

APPENDICES

THE TASK FORCE TO EXPAND ACCESS TO CIVIL LEGAL SERVICES IN NEW YORK

REPORT TO THE CHIEF JUDGE OF THE STATE OF NEW YORK



NOVEMBER 2010

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APPENDIX 1:
The full text of the Chief Judge's Law Day speech

Law Day 2010
Law in the 21st Century:
Enduring Traditions, Emerging Challenges
May 3, 2010
Jonathan Lippman

I have chosen to focus my remarks today on a longstanding challenge that has grown even more difficult and urgent for our State in these dire financial times--a challenge representing one of the most essential elements of the rule of law and one of the foundations of our democracy--equal access to justice.

... I begin by noting that the meaning of "justice" and of "equal justice" has been studied and debated for literally thousands of years, going back to biblical times. Our own Declaration of Independence states the self-evident truth that "all men are created equal." Schoolchildren reciting the Pledge of Allegiance know that our nation promises "justice for all." And our federal and state constitutions give further meaning to those words. Yet, in the 21st century, we often fall short of these ideals in America, and here in New York as well.

The court system is seeing this firsthand, now more than ever. Over the last few years, a noticeably larger share of our new case filings reflect the direct legal and human fallout from the recent economic collapse--not just bad debts and bad business deals, but skyrocketing home foreclosures, consumer debt cases, growing family offense and custody petitions, and a rise in matrimonial conflict. All of these cases in one way or another involve the very basic necessities of life for New Yorkers, so many of whom no longer have the means to hire an attorney.

If they are very fortunate, a small number of these litigants may be represented by one of the civil legal services programs that provide free representation to low-income New Yorkers. But, because of lack of resources, more and more of these programs must turn away potential clients. Some who are turned away may find representation from pro bono programs, but our State's lawyers, who already donate an estimated two million hours of pro bono work a year, cannot by themselves possibly fill the huge gap that still exists.

This means that a rapidly growing number of litigants--two million at last count--have no choice but to go to court without the help of a trained professional who knows the law and how to navigate the court system. Our court-sponsored volunteer attorney programs provide limited legal assistance to many of these people. This is extremely helpful, and we are so grateful to the volunteers, but there is no substitute for full legal representation, especially for the most vulnerable litigants in our society--the elderly, children, struggling families, people with disabilities and abuse victims.

How then do we as a profession and as a society fulfill our moral and ethical obligations to assure equal access to justice? How then do courts and judges fulfill their mission of delivering equal justice under the trying circumstances I just described?

Forty-seven years ago, the United States Supreme Court in *Gideon v. Wainwright*, said in regard to criminal case representation that:

In our adversary system of justice, any person haled into court, who is too poor to hire a lawyer, cannot be assured a fair trial unless counsel is provided for him. This seems to us to be an obvious truth.

Nearly half a century later, it is an equally obvious truth that in civil proceedings involving fundamental human needs, it is extremely difficult, if not impossible, for a person to be assured a fair outcome without a lawyer's help.

As Chief Judge, I see this as one of the great challenges facing our justice system today. No issue is more fundamental to our constitutional mandate of providing equal justice under law than ensuring adequate legal representation.

In 2006, the American Bar Association promulgated a resolution urging governments to provide legal counsel as a matter of right at public expense to low-income persons in cases where basic human needs are at stake--shelter, sustenance, personal safety, health, or child custody. While New York provides for a limited statutory right to counsel in certain family proceedings, there generally is no right to counsel in civil cases in New York, or for that matter around the country, even where the most basic necessities of life are at risk.

For all of these reasons, and to meet our constitutional and ethical mandates, the Judiciary of this State is determined to bring us closer to the ideal of equal access to civil justice. I am not talking about a single initiative, pilot project, or temporary program, but what I believe must be a comprehensive, multi-faceted, systemic approach to providing counsel to the indigent in civil cases.

It begins with a new way of looking at funding. New York already has the dubious distinction of being one of only seven states that do not provide stable funding for civil legal services. Our reliance on undependable revenue streams is highly problematic. A stark illustration is this year's crisis in IOLA, our Interest on Lawyers Accounts program, which funds many civil legal services providers around the State. IOLA revenues declined from

\$31 million to less than \$8 million because of the economic downturn, which led us to allocate \$15 million for IOLA in the Judiciary Budget request for the 2010-2011 fiscal year. While we are hopeful that this request will be granted, it represents only a small portion of the funding needs--more is needed on a going-forward, permanent basis.

To jump-start this effort to provide civil legal services funding in the years ahead, as Chief Judge and the head of the Judicial Branch of government, beginning this fall, I will preside over annual public hearings, to assess the extent and nature of unmet civil legal services needs in all parts of the State, in order to recommend to the Legislature and the Executive, publicly and transparently, the level of public resources necessary to meet those needs. I will conduct one hearing in each of the four Appellate Division Departments, together with the Presiding Justice of that Judicial Department, the Chief Administrative Judge, and, the President of the New York State Bar Association.

By doing so, New York will be the first state in the nation to have the entire leadership of the Judicial Branch of government, and the leadership of the state's bar, in our case 150,000 strong, make such a singular and unequivocal commitment to providing civil legal representation to the poor in matters where they need it most, where their well being as human beings, and that of their families, is at stake. I want to thank my fellow members of the Administrative Board of the Courts, the policy-making body of the court system, Presiding Justice Luis A. Gonzalez of the First Department, Presiding Justice A. Gail Prudenti of the Second Department, and Presiding Justice Anthony V. Cardona of the Third Department, all of whom are here today, as well as Presiding Justice Henry J. Scudder of the Fourth Department for their unwavering support, and Ann Pfau, our terrific Chief Administrative Judge, and State Bar President Mike Getnick and President-Elect

Steve Younger, all of them for their enthusiastic participation in this effort and their total dedication to the ideal of equal justice for all in New York.

To help prepare for these public hearings around the State, and as a centerpiece of our efforts in this regard, I am appointing *The Task Force to Expand Access to Civil Legal Services in New York*, made up of distinguished New Yorkers, headed by Helaine M. Barnett, Esq., who retired recently as the longest-serving president of the Legal Services Corporation in Washington, D.C., the nation's single largest funding source for civil legal services for low-income individuals. Previously, Ms. Barnett headed the Civil Division of the Legal Aid Society in New York City, where she practiced for 37 years. We could not have a better Chair, and I am so delighted that she has agreed to serve in that capacity. The composition of the Task Force will be announced in the coming weeks, but it will include statewide representatives from the courts, civil legal services and pro bono providers, bar associations and bar foundations, government, law schools, business groups, consumer advocates, and the not-for-profit community.

In addition to helping set the agenda for the annual hearings that I will be holding, the Task Force will have a broad mission--recommending statewide priorities, defining the types of legal matters in which civil legal services are most needed, and proposing standards, such as income levels for determining which litigants should be eligible. The Task Force will also advocate for support for expanded civil legal services and help improve the efficiency and effectiveness of the delivery of legal services. It will gather and distribute information about programs, strategies, and technological approaches that have proven successful and issue guidelines or best practices to help providers.

The Task Force will work closely with civil legal services groups, grant-making organizations, foundations, pro bono programs, and law school clinics, and with Judge Fern A. Fisher, who is our stellar Deputy Chief Administrative Judge for New York City Courts and Statewide Director of the court system's Access to Justice Program.

Under Judge Fisher's direction, the court system will continue its ongoing work on the broad range of access to justice issues, which includes providing help for unrepresented litigants, as well as enhancing pro bono legal services, using vehicles like the newly established Attorney Emeritus program that taps into an underutilized segment of the legal community--retired lawyers.

Effective at the beginning of this year under amended attorney registration rules, qualified attorneys who previously would have retired can now practice law on a pro bono basis if they commit to at least 30 hours a year of legal services to low-income clients. The Attorney Emeritus works with a qualified volunteer program, which provides malpractice coverage and access to offices and staff, as well as any necessary training. With 49 qualified organizations already participating and an enthusiastic response from attorneys, this idea clearly has struck a chord with senior lawyers, mostly baby boomers, who want to use their retirement years in productive ways that promote the public good.

To help us capitalize on this early momentum and develop a blueprint for increased senior lawyer pro bono in New York, I am forming the Attorney Emeritus Advisory Council to be co-chaired by a distinguished lawyer, academic, and public servant who really needs no introduction in this state, John D. Feerick, former Dean of Fordham Law School; and by Fern A. Schair, Chair of the Feerick Center for Social Justice at

Fordham. The Advisory Council will consist of statewide representatives whose mission will be to advise us and provide support and guidance for the Attorney Emeritus Program.

I believe that with these new structures in place--annual hearings by the Chief Judge and state court and bar leadership on civil legal services, leading to a recommendation to the Legislature and the Executive for civil legal services funding; The Task Force to Expand Access to Civil Legal Services headed by Helaine Barnett; the expansion of pro bono and self-help resources around the State; and the Attorney Emeritus Advisory Council led by John Ferrick and Fern Shair--New York will be in the forefront in this country in expanding civil legal services to the poor in these challenging times.

In March 2013, we will reach the 50th anniversary of the Supreme Court's decision in *Gideon v. Wainwright*. By then, it is my fervent hope, first, that it will be an obvious truth to all that those litigants faced with losing the roof over their heads, suffering the breakup of their families, or having their very livelihood threatened cannot meaningfully pursue their rights in the courts of New York without legal counsel--and second, that it will be equally obvious that we together will have taken major steps forward in providing such representation to those who need it most, making equal justice for all not just an ideal, but truly a reality in our great State.

Thank you.

APPENDIX 2:
**A listing of those who provided *pro bono* assistance
to the Task Force**

Acknowledgment of Law Firm Pro Bono Assistance to the Task Force

Sullivan & Cromwell LLP

Robert J. Giuffra, Jr. (Partner, Task Force Member)
Marcia Levy (Special Counsel, Counsel to the Task Force)
Shannon Haley (Associate)
Maya Krugman (Associate)
Lara Loyd (Associate)
Amma Anaman (Summer Associate)
Claire S. Jen (Legal Assistant)
Mindy Miller (Administrative Assistant/Secretary)

Skadden, Arps, Slate, Meagher & Flom LLP

Robert C. Sheehan (Of Counsel, Task Force Member)
Ron Tabak (Special Counsel)
Rosemarie Barnett (Associate)
Autumn Montague. (Associate)
Kelly Russotti (Associate)
Anand Viswanathan (Associate)

Proskauer Rose LLP

Bettina B. Plevan (Partner, Task Force Member)
David A. Picon (Partner)
Stacey O'Haire Fahey (Pro Bono Counsel)
Michelle Annese (Associate)
Kerri Blumenauer (Associate)
Latoya Moore (Associate)
Kate Rhodes (Associate)
Amber Ward (Associate)

Simpson Thacher & Bartlett LLP

Mark G. Cunha (Partner, Task Force Member)
Harlene Katzman (Pro Bono Counsel and Director)
David Edwards (Associate)
Silvia Ostrower (Associate)
Lexie Pitney (Associate)
Kate Rose (Associate)
Dan Shin (Associate)

APPENDIX 3:
The full text of the joint legislative resolution

State of New York
Legislative Resolution

Senate No. 6368

BY: Senators
Hassell-Thompson and
Sampson



Assembly No. 1621

BY: Committee on Rules at
the request of M. of A.
Weinstein

APPLAUDING and approving the foregoing steps that have been taken by the chief judge and the judiciary to institute an ongoing program with respect to civil legal services in the State of New York

WHEREAS, Millions of New Yorkers annually find themselves having to go to court and to navigate our complex court system; and

WHEREAS, The fair administration of justice requires that every person who must use the courts have access to adequate legal representation; and

WHEREAS, For such universal access to be a reality, there is need for a comprehensive commitment of bench, bar and community to assure that (i) there is an ongoing process of identifying the extent and nature of unmet civil legal service needs, especially where fundamental human needs are concerned or the matter involves society's most vulnerable members, including the elderly, children, struggling families, people with disabilities and abuse victims; and (ii) the New York State Legislature and the Governor are periodically apprised of those needs that are unmet; and

WHEREAS, The New York State Legislature finds the chief judge of New York has committed himself annually to preside over public hearings across the state, in collaboration with the presiding justices of each judicial department, the chief administrator of the courts and the president of the New York State Bar Association, to assess the extent and nature of unmet civil legal services needs; and

WHEREAS, The chief judge has appointed a task force, the Task Force to Expand Access to Civil Legal Services in New York, made up of distinguished New Yorkers representing the courts, civil legal services and pro bono providers, bar associations and bar foundations, government, law schools, business and the not-for-profit community to assist him in recommending statewide priorities, defining the types of legal matters in which civil legal services are most needed, advocating for expanded services, improving the efficiency and effectiveness of existing programs, gathering and distributing information about programs, strategies and technological approaches that have proven successful, and issuing guidelines or best practices to help providers; and now, therefore, be it

RESOLVED, That this Legislative Body pause in its deliberations to applaud and approve the foregoing steps that have been taken by the chief judge and the judiciary to institute an ongoing program that will bring the State of New York closer to the ideal of equal access to civil justice; and be it further

RESOLVED, That this Legislative Body requests the chief judge annually report to the governor and the legislature concerning the findings of his statewide hearings and the work of the Task Force to Expand Access to Civil Legal Services in New York, with recommendations to address gaps in available resources to meet the need for civil legal services in the State of New York.

ADOPTED IN SENATE ON
June 29, 2010

By order of the Senate,

Angelo J. Aponte, *Secretary*

ADOPTED IN ASSEMBLY ON
July 1, 2010

By order of the Assembly,

Laurene R. Kretzler, *Clerk*



APPENDIX 4:
**A Witness List for each of the Chief Judge's
four Hearings**

The Chief Judge's Hearings on Civil Legal Services

FIRST DEPARTMENT HEARING

Tuesday, September 28, 2010

WITNESS LIST

1- **Hon. Christine Quinn** (*Speaker of the New York City Council*)

2- **BUSINESS LEADERS PANEL**

Kathryn S. Wylde (*President and CEO of the Partnership for New York City*)

Michael S. Helfer (*General Counsel of Citigroup*)

Michael P. Smith (*President and CEO of the New York State Bankers Association*)

Joseph Strasburg (*President of the Rent Stabilization Association*)

Kenneth E. Raske (*President and CEO of the Greater New York Hospital Association*)

3- **COMMUNITY LEADERS PANEL**

Benito Romano (*Chairperson of the Board of the IOLA Fund of the State of New York*)

David R. Jones (*President of the Community Service Society*)

Julie Kushner (*Director of UAW Region 9A*)

Margarita Rosa (*Executive Director of the Grand Street Settlement*)

Samuel W. Seymour (*President of the New York City Bar Association*)

4- **CLIENT PANEL**

Catherine Johnson (*Client of The Legal Aid Society*)*

John Brown (*Client of Legal Services NYC*)

Yulia Abayeva (*Client of New York Legal Assistance Group*)

Lars Anderson (*Client of MFY Legal Services*)

Juliet D'Souza (*Client of The Legal Aid Society*)

Melanea Richardson (*Client of Legal Services NYC*)

5- **JUDGES' PANEL**

Hon. Jeffrey K. Oing (*Civil Court*)

Hon. Jaya Madhavan (*Housing Court*)

Hon. Ruben A. Martino (*Harlem Justice Center*)

*Ms. Johnson was unable to testify in person. Her written testimony is posted online with the written submissions of other First Department testifying witnesses and is part of Appendix 9 of the 2010 Report of the Task Force to Expand Access to Civil Legal Services in New York.

The Chief Judge's Hearings on Civil Legal Services

FOURTH DEPARTMENT HEARING

Wednesday, September 29, 2010

WITNESS LIST

1- CLIENT PANEL

Jane X (*Client of Empire Justice Center*)

Laura Hart (*Client of Legal Aid Bureau of Buffalo*)

Heather Oakes (*Client of Legal Services of Central New York*)

2- EDUCATORS PANEL

Rachael Ann Gazdick (*Executive Director of "Say Yes to Education," Syracuse University*)

Jean Claude Brizard (*Superintendent of Rochester City School District*)

Dr. Anne M. Kress (*President of Monroe Community College*)

3- HEALTHCARE PANEL

Fran Weisberg (*Executive Director of the Finger Lakes Health Systems Agency*)

Steven D. Blatt, M.D. (*Associate Professor of Pediatrics/Director, Division of General Pediatrics at University Hospital of SUNY Upstate Medical University*)

Catherine Cerulli, J.D., Ph.D. (*Associate Professor and Director of Laboratory of Interpersonal Violence and Victimization, Department of Psychiatry, University of Rochester*)

4- JUDGES PANEL

Hon. Henry J. Nowak (*Buffalo City, Housing Court*)

Hon. Langston C. McKinney (*Syracuse City Court*)

Hon. Joseph G. Nesser (*Monroe County Family Court*)

Hon. Joanne M. Winslow (*Supreme Court, Monroe County*)

5- BUSINESS LEADERS PANEL

Thomas S. Richards, Esq. (*Corporation Counsel, City of Rochester, former partner Nixon Peabody LLP and former CEO of Rochester Gas and Electric*)

6- PROJECT DIRECTORS PANEL (*If time permits*)

C. Kenneth Perri, Esq. (*Executive Director, Legal Assistance of Western New York*)

The Chief Judge's Hearings on Civil Legal Services

THIRD DEPARTMENT HEARING

Tuesday, October 5, 2010

WITNESS LIST

1- GOVERNMENT OFFICIALS PANEL

Michael G. Breslin (*Albany County Executive*)

Kathleen B. Hogan (*District Attorney of Warren County*)

2- LABOR AND COMMUNITY LEADERS PANEL

Denis M. Hughes (*President, New York State AFL-CIO*)

Denise Berkley (*Statewide Secretary, Civil Service Employees Association*)

Patricia Bentley (*Board of Directors, NYSUT*)

Earl Eichelberger (*Director, Catholic Charities*)

Steven T. Longo (*Executive Director, Albany Housing Authority*)

3- JUDGES PANEL

Hon. Judith F. O'Shea (*Chemung County Supreme Court*)

Hon. Mark L. Powers (*Schenectady Family Court*)

Hon. Michael C. Conway (*Nassau Town Court, Nassau Village Court*)

Hon. Helena Heath-Roland (*Albany City Court*)

4- RURAL PANEL

Susan L. Patnode (*Executive Director, Rural Law Center*)

Paul J. Lupia (*Executive Director, Legal Aid Society of Mid-New York*)

Jeanne Noordsy (*DVCCCC/DELTA Coordinator, Domestic Violence Project of Warren & Washington Counties*)

Christopher Layo (*Client of Legal Aid Society of Northeastern New York*)

5- CLIENTS PANEL

Lauren E. Raffae (*Client of Legal Aid Society of Northeastern New York, accompanied by Judy Swierczewski*)

Dorthea Medina (*Client of The Legal Project, accompanied by Lisa Frisch*)

Anne E. Knapp and Ronald (*Client of Empire Justice Center*)

The Chief Judge's Hearings on Civil Legal Services

SECOND DEPARTMENT HEARING

Thursday, October 7, 2010

WITNESS LIST

1- LEGAL NEEDS SURVEY REPORT

Victor A. Kovner (*Chair, Fund for Modern Courts*)

2- COMMUNITY LEADERS PANEL

Rev. Terry Troia (*Executive Director, Project Hospitality, Staten Island*)

Rajiv Garg (*President and CEO, Wyckoff Heights Hospital*)

Brad Snyder (*Representative of Network of Bar Leaders*)

3- LOCAL ISSUES AND NEED FOR LEGAL SERVICES PANEL

Mary A. Barbera (*Chief, Rockland County Sheriff's Civil Division*)

Christine Malafi (*Suffolk County Attorney*)

4- DOMESTIC VIOLENCE AND NEED FOR LEGAL SERVICES PANEL

Jane Aoyama-Martin (*Executive Director, Women's Justice Center, Pace Law School*)

Lois Schwaeber (*Director of Legal Services, Nassau County Coalition Against Domestic Violence*)

5- CRIMINAL JUSTICE SYSTEM AND NEED FOR CIVIL LEGAL SERVICES

Hon. Charles Hynes (*District Attorney, Kings County*)

6- CLIENT PANEL

Alvin Thomas (*Client of Legal Services of the Hudson Valley, accompanied by Trevor Eisenman*)

William Schneider (*Client of Nassau/Suffolk Law Services, accompanied by Rose Caputo*)

Chakiera Locust (*Client of Legal Aid Society of Rockland County, accompanied Mary Ellen Natale*)

Gail Greene (*Client of Legal Aid Society of New York City, accompanied Sumani Lanka*)

7- JUDGES PANEL

Hon. Kathie E. Davidson (*Supervising Judge, Family Court, 9th Judicial District*)

Hon. Eleanora Ofshtein (*Kings County Housing Court*)

Hon. Norman St. George (*Acting Supreme Court Justice; Nassau County Court Judge*)

8- CLOSING STATEMENT FOR STATEWIDE HEARINGS

Hon. Fern Fisher (*Deputy Chief Administrative Judge for the New York City Courts;
Director of the New York State Courts Access to Justice Program*)

APPENDIX 5:
Transcript of the First Department Hearing
held on September 28, 2010

**Transcript of the First Department Hearing held on
September 28, 2010**

<http://www.nycourts.gov/accesstojusticecommission/PDF/1st-Dept-Hearing-Transcript.pdf>

APPENDIX 6:
Transcript of the Fourth Department Hearing
held on September 29, 2010

**Transcript of the Fourth Department Hearing held on
September 29, 2010**

<http://www.nycourts.gov/accesstojusticecommission/PDF/4th-Dept-Hearing-Transcript.pdf>

APPENDIX 7:
Transcript of the Third Department Hearing
held on October 5, 2010

**Transcript of the Third Department Hearing held on
October 5, 2010**

<http://www.nycourts.gov/accesstojusticecommission/PDF/3d-Dept-Transcript.PDF>

APPENDIX 8:
Transcript of the Second Department Hearing
held on October 7, 2010

**Transcript of the Second Department Hearing held on
October 7, 2010**

<http://www.nycourts.gov/accesstojusticecommission/PDF/2d-Dept-Hearing-Transcript.PDF>

APPENDIX 9:

**Written Statements submitted at the First Department
Hearing held on September 28, 2010**

**Written Statements submitted at the First Department
Hearing held on September 28, 2010**

Statements of Testifying Witnesses

<http://www.nycourts.gov/accesstojusticecommission/PDF/1st-Dept-Testifying-Witnesses.pdf>

Statements of Non-Testifying Witnesses

<http://www.nycourts.gov/accesstojusticecommission/PDF/1st-Dept-Non-Testifying-Witness-Submissions.pdf>

APPENDIX 10:

**Written Statements submitted at the Fourth Department
Hearing held on September 29, 2010**

**Written Statements submitted at the
Fourth Department Hearing
held on September 29, 2010**

Statements of Testifying Witnesses

<http://www.nycourts.gov/accesstojusticecommission/PDF/4th-Dept-Testifying-Witnesses.pdf>

Statements of Non-Testifying Witnesses

<http://www.nycourts.gov/accesstojusticecommission/PDF/4th-Dept-Non-testifying-Witness-Submissions.pdf>

APPENDIX 11:

**Written Statements submitted at the Third Department
Hearing held on October 5, 2010**

**Written Statements submitted at the
Third Department Hearing held on October 5, 2010**

Statements of Testifying Witnesses

<http://www.nycourts.gov/accesstojusticecommission/PDF/3d-Dept-Testifying-Witnesses.PDF>

Statements of Non-Testifying Witnesses

<http://www.nycourts.gov/accesstojusticecommission/PDF/3d-Dept-Non-testify-Witness-Submissions.PDF>

APPENDIX 12:

**Written Statements submitted at the Second Department
Hearing held on October 7, 2010**

**Written Statements submitted at the
Second Department Hearing held on October 7, 2010**

Statements of Testifying Witnesses

<http://www.nycourts.gov/accesstojusticecommission/PDF/2d-Dept-Testifying-Witnesses.PDF>

Statements of Non-Testifying Witnesses

<http://www.nycourts.gov/accesstojusticecommission/PDF/2d-Dept-Non-Testifying-Witness-Submissions.PDF>

APPENDIX 13:

**Public notice of the Chief Judge's Hearings posted
on the Unified Court System's website**

The Chief Judge's Hearings on Civil Legal Services

The Hon. Jonathan Lippman, *Chief Judge of the State of New York*, will be conducting four public hearings to assess the extent and nature of unmet civil legal services needs in all parts of the State in order to recommend to the Legislature and the Executive the level of public resources necessary to meet those needs. Providing funding for these services for low-income New Yorkers will greatly improve their chances of keeping or securing basic necessities — the keys to safety, stability and self sufficiency — and help build stronger, more stable communities, producing taxpayer savings at all levels of government.

The Chief Judge will conduct one hearing in each of the four Appellate Division Departments together with the Presiding Justice of that Judicial Department (Presiding Justice Luis A. Gonzalez of the First Department, Presiding Justice A. Gail Prudenti of the Second Department, Presiding Justice Anthony V. Cardona of the Third Department, and Presiding Justice Henry J. Scudder of the Fourth Department), Chief Administrative Judge Ann Pfau, and the President of the New York State Bar Association, Stephen P. Younger.

THE HEARINGS WILL TAKE PLACE AS FOLLOWS:

FIRST DEPARTMENT

September 28, 2010.....10 a.m. to 1 p.m.
Appellate Division
27 Madison Avenue, New York City

FOURTH DEPARTMENT

September 29, 2010.....11 a.m. to 2 p.m.
Appellate Division
50 East Avenue, Rochester

THIRD DEPARTMENT

October 5, 2010.....10 a.m. to 1 p.m.
Court of Appeals
20 Eagle Street, Albany

SECOND DEPARTMENT

October 7, 2010.....10 a.m. to 1 p.m.
Appellate Division
45 Monroe Place, Brooklyn

The purpose of the public hearings is to receive the views of interested individuals, organizations and entities about the unmet need for civil legal services for low-income New Yorkers in matters in which their basic human needs, and those of their families, are at stake. The hearing panels seek information on the following issues:

- The particular types of situations or cases in which current civil legal services needs are unmet and their magnitude.
- The categories of individuals whose unmet legal needs currently are especially critical.
- Data on the impact of the economic downturn on sources of funding for civil legal services.
- Impact on courts of increasing numbers of unrepresented litigants.
- The economic and social harm to the community (direct and/or indirect) when critical legal needs are unmet.
- The economic and social benefits to the community when such needs are met.

THE CHIEF JUDGE'S HEARING PANEL WILL CONSIDER BOTH ORAL TESTIMONY (BY INVITATION ONLY) AND WRITTEN SUBMISSIONS. Persons interested in presenting oral testimony or making a written submission are asked to follow the procedures and deadlines described below. Please note that the Hearing Panel can not accept any comments, written or spoken, addressing details of individual litigation or complaints about individual judges or attorneys.

Because of the limited time available for the hearings, oral testimony must be by invitation only. If you are interested in being invited to testify at a hearing, you should send an email to CivilLegalServices@nycourts.gov **no later than 14 days in advance of the hearing** at which you propose to testify. **Proposed testimony should be no more than 10 minutes in length.** If requesting an invitation, please (1) identify yourself and your affiliation (and if you are requesting an invitation for someone else to testify, that individual's name and affiliation); (2) attach a prepared statement or a detailed outline of the proposed testimony and specify which of the topics described above will be addressed; (2) indicate at which of the hearings the testimony is proposed to be given. In advance of the hearing, invitations to testify will be issued and will include an approximate time period for each presenter's testimony. For those not invited to present oral testimony, your proposed testimony will be deemed a written submission.

Persons unable to attend the hearing, or those interested only in making a written submission, may submit their remarks by emailing them to CivilLegalServices@nycourts.gov **at least seven (7) days in advance of the hearing,** or by mailing the submission to the Task Force to Expand Access to Civil Legal Services in New York at the address below. The Task Force is assisting the Chief Judge in preparing for the hearings and in reporting on its results.

The Task Force to Expand Access to Civil Legal Services

c/o Marcia Levy, Esq.
Counsel to the Task Force
Sullivan & Cromwell
125 Broad Street
New York, NY 10004-2498

Email address

CivilLegalServices@nycourts.gov

For further information about the hearings, please visit the Task Force's website
www.nycourts.gov/access-civil-legal-services

APPENDIX 14:
Public notice of the Chief Judge's Hearings
published in the *New York Law Journal*

News In Brief

New York Law Journal

July 26, 2010

Hearings to Weigh Aid for Civil Legal Services

Court-sponsored hearings on civil legal services to the indigent will begin Sept. 28. With as many as two million litigants appearing without counsel in New York courts in civil cases each year, Chief Judge Jonathan Lippman is seeking proposals for more reliable funding mechanisms that he will present to the governor and Legislature by late this year for inclusion in the 2011-12 state budget ([NYLJ, May 4](#)).

Hearings will be held in each of the Appellate Division's four departments: on Sept. 28 at the First Department at 27 Madison Ave. in Manhattan; on Sept. 29 at the Fourth Department, 50 East Ave., Rochester; on Oct. 5 in the Third Department at the Court of Appeals, 20 Eagle St., Albany; and on Oct. 7 at the Second Department, 45 Monroe Place, Brooklyn. The sessions will run from 10 a.m. to 1 p.m. except for the hearing in Rochester, which is scheduled for 11 a.m. to 2 p.m.

Judge Lippman will conduct the sessions, which will be attended by the presiding justices of the departments where the hearings are being held, Chief Administrative Judge Ann Pfau and New York State Bar Association President Stephen P. Younger.

Those wishing to speak should send an e-mail at least 14 days in advance of the hearing to CivilLegalServices@nycourts.gov. Court officials warned that testimony should concern the indigent legal services system and that comments about individual litigation or complaints about judges or lawyers will not be heard. - *Joel Stashenko*

APPENDIX 15:
Notification of the Providers' Survey published
in the *New York Law Journal*

News in Brief

New York Law Journal

Monday, September 20, 2010

Online Survey Seeks Data On Civil Legal Services

As part of its efforts to gauge the level of additional public resources needed for civil legal services, the court system is asking all organizations that provide such services at no cost to low-income New Yorkers to fill out an online survey. Among other things, the questionnaire asks the providers to estimate the number of people they have been forced to turn away and to supply information about clients who received only brief attention when they needed more extensive advice. It also seeks information about changes in client needs and demographics and the impact of the recession on the organizations themselves.

Results of the survey will be included in the upcoming report of the courts' Task Force to Expand Access to Civil Justice Services. They will supplement the findings from four hearings that Chief Judge Jonathan Lippman is conducting around the state beginning Sept. 28 in Manhattan (NYLJ, July 26). Responses to the online survey are requested before Sept. 30. It is available at <https://www.surveymonkey.com/s/LegalServicesProviderSurvey>.

APPENDIX 16:
Findings of the Providers' Survey

Findings of the Providers' Survey

As part of the work of the Chief Judge's Task Force to Expand Access to Civil Legal Services, an on-line survey of civil legal services providers in New York State was conducted to gauge the current delivery system's capacity to serve those in need, any changes in the substantive law needs of those seeking assistance, any changes in the demographics of those seeking assistance, and the impact the current funding status is having on organizational operations.

Changing Client Demographics

The most significant finding is the change in the demographics of those seeking legal assistance. Among those legal services providers that would be available to provide assistance to these populations, 91% report an increase in requests for assistance from formerly moderate income households, 90% report an increase in unemployed individuals seeking assistance, and 72% report an increase in homeowners seeking legal assistance.

Sixty-nine percent of providers reported an increase in homeless families seeking assistance while nearly the same amount (66%) reported an increase in homeless individuals seeking assistance.

Changing Legal Needs

The most significant reported change in the substantive law areas in which people are seeking assistance include housing and consumer debt. Ninety percent (90%) of the legal services organizations participating in the survey reported an increase in homeowners seeking assistance in foreclosure matters, 85% are seeing an increase in tenants seeking assistance with evictions, and 81% reported an increase in consumers seeking legal assistance with credit and debt issues.

Housing and Homelessness. Issues relating to housing and homeless were among the legal issues generating the greatest increase in demand. Sixty-one percent (61%) of those responding reported an increase in the number of people seeking legal assistance to address housing code violations; 85% reported an increase in those needing legal assistance to assist in eviction prevention; 91% in foreclosure assistance; 77% in homelessness; 71% in tenant rights; and 61% in utility shut-offs.

Consumer Issues. Of those reporting an increase in demand, every area of consumer law saw a reported increase in demand: credit/debt issues 81%; bankruptcy 78%; non-mortgage loans 70%; medical debt 68%; rent to own issues 54%; and tax problems 64%.

Domestic Violence. In the area of family law, 67% of those responding reported an increased in demand among those seeking legal assistance for issues related to domestic violence.

Employment and Economic Support. Almost 70% (69%) of those responding reported an increase in clients seeking assistance in employment insurance claims. Over 50% (54%) reported an increase in demand for legal assistance in dealing with wrongful termination issues. In the area of income supports, 63% of those responding are seeing an increase in request for legal assistance on issues related to public

assistance, 76% are seeing an increase in those dealing with emergency assistance and 60% are seeing an increase in those seeking legal assistance for issues dealing with Food Stamps/Supplemental Nutrition Assistance Program.

Immigrants and Immigration. In the area of immigration law, 59% reported an increase in those seeking assistance in securing special visa protections (for crime victims and victims of human trafficking for example) and 53% reported an increase in immigrant victims of domestic violence seeking legal assistance to pursue protection under the Violence Against Women Act (VAWA).

Turn-away Data

In 2009, IOLA determined that, due to insufficient resources, legal service providers were turning away one out of every two eligible low-income New Yorkers who were seeking legal assistance. In the survey conducted for the Chief Judge's Task Force, providers were asked if they were experiencing any change in this level of turn-aways. Of those who had collected turn away data in 2009, 20.7% reported turning away significantly more people seeking assistance in 2010; 62.1% are turning away somewhat more; and 17.2 percent are turning away potential clients at the same rate they were turning them away in 2009.

The Impact of Inadequate and Unstable Funding

At a time of increased need, legal services organizations are facing diminishing resources. Of those responding to the survey, 57.7% have reduced staff, eliminated positions or left current positions unfilled, further reducing their capacity to serve clients in need. Local offices have been closed in the Bronx, Clinton and Wyoming counties. Four organizations have reduced hours of service.

Almost 40% of those responding have imposed a salary freeze and have either reduced employee health coverage or increased employee cost-sharing for health benefits.

Survey Respondents

A total of 58 organizations responded to the Task Force survey. The services they provide cover every county in the State.

Altogether, these organizations employ 1,967 people who are providing or supporting the provision of legal services. In just the past year, these organizations have collectively lost 112 staff members (111.9 FTEs).

Ten of the responding organizations are funded by the federal Legal Services Corporation (LSC), including those receiving pass-through funds for their pro bono organizations. Fifty-one (51) are funded by the IOLA Fund.

Over 50% (52.6%) of the responding organizations exist only to provide legal assistance to those in need, devoting 100% of their organizational resources to meeting the legal needs of low income New York residents. Another 24.6% of those responding focus between 50% and 99% of their organizational budgets to providing legal assistance; 14% devote between 10% and 49% of their budgets on legal

services; and under 10% (8.8%) of respondents devote less than ten percent of their organizational budgets on delivering legal assistance to those in need.

The organizations ranged in size – from an \$83.3 million organization (which devotes 2% of its resources to legal assistance) to an organization of under \$100,000 with its full budget devoted to legal assistance.

Additional Comments of Providers Reflecting the Increasing Need for the Civil Legal Services

“The major change in demographics that we are seeing is newly unemployed people who used to earn a living who are now receiving or have exhausted their unemployment benefits, depleted their savings and are facing new poverty and homelessness...”

“We are also noting that clients are getting younger – we now have many more clients between the ages of 19-24 than in the past.”

“There are more working class families suffering the loss of one or more incomes and falling into poverty and facing the need for public assistance for the first time. These families often have minimal assets but are faced with the substantial loss of equity in their homes and cars, along with money judgments, bankruptcy and the loss of health care.”

“We are truly seeing a great increase in eviction cases in our community and do not have the resources to serve everyone who is facing homelessness. As employment benefits continue to expire and stimulus funds are depleted, our community faces an uncertain future.”

“In the past months, we have also seen many more clients who are seeking assistance for the very first time, having experienced unemployment and medical issues. The level of anxiety and distress permeating the legal issues is evident in the often repeated statement when an attorney is assigned or counsel is provided: “I just don't know what I would have done if you hadn't helped us.”

“Our clients have proven to be more marginal in their capacity to understand directions and to advocate for themselves. Literacy issues, mental issues and language problems require more hands on help to those who we represent.”

“There are more working class families suffering the loss of one or more incomes and falling into poverty and facing the need for public assistance for the first time. These families often have minimal assets but are faced with the substantial loss of equity in their homes and cars, along with money judgments, bankruptcy and the loss of health care.”

APPENDIX 17:
**Findings of Lake Research Partners on Civil Legal Needs
Among Low Income New York State Residents**

Civil Legal Needs Among Low-income New York State Residents

**Findings from a statewide survey of Low-income New York
residents**

Commissioned by the Fund for Modern Courts

October 2010

Survey Methodology

Lake Research Partners designed and administered this statistically representative telephone survey which reached a total of 511 low-income New York state residents (up to 200% of federal poverty standards), age 18 or older. The survey was conducted by professional interviewers from August 16th to August 29th, 2010. The survey included an oversample of 100 low-income Latinos (at up to 200% federal poverty standards). The survey also included a slight oversample of residents at 0-100% of federal poverty standards, in order to obtain enough interviews to analyze this group separately. This resulted in 266 interviews among residents at 0-100% of federal poverty standards and 245 interviews at 101%-200% of federal poverty standards. The oversamples were weighted down and folded into the base.

The sample was drawn using random digit dial (RDD) among telephone exchanges in census tracts that were in the lowest third of actual income. The data were weighted slightly by gender, age, race, region, and federal poverty level in order to ensure that it accurately reflects the demographic configuration of this population.

In interpreting survey results, all sample surveys are subject to possible sampling error; that is, the results of a survey may differ from those which would be obtained if the entire population were interviewed. The size of the sampling error depends upon both the total number of respondents in the survey and the percentage distribution of responses to a particular question. The margin of error for the overall survey is +/- 4.4 percentage points. The margin of error for the Latino oversample is +/-9.8 percentage points.

Key Findings

Key Findings

- The survey suggests that many low-income New Yorkers do not recognize that they experience civil legal problems when the topic or issue is presented to them in a general way. There is much more recognition when they hear specific problems. Thus, civil legal problems may be under-reported by this population if framed in a general context.
- Low-income New Yorkers are more likely to report having experienced only one or two civil legal problems, rather than a long list of problems.
- Low-income New Yorkers have the biggest civil legal problems, and civil legal needs, in the areas of health insurance or medical bills, followed by finances, employment, and housing. Specifically, harassment from creditors for loans and unpaid medical bills are top problems for low-income New Yorkers. Other specific top problems are difficulty getting or keeping food stamps, and—for non-homeowners—having unsafe living conditions, neglected repairs, or disputes over rent overcharges.
- Low-income New Yorkers most in need of legal assistance—those most likely to experience the legal problems queried on in this survey—are younger, African Americans, Latinos, immigrants, parents of children under age 18, those living in public, Section 8, or subsidized housing, the unemployed, uninsured, and disabled.
- Immigrants, or those living in an immigrant household, make up one-third of the sample and report a higher frequency of civil legal problems than native-born households. Yet, only five percent report having any problems with the specific immigration problems covered in the survey. Instead, the problems they report are more concentrated in the areas of health insurance or medical bills, employment, and housing. Those living in immigrant households are also among those least likely to take action when they do experience a problem.

Key Findings, Cntd.

- Over half of those who experienced any of the 36 specific civil legal problems in the survey say they never took action on any of the problems. Barriers to seeking help with a legal problem vary based on the type of problems experienced. The most common themes are the belief that action would not really help with the situation and a desire not to cause trouble. Lack of information about where to go for help and concerns about expenses are secondary.
- For those who take action on their civil legal problems, they are most likely to act on problems regarding health insurance or medical bills, finances, followed by domestic and family issues and public benefits. They are least likely to act to solve employment or housing problems. When it comes to seeking outside help, those who take action are most likely to seek legal help, including legal aid, for housing problems and domestic or family issues.
- Low-income New Yorkers report having limited experience with legal aid. Among those who experience problems, they do not report a heavy reliance on legal aid. Yet, the other half of the population who have not experienced the specific problems demonstrate an openness to calling on legal institutions, including legal aid, if they were to experience legal problems.
- While there is a healthy level of awareness that free legal services are available, there is a lack of clarity among low-income New Yorkers about whether they would be eligible for free legal services. Among those who are aware of free legal services for low-income New Yorkers, only two in ten believe they or their family would qualify.

Strategic Summary

Strategic Summary: Frequency of Civil Legal Problems Experienced by Low-Income New Yorkers

- Most low-income New Yorkers report not having had any non-criminal legal problems: 94 percent say neither they nor anyone in their household have experienced any legal problems in the past year (4 percent have).
- When the population is presented with a list of 36 specific civil legal problems, and asked whether they experienced these in the past year, nearly half (47 percent) say they have experienced at least one of these problems (53 percent have not). The survey polled on issues including problems with housing, finances, employment, health insurance or medical bills, employment, public benefits, domestic and family issues, immigration issues, and issues with schools for parents.
 - Eighteen percent report having one problem in the past year, 11 percent had two problems, and 19 percent had three or more.
- Low-income New Yorkers most likely to have experienced at least one of the 36 problems are: those living in poverty (50 percent had at least one problem in past year), under age 60 (55 percent), African Americans (53 percent), Latinos (50 percent), immigrant households (52 percent), parents with children under age 18 (60 percent), those living in public, Section 8, or subsidized housing (54 percent), the unemployed (61 percent), uninsured (66 percent), and the disabled (53 percent).

Strategic Summary: Types of Civil Legal Problems Experienced

- Low-income New Yorkers are most likely to have experienced at least one problem in the area of health insurance or medical bills (20 percent), and then finances (18 percent), employment (17 percent), and housing (16 percent).
- Problems with public benefits (13 percent) and domestic/family issues (12 percent) fall in the second tier.
 - Top problem areas are similar for those under age 60, but those in this age cohort report experiencing more problems in each of the areas: health insurance or medical bills (25 percent), finances (22 percent), housing (20 percent), employment (19 percent), domestic and family issues (13 percent), and public benefits (15 percent).
- Questions specific to parents about problems at their child’s school with suspension or expulsion and with getting children special needs help are among the least common, with only nine percent of parents reporting these problems.
- A series of problems were asked only of immigrants, including troubles with a green card or work authorization, problems securing citizenship or permanent residency or troubles with seeking asylum or deportation, but these were also among the least common problems reported (5 percent).
- The top specific problems reported across these areas are:
 - Difficulty or harassment by creditors over unpaid bills or loans, including personal loans, loans used to purchase something, and payday loans (14%);
 - Difficulty with creditors over unpaid medical bills or hospital bills (12%);
 - Unsafe conditions, neglected repairs, or being overcharged in rent among those who rent or live in Section 8 or public housing (10%);
 - Difficulty getting or keeping food stamps (9%);
 - Trouble getting unemployment benefits or being denied benefits (7%);
 - Having a divorce, separation or annulment of one’s marriage (7%); and
 - Difficulty keeping, being re-certified, or being denied Medicaid (7%).

Strategic Summary: Types of Civil Legal Problems Experienced Among Demographic Groups

Demographic groups who report experiencing more problems in some issue areas are the following:

- **Younger people:** Those under age 30 report more problems in nearly every area, and are much more likely to report problems with housing (31 percent) and employment (26 percent). Parents, many of whom are younger, also report more problems, and are especially likely to have problems with health insurance or medical bills (29 percent), finances (24 percent), and housing (24 percent).
- **Those In Poverty:** Those living in poverty are much more likely than those near poverty to report housing problems (21 percent, compared to 12 percent).
- **Latinos:** The top problem for Latinos is housing (21 percent), followed by domestic and family issues (18 percent), health insurance and medical bills (18 percent), and employment (18 percent). They report fewer problems with finances (14 percent). Latinos are more likely to have domestic and family-related legal problems and housing problems than the overall population.
- **African Americans’** top civil legal problems mirror those of the total population, but they have more problems with finances (25 percent) and housing (24 percent) than the overall population.
- **Immigrants:** The types of problems reported by immigrant households run parallel to the overall population, with the exception of being slightly less likely to have finance problems (13 percent, compared to 18 percent overall).

Strategic Summary: Types of Civil Legal Problems Experienced Among Demographic Groups, Cntd.

- **Unemployed:** Low-income New Yorkers who are unemployed report more civil legal problems across areas, and are disproportionately more likely to report problems with employment (27 percent), housing (25 percent), public benefits (18 percent) and domestic/family issues (17 percent).
- **Disabled** low-income New Yorkers, or those living in a household with someone who is disabled, are also more likely to report problems across the board, and particularly more likely to experience problems in employment (25 percent), public benefits (23 percent) and with health insurance or medical bills (25 percent).
- **Public or Subsidized Housing Residents:** Residents of public, Section 8, or subsidized housing experience more problems across the board than the overall population, and are especially more likely to report problems with finances (25 percent), housing (24 percent), and public benefits (23 percent).

Strategic Summary: Solving Civil Legal Problems

- **Taking action:** Within the six problem areas asked of all respondents, low-income New Yorkers are most likely to have taken action on problems involving health insurance or medical bills (43 percent), and finances (37 percent), followed by domestic/family issues (30 percent) and public benefits (30 percent). They are least likely to have taken action on problems concerning housing (24 percent) and employment (21 percent).
- **Types of action taken:** The specific types of action taken vary by problem types as well. Low-income New Yorkers are most likely to seek help outside their households for domestic/family issues (24 percent) and problems with public benefits (23 percent). In the next rung down, they are just as likely to seek outside help as they are to take action on their own concerning problems with health insurance or medical bills (20 percent), finances (17 percent) and housing (11 percent).
 - Among those who took action, they are most likely to seek legal help for housing problems (70 percent said they sought help from legal aid, private attorney or court or court hearing; 36 percent from legal aid specifically) and domestic/family issues (82 percent; 21 percent).
 - They turn to legal help, secondarily, on issues involving employment (45 percent legal help; 4 percent legal aid); finances (42 percent; 13 percent); and public benefits (40 percent; 20 percent). Instead, for employment and public benefit problems, they are more likely to seek help from social service agencies or local or state government agencies (employment problems: 69 percent; public benefits: 88 percent). For finance issues, these New Yorkers are most likely to seek help from family and friends (38 percent) and local/state government or social service agencies (30 percent).
 - This population is least likely to get legal help for problems with health insurance or medical bills (28 percent legal help; 16 percent legal aid). For these problems, they are most likely to seek assistance from social service, or local or state government, agencies (72 percent).
- **Not a heavy reliance on legal help:** Eight in ten low-income New Yorkers who experienced a civil legal problem of any type in the past year say they never sought help from a legal institution (legal aid, private attorney, or court or court hearing). Nearly nine in ten never sought help from legal aid.

Strategic Summary: Barriers to Taking Action or Getting Help

- **Inaction:** Over half of those who experienced any of the specific problems covered in the survey never took action on any of those problems (56 percent). Among those most prone to inaction are: men, young men, men living in poverty, married men, whites, those living in immigrant households, renters not living in public or subsidized housing, the unemployed, and retirees.
- **Barriers to taking action or getting help:** Across the types of problems, the most commonly cited reasons for not taking action on a civil legal problem is the belief that action would not help, and not wanting to “cause trouble.” Although, causing trouble is much less a concern with public benefit problems (5 percent). This population is also less likely to say that taking action would be ineffective for employment problems (only 12 percent).
 - For family/domestic issues, employment, and housing problems, New Yorkers are much more likely to say they did not act because they “left or got out of the situation” or just “waited for the problem to go away.”
 - Not knowing where to go for help, not having enough time, and concerns that help would be too expensive are lower level concerns across the problem types.

Strategic Summary: Potential Actions Among those Not Experiencing Problems

- A majority of low-income New Yorkers who say they have not experienced any of the specific civil legal problems covered in the survey say they **would** take action on those problems were they to face them (56 percent would take action; 29 percent would not). Among those who imagine they would take action, over six in ten (64 percent) would seek outside help for the problem and 27 percent would try to solve the problem themselves.
 - If they were to experience any of the problems in the survey, those most likely to imagine they would take action are older men, Latinos, African Americans, those living in immigrant households, parents, and those living in households where someone is disabled. Women living in poverty (100% FPL or below) and white women are more prone to think they would not take action.
- Among those who imagine they would seek outside help, nearly all would be open to looking to a legal institution for help (92 percent would go to a legal aid program, private attorney, or court or court hearing).
 - Three quarters would go to a private attorney (77 percent).
 - Two thirds would go to a legal aid program (64 percent) or court or court hearing (65 percent).
- Additionally, three-quarters say they would go to a local or state government agency or a social services agency (73 percent). Six in ten would turn to family and friends (60 percent).
- Among the 29 percent who imagine they would not take action, similar barriers to action are reported: desire not to cause trouble (29 percent) and the notion that taking action would not really help (29 percent).

Strategic Summary: Awareness of Free Legal Services & Perceptions around Eligibility

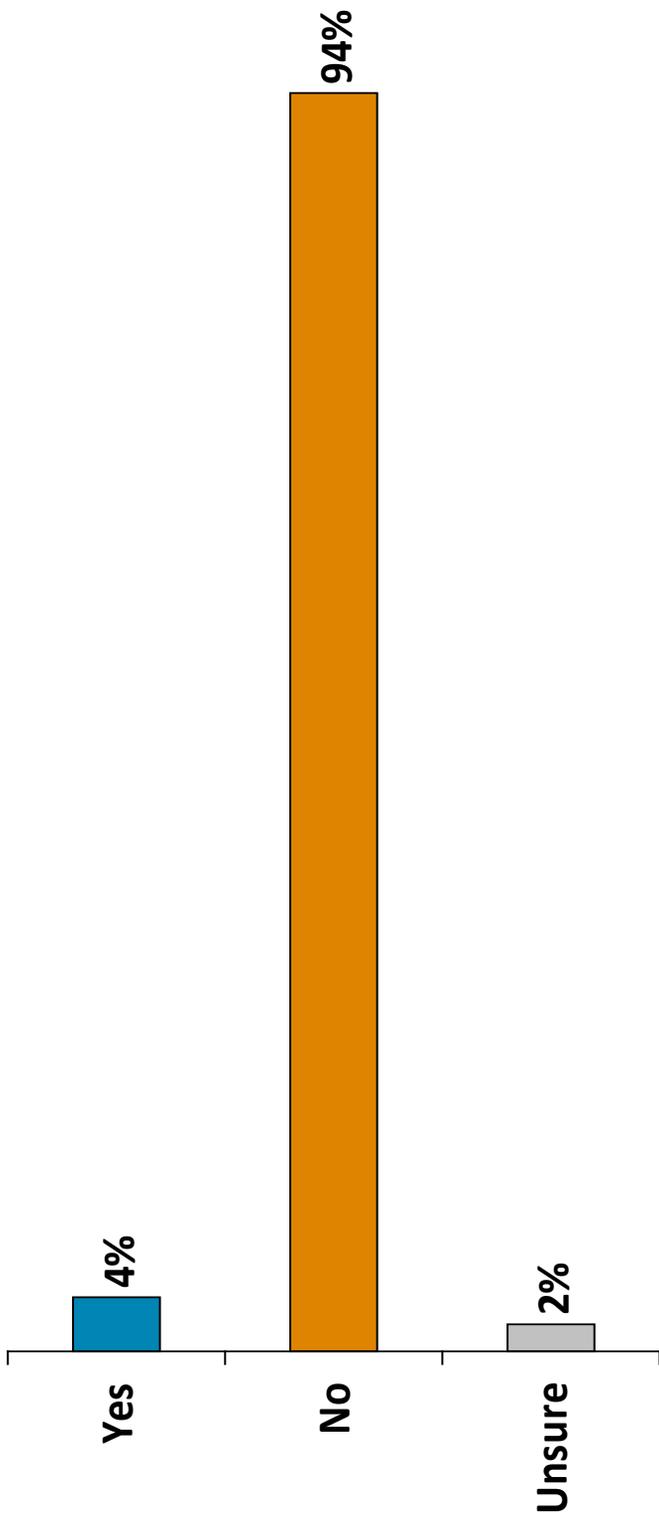
- There is a healthy level of awareness that free legal services are available, but there is a lack of clarity among low-income New Yorkers about whether they would be eligible for free legal services. A majority of low-income New Yorkers (56 percent) are aware that there are free legal services available for low-income residents of the state. Forty-five percent are either unaware (11 percent) or unsure (34 percent).
 - Awareness of free legal services is lowest among older African Americans, active duty or veteran households, homeowners, the uninsured, and residents of Upstate New York, especially Upstate East.
 - Awareness levels are similar among New Yorkers living in poverty (58 percent know these services exist) and those living near poverty (54 percent).
- Three-quarters of low-income New Yorkers are either unsure (56 percent) or do not believe they would be eligible to receive free legal services (19 percent). Those living at or below the poverty level are more likely to believe they are eligible (34 percent believe eligible; 52 percent unsure) than those near poverty (19 percent believe eligible; 59 percent unsure).
- Among those who are aware of free legal services for low-income New Yorkers, two in ten believe they would be eligible for the free services (22 percent), while one third do not think this or are unsure (34 percent).
- Those least likely to believe they are eligible for free legal services are: those age 65 and older, retirees, on Medicare, white women, whites ages 50 and older, non-parents, homeowners, and residents of the Western part of Upstate New York.

Frequency of Civil Legal Problems Experienced by Low-Income New Yorkers

Most low-income New Yorkers say they have not had any non-criminal, legal problems in the past year, but when they are presented with specific civil legal problems there is more recognition, with nearly half reporting at least one problem.

Most low-income New York state residents do not report having any non-criminal, legal problems in the past year.

In the past year, did you or anyone in your household have any legal problems, excluding any criminal problems or issues, or aren't you sure?

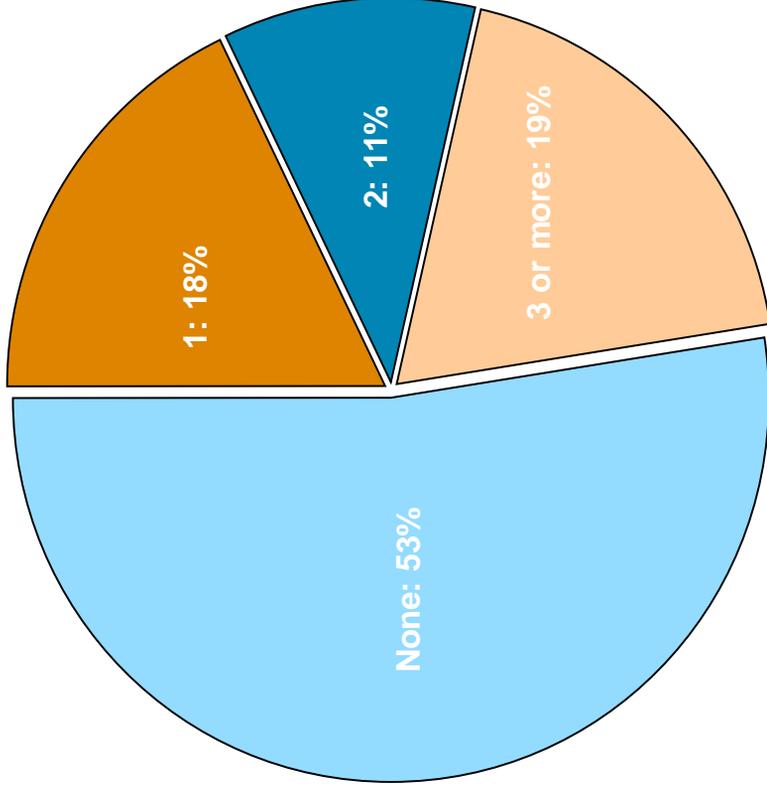


Those ages 50-64 (11%) and households with veterans or active duty military members (11%) are more likely to report having a legal problem in the past year, but still only small percentages report problems.



However, when low-income New Yorkers are asked to consider 36 specific civil legal problems in the past year, including problems involving housing, finances, employment, health insurance or medical bills, employment, public benefits, domestic and family issues, immigration issues, and—for parents—issues with schools, forty-seven percent report having at least one problem in these areas. Eighteen percent report having only one problem, 11 percent had two, and 19 percent had three or more.

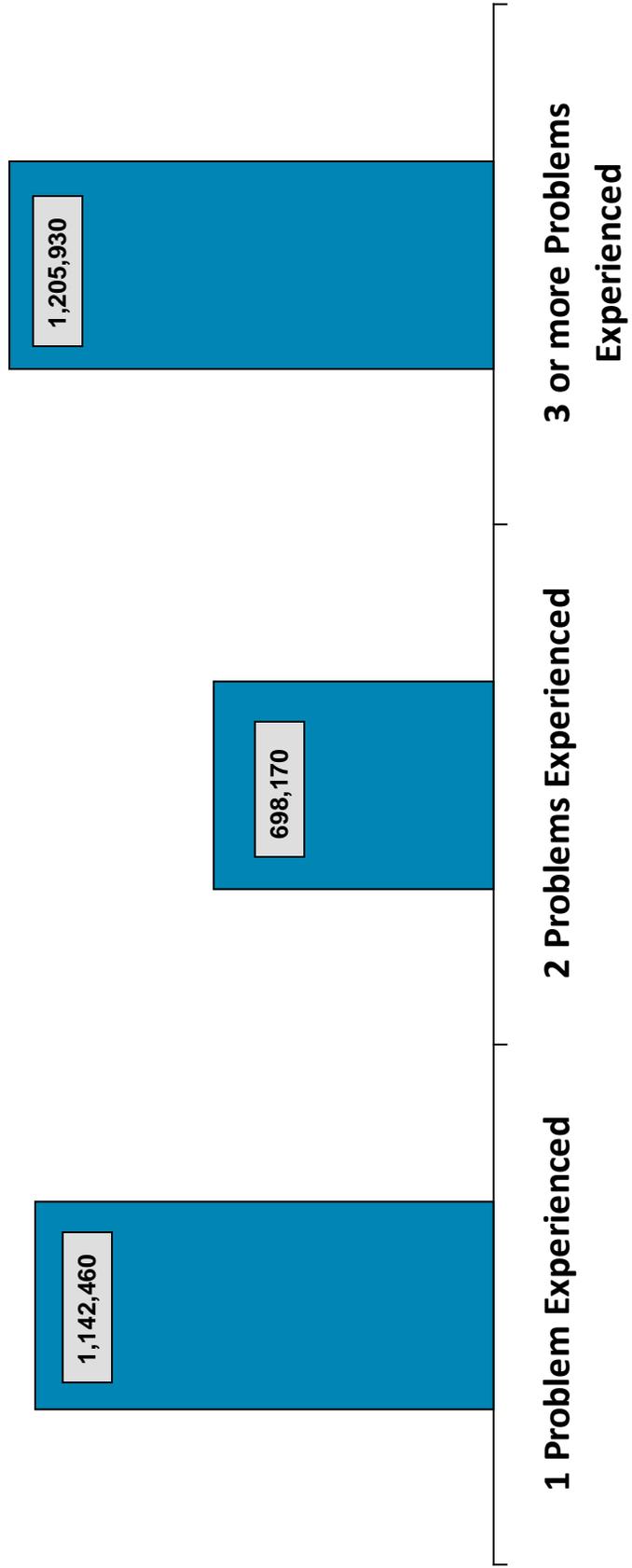
Civil Legal Problems Reported in the Past Year



Low-income New Yorkers report experiencing an average of 1.41 legal problems in the past year.

This translates into almost three million residents of New York state, who live at 200% of the FPL or below, experiencing at least one of the civil legal problems queried on in the past year (2.98 million). Just over one million would have experienced one problem, nearly 700,000 two problems, and 1.2 million three or more problems.

Estimated Number of NYS Residents \leq 200% FPL Experiencing Civil Legal Problems (Extrapolation to NYS Population \leq 200% FPL)



Based on data from the U.S. Census Bureau's Current Population Survey: Annual Social and Economic Supplement for 2009



Summary Table: Frequency of Civil Legal Problems Among Low-Income New Yorkers

(% saying experienced at least one problem in past year)

More likely to have Experienced Problem

- <100% FPL (50%)
- Under age 60 (55%), especially those under age 30 (61%)
- Women under age 60 (60%)
- African Americans (53%), especially African Americans under age 50 (65%)*
- Latinos (50%)
- Immigrant households (52%)**
- Parents of children under 18 (60%)
- Public, Section 8, subsidized housing (54%)
- Unemployed (61%)
- Uninsured (66%)
- Disabled Individuals (53%) and those living in disabled households (58%)***

Less Likely to have Experienced Problem

- Age 60 and older (31%)
- Retirees (31%)
- Whites (40%)
- Non-parents (40%)
- Homeowners (41%)
- Non-Disabled households (42%)
- Upstate East (43%)

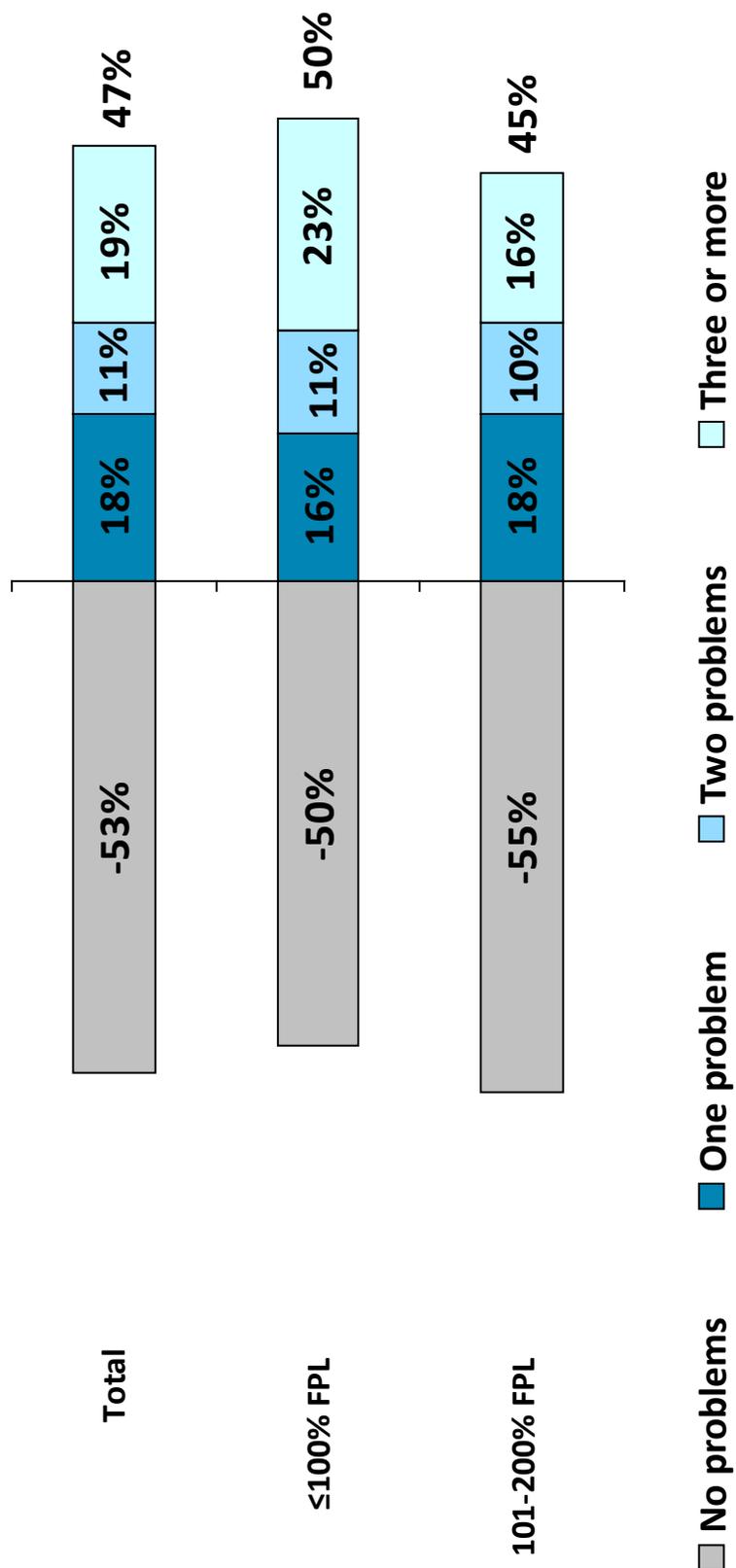
*Small n size.

**Individuals who are either themselves immigrants or live in a household with someone who is an immigrant.

***Individuals who are either disabled themselves or living in a household with a disabled individual.

Those in poverty—at 100% of the FPL or below—are slightly more likely to have experienced civil legal problems, and to have experienced more problems, than those living near poverty.

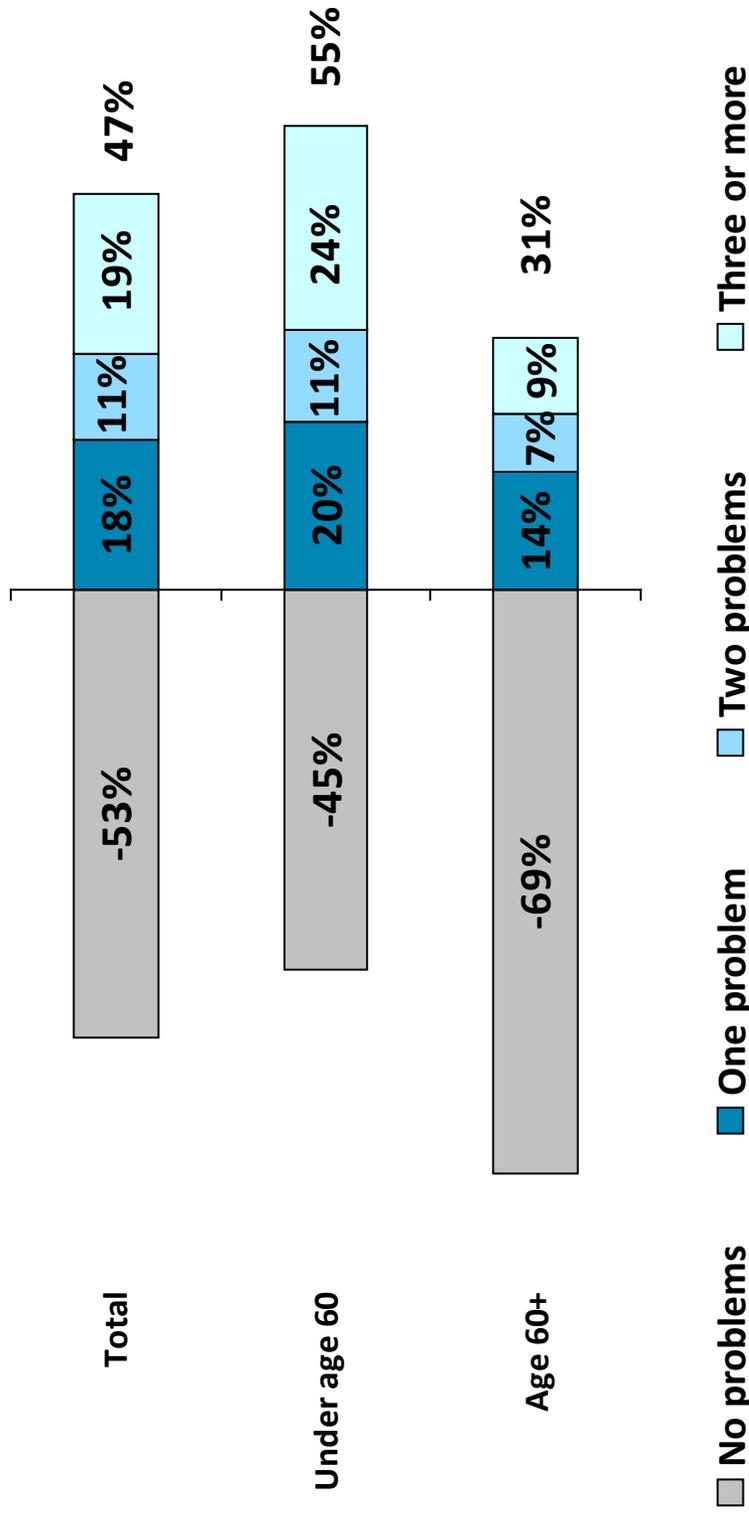
Number of Civil Legal Problems Experienced in Past Year



Women in poverty (100% FPL or below) are more likely than their male counterparts to report a civil legal problem in the past year (54% of women at 100% FPL or below had at least one problem, compared to 46 percent of men).

Additionally, younger low-income New Yorkers are much more likely than their older counterparts to have experienced civil legal problems, and to have experienced more of them. While one third of New Yorkers over age 60 report a problem, over half of those under age 60 have experienced some civil legal problem.

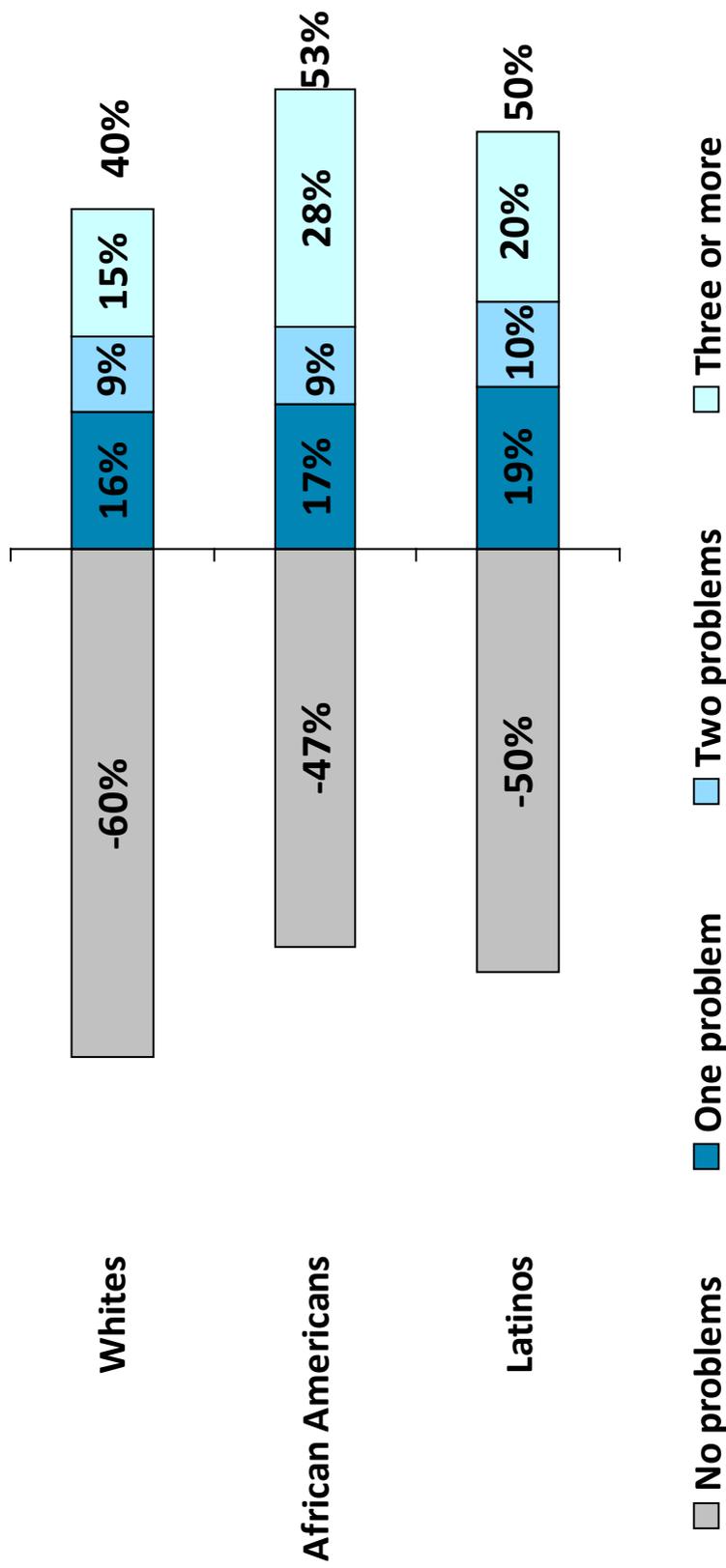
Number of Civil Legal Problems Experienced in Past Year



Women under age 60 are more likely than their male counterparts to report a civil legal problem in the past year (60% had at least one problem, compared to 48% of men under 60).

African Americans and Latinos report experiencing more civil legal problems than whites in the past year. This is more acute among African Americans: a majority have experienced at least one civil legal problem and over one quarter report three or more problems.

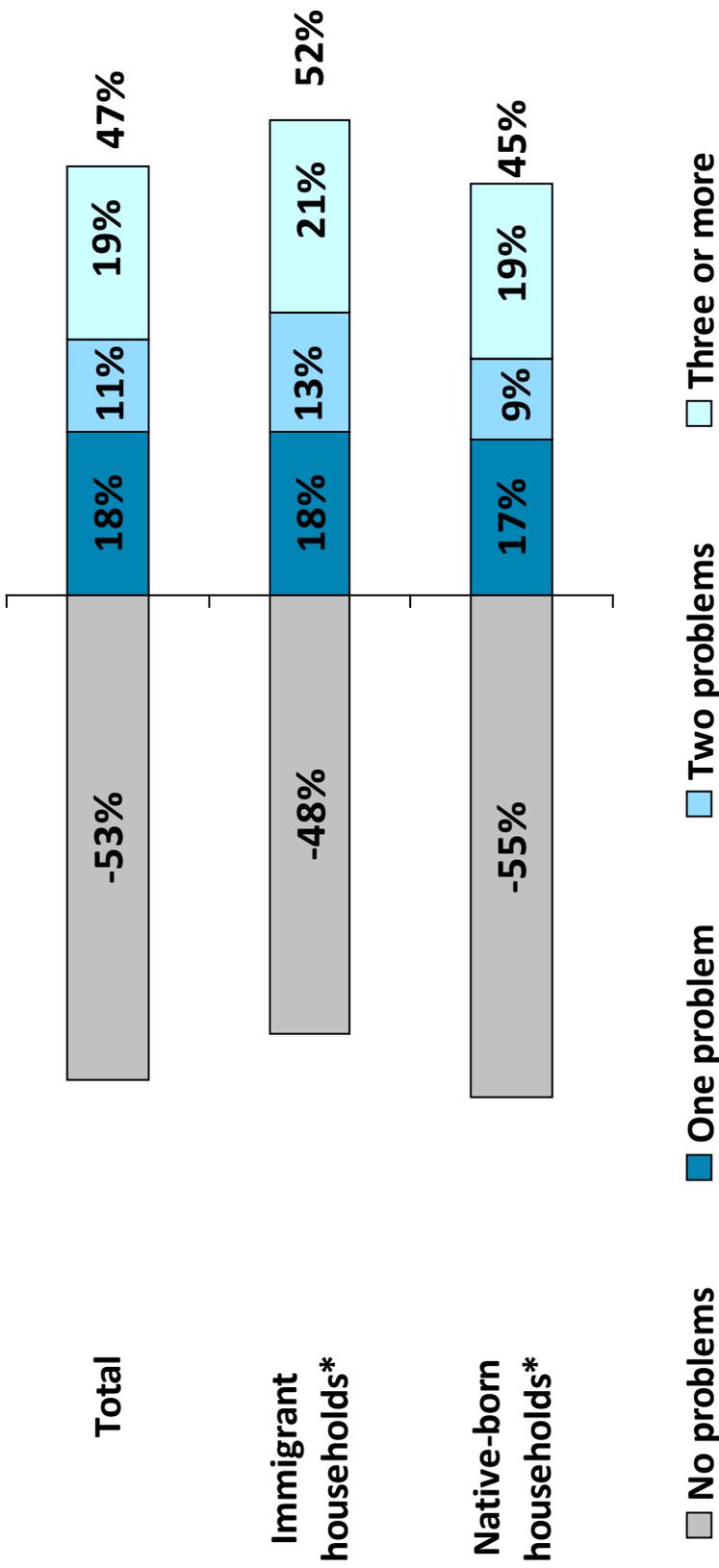
Number of Civil Legal Problems Experienced in Past Year



Younger African Americans (under age 50) are more likely than older African Americans to have experienced a civil legal problem in the past year (65% had at least one problem, compared to 39% of African Americans over 50).

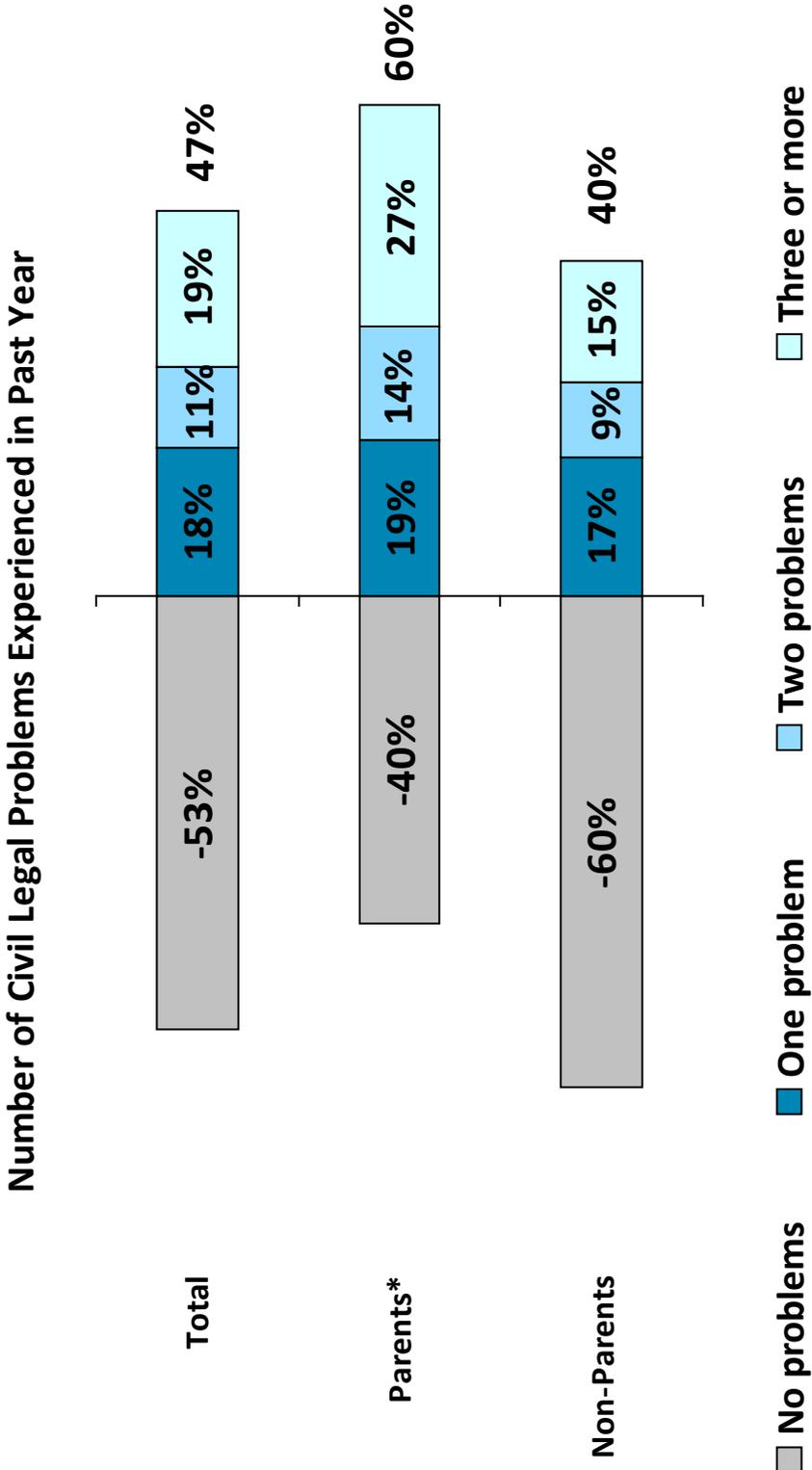
Immigrant households—with at least one person who was not born in the U.S.—are disproportionately more likely to report experiencing civil legal problems.

Number of Civil Legal Problems Experienced in Past Year



*Numbers represent the percentage of individuals living in such a household. “Immigrant households” are individuals who are either themselves immigrants or live in a household with someone who is an immigrant. “Native born households” are individuals living in a household where everyone was born in the U.S.

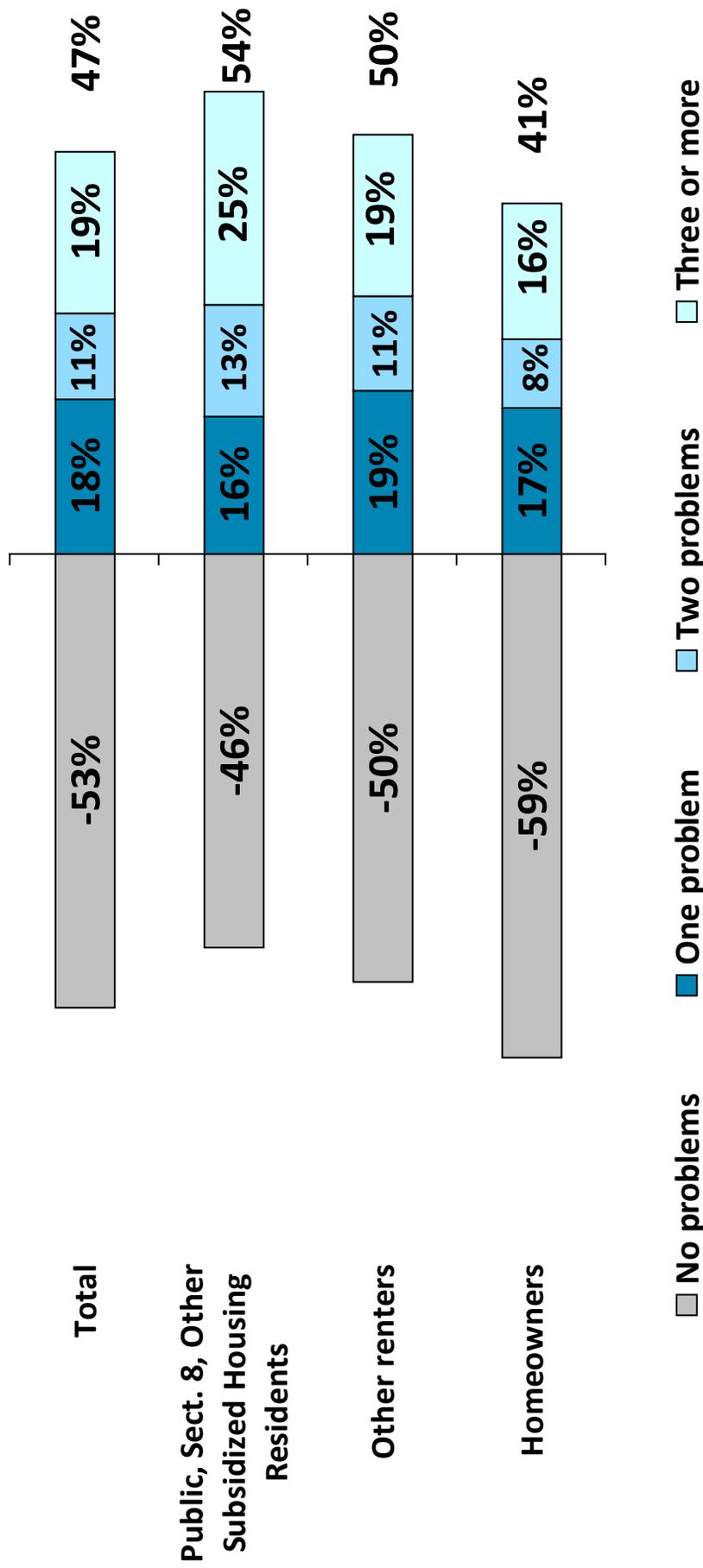
Poor New Yorkers who are parents of children under age 18 are much more likely than those without children to say they have had civil legal problems in the past year. This is in-part a function of age.



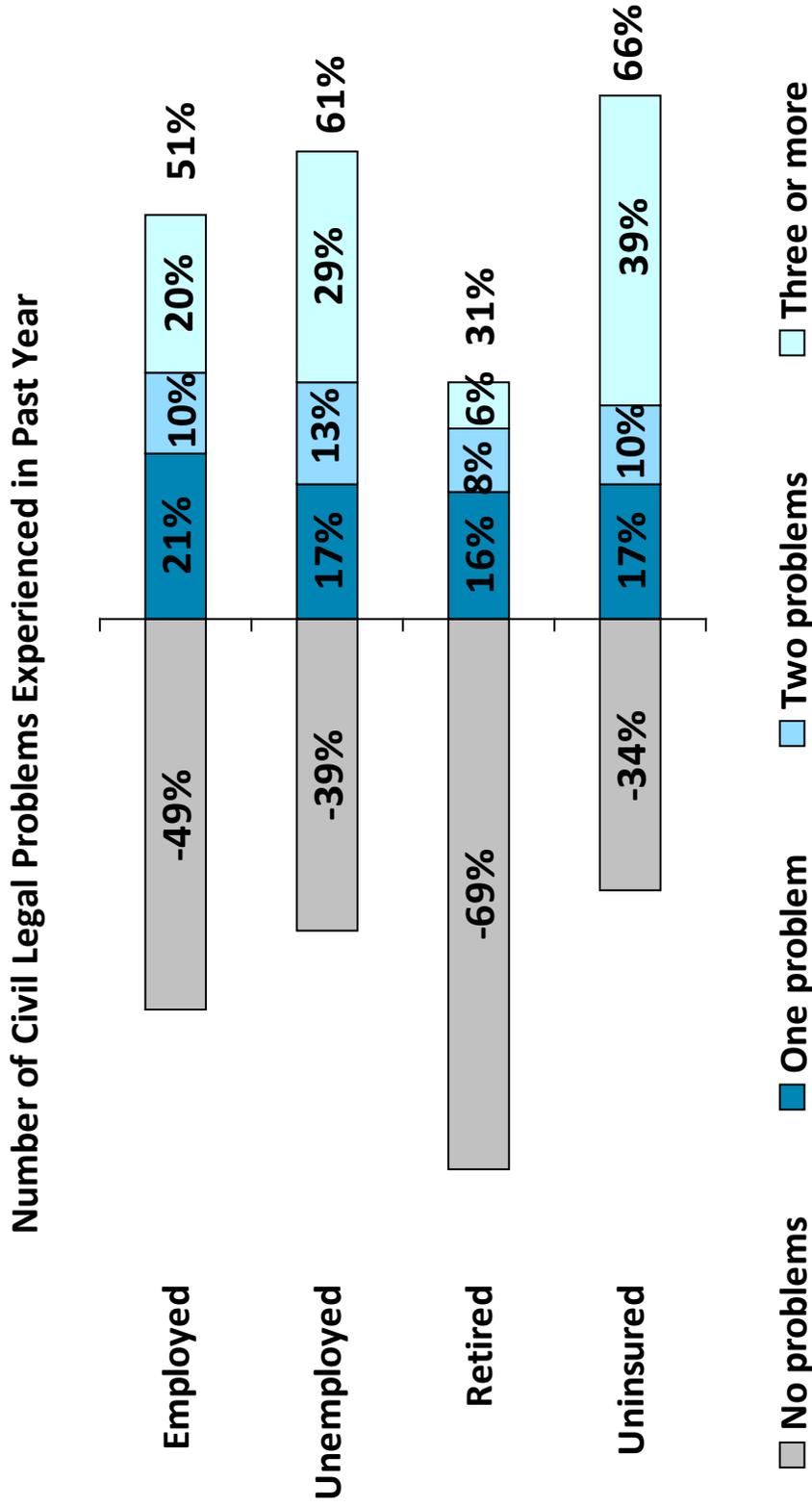
* "Parents" are defined as individuals who have with children 18 years of age or younger living at home with them.

New Yorkers who live in public housing, Section 8 or other subsidized housing report having more civil legal problems. One quarter report three or more problems in the past year, compared to 19 percent of other renters, and 16 percent of homeowners.

Number of Civil Legal Problems Experienced in Past Year

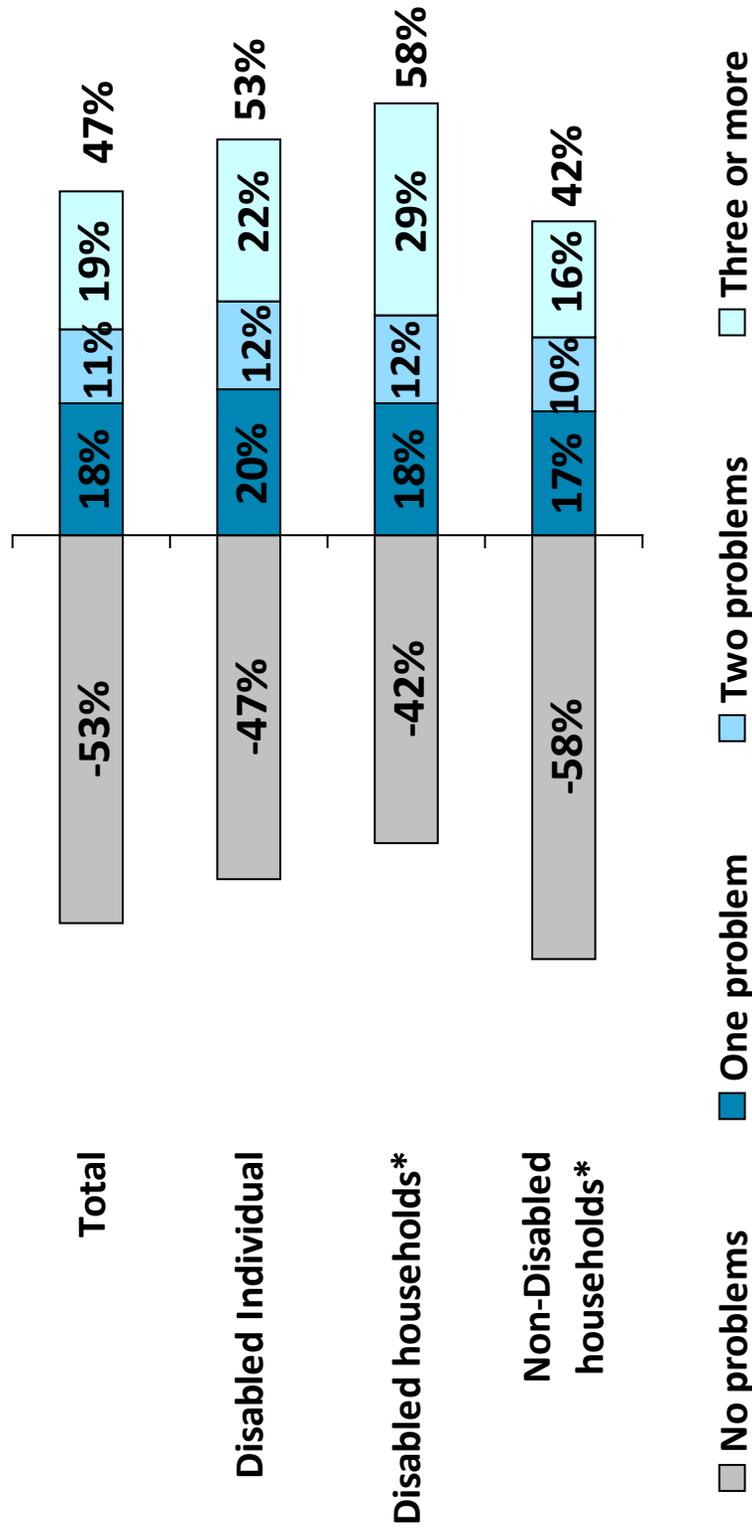


Six in ten low-income New Yorkers who are unemployed, and two-thirds of those who do not have health insurance, have experienced civil legal problems in the past year. Nearly three in ten among these groups report having three or more problems.



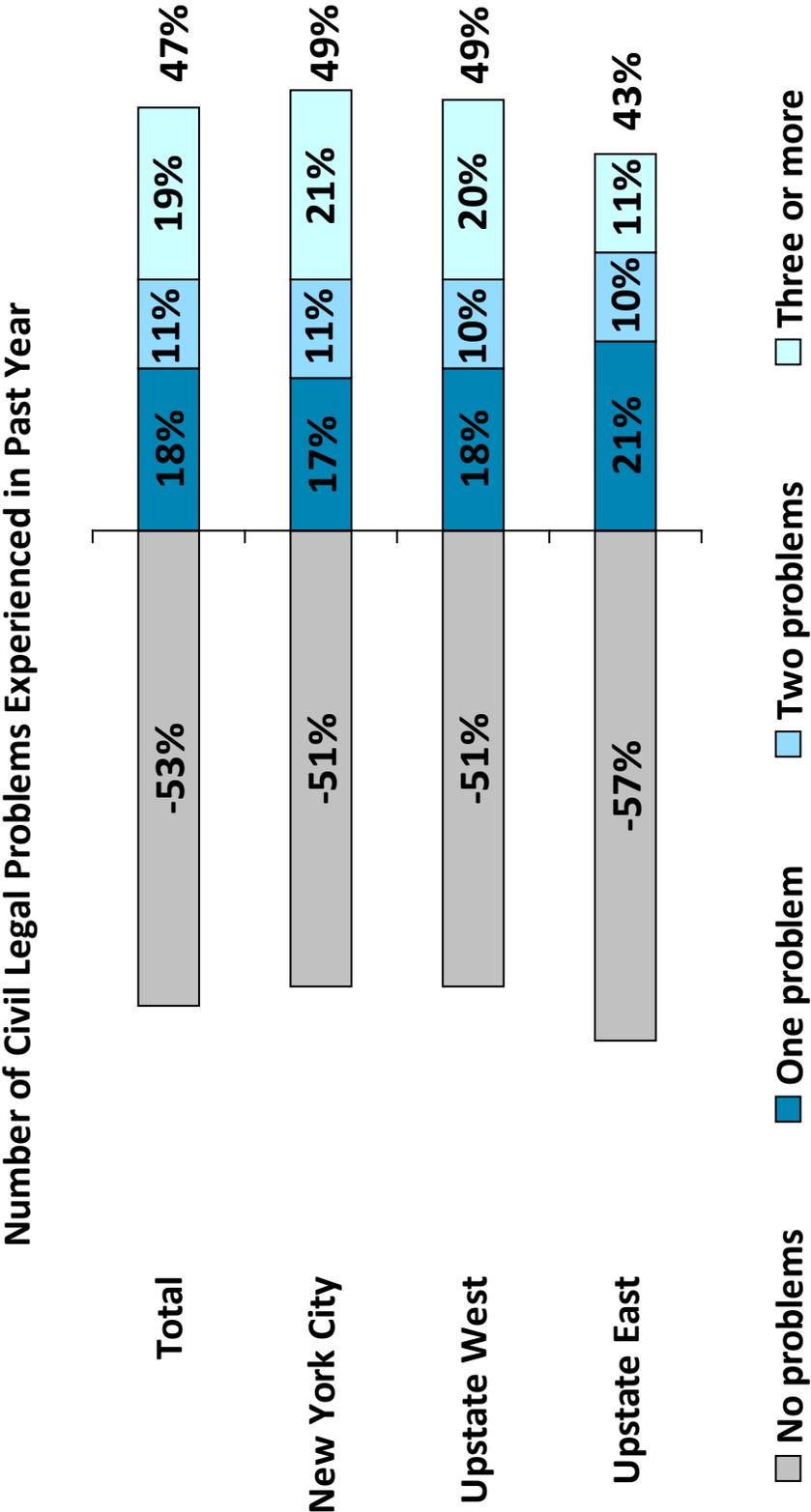
A majority of disabled New Yorkers, and those living in a household with someone who is disabled, report having at least one civil legal problem in the past year. Disability is defined in this survey as having a physical or mental disability that limits the type of employment pursued and qualifies one for public assistance.

Number of Civil Legal Problems Experienced in Past Year



*Numbers represent the percentage of individuals living in such a household. "Disabled Households" are individuals who are either disabled themselves or living in a household with a disabled individual.

Examining regions of the state, those living in the Eastern part of Upstate New York are somewhat less likely to report experiencing any civil legal problems in the last year.



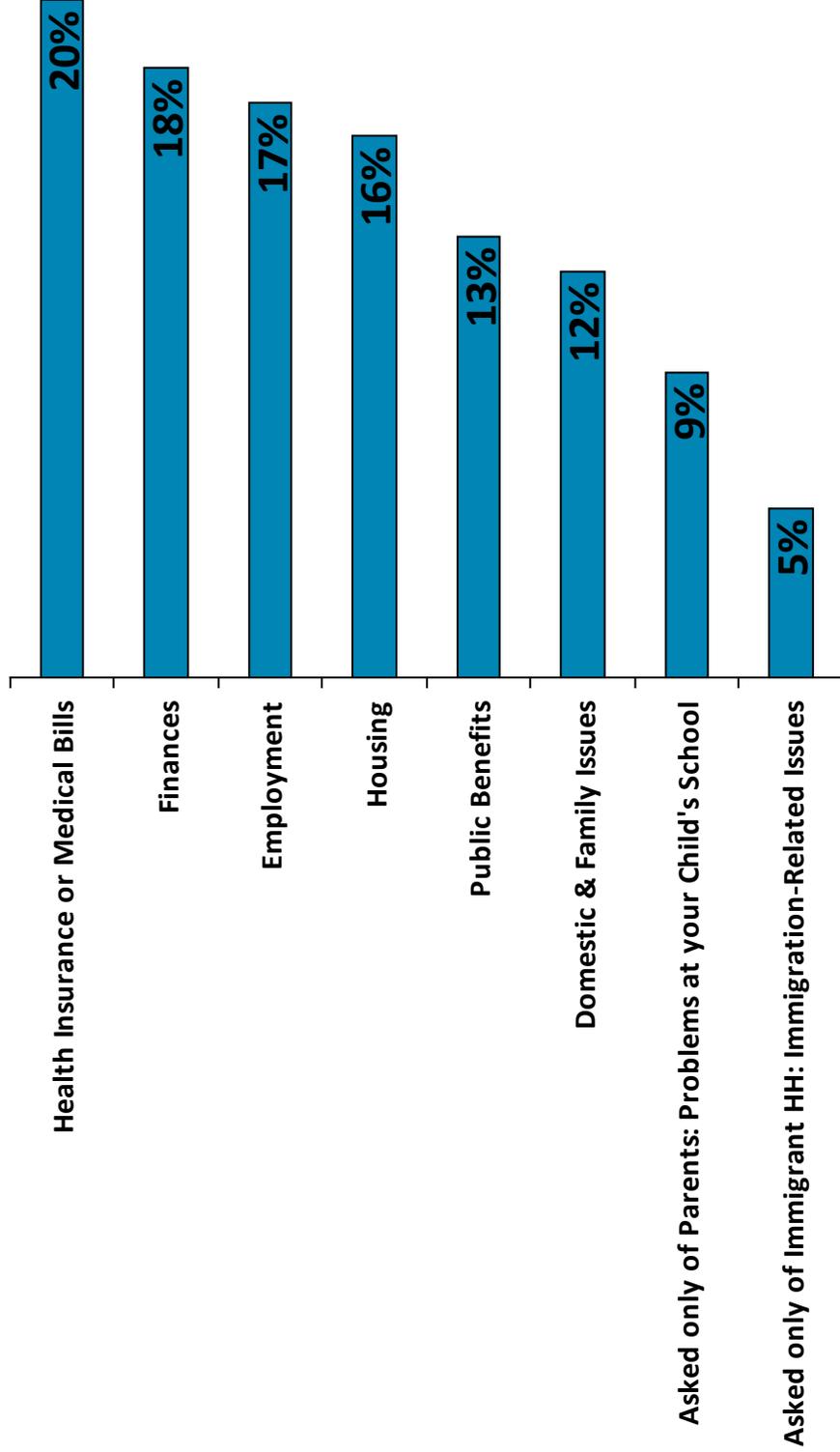
Examination of Specific Types of Civil Legal Problems Experienced by Low-Income New Yorkers

Low-income New Yorkers are most likely to have experienced at least one problem in the area of Health Insurance or Medical Bills, followed closely by Finances, Employment and Housing. Public Benefits and Domestic & Family Issues fall to a second tier.

Grouping the 36 specific problems into eight topic areas, low-income New Yorkers are most likely to have experienced at least one problem in the area of Health Insurance or Medical Bills, followed closely by Finances, Employment, and Housing. Public Benefits and Domestic & Family Issues are in a second tier of problems.

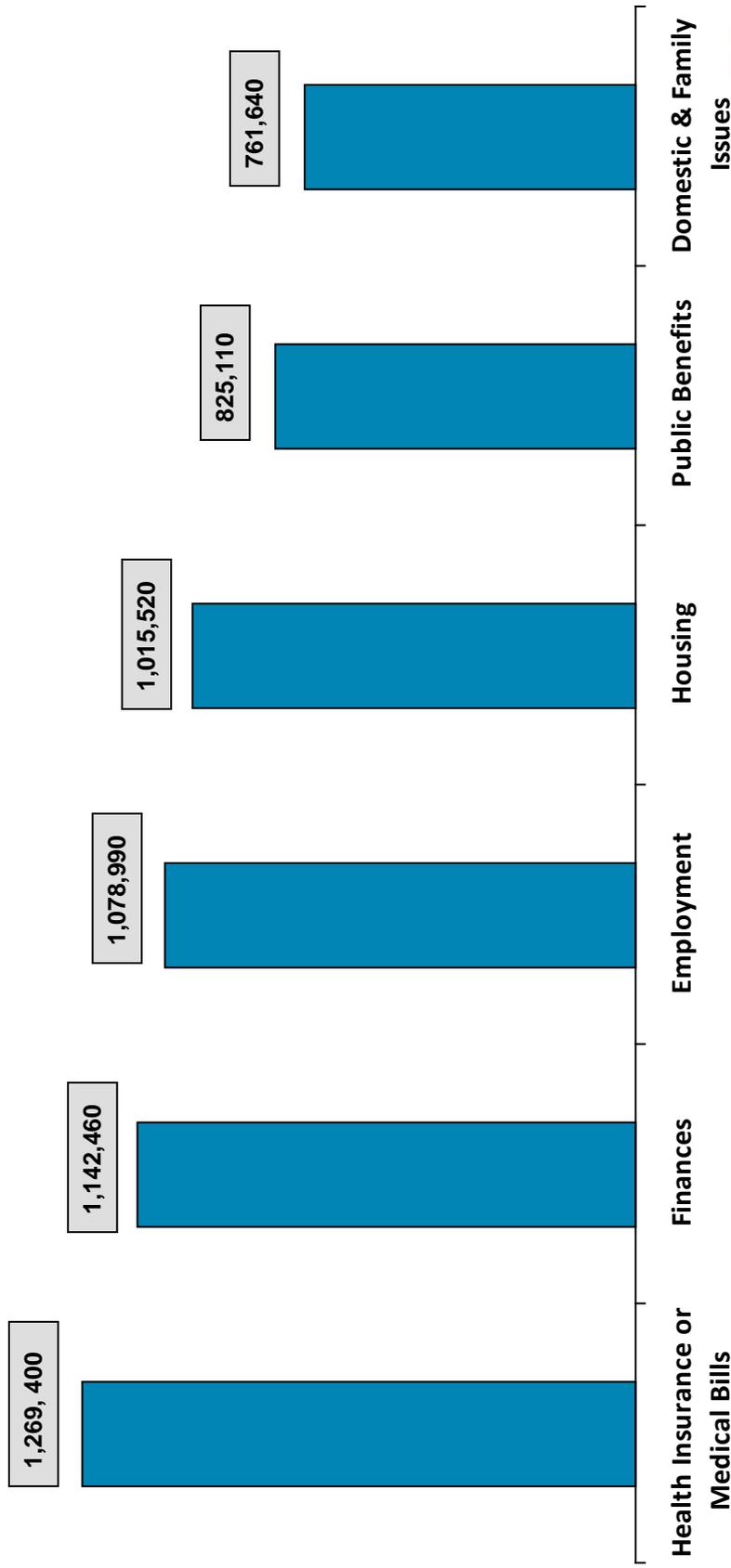
Now I'd like to talk about some problems people in New York may or may not have had. Please tell me if you or anyone in your household has experienced any of the following in the last year?

Percent Experiencing At Least One Problem in Last Year: Within Problem Group



Extrapolating the survey findings to the population of New Yorkers living at or below 200% of the FPL translates into at least one million low-income New Yorkers experiencing at least one problem in the areas of health insurance or medical bills, finances, employment, and housing within the past year.

Estimated Number of Low-Income New York State Residents Experiencing Civil Legal Problems by Problem Group (Extrapolation to NYS Population \leq 200% FPL)

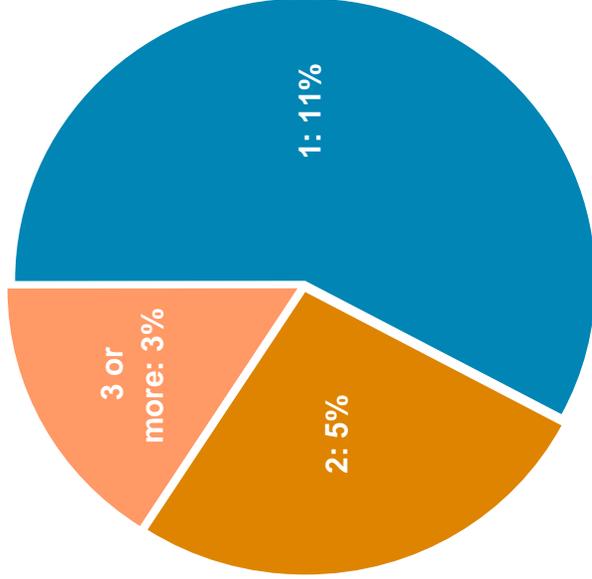


Based on data from the U.S. Census Bureau's Current Population Survey: Annual Social and Economic Supplement for 2009



Examining each problem area specifically, the most commonly reported problem regarding health insurance or medical bills is difficulty with creditors over unpaid medical or hospital bills. This is also among the most common problems reported across all topic areas.

Number of Health Insurance or Medical Bill Problems Reported in Past Year



Health Insurance or Medical Bills (You or anyone in your household experienced in the last year)

12% Had difficulty with creditors over unpaid medical or hospital bills (Under age 60: 15%; Age 60+: 5%)*

7% Had difficulty keeping, being re-certified, or being denied Medicaid health insurance, also known as Child Health Plus or Family Health Plus (<60: 8%; 60+: 4%)*

6% Lost or were denied private medical insurance or had difficulty getting reimbursement or coverage from existing private medical insurance (<60: 6%; 60+: 6%)*

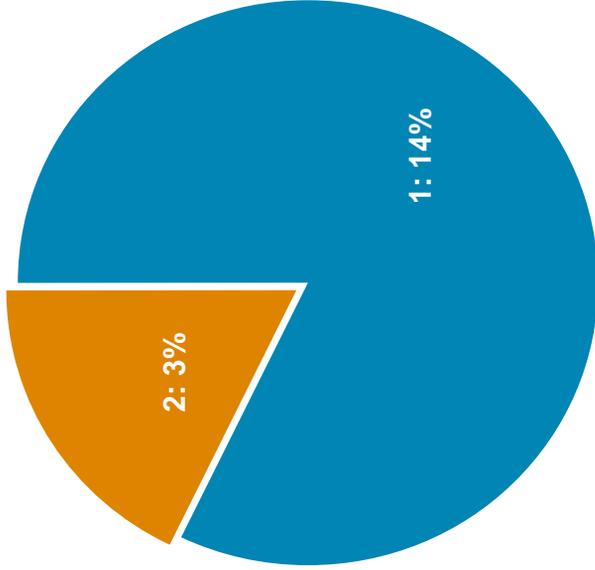
5% Had problems using or keeping COBRA—health insurance you can purchase from your employer if you lose your job (<60: 6%; 60+: 4%)*

5% Were denied Medicare benefits or had difficulty getting adequate coverage from Medicare, including Medicare Part D (<60: 6%; 60+: 4%)*

*Small n size for age data

The most common problem reported in the finance area is difficulty or harassment by creditors over unpaid bills or loans, including personal or payday loans. This is the biggest problem reported across the survey as well. Additionally, six percent report problems with tax refunds, payments or tax-related loans.

Number of Finance Problems Reported in Past Year



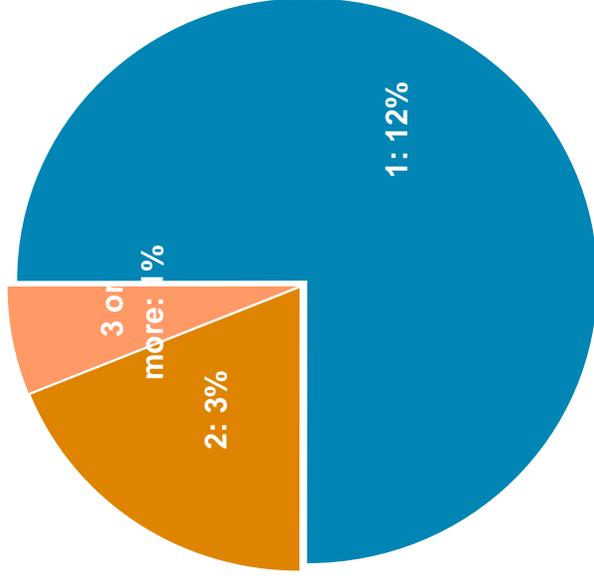
Finances (You or anyone in your household experienced in the last year)

- 14% Had difficulty or were harassed by creditors over unpaid bills or loans, such as a personal loan, loan used to purchase something or a payday loan—which is an advance loan you get before payday (Under age 60: 17%; Age 60+: 6%)*
- 6% Had trouble with a tax refund, tax underpayment, or with a loan related to a tax refund (<60: 8%; 60+: 4%)*
- 1% Filed for bankruptcy (<60: 1%; 60+: 2%)*

*Small n size for age data

Employment problems are diffuse. The most common employment related problems reported include trouble obtaining unemployment benefits, unsafe working conditions, trouble collecting wages, overtime pay or other compensation from employers, and discrimination.

Number of Employment Problems Reported in Past Year



Employment (You or anyone in your household experienced in the last year)

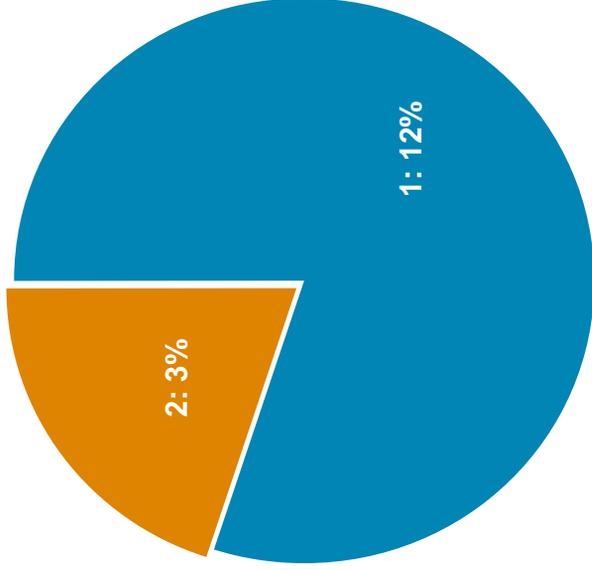
- 7% Had trouble getting unemployment benefits or were denied benefits (Under age 60: 10%; Age 60+: 2%)*
- 5% Faced unsafe working conditions (<60: 6%; 60+: 4%)*
- 5% Faced discrimination on the job because of your age, race, ethnicity, gender, sexual orientation, or criminal record (<60: 5%; 60+: 5%)* (Whites:4%; Latinos:7%; African Americans: 6%)*
- 4% Had trouble collecting your wages, overtime pay, or other compensation from your employer (<60:4%; 60+: 2%)*
- 3% Had trouble getting workers' compensation, also called "workers' comp" (<60: 3%; 60+: 2%)*

*Small n size for age and race data



Housing problems are also diffuse. The most common housing problem reported is having one’s utilities shut off. Among non-homeowners, ten percent say they have had renter-specific troubles including unsafe housing conditions, neglected repairs, or being overcharged rent.

Number of Housing Problems Reported in Past Year



Housing (You or anyone in your household experienced in the last year)

5% Had utilities shut off (Under age 60: 7%; Age 60+: 2%)*

2% Been foreclosed on or faced possible foreclosure conditions (<60: 3%; 60+: 2%)*

2% Were unable to get housing because of your race, ethnicity, criminal record (<60: 2%; 60+: 1%)* (Whites:2%; Latinos: 1%; Afr. Ams: 3%)*

2% Had trouble getting or keeping public housing or Section 8 housing (<60: 3%; 60+: 1%)*

1% Been forced out of your home (<60: 1%; 60+: 1%)*

1% Had trouble getting or keeping emergency shelter, were homeless, or had to stay with friends or relatives because you had nowhere else to go (<60: 2%; 60+: --%)*

ASKED ONLY OF RENTERS, or THOSE WHO LIVE IN PUBLIC HOUSING, SECTION 8/SUBSIDIZED HOUSING

10% Had unsafe conditions or neglected repairs in your home or were overcharged for rent (<60: 10%; 60+: 9%)*

4% Faced eviction (<60: 3%; 60+: 4%)*

*Small n size for age and race data



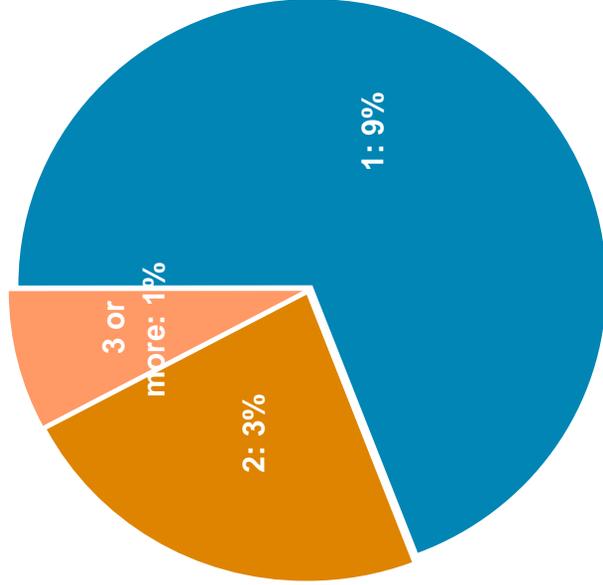
Among questions asked of both low-income homeowners and non-homeowners, having one’s utilities shut off is the most common housing problem reported.

Housing (You or anyone in your household experienced in the last year)	Non-Homeowners	Homeowners
*Had unsafe conditions or neglected repairs in your home or were overcharged for rent	10%	N/A
Had utilities shut off	6%	4%
Been foreclosed on or faced possible foreclosure	3%	2%
Were unable to get housing because of your race, ethnicity, criminal record	2%	1%
Had trouble getting or keeping public housing or Section 8 housing	3%	1%
Been forced out of your home	1%	1%
Had trouble getting or keeping emergency shelter, were homeless, or had to stay with friends or relatives because you had nowhere else to go	1%	1%
*Faced eviction	4%	N/A

* Asked only of Renters, or those living in public housing, Section 8 housing, or subsidized housing.

In the public benefits area, the most common problem is difficulty getting or keeping food stamps, followed by difficulty getting or keeping cash assistance, welfare benefits, or other problems in general with one’s welfare case.

Number of Public Benefit Problems Reported in Past Year



Public Benefits (You or anyone in your household experienced in the last year)

9% Difficulty getting or keeping food stamps

(Under age 60: 10%; Age 60+: 5%)*

6% Difficulty getting or keeping cash assistance, welfare benefits, or other problems with your welfare case (<60: 8%; 60+: 2%)*

3% Difficulty getting or keeping federal Social Security retirement, federal disability, or federal SSI benefits

(<60: 2%; 60+: 3%)*

ASKED ONLY OF VETERAN HOUSEHOLDS

1% Difficulty getting or keeping veterans’ benefits

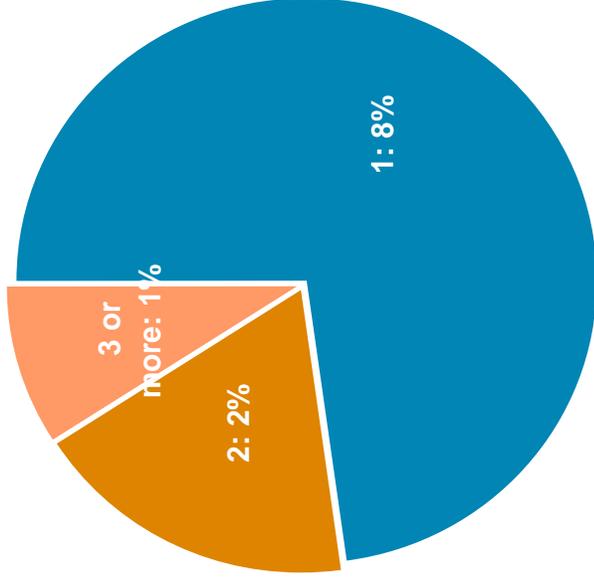
(<60: 2%; 60+: --%)*

*Small n size for age data



The top problem regarding family or domestic issues is dealing with a divorce, separation or annulment, followed by problems with child support and domestic violence.

Number of Family or Domestic Problems Reported in Past Year



Family or Domestic Issues (You or anyone in your household experienced in the last year)

7% Had divorce, separation, or annulment of your marriage (Under age 60: 8%; Age 60+: 7%);* (Parents: 9%; Non-Parents: 6%)*

4% Had problems with child support (<60: 5%; 60+: 2%)* (Parents: 8%; Non-parents: 2%)*

4% Experienced domestic violence—where a spouse, partner, boyfriend or girlfriend was physically, verbally, or emotionally abusive (<60: 4%; 60+: 1%)* (Parents: 5%; Non-Parents: 3%)*

1% Had problems involving child abuse or elder abuse (<60: --%; 60+: 2%)*

1% Had troubles with child custody (<60: 1%; 60+: 1%)*

1% Filed an order of protection (<60: 1%; 60+: --%)*

*Small n size for age and parental status data

Among low-income parents with children under 18, five percent report having problems with their child being suspended or expelled from school in the past year. Another four percent had trouble getting help for their child’s special education needs.

Among Parents: Problems with Your Children’s School

(You or anyone in your household experienced in the last year)

-
- 5% Had problems with your child being suspended or expelled from school
 - 4% Had troubles getting your children help with any special education needs
-
-

One third of the low-income New Yorkers surveyed are either immigrants themselves or live in a household with an immigrant. Yet, immigrant households report a low number of civil legal problems reported regarding problems with immigration.

Among Immigrant Households: Immigration-Related Issues

(You or anyone in your household experienced in the last year)

4% Had troubles getting or keeping a green card or work authorization

2% Had problems trying to secure citizenship or permanent residency

0% Had troubles seeking asylum or deportation

New Yorkers living in poverty (100% FPL or below) are more likely to report housing problems than those living near poverty (101-200% FPL).

Percent Experiencing At Least One Problem in Last Year: Within Problem Group			
	Total*	≤100% FPL	101-200% FPL
Health Insurance or Medical Bills	20%	22%	19%
Finances	18%	19%	17%
Employment	17%	18%	16%
Housing	16%	21%	12%
Public Benefits	13%	15%	11%
Domestic & Family Issues	12%	14%	10%

*N sizes: Health: N=100; Finances: N=86; Employment: N=81; Housing: N=88; Public Benefits: N=64; Domestic & Family Issues: N=63. Problems at Children’s School (N=17) and Immigration-Related Issues (N=7) omitted due to small n size.

New Yorkers under age 60 are more likely than their older counterparts to report problems within the areas of health insurance or medical bills, finances, employment, housing, and public benefits.

Percent Experiencing At Least One Problem in Last Year: Within Problem Group			
	Total*	Under Age 60	Age 60+
Health Insurance or Medical Bills	20%	25%	12%
Finances	18%	22%	9%
Employment	17%	19%	10%
Housing	16%	20%	8%
Public Benefits	13%	15%	7%
Domestic & Family Issues	12%	13%	9%

*N sizes: Health: N=100; Finances: N=86; Employment: N=81; Housing: N=88; Public Benefits: N=64; Domestic & Family Issues: N=63. Problems at Children's School (N=17) and Immigration-Related Issues (N=7) omitted due to small n size.

Both Latinos and African Americans are more likely than whites to have experienced a housing related problem in the past year. Additionally, African Americans are more likely to have experienced a finance problem, and Latinos report a disproportionately higher number of domestic and family-related problems.

Percent Experiencing At Least One Problem in Last Year: Within Problem Group				
	Total*	White	Afr. Am.	Latino
Health Insurance or Medical Bills	20%	20%	24%	18%
Finances	18%	14%	25%	14%
Employment	17%	15%	19%	18%
Housing	16%	9%	24%	21%
Public Benefits	13%	10%	13%	14%
Domestic & Family Issues	12%	9%	10%	18%

*N sizes: Health: N=100; Finances: N=86; Employment: N=81; Housing: N=88; Public Benefits: N=64; Domestic & Family Issues: N=63. Problems at Children's School (N=17) and Immigration-Related Issues (N=7) omitted due to small n size.

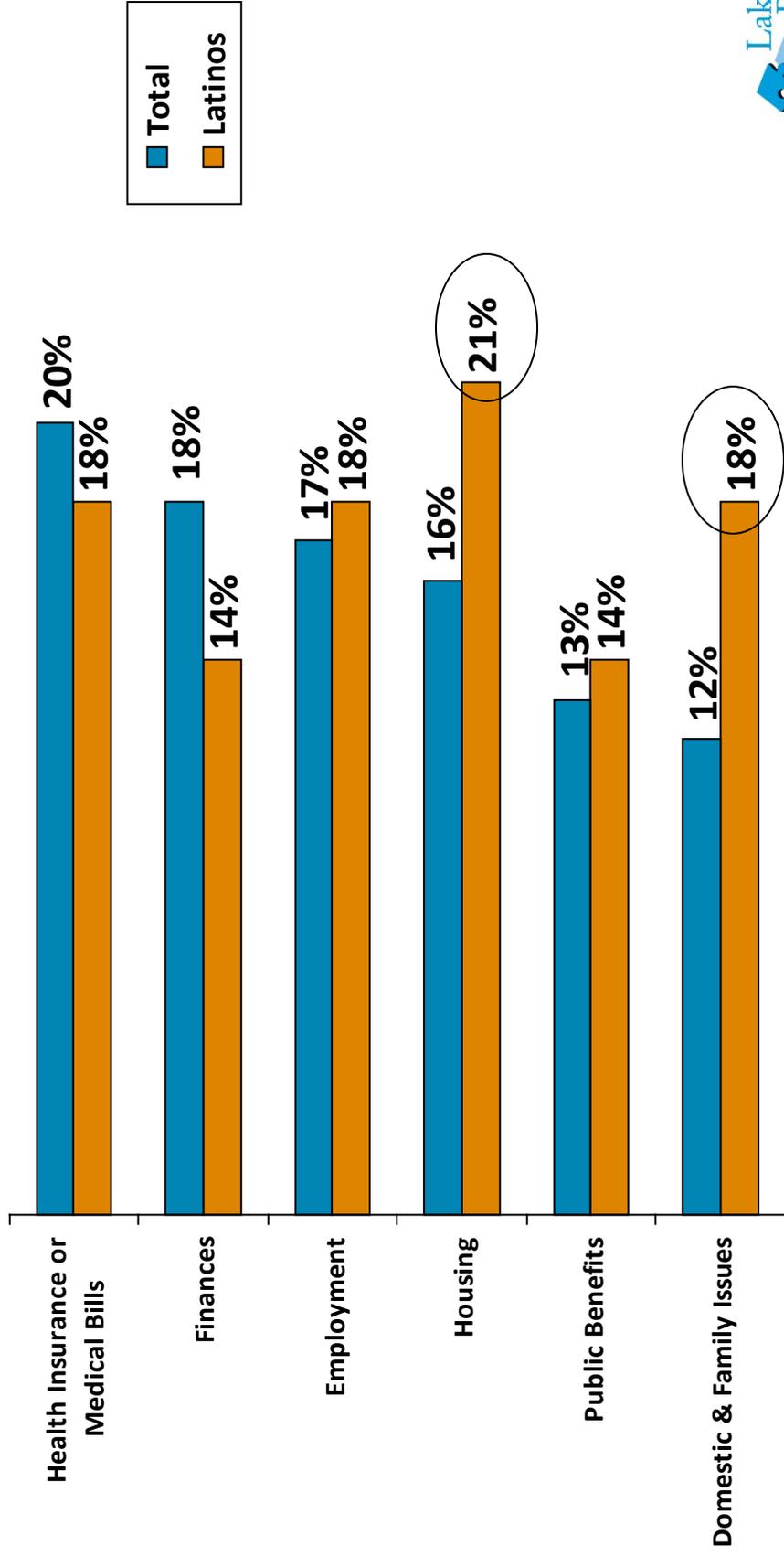
Examination of Specific Types of Civil Legal Problems Among Demographic Groups of Interest

Some demographic groups of special interest report experiencing more problems in certain problem areas. Details are given in this section on Latinos, African Americans, immigrant households, those under age 30, parents, public housing residents, the unemployed, and disabled.

The top problems for Latinos differ somewhat from those of the total population. Top problems for Latinos are housing, followed by problems with health insurance and medical bills, domestic and family issues, and employment. Latinos are less likely than the rest of the population to report problems with finances.

Now I'd like to talk about some problems people in New York may or may not have had. Please tell me if you or anyone in your household has experienced any of the following in the last year?

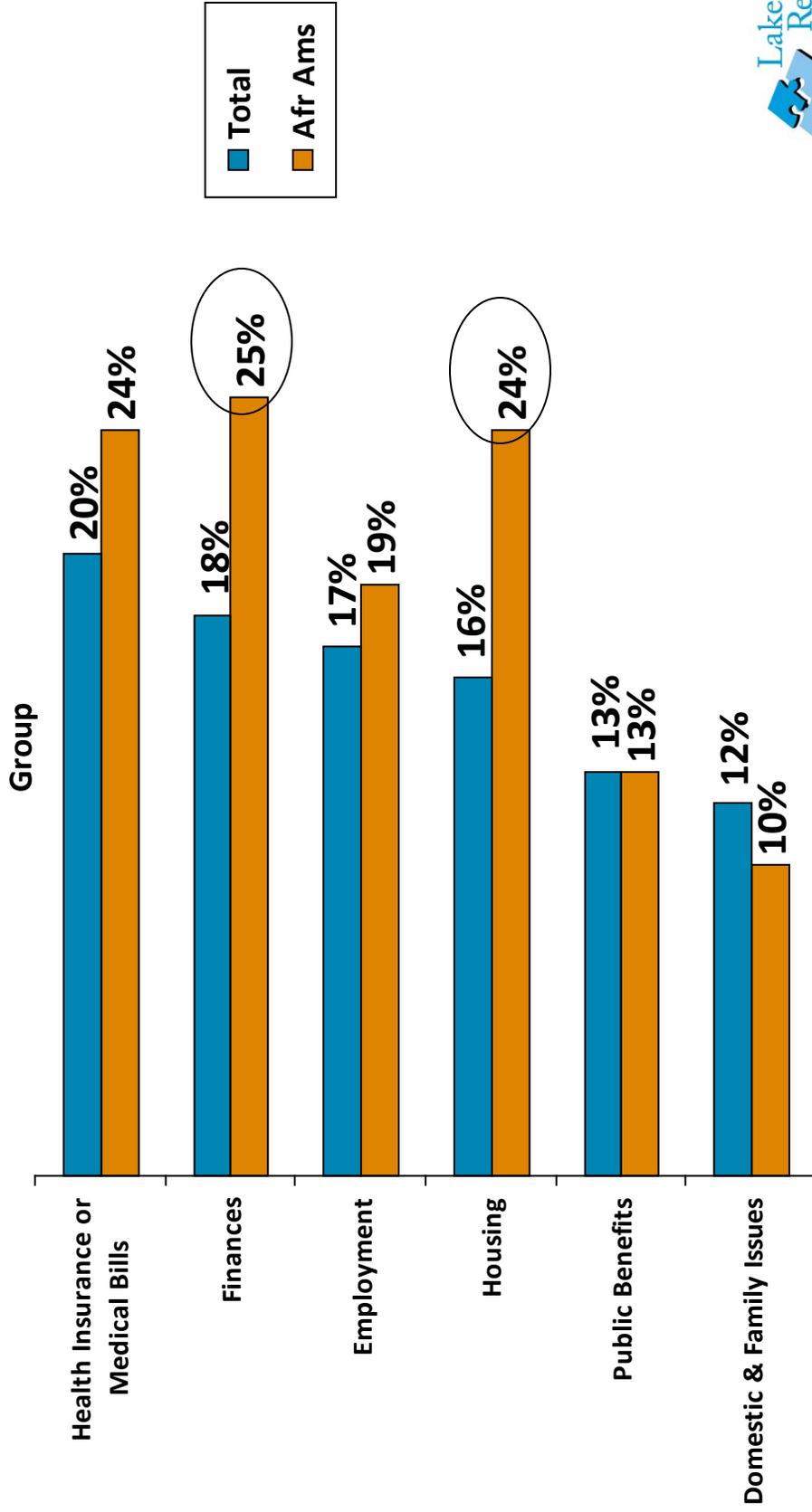
Latinos Experiencing At Least One Problem in Last Year: Within Problem Group



Low-income African Americans' top civil legal problems mirror those of the total low-income population, but more African Americans report problems with finances and housing than the overall population.

Now I'd like to talk about some problems people in New York may or may not have had. Please tell me if you or anyone in your household has experienced any of the following in the last year?

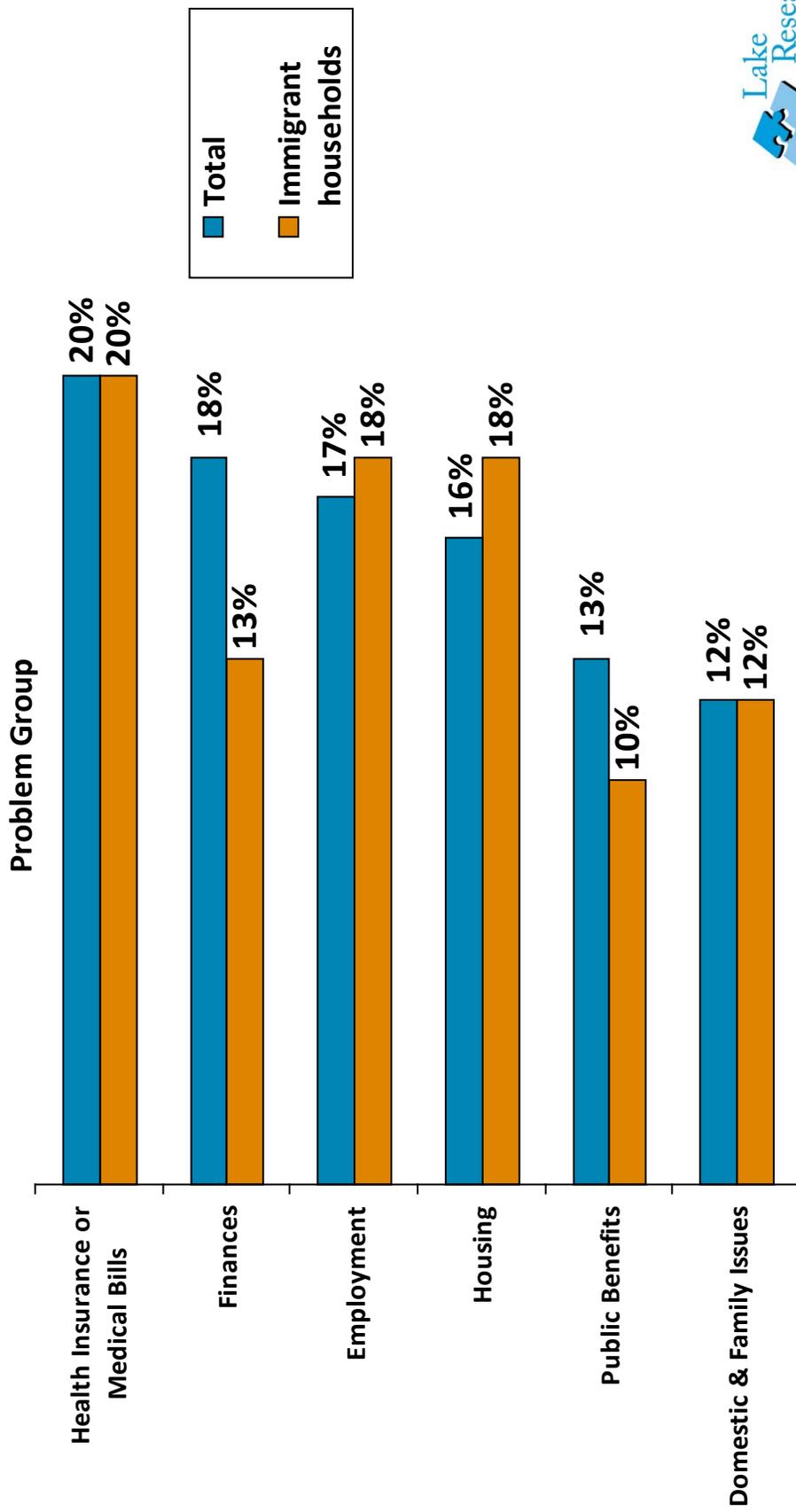
African Americans Experiencing At Least One Problem in Last Year: Within Problem Group



The types of problems reported by immigrant households run parallel to the problems of the total New York low-income population, except those living in immigrant households are less likely to report finance problems.

Now I'd like to talk about some problems people in New York may or may not have had. Please tell me if you or anyone in your household has experienced any of the following in the last year?

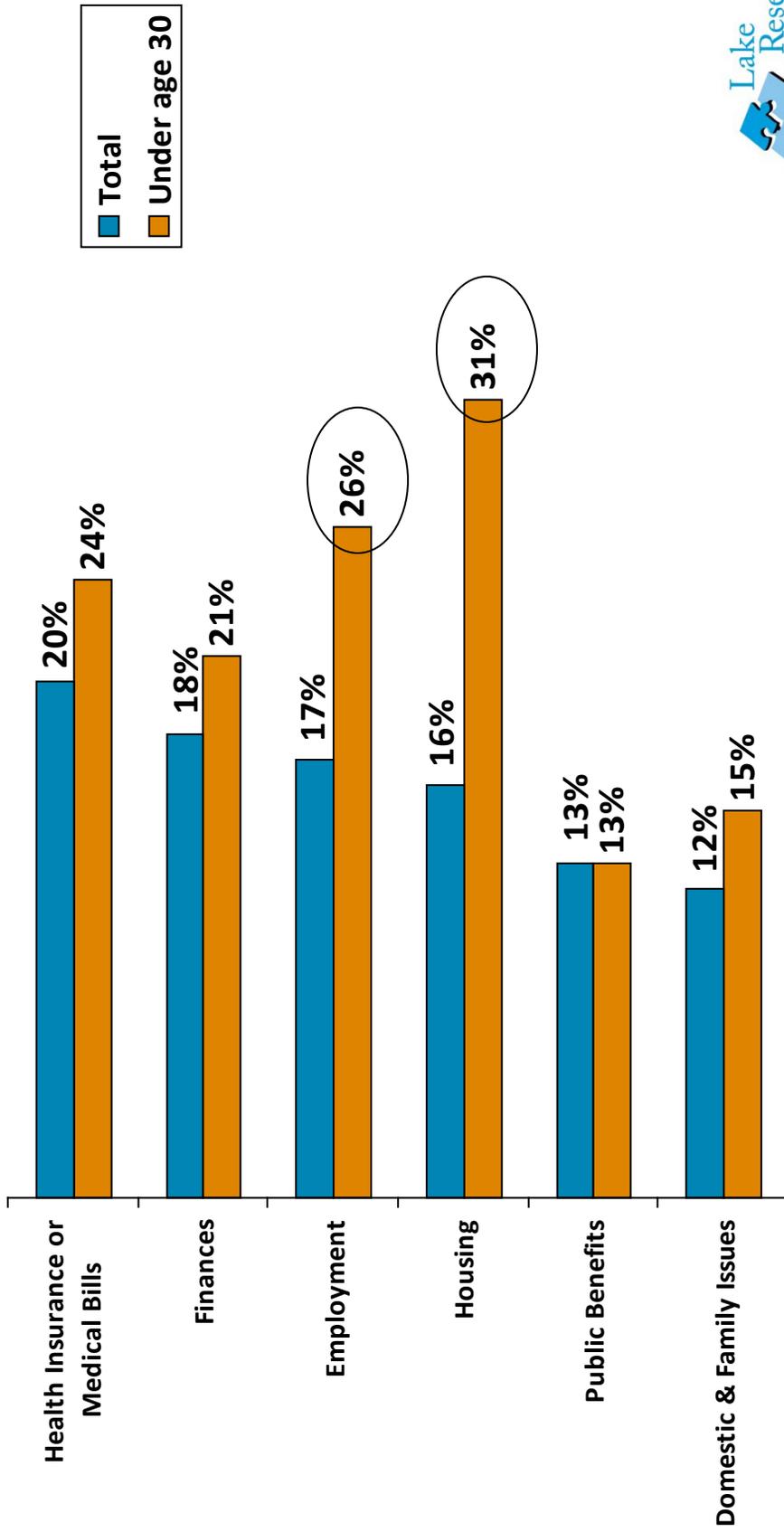
Immigrant Households Experiencing At Least One Problem in Last Year: Within



Those under age 30 are much more likely to report problems with housing and employment. Health insurance and medical bills, as well as finances, are also top concerns.

Now I'd like to talk about some problems people in New York may or may not have had. Please tell me if you or anyone in your household has experienced any of the following in the last year?

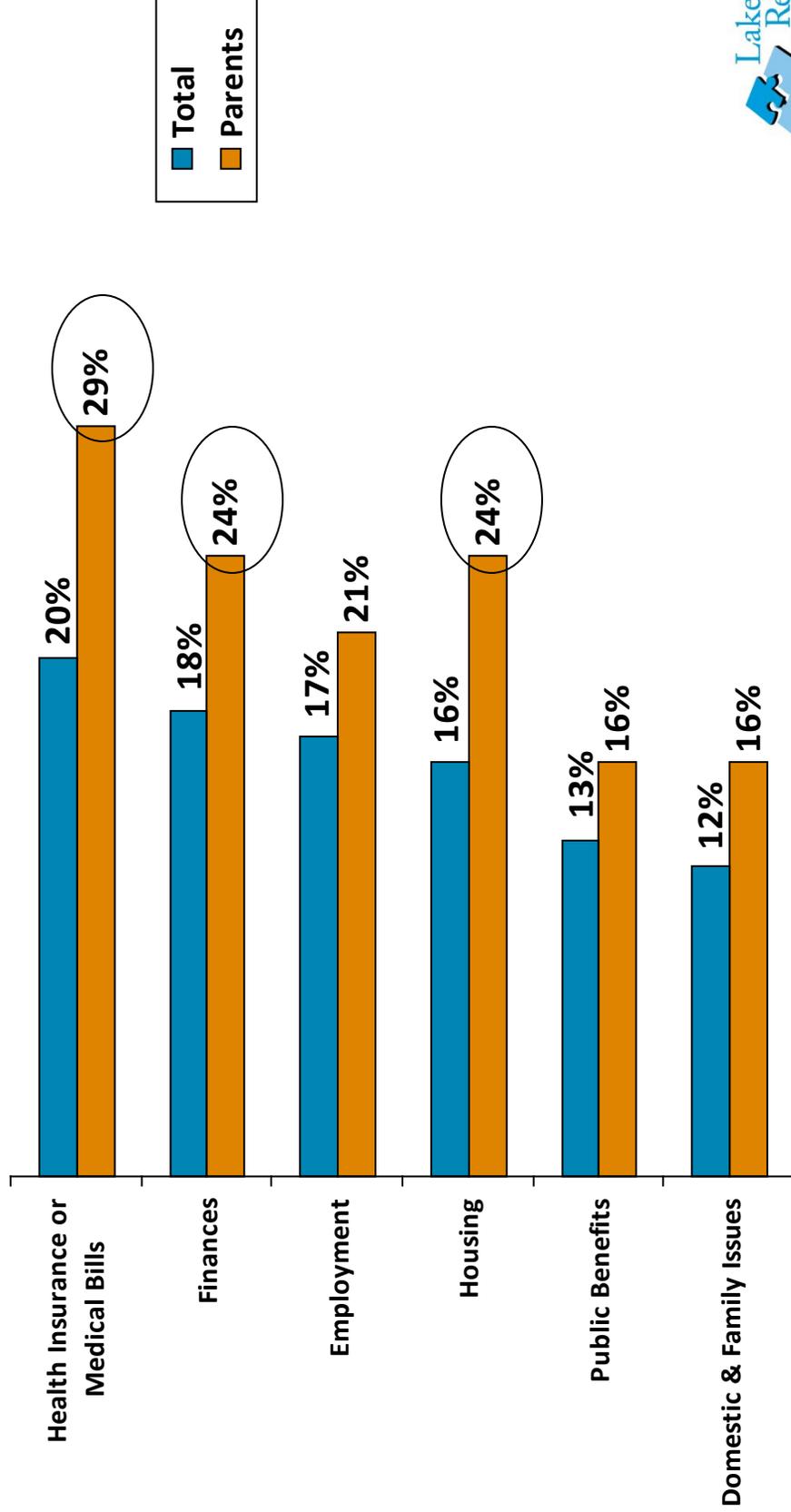
Young People Experiencing At Least One Problem in Last Year: Within Problem Group



Parents with children under age 18 share the same top problems areas with the total population, but across problem areas parents are more likely to report having civil legal problems, especially with health insurance or medical bills, finances, and housing.

Now I'd like to talk about some problems people in New York may or may not have had. Please tell me if you or anyone in your household has experienced any of the following in the last year?

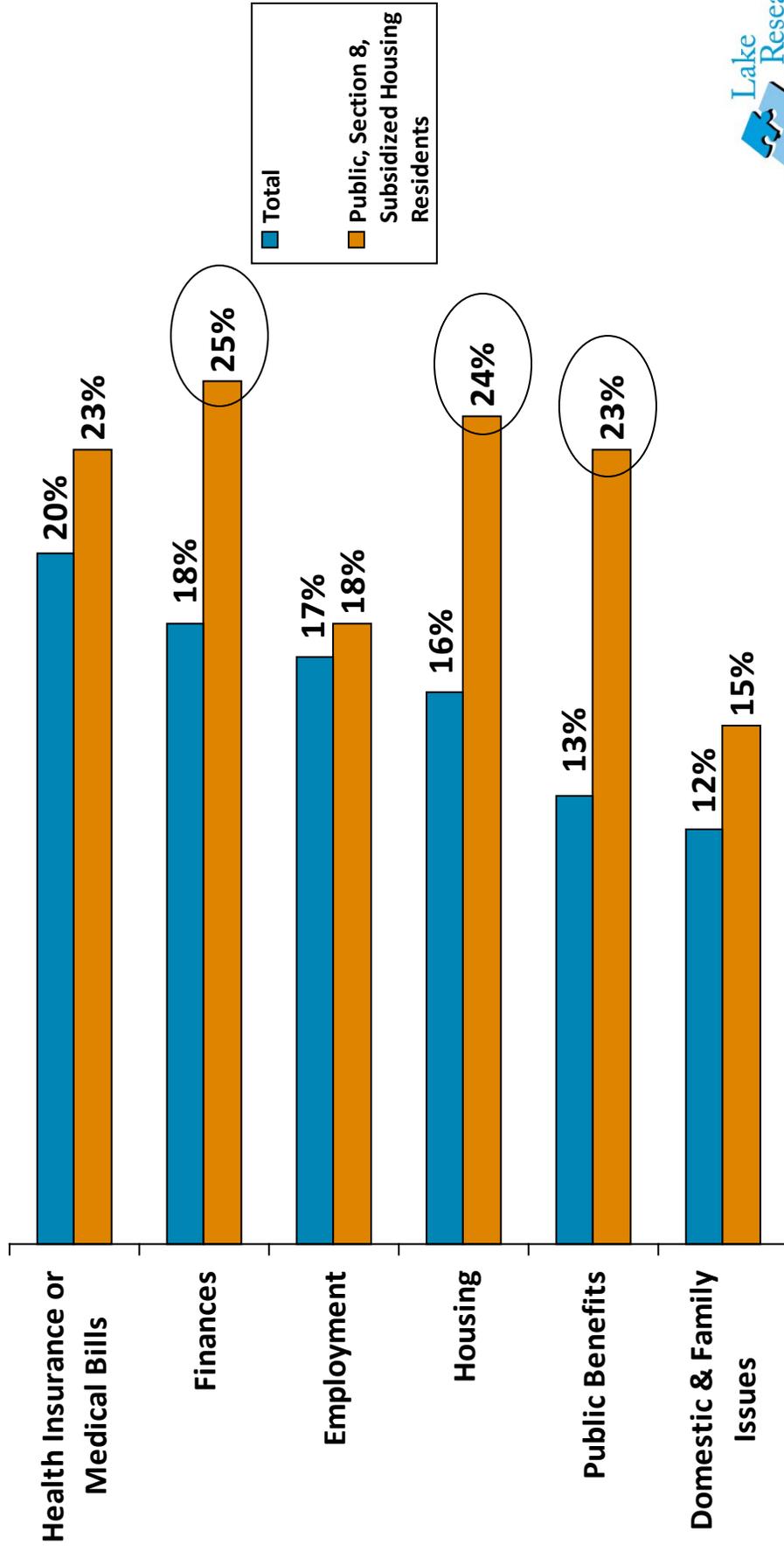
Parents Experiencing At Least One Problem in Last Year: Within Problem Group



The top problems reported by residents of public, Section 8, or subsidized housing are issues with finances, housing, public benefits, and health insurance or medical bills. They are more likely to report problems with finances, housing and public benefits than the total population.

Now I'd like to talk about some problems people in New York may or may not have had. Please tell me if you or anyone in your household has experienced any of the following in the last year?

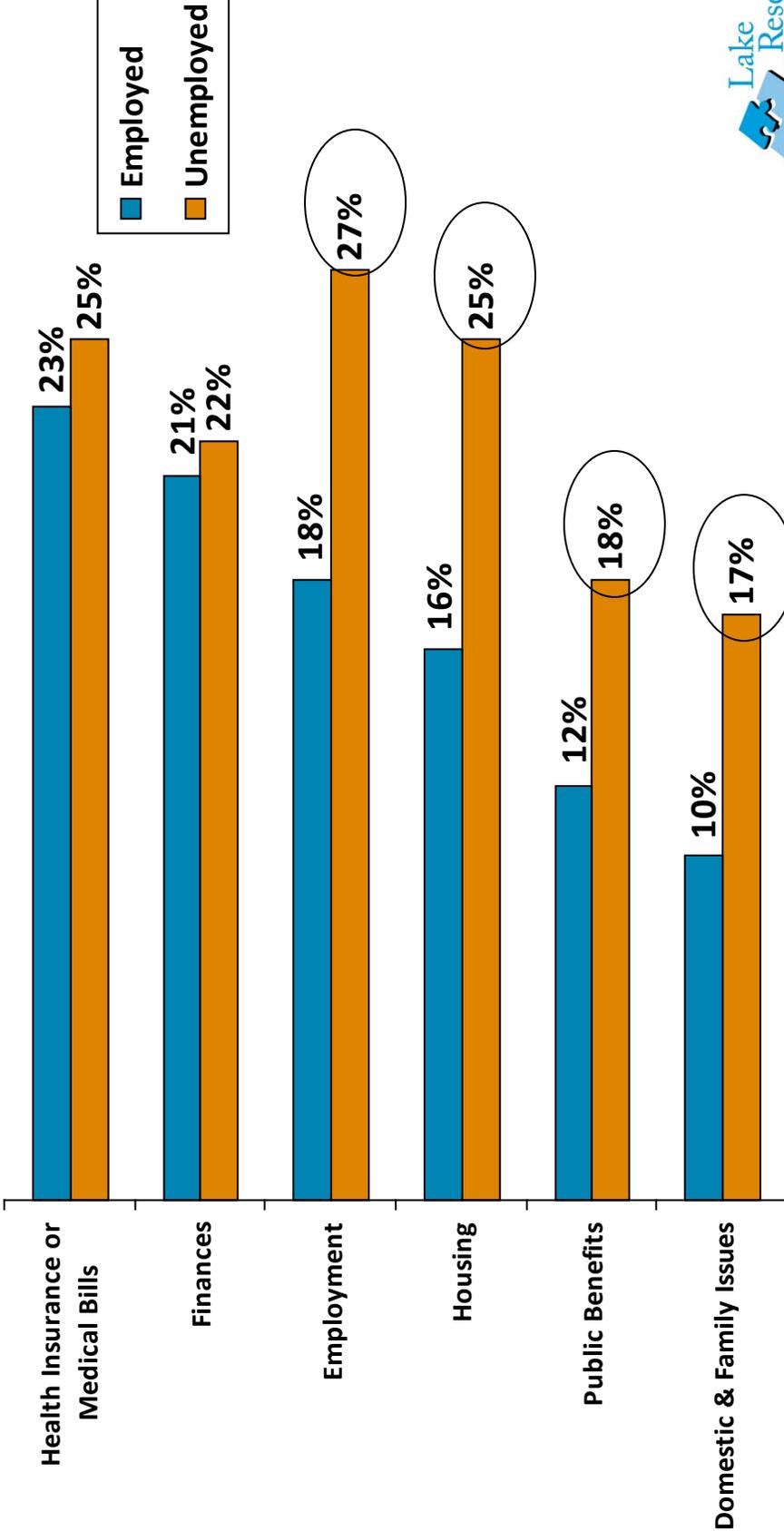
Public or Subsidized Housing Residents: Experiencing At Least One Problem in Last Year



The unemployed are disproportionately more likely to report problems with employment, housing, public benefits, and family issues.

Now I'd like to talk about some problems people in New York may or may not have had. Please tell me if you or anyone in your household has experienced any of the following in the last year?

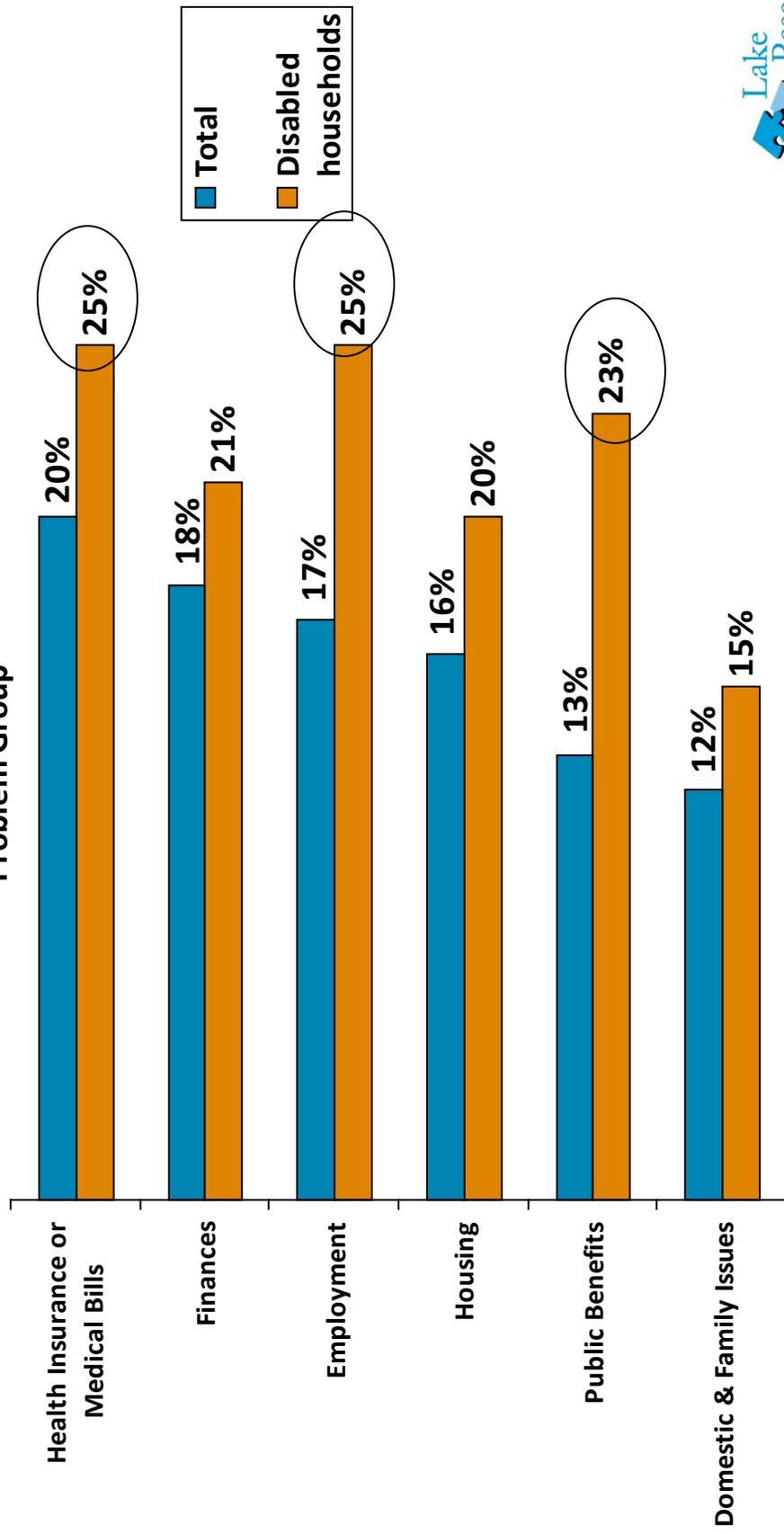
Unemployed Experiencing At Least One Problem in Last Year: Within Problem Group



Those who are disabled, or living in a household with someone who is disabled, are more likely to report problems across the topic areas, and particularly more likely to have problems with employment, public benefits, and health insurance or medical bills.

Now I'd like to talk about some problems people in New York may or may not have had. Please tell me if you or anyone in your household has experienced any of the following in the last year?

Disabled Households Experiencing At Least One Problem in Last Year: Within Problem Group



Solving Civil Legal Problems: Among those Reporting Problems

Within the six problem-areas asked of everyone, low-income New York state residents are most likely to have taken action on problems involving health insurance and medical bills and finances, and least likely to have taken action on problems dealing with housing and employment.

Over half of those who experienced any of the 36 specific civil legal problems covered in the survey never took any action on those problems (56%). Among those most prone to inaction are men, whites, those living in immigrant households, non-subsidized renters, unemployed, retired, and men, especially unmarried men and younger men.

Most Likely to Not Take Action on Any Civil Legal Problem

(% that had at least one problem, but never took action on any of their problems)

- Men (61%)
- Men ≤100% FPL (64%)*
- Men under age 50 (63%)*
- Whites (62%)
- Married men (64%)*
- Immigrant households (61%)
- Renters who do not live in public, Section 8, or subsidized housing (67%)
- Unemployed (62%)*
- Retired (68%)*
- NYC Residents at 101-200% FPL (63%)*

*Small N size

Low-income New Yorkers who took action on their civil legal problems are most likely to have taken action regarding health insurance or medical bills and finances, followed by domestic and family issues and public benefits. They are least likely to have taken action on employment or housing problems.

Among Those Experiencing A Problem: Action Taken			
<i>Rank ordered by Frequency of Problem Area</i>	Exper. at Least One Problem in Last Year	Took Action	Did not Take Action
Health Ins., Medical Bills	20%	43%	50%
Finances	18%	37%	59%
Employment	17%	21%	68%
Housing	16%	24%	65%
Public Benefits	13%	30%	62%
Domestic & Family	12%	30%	52%

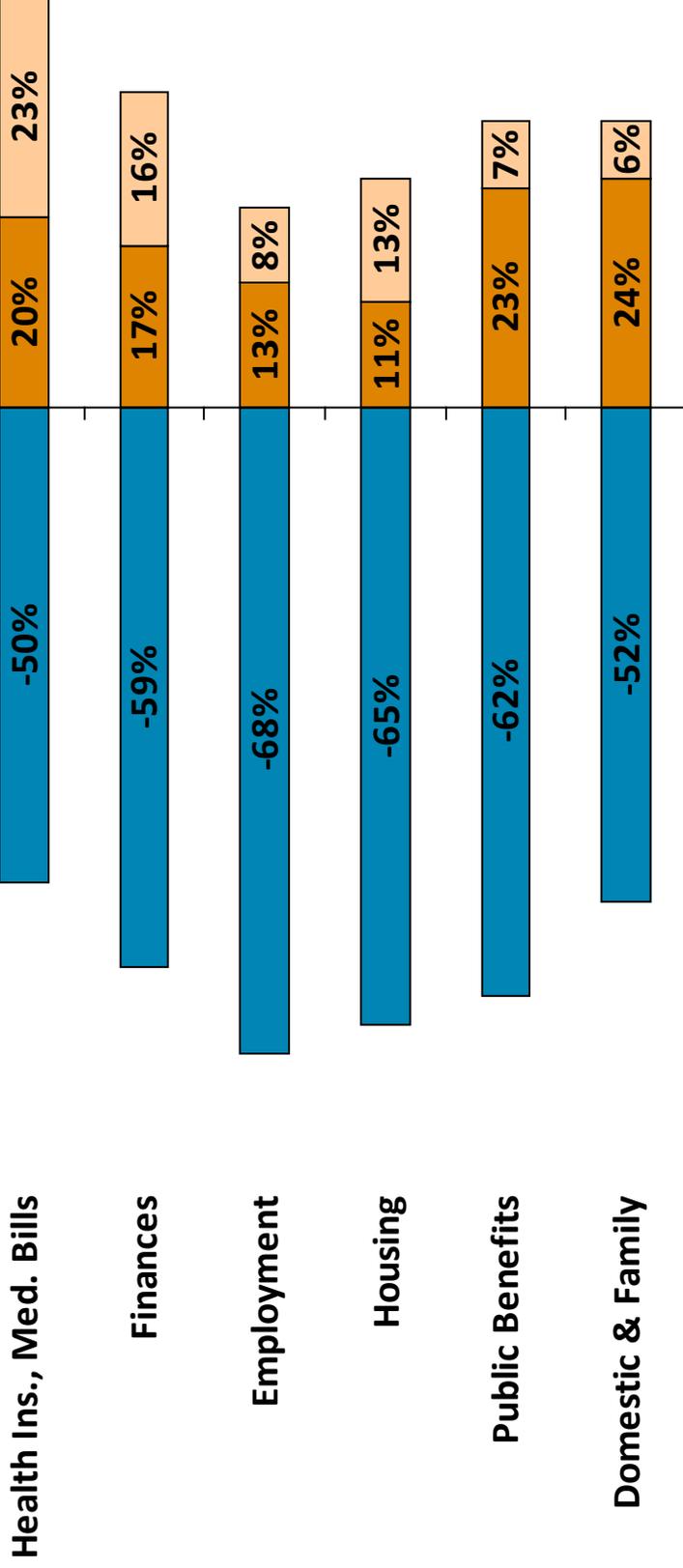
Problems at Children's School (N=17) and Immigration-Related Issues (N=7) omitted from analysis due to small N sizes.



Examining the specific type of action taken, there is also variation by problem types. New Yorkers are most likely to seek help outside their households for domestic and family problems, and problems with public benefits. In a lower tier, they are just as likely to seek outside help or to take action on their own concerning problems with health insurance and medical bills, finances, and housing.

Did you take any action to deal with this situation, or did you not take any action? How did you take action in this situation: Did you seek help from outside your household or Did you try to solve it yourself without any outside help?

(Rank ordered by Frequency of Problem Area)



■ Did NOT take action ■ Took Action with Outside Help ■ Took Action with NO Outside Help

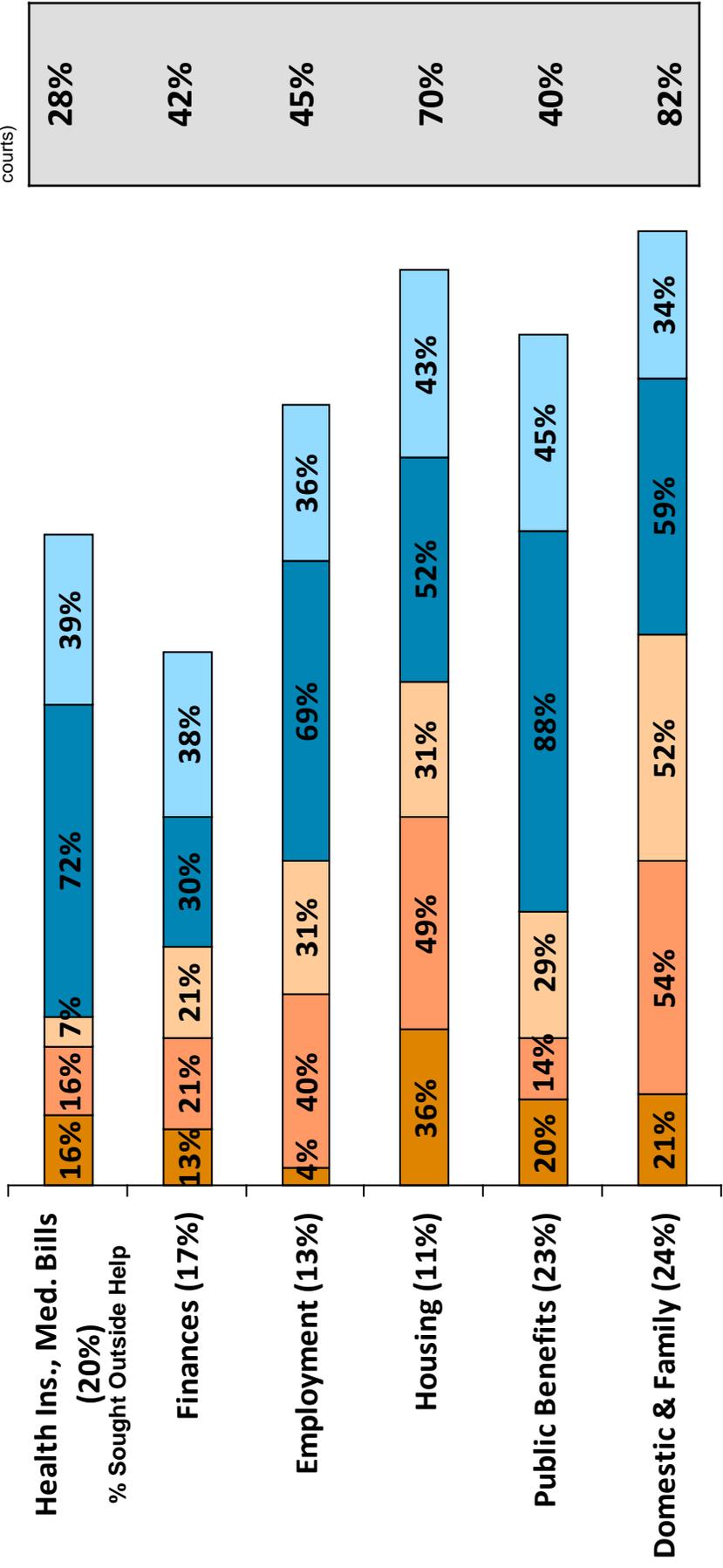
Problems at Children's School (N=17) and Immigration-Related Issues (N=7) omitted due to small n size.



Among those who sought outside help, low-income New Yorkers are most likely to seek legal help of any kind for housing and domestic/family issues, and secondarily for employment, financial, and public benefits problems. They are least likely to get legal help for problems with health insurance or medical bills. Those with housing problems are most likely to have gone to legal aid for help.

Sought Any Legal Help
 (including legal aid, private attorney, courts)

Among Those Who Sought Help from Outside their Household: Where did you go to get help outside your household? Did you go to any of the following? [MULTIPLE RESPONSE]



Eight in ten low-income New Yorkers who experienced a civil legal problem in the past year never sought any type of legal help. Even fewer sought legal aid help.

Among Those Experiencing At Least One Civil Legal Problem			
	Total	≤100%	101-200%
Ever Sought Legal Help*	17%**	14%	19%
Never Sought Legal Help*	83%	86%	81%
Ever Sought Legal AID Help	7%**	6%	7%
Never Sought Legal AID Help	93%	94%	93%

*“Legal Help” includes legal aid, private attorney, or courts or court hearing.

**Small N size for “Ever Sought Legal Aid” and “Ever sought legal help”

The most commonly cited reasons for not taking action on a civil legal problem is the belief that action would not help and not wanting to “cause trouble.” A secondary reason for most problem areas is a lack of knowledge about where to go for help. Those facing housing and employment problems are more likely to say they took no action because they just got out of the situation or waited for it to go away.

First Tier Problems (Tiered By Problem Frequency)				
	Health Ins., Medical bills*	Finances*	Employment*	Housing*
Which of the following reasons describes why you did not take any action?				
Did not think taking action would really help	28%	28%	12%	25%
Did not want to cause trouble	18%	19%	18%	20%
Did not know where to go or call for help	15%	12%	12%	16%
Did not have time	11%	9%	6%	1%
Thought it would be too expensive	3%	13%	8%	9%
Left or got out of situation	2%	2%	15%	11%
Waited for problem to go away	3%	5%	11%	13%

*Experienced Problem, took no action: Health Insurance/Medical Bills: N=51; Finances: N=52; Employment: N=56; Housing: N=53



For public benefits, the strongest reason for inaction is the belief that action would not help much. In addition to ineffectiveness and not wanting to make waves, New Yorkers facing family domestic problems are also more likely to say they left the situation or waited for the problem to go away.

Second Tier Problems (Tiered By Problem Frequency)		
Which of the following reasons describes why you did not take any action?		
	Public Benefits*	Family & Domestic*
Did not want to cause trouble	5%	19%
Did not think taking action would really help	38%	24%
Did not know where to go or call for help	16%	11%
Did not have time	13%	2%
Thought it would be too expensive	3%	9%
Left or got out of situation	2%	18%
Waited for problem to go away	5%	14%

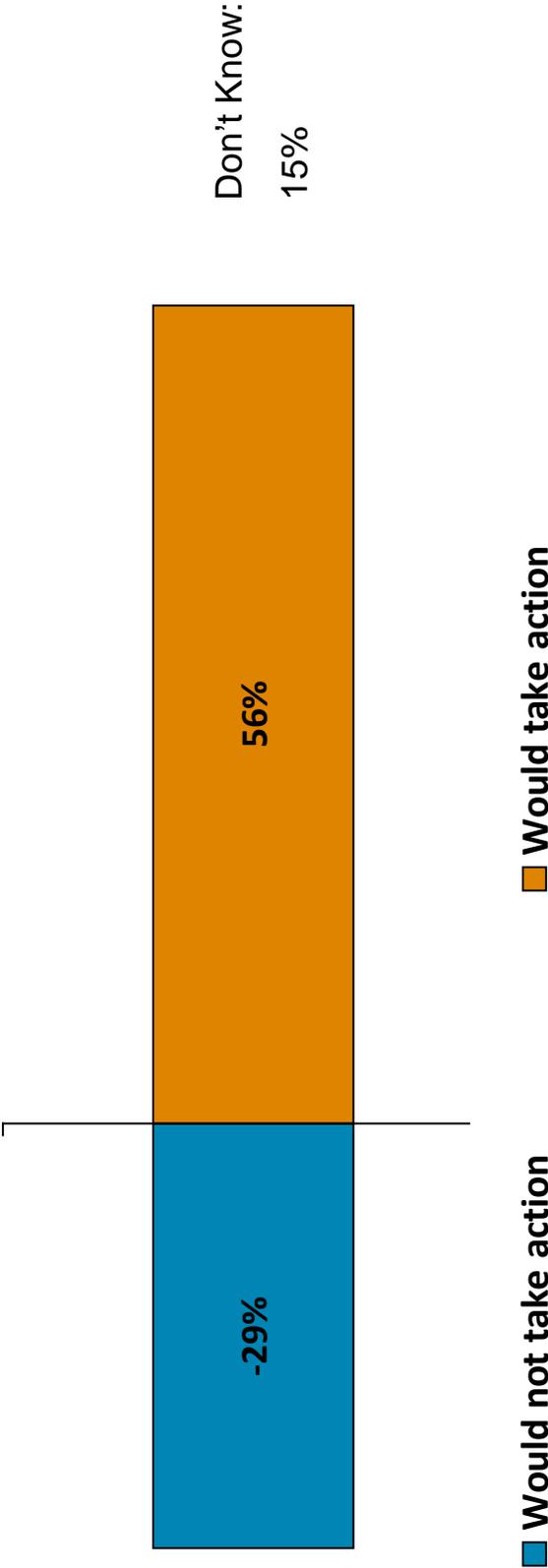
*Small N sizes: Experienced Problem, took no action: Public benefits: N=37; Family or Domestic: N=34
 Problems At Children’s School (N=4) and Immigration-Related Issues (N=4) omitted due to small size.

Solving Civil Legal Problems: Among those Without Problems

A majority of low-income New Yorkers who say they have not experienced any of the specific civil legal problems covered in the survey say they would take action on those problems were they to experience them. Among those who would seek outside help, nearly all would be open to looking for help from a legal institution: three-quarters from a private attorney and two-thirds from legal aid.

Among New Yorkers who have not experienced any problems (53 percent of the sample), a majority say they would have taken action that if they were to have experienced any of the problems.

Among those who Report No Legal Problems: If you were to have any of the problems above do you think you would take any legal action to deal with the situation, or would you not take action?



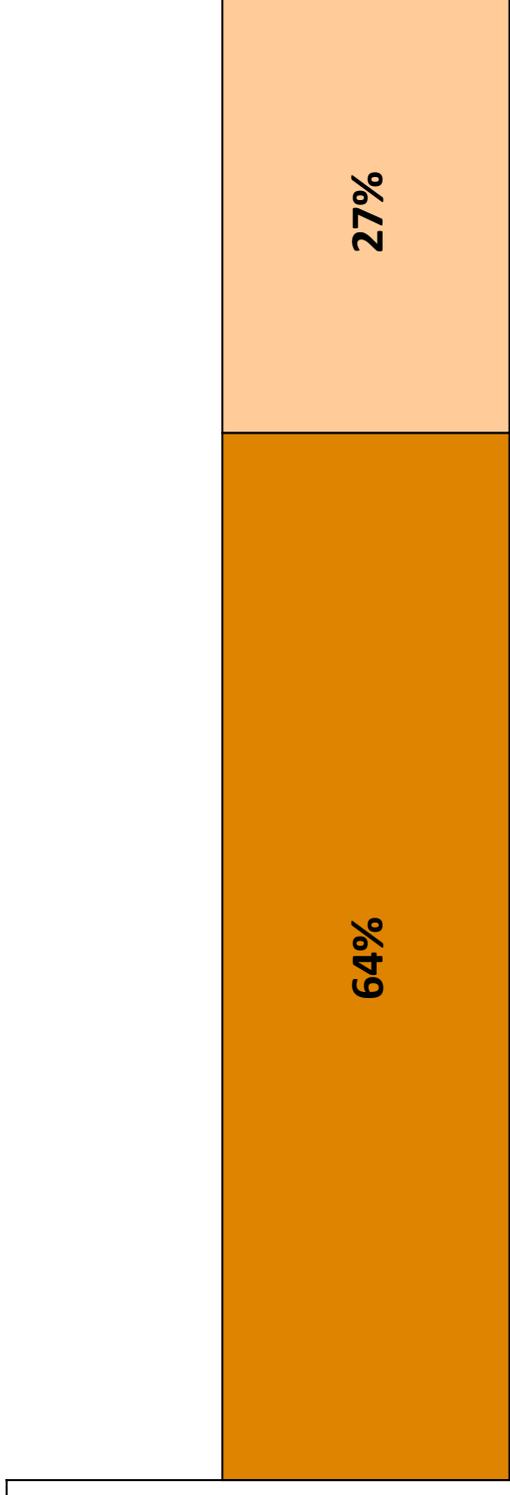
Those most likely to imagine they would take action—if they were to experience any problems—are older men, Latinos, African Americans, those living in immigrant households, parents, and those living in households where someone is disabled. Women living in poverty are more prone to think they would not take action.

<u>Most Likely to Take Action If Problems Were Experienced</u>	<u>Less Likely to Take Action If Problems Were Experienced</u>
<ul style="list-style-type: none"> • Men age 50 and older (69% would take action)* • Latinos (69%) • African Americans (61%)* • Immigrant households (62%) • Parents of children under age 18 (63%)* • Those disabled or living in a household with someone who is disabled (67%)* 	<ul style="list-style-type: none"> • Women at 100% FPL or below (38% would not take action)* • White women (39%) • Working women (37%)* • Those on Medicare (36%)

*Small N size

Among the 56 percent who said they would take action, over six in ten say they would seek help from outside their household (64 percent) and half that (27 percent) imagine they would take action on their own behalf.

Among Those Who Would Take Action: And if you were to take action, do you think you would seek help from outside your household or would you try to solve it yourself without any outside help?

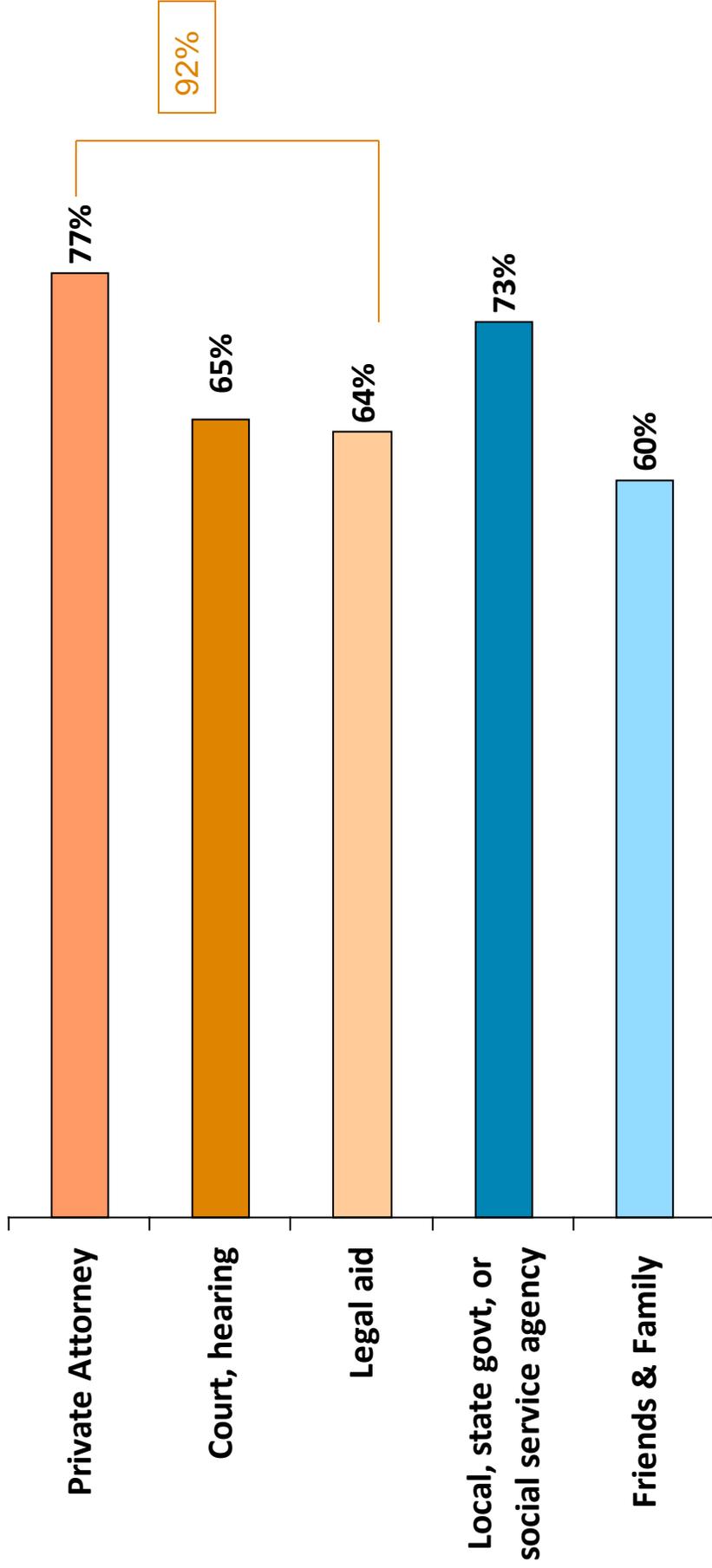


■ Would have sought help outside household ■ Would have taken action with no outside help



Among those who say they would take action by seeking help outside their household, nearly all (92 percent) say they would look to a legal institution for help, including legal aid, a private attorney, or a court or court hearing.

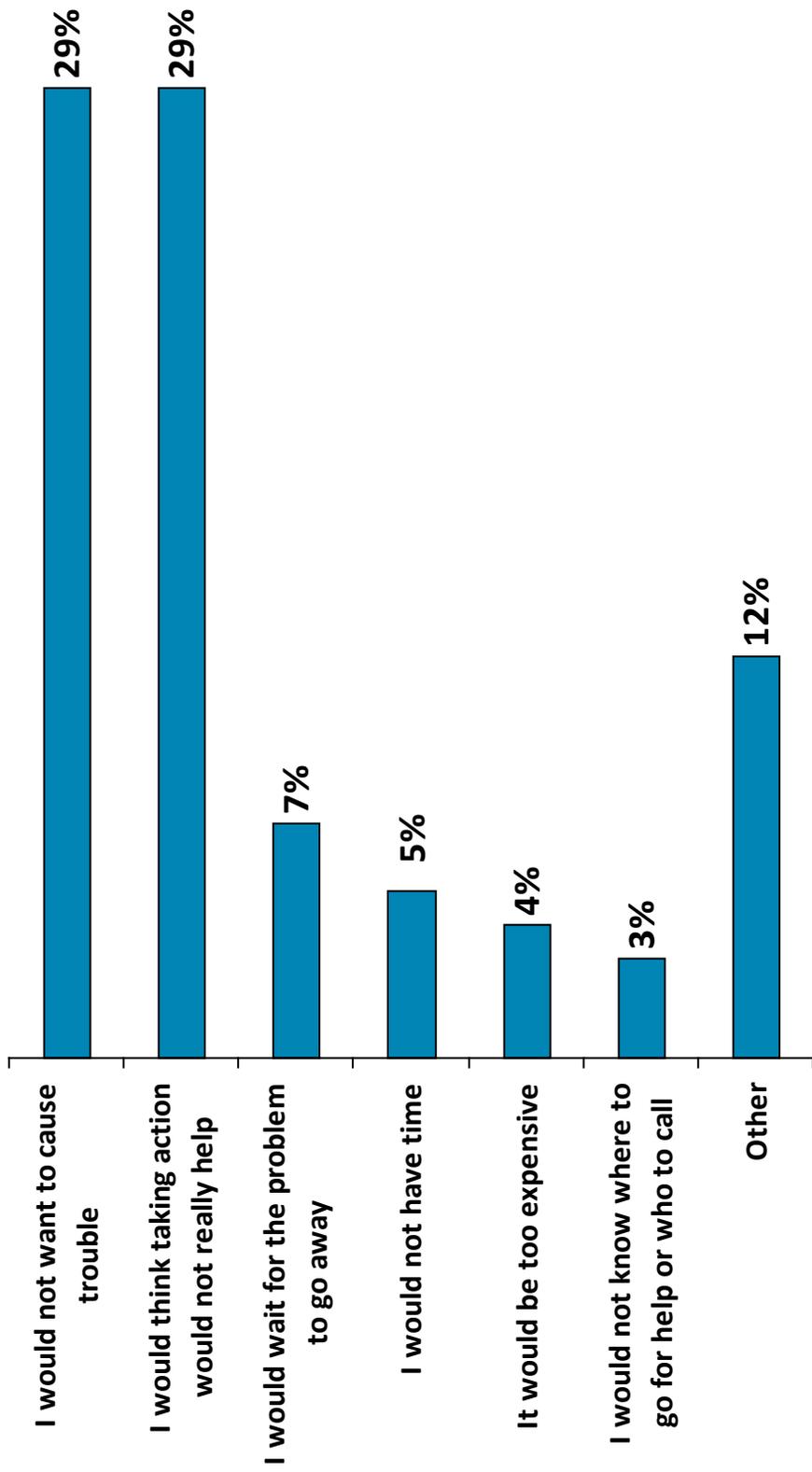
Among Those Who Would Seek Help Outside Household, Were they to have a Problem: Where would you go to get help outside your household? Would you go to any of the following?
[MULTIPLE RESPONSE]



Those living at 100% FPL or below are more likely to say that they would go to a legal aid program if they were to experience a problem (71%) than are those at 101-200% FPL (61%).

Among those who imagine they would not take action were they to have any of the problems surveyed on, the most common reasons for potential inaction are a desire not to cause trouble and the belief that taking action would not really help.

Among Those Who Would Not Take Action, Were they to Have a Problem: Why do you think you would not take any action: Which of the following reasons best describes why you would not take action?

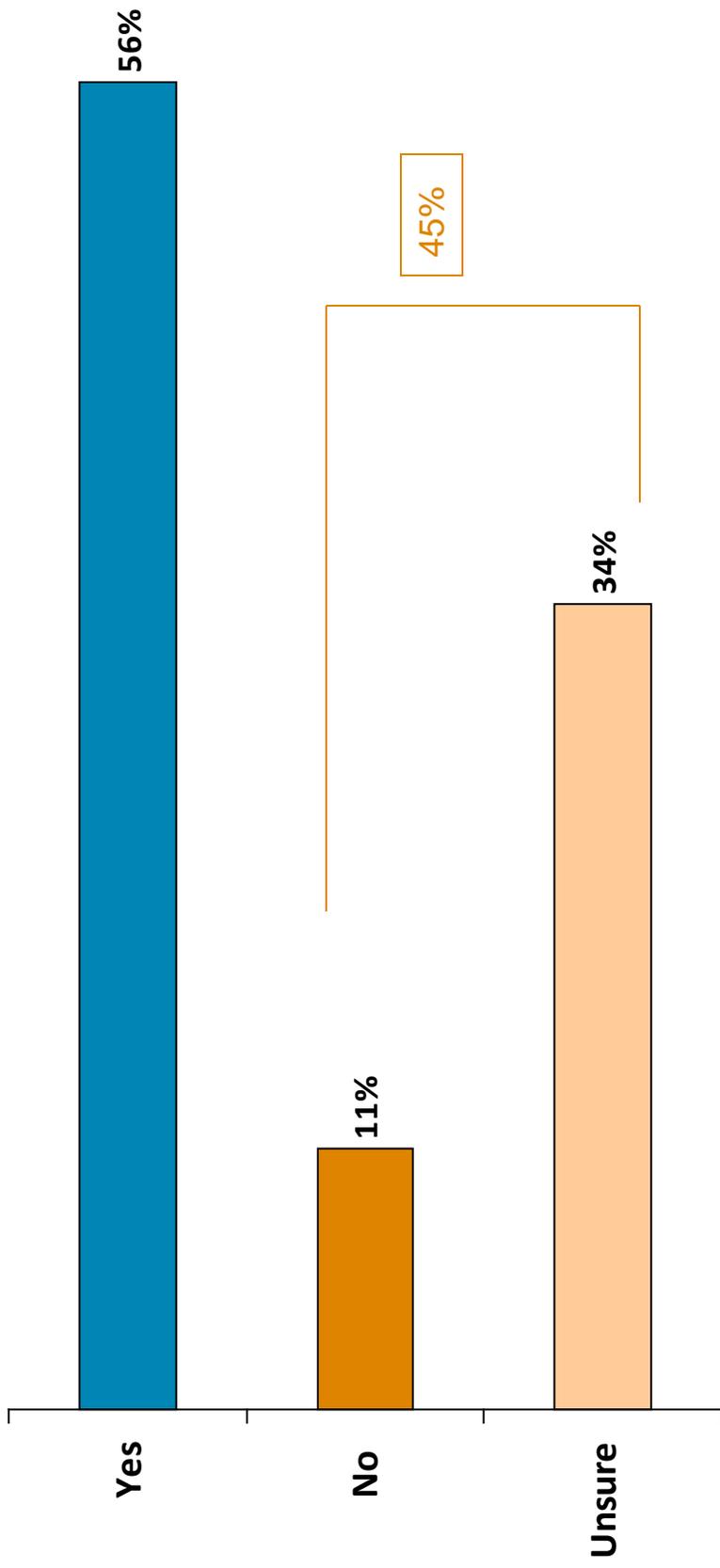


Awareness of Free Legal Services & Perceptions Around Eligibility

A majority of low-income New Yorkers are aware that there are free legal services available for low-income residents of the state, but three-quarters of low-income New Yorkers are either unsure or do not believe that they would be eligible to receive free legal services.

A majority of low-income New Yorkers are aware that there are free legal services available for low-income residents of the state. Over four in ten are either unaware or unsure.

Are there free legal services available for low-income people in this state, or not?

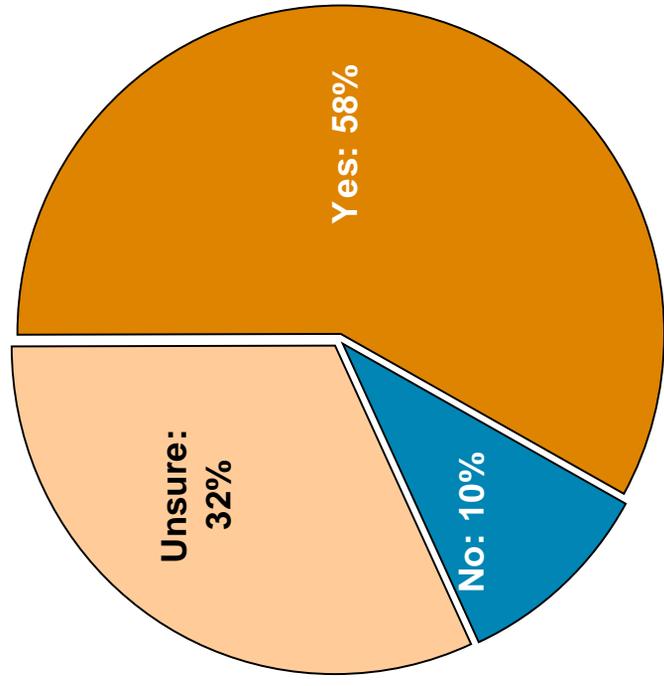


Over half of low-income New Yorkers who report experiencing any civil legal problem in the past year are aware of the free legal services (54%), compared to 57% who do not report any problems.

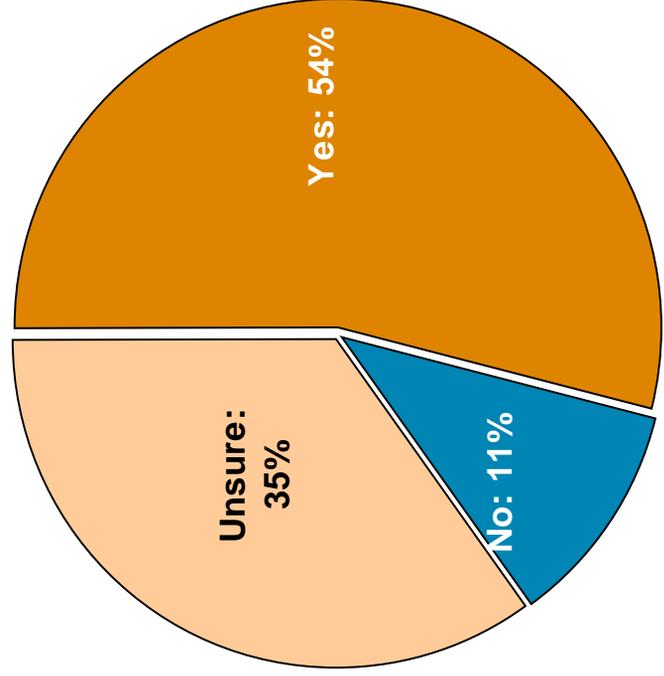
New Yorkers living in poverty and those living near poverty have similar levels of awareness on whether there are free legal services available in the state.

Are there free legal services available for low-income people in this state, or not?

≤100% FPL



101-200% FPL



Low-income New Yorkers who are most unaware that free legal services are available for low-income people are older African Americans, homeowners, those living in military or veteran households, the uninsured, and residents of Upstate New York.

Most Unaware of Free Legal Services

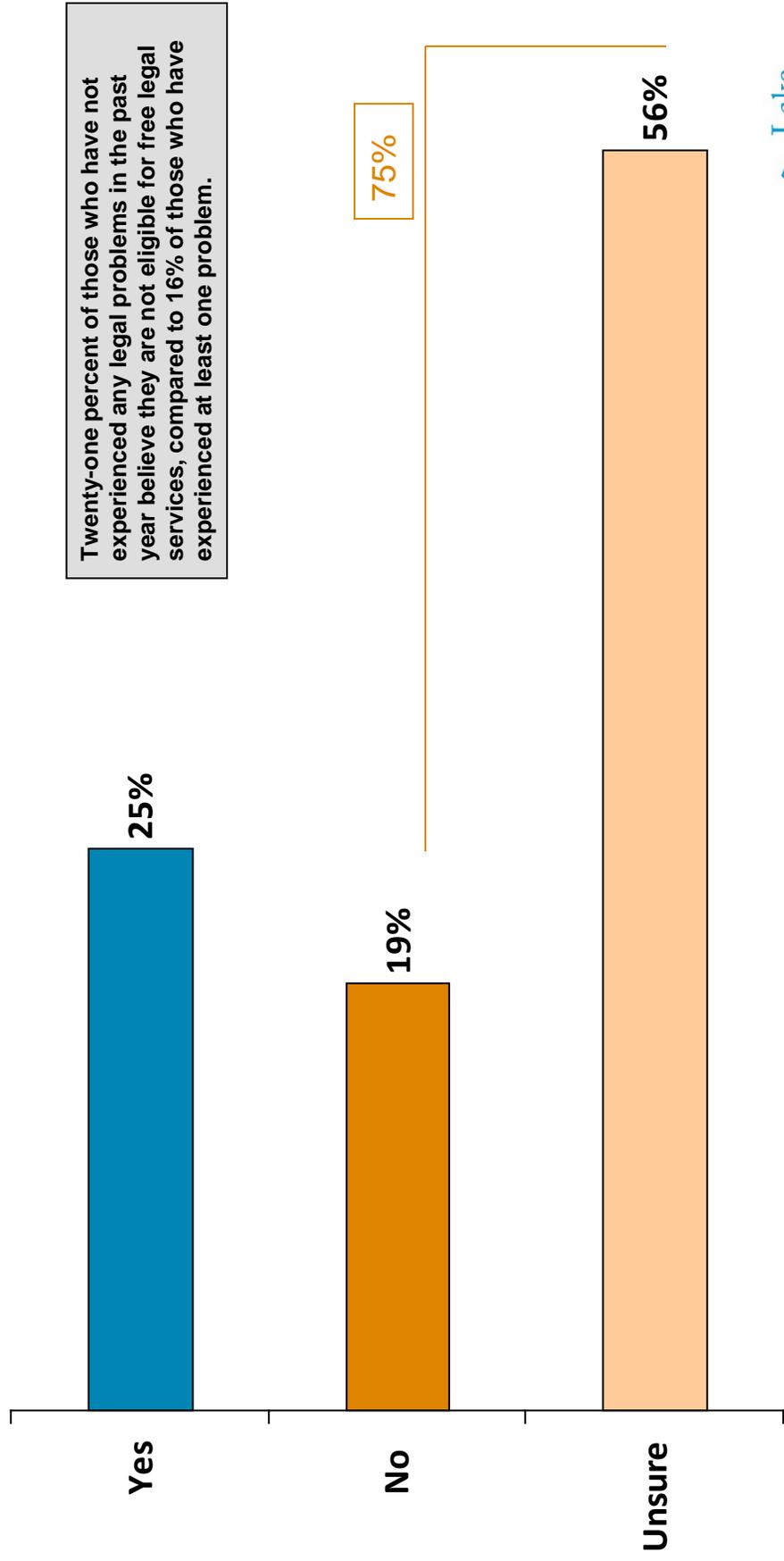
(% saying no or don't know if "free legal services available for low-income people in this state")

- African Americans age 50 and older (52%)*
- Active duty military or veteran households (54%)*
- Homeowners (49%)
- Those without medical insurance (50%)*
- Residents of Upstate (54%), especially Upstate East (58%); Upstate West is 49%

*Small N size

Three-quarters of low-income New Yorkers are either unsure or do not believe that they would be eligible to receive free legal services.

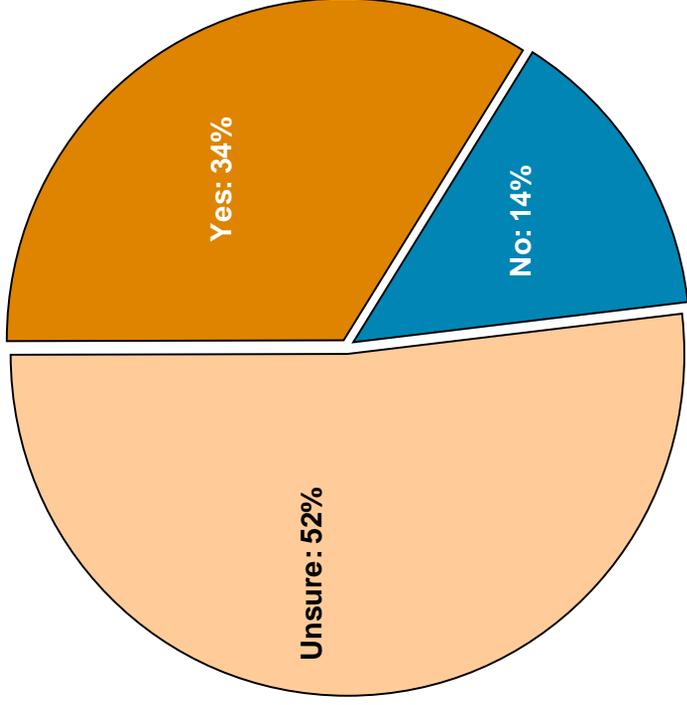
Are you and your family eligible to receive free legal services--including a lawyer, are you not eligible, or aren't you sure?



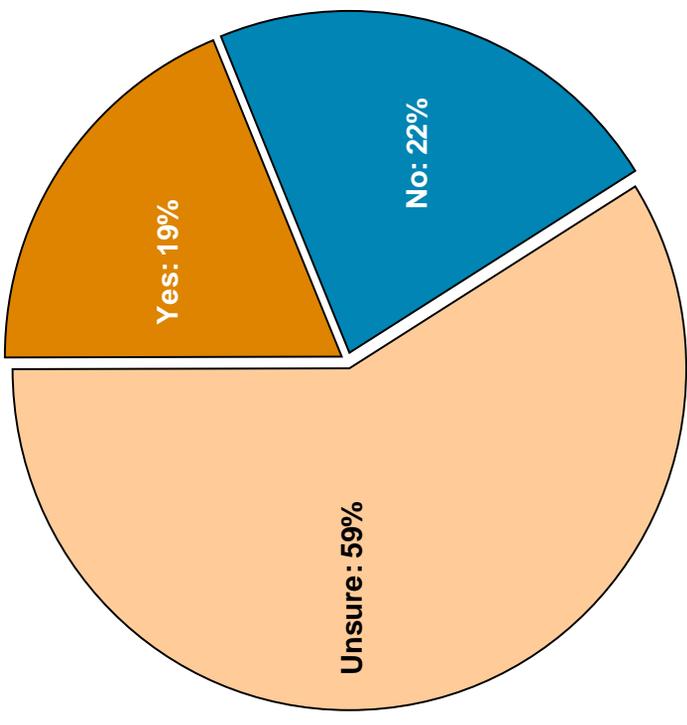
Those living in poverty are somewhat more likely to think they are eligible for free legal services.

Are you and your family eligible to receive free legal services--including a lawyer, are you not eligible, or aren't you sure?

≤100% FPL



101-200% FPL



More likely to Believe they are Eligible for Free Services

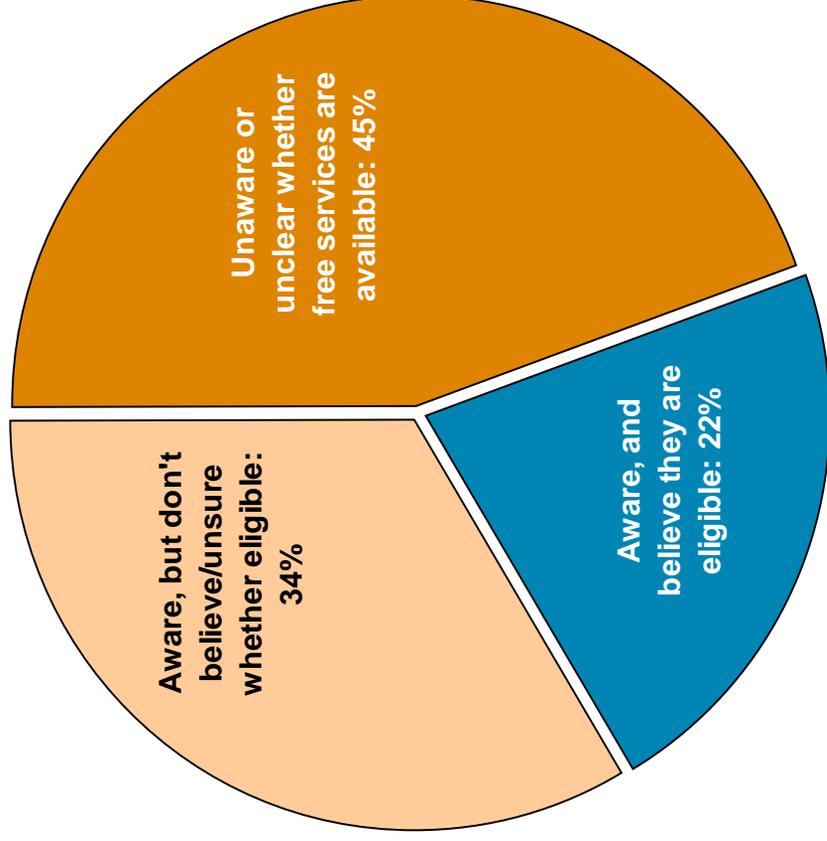
- <100% FPL (34%)
- Those aged 40-49 (36%)
- Men under age 50 (32%)
- Latinas (34%)
- Immigrant households (34%)
- Unmarried men (33%)
- Parents (30%)
- Public, Section 8, or subsidized housing residents (39%)
- Unemployed (41%)
- Disabled individuals (39%)
- Students (36%)
- Those on Medicaid or with family members on Medicaid (35%)
- Residents of New York City (31%), especially New York City residents who are: men (33%), under age 50 (32%), and Latino (37%)

Less Likely to Believe they are Eligible for Free Services

- Age 65 and older (24%)
- Retirees (26%)
- Those on Medicare (26%)
- White women (24%)
- Whites age 50 and older (24%)
- Non-parents (24%)
- Homeowners (25%)
- Residents of Upstate West (25%)

Among those who are aware that free legal services are available for low-income people in New York, two in ten believe they would be eligible for the free services. One third do not think they are eligible, or are unsure.

Awareness and Perception of Eligibility for Free Legal Services*



*Total is more than 100% due to weighting.