)	279 (79)	2 (1)	0 (-)	12	
c. Savings or investments	46 (13)	306 (87)	3 (1)	1 (0)	14	
d. Social Security Disability, also called SSD, or Supplemental Security Income, also called SSI	91 (25)	268 (75)	0 (-)	0 (-)	11	
e. Public assistance or welfare	176 (50)	179 (50)	2 (1)	1 (0)	12	
f. Unemployment benefits	60 (17)	298 (84)	2 (1)	0 (-)	10	
g. Friends or family	119 (33)	237 (67)	1 (0)	1 (0)	12	

h. Any other source (SPECIFY) _____	27	216	6	0	121
	(11)	(87)	(2)	(-)	

Have had trouble 'making ends meet' in the last year:

263 (71) Yes

98 (26) No

3 (1) Don't Know

2 (1) Refused to Answer

4 BLANK

Household has skipped or delayed a payment or had to use a credit card to pay for basic living expenses such as rent, mortgage, heat, or electricity:

131 (35) Yes, skipped or delayed a payment

19 (5) Yes, used a credit card

189 (51) No

16 (4) Yes, both

7 (2) Don't Know

4 (1) Refused to Answer

4 BLANK

Location of interview:

54 (15) Community center

10 (3) Places youth gather (formal and informal centers, other places likely to meet low-income youth)

22 (6) Low-income housing complexes, mobile home parks

2 (1) Tenant associations/resident councils

64 (18) Shelter (homeless shelter, Domestic Violence shelter, other type of shelter)

15 (4) Senior center

6 (2) Church

17 (5) Food bank

3 (1) Community health clinic

17 (5) Social service waiting room, if permitted and if conducive to a conversation

2 (1) Places people congregate in farming communities

3 (1) Legal aid waiting area

0 (-) Prison/jail

0 (-) Nursing home

0 (-) Veterans' home

147 (40) Other

7 BLANK

Region for which interview completed:

104 (28) Twin Cities metro area
90 (24) Ex-urban area north of the Twin Cities
76 (21) South Central
100 (27) North

County of residence:

County	Frequency	Percent
Aitkin	20	5.4
Anoka	4	1.1
Becker	8	2.2
Beltrami	25	6.8
Blue Earth	21	5.7
Cass	8	2.2
Chisago	14	3.8
Clay	39	10.5
Clearwater	5	1.4
Cottonwood	5	1.4
Dakota	1	.3
Hennepin	77	20.8
Hubbard	9	2.4
Isanti	10	2.7
Jackson	8	2.2
Kanabec	20	5.4
Le Sueur	1	.3
Mahnomen	3	.8

	Martin	2	.5
	Murray	8	2.2
	Nicollet	7	1.9
	Nobles	13	3.5
	Pine	25	6.8
	Pipestone	1	.3
	Polk	1	.3
	Ramsey	21	5.7
	Stearns	1	.3
	Watonwan	6	1.6
	Wilkin	1	.3
	Total	364	98.8
Missing	System	6	1.6
Total		370	100.4

AREAS IN WHICH LOW-INCOME RESPONDENTS HAVE EXPERIENCED PROBLEMS

		PROBLEM 1	NOT A PROBLEM 2	DK 8	REF 9	BLANK .	
A.	Law enforcement	96 (26)	263 (71)	6 (2)	1 (0)	4	Freq (%)
B.	Immigration	30 (8)	329 (89)	6 (1)	0 (-)	4	
C.	Domestic violence or abuse	88 (24)	274 (74)	2 (1)	0 (-)	5	
D.	Public safety	44 (12)	306 (83)	10 (3)	0 (-)	9	
E.	Discrimination	103 (28)	255 (69)	6 (2)	0 (-)	6	
F.	Transportation	129 (35)	231 (62)	3 (1)	0 (-)	6	
G.	Education for you or your children	66 (18)	292 (79)	3 (1)	0 (-)	8	
H.	Health care	136 (37)	222 (60)	4 (1)	0 (-)	7	
I.	Employment or job training	123 (33)	234 (63)	2 (1)	0 (-)	10	
J.	Housing	137 (37)	226 (61)	1 (0)	0 (-)	6	
K.	Daycare	24 (6)	321 (87)	13 (4)	3 (1)	8	
L.	Family	60 (16)	299 (81)	2 (1)	1 (0)	7	
M.	Consumer issues	63 (17)	289 (78)	8 (2)	0 (-)	8	
N.	Social services, such as Food Stamps, General Assistance, or welfare	106 (29)	246 (66)	9 (2)	0 (-)	8	

O.	Any other areas	27 (7)	243 (65)	12 (4)	0 (-)	88
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USE OF LEGAL SERVICES

Have respondents tried to get legal help of any kind:

204 (55) Yes
 164 (44) No
 0 (-) Don't Know
 2 (0) Refused to Answer

Methods respondents used to look for legal help:

Efforts made	Responses	
	N	Percent
Got referral from someone I know	19	8.0%
Contacted a lawyer referral service	3	1.3%
Looked in phone book	26	11.0%
Looked on internet	5	2.1%
Called number in newspaper, radio, or TV ad	4	1.7%
Contacted a legal aid program	64	27.0%
Contacted someone at court/courthouse	16	6.8%
Contacted FreeLawyers.com	1	.4%
Called 311	1	.4%
Went to government office	3	1.3%
Contacted social worker	4	1.7%
Talked to a lawyer	39	16.3%
No answer given	37	15.5%
Other	16	6.7%

Efforts made	Responses	
	N	Percent
Got referral from someone I know	19	8.0%
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Contacted someone at court/courthouse	16	6.8%
Contacted FreeLawyers.com	1	.4%
Called 311	1	.4%
Went to government office	3	1.3%
Contacted social worker	4	1.7%
Talked to a lawyer	39	16.3%
No answer given	37	15.5%
Other	16	6.7%
Total	238	100.0%

The most difficult problem for which respondents sought legal help:

Problem	Frequency	Percent
Discrimination, not including housing or employment	1	.5
Other civil rights issues	1	.5
Debt collection	1	.5
Bankruptcy	7	3.8
Cell phone	1	.5
Other consumer issues	3	1.7
Non-promotion, other placement issues	1	.5
Employment	1	.5
Not paid proper wages	1	.5
Wrongful termination	1	.5
Workers compensation	1	.5
Family	5	2.7
Custody	13	7.0
Child support	4	2.2
Domestic violence	6	3.2
Divorce	21	11.3
Paternity establishment	1	.5
Foster care/dependency/termination of parental rights	1	.5
OFP	2	1.1
Visitation	2	1.1

Other family issues	3	1.6
Health care	2	1.1
Lack of health insurance	1	.5
Other health care issues	1	.5
Housing	6	3.2
Eviction	3	1.6
Affordability	2	1.1
Foreclosure	1	.5
Security deposits	1	.5
Other housing issues	4	2.2

Immigration	4	2.2
Adjustment of immigration status	2	1.1
Other immigration issues	1	.5
Child involved in juvenile justice system	1	.5
Other juvenile issues	2	1.1
Public benefits/Income supports	1	.5
Unemployment	2	.5
Social Security	15	8.0
Food stamps	1	.5
Other	1	.5
Wills, trusts, estates, probate, powers of attorney, advanced directives	16	8.6
Other issues not elsewhere listed	42	22.6
Total	186	100.0

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Where respondents received legal help:

<u>Freq</u>	<u>(%)</u>	
53	(26)	From a free legal aid program
55	(27)	From a lawyer I paid
11	(5)	From a private lawyer who helped me for free
2	(1)	From a community organization
0	(-)	Through my church or other religious organization
2	(1)	From a self-help clinic
4	(2)	From a website
0	(-)	From a hotline that provides answers to questions
5	(2)	From a friend who is NOT a lawyer told me what to do
27	(13)	From some other place
43	(21)	No
1	(0)	Don't Know
1	(0)	Refused to Answer
166		NOT ASKED

Lawyer helped respondent understand the legal problem:

125	(81)	Yes
24	(16)	No
5	(3)	Don't Know
0	(-)	Refused to Answer
212		NOT ASKED

Lawyer gave advice:

103	(68)	Yes, and it helped me resolve my legal problem
25	(16)	Yes, but it did NOT help me resolve my legal problem
17	(11)	No
7	(5)	Don't Know
0	(-)	Refused to Answer
213		NOT ASKED

Lawyer solved the legal problem:

25	(16)	Yes, provided limited assistance (made a call, helped fill out papers)
42	(28)	Yes, went to court
32	(21)	Yes, negotiated a solution to the problem
14	(9)	Yes, other

32 (21) No
 7 (5) Don't Know
 0 (-) Refused to Answer
 213 NOT ASKED

Respondents' level of satisfaction with the legal services received:

Freq (%)
 87 (57) Very satisfied
 32 (21) Somewhat satisfied
 11 (7) Not very satisfied
 17 (11) Not at all satisfied
 5 (3) Don't Know
 0 (-) Refused to Answer
 213 NOT ASKED

Respondent had a problem for which a lawyer might have been helpful but for which the respondent did not seek legal help:

108 (29) Yes
 245 (66) No
 13 (3) Don't Know
 3 (1) Refused to Answer
 1 BLANK

Why respondent didn't seek legal help (multiple answers possible):

Reason	Responses	
	N	Percent
Didn't know help was available	22	18.2%
Didn't trust it/afraid	9	7.5%
Didn't think problems were legal in nature	1	.8%
Might make things worse	1	.8%
Could do it myself	7	5.8%
Cost	38	31.4%
Time	4	3.3%
No answer given	9	7.4%

Other	30	25.0%
Total	121	100.0%

Respondent has heard of legal aid, legal services, or services that provide a lawyer to low-income or elderly people for free:

<u>Freq</u>	<u>(%)</u>	
280	(76)	Yes
83	(22)	No
6	(2)	Don't Know
0	(-)	Refused to Answer
1		BLANK

Name (or location) of legal aid program about which respondent has heard:

Program	Number
Southern MN Regional Legal Services	8
St. Cloud Area Legal Services	6
Tubman/Chrysalis	1
Legal Rights Center	2
St. Paul, South Regional	1
CLUES	1
Government Service Center	2
Pro bono	2
Public defender	7
Homeline	1
Courthouse	2
Outside of MN (except ND)	9
Human Services	1
Catholic Charities	1

Hamaa (Hmong nonprofit)	1
Immigrant Law Center	1
Church, Union Gospel Mission	2
Mora MN orgs	1
Anishinabe Legal Services	18
NW Legal Services	9
ND Legal Services	7
DRS	1
Private individual or private firm	2
Legal aid, not specified	39
Legal aid, Brainerd	6
Legal aid, Minneapolis	19
Legal aid, Pine City	15
Legal aid, Cambridge	1
Legal aid, Metro area	1
Legal aid, St. Paul	3
Legal aid, NE MN	3
Legal aid, Worthington	10

Legal aid, Mankato	13
Legal aid, Bemidji	9
Legal aid, Moorhead	12
Legal aid, Mille Lacs	1
Legal aid, Anoka	1
Legal aid, Hennepin County	4

Legal aid, Ramsey County	1
Legal aid, Washington County	1
Legal aid, Chippewa County	1
Legal aid, Crow Wing County	1
Legal aid, Rochester	1
Legal aid, Aitkin County	2
Legal aid, Isanti County	2
Legal aid, Cass Lake	3
Urban League	1
Homeless Connect	1
Pacific Tel-n-tel	1
Leech Lake Reservation	1
Indian Legal Services, Duluth	1
Social Services, Moorhead	1
Total	241

Kinds of services that respondents identified as those free legal programs provide:

Identified Services	Responses	
	Number	Percent
Immigration	13	4.0%
Orders for Protection	3	.9%
Legal assistance	4	1.2%
Legal consultation	9	2.8%
Legal representation	2	.6%
Legal advice	24	7.5%

Help with social service problems	2	.6%
Help with health care problems	2	.6%
General services	29	9.0%
Housing issues	35	10.9%
Employment issues	3	.9%
Family issues	14	4.3%
Legislative advocacy	1	.3%
Custody	9	2.8%
Divorce	29	9.0%
All types of legal services	10	3.1%
Child support	11	3.4%
Domestic violence	6	1.9%
Criminal	11	3.4%
Consumer	2	.6%
Social security	9	2.8%
Free services	7	2.2%
Traffic issues/drivers license	4	1.2%
Tax	1	.3%
Disabilities	3	.9%
Defense attorney	2	.6%
Discrimination	4	1.2%
Seniors	3	.9%
Public benefits	9	2.8%
Debt	1	.3%
Civil matters	7	2.2%

Wills/health care directives/POA	6	1.9%
Welfare	5	1.6%
CHIPS	1	.3%
Supplemental Security Insurance (SSI)	3	.9%
Court forms	1	.3%
Referrals	1	.3%
Mediation	1	.3%
Low income	7	2.2%
Court issues	12	3.7%
Lawsuits	1	.3%
Help with paperwork	2	.6%
Information	1	.3%
Provide a lawyer	10	3.1%
Money issues	2	.6%
Total	322	100.0%

Likelihood respondent would contact a free legal program for help for a problem s/he was having trouble solving:

<u>Freq</u>	<u>(%)</u>	
137	(49)	Very likely
74	(26)	Somewhat likely
51	(18)	Not very likely
16	(6)	Don't Know
2	(1)	Refused to Answer
88		NOT ASKED

Respondent tried to get help from a free legal program:

<u>Freq</u>	<u>(%)</u>	
130	(35)	Yes
234	(63)	No

4 (1) Don't Know
 0 (-) Refused to Answer
 2 BLANK

Name or location of the program from which respondent sought assistance:

Program	Responses	
	N	Percent
Southern MN Regional Legal Services	4	3.3%
St. Cloud Area Legal Services	2	1.7%
Tubman/Chrysalis	1	.8%
Legal Rights Center	1	.8%
Homeline	1	.8%
Courthouse	1	.8%
Outside of MN (except ND)	5	4.2%
Human Services	1	.8%
Church, Union Gospel Mission	1	.8%
Anishinabe Legal Services	10	8.3%
NW Legal Services	5	4.2%
ND Legal Services	4	3.3%
Private individual or private firm	1	.8%
Legal aid, not specified	17	14.2%
Legal aid, Brainerd	5	4.2%
Legal aid, Minneapolis	8	6.7%
Legal aid, Pine City	11	9.2%
Legal aid, St. Paul	4	3.3%

Legal aid, NE MN	1	.8%
Legal aid, Worthington	3	2.5%
Legal aid, Mankato	6	5.0%
Legal aid, Bemidji	5	4.2%
Legal aid, Moorhead	7	5.8%
Legal aid, Anoka	1	.8%
Legal aid, Hennepin County	4	3.3%
Legal aid, Washington County	1	.8%
Legal aid, Aitkin County	1	.8%
Legal aid, Isanti County	1	.8%
Legal aid, Cass Lake	2	1.7%
Urban League	1	.8%
Human Services, Windom	1	.8%

Leech Lake Reservation	1	.8%
Indian Legal Services, Duluth	1	.8%
Workforce Center	1	.8%
MN Tenants Union	1	.8%
Total	120	100.0%

Problem for which respondents sought help from a free legal program:

Problem for which sought legal aid help	Frequency	Percent
Bankruptcy	1	.9
Employment	1	.9
Not paid proper wages	1	.9
Wrongful termination	1	.9
Discrimination	1	.9
Family	4	3.4
Custody	6	5.2
Child support	2	1.7
Domestic violence	2	1.7
Divorce	13	11.2
OFP	1	.9
Visitation	1	.9
Health care	2	1.7
Inadequate care	1	.9
Other health care issues	1	.9
Housing	4	3.4
Eviction	3	2.6
Affordability	2	1.7
Security Deposits	1	.9
Other housing issues	4	3.4
Immigration	2	1.7
Public benefits/income supports	1	.9

Unemployment	2	1.7
Social Security	9	7.8
Food Stamps	1	.9
Wills, trusts, estates, probate, powers of attorney, advanced directives	5	4.3
Other issues not elsewhere listed	10	8.6
Same problem	34	29.3 ¹
Total	116	100.0%

Respondents received help from legal aid in response to their request:

Freq (%)

72 (55)	Yes
19 (15)	No
1 (.8)	Don't Know
38 (29)	Respondents for whom the data was not captured ²

¹ "Same problem" refers to the problem for which they identified in response to the question about why they sought legal help, generally. For these 34 respondents, the nature of that problem was not captured in the data for this question.

² A glitch in the sequencing of interview questions may have resulted in a failure to capture these responses in the reported data. The percentages provided are based on the 130 who responded that they HAD sought help from legal aid and assumes that the 38 who did not affirmatively respond to this question did not receive help in response to the request.

The following questions provide the responses of the 72 individuals who reported that they received help from legal aid:

Lawyer³ helped respondent understand the legal problem:

60	(83)	Yes
10	(14)	No
2	(3)	Don't Know
0	(-)	Refused to Answer

Lawyer gave advice:

52	(73)	Yes, and it helped me resolve my legal problem
11	(16)	Yes, but it did NOT help me resolve my legal problem
7	(10)	No
1	(1)	Don't Know

Lawyer solved the legal problem:

19	(26)	Yes, provided limited assistance
15	(20)	Yes, went to court for you
11	(15)	Yes, negotiated a solution to the problem
11	(15)	Yes, other
16	(22)	No
1	(1)	Don't Know

Respondent satisfaction with services:

48	(66)	Very satisfied
15	(20)	Somewhat satisfied
2	(3)	Not very satisfied
6	(8)	Not at all satisfied
2	(3)	Don't Know

³ Interviewees were instructed to use the phrase "lawyer or legal advocate" in case the respondent worked most closely with a legal assistant or paralegal.

APPENDIX SIX

Provider survey responses

PROVIDER RESPONSES TO CLOSED-ENDED QUESTIONS

PROVIDER REGIONAL BREAKDOWN:

23 (15)	Twin Cities metro area
46 (31)	Ex-Urban area north of the Twin Cities
28 (19)	South Central
52 (35)	Northwest

SUBSTANTIVE NEEDS OF PROVIDER CLIENTS:

		YES	NO	DK	REF	BLANK	
A.	Law enforcement	105 (70)	28 (19)	15 (10)	0 (-)	1	Freq (%)
B.	Immigration	52 (35)	85 (57)	11 (7)	0 (-)	1	
C.	Domestic violence	128 (86)	16 (11)	3 (2)	1 (1)	1	
D.	Public safety	86 (58)	39 (27)	19 (13)	0 (-)	5	
E.	Discrimination	93 (65)	38 (26)	10 (7)	0 (-)	4	
F.	Transportation	141 (95)	6 (4)	1 (1)	0 (-)	1	
G.	Education for you or your children	107 (72)	34 (23)	6 (4)	0 (-)	2	
H.	Health care	133 (89)	14 (9)	2 (1)	0 (-)	0	
I.	Employment or job training	129 (87)	19 (13)	0 (-)	0 (-)	1	

J.	Housing	138 (93)	9 (6)	2 (1)	0 (-)	0
K.	Daycare	100 (67)	40 (27)	8 (5)	0 (-)	1
L.	Family	127 (85)	12 (8)	9 (6)	0 (-)	1
M.	Consumer issues	99 (66)	39 (26)	9 (6)	0 (-)	2
N.	Social services, such as Food Stamps, General Assistance, or welfare	129 (87)	13 (9)	3 (2)	0 (-)	4
O.	Any other areas	42 (28)	39 (26)	11 (7)	0 (-)	57

PROVIDER IDENTIFICATION OF UNDERSERVED POPULATIONS:

<u>Freq</u>	<u>(%)</u>	
95	(68)	Working poor
64	(45)	Recently unemployed (newly poor)
61	(43)	Illiterate/low literacy/limited education
80	(57)	Low-wage workers
48	(34)	Persons who do not speak English
27	(18)	Refugees or other discrete non-citizen groups
51	(36)	Undocumented persons (victims of abuse/domestic violence who are undocumented)
53	(38)	Persons whose cultural background may inhibit their knowledge/ability to access legal services (beyond language)
66	(46)	Youth: disconnected youth, youth in foster care, older teens, LGBT youth, young parents (especially young, single moms), sex-trafficking youth (especially youth of color, immigrant youth), victims or witnesses to domestic violence, youth who parents were deported
31	(23)	LGBT adults
45	(32)	Seniors (LGBT seniors, Non-English speaking seniors, geographically isolated seniors)
43	(31)	Homebound persons
26	(19)	Migrant or seasonal workers
47	(33)	Native Americans
83	(60)	Persons with mental illnesses, other disabilities
45	(33)	Veterans, particularly dishonorably discharged vets
41	(30)	Persons in institutions (nursing homes, veterans homes, foster care group homes, prisons/jails/juvenile facilities)
70	(50)	Previously incarcerated persons
81	(58)	Persons in rural areas/geographic isolation
42	(31)	Social stigmas (sex workers, trafficked persons, victims of DV or sexual assault, HIV-positive persons/persons with AIDS, persons with other chronic diseases)
61	(44)	Persons with substance abuse problems
28	(20)	Farming families

18 (13) Other
 7 BLANK

PROVIDER EXPERIENCE WITH LEGAL AID

Providers have heard of legal aid, legal services, or services that provide a lawyer free to low-income or elderly people in their geographic area:

139 (93) Yes
 8 (5) No
 1 (1) DK
 0 (-) REF

Programs providers have heard of (multiple responses are included):

Program	Number
Southern MN Regional Legal Services	20
St. Cloud Area Legal Services	10
Tubman/Chrysalis	4
Civil Society	1
International Immigration Center	1
Volunteer Legal Network	6
Affordable Law Center	1
Central MN Legal Services	1
Legal Rights Center	4
CLUES	1
Urban League	1

MDLC/Disability Law	11
Pro bono	1
Senior Legal Project, St. Cloud	2
Public defender	1
Homeline	3
Project Hope	1
Volunteer attorney line, Duluth	1
Courthouse	3
Chisago County Human Services	1
Lakes & Pines	1
Family Farm Law Practice	1
Computer in Court Administration	1
Immigrant Law Center	6
Centro Legal	2
Minnesota Lawyer	1
Centro de Recursos Hispanos	2
Legal Help MN	2
Intake Hotline	1
Crisis Center	1
MN AIDS Project, Minneapolis	1
Anishinabe Legal Services	24
NW Legal Services	27
ND Legal Services	4
Migrant Legal Services	2
DRS	1

Sharing & Caring Hands	1
Ombudsman	1
State advocates	1
Area Agency on Aging	1
MN Advance Directives	1
Private individual or private firm	2
Legal aid, not specified	26
Legal aid, Becker County	1
Legal aid, Brainerd	9
Legal aid, Duluth	6
Legal aid, Virginia	1
Legal aid, Pine City	11
Legal aid, Cambridge	5
Legal aid, Metro area	1
Legal aid, NE MN	2
Legal aid, Isanti County	1
Legal aid, Worthington	8
Legal aid, Mankato	9
Legal aid, Wilmar	1
Legal aid, Bemidji	3
Legal aid, Grand Rapids	1
Legal aid, Moorhead	2
Law Schools	
Legal Aid – Minneapolis	

Provider identification of legal aid services (multiple responses possible):

Service	Frequency
Immigration	7
Orders for Protection	3
Advocating for human rights	1
Legal assistance	8
Legal consultation	5
Legal representation	2
Legal advocacy	2
Legal advice	3
Help with social service problems	2
General services	4
Systems change	1
Help with housing problems	10
Help with family problems	11
Bankruptcy assistance	1
Custody	4
Divorce	13
All types of legal services	16
Domestic violence	3

Criminal	5
School	1
Free services	2
Traffic	1
Disabilities	2
Defense attorney	1
Educate	4
Discrimination	1
Seniors	1
Debt	2
Civil matters	6
Wills/health care directives	2
All non-criminal	3
Welfare	1
Supplemental Security Insurance (SSI)	3
Referrals	1
Low income	4
Total	126

Provider level of familiarity with legal aid programs:

<u>Freq</u>	<u>(%)</u>	
35	(25)	Very familiar
74	(53)	Somewhat familiar

32	(23)	Not very familiar
0	(-)	DK
0	(-)	REF
8		NOT ASKED

Provider views of effectiveness of free legal programs in solving the problems that low income people have:

51	(37)	Very effective
56	(40)	Somewhat effective
11	(8)	Not very effective
21	(15)	DK
0	(-)	REF
10		NOT ASKED

Frequency of provider's referral of clients to free legal programs:

50	(36)	All the time
65	(47)	Once in a while
13	(9)	Rarely
8	(6)	Never
3	(2)	DK
0	(-)	REF
10		NOT ASKED