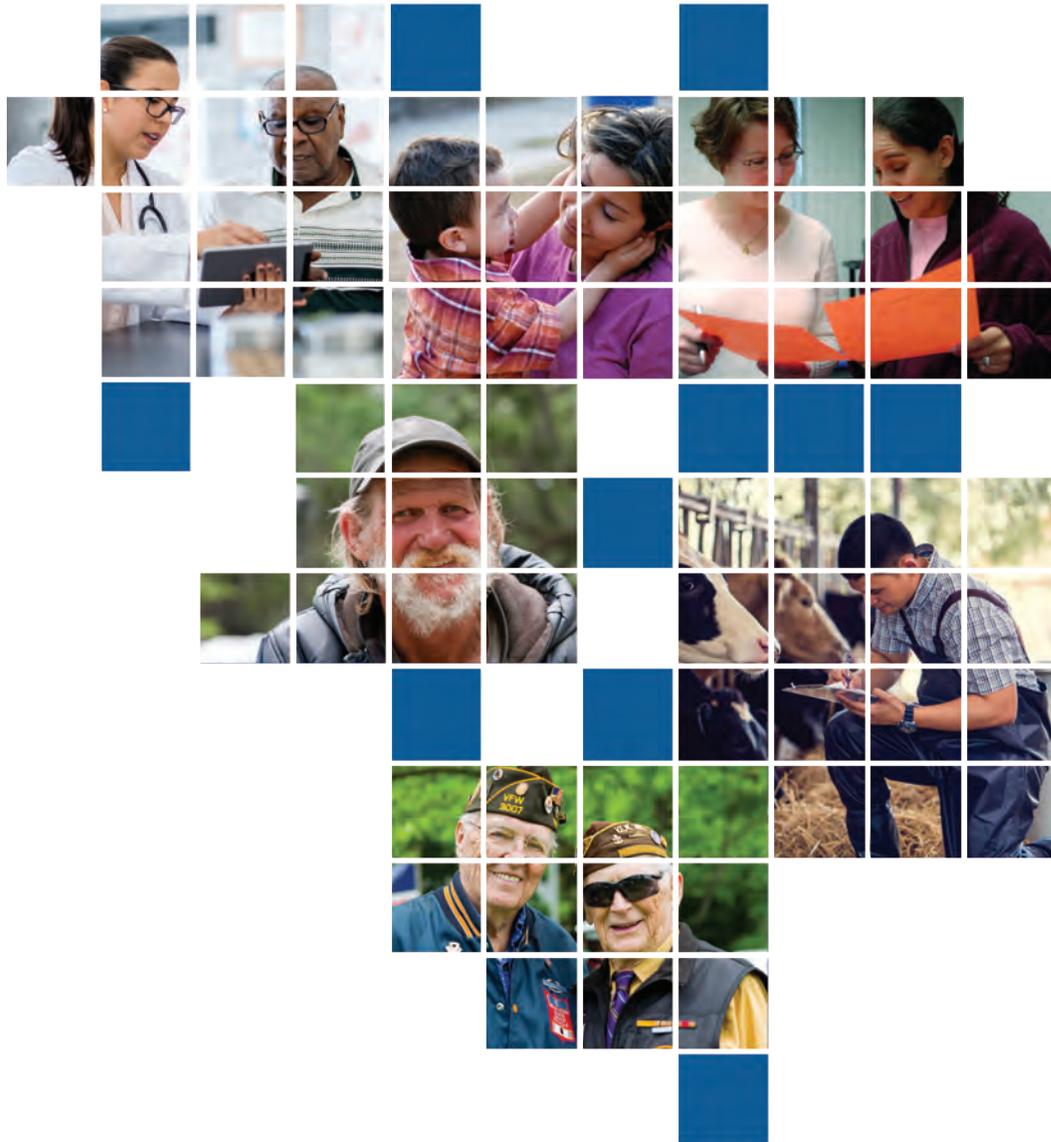




INDIANA UNIVERSITY



INDIANA CIVIL LEGAL NEEDS STUDY AND LEGAL AID SYSTEM SCAN

In Partnership with



Table of Contents

Issues at a glance	3
Executive summary	4
Need for civil legal aid among low-income Hoosiers	5
Indiana's system of civil legal aid	5
Indiana's pro bono system	5
Unrepresented parties in Indiana courts	5
Introduction	6
Purpose and goals of this study	6
Literature review	6
Research design	7
Summary of research activities	7
Data sources	7
Chapter 1: Contextualizing legal needs and legal aid in Indiana	9
Indiana's low-income population	9
Availability of lawyers and legal aid	14
Geographic analysis of Office of Court Services registered attorney data	14
Geographic analysis of results of survey of Indiana's civil legal aid providers	16
Unrepresented litigant trends in Indiana	18
Chapter 2: Comparing legal needs with the supply of legal aid	29
Measuring the need for civil legal aid among low-income Hoosiers	29
Low-income Hoosier households seeking legal help	31
Indiana's system of legal aid serving low-income Hoosiers in need	34
Chapter 3: Stakeholder survey results	41
Survey of Indiana legal aid providers	41
Survey of judicial officers and clerks of court	48
Chapter 4: County-level scans of legal needs on behalf of vulnerable groups	57
Contextualizing legal needs and legal aid in Monroe, Lawrence, and Lake Counties	57
Adversities faced by vulnerable low-income groups	58
Conclusion	63
Appendix A: Indiana University spatial microsimulation (SMS) analysis of civil legal needs in Indiana methodology	67
Appendix B: Indiana University 2018 Intake Census methodology	68
Appendix C: Indiana University Survey of Legal Aid Providers	69
Appendix D: Indiana University Survey of Judicial Officers and Clerks of Court	91
Appendix E: County-level scans of legal needs on behalf of vulnerable groups	103

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Issues at a Glance

Chapter 1: Contextualizing legal needs and legal aid in Indiana9

How many Hoosiers live in low-income households, and how has this changed during the past decade?9

What are the demographic characteristics of Hoosiers living in low-income households?9

How does the number of low-income Hoosiers differ among counties? . . .12

How many attorneys are available statewide to serve Indiana's total population, and how many legal aid attorneys are available to serve low-income Hoosiers?14

How does the number and percentage of attorneys providing pro bono legal services differ among counties?14

How does the number of cases closed by Indiana's system of civil legal aid differ among counties?16

How many civil cases are there in Indiana courts with unrepresented parties, and how has this changed during the past decade?18

In what kinds of cases do unrepresented parties most frequently appear? 19

How has the prevalence of unrepresented parties in these case categories changed during the past decade?20

How does the prevalence of unrepresented parties in these major case categories differ among counties?23

Chapter 2: Comparing legal needs with the supply of legal aid . . .29

How many low-income Hoosier households experienced one or more civil legal problems in the past year, and how many problems did these low-income households experience?29

What kinds of legal problems did low-income Hoosier households contend with over the past year, and how many households were affected?29

How many of each kind of civil legal problem did low-income Hoosier households contend with in the past year?30

How many low-income Hoosier households sought legal help in the past year?32

How many civil legal problems will low-income Hoosiers likely bring to Indiana's system of legal aid in the next year?32

What kinds of civil legal problems do low-income Hoosiers bring to legal aid providers?32

Will Indiana's legal aid providers be able to fully serve these civil legal problems?33

How many cases did Indiana's system of civil legal aid close in 2017?34

How many full-time lawyers, staff, and volunteers work within Indiana's system of civil legal aid?34

What kinds of problems did Indiana's system of civil legal aid resolve in 2017?35

What kinds of services did Indiana's system of legal aid provide in 2017? .36

Has demand for legal aid changed over time and will Indiana's system of legal aid be able to meet rising demand in the future?37

In what ways do the delivery models of Indiana's civil legal aid offices and pro bono districts differ?38

Chapter 3: Stakeholder survey results41

What are the top categories of legal needs addressed by Indiana's system of legal aid?41

Which are the most severely under-addressed categories of legal needs studied within this report?42

For which of the civil legal needs categories studied in this report should services be expanded?43

For which of the categories of legal needs studied in this report are additional resources necessary?44

What are the most prevalent barriers that Hoosiers navigate when turning to Indiana's system of civil legal aid?45

How often do Indiana's civil legal aid providers receive referrals from courts, law firms, social service organizations, and other civil legal aid providers?46

How often do Indiana's civil legal aid providers refer clients to law firms, social service organizations, and other civil legal aid providers?47

How often do unrepresented parties appear in Indiana courts, and how often do they appear as plaintiffs versus defendants?49

How often do unrepresented parties appear in Indiana courts within the categories of legal needs identified by this report?50

How often do unrepresented parties require court assistance, and how well do they represent themselves and follow court rules?51

How successful are unrepresented parties when representing themselves, and how does this vary across types of cases?52

How has the rising tide of unrepresented parties affected judges, court personnel, and court procedures?53

Where, and to whom, do court personnel refer unrepresented parties who seek legal advice or legal information?54

What are the most under-addressed categories of civil legal need studied within this report?55

Chapter 4: County-level scans of legal needs on behalf of vulnerable groups57

What are the adversities confronted by senior citizens?58

What are the adversities confronted by Hoosier veterans?58

What are the adversities confronted by homeless and housing-insecure Hoosiers?59

What are the adversities confronted by Hoosiers with mental illness?59

What are the adversities confronted by rural residents?60

What are the adversities confronted by immigrants?60

EXECUTIVE SUMMARY

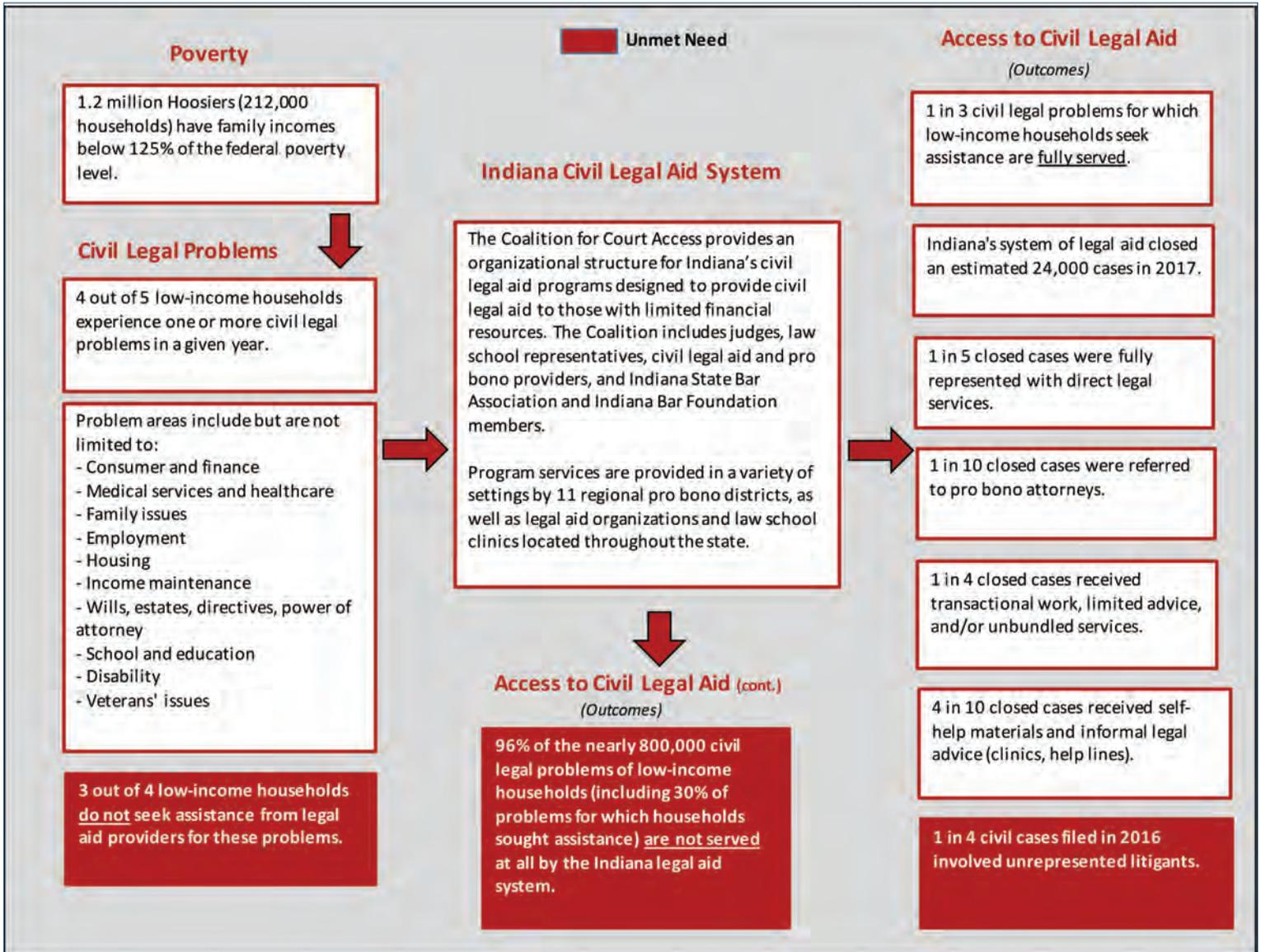
In 2017, the Indiana Coalition for Court Access entered into a partnership with Indiana University to conduct a statewide legal needs study. The IU Center for Law, Society & Culture and the IU Public Policy Institute submit this final report to the CCA.

We designed this comprehensive study of legal needs to provide a relevant, reliable source of information with which the CCA, policymakers, and legal aid providers can make strategic decisions about where, when, and how to allocate resources for the effective, efficient delivery of civil legal services. We also designed this project to generate data and information that these organizations can use in their efforts to increase the visibility of legal aid, develop support for legal aid work, and encourage resource development.

Need for civil legal aid among low-income Hoosiers

- In Indiana, 1.2 million Hoosiers—approximately 212,000 households—have family incomes below 125 percent of the federal poverty line, which means nearly 1 in 5 Hoosiers live in low-income households.
- In the last year, 80 percent of these low-income Hoosier families experienced at least one civil legal problem, totaling more than 765,000 legal problems. The most common legal problems they faced related to healthcare, consumer and finance issues, employment, and family and custodial matters.
- Only 1 in 4 of these households turned to lawyers for help with these civil legal problems.

Indiana civil legal aid needs and outcomes



Indiana's system of civil legal aid

- Low-income Hoosiers will present Indiana's system of legal aid with 47,000 civil legal problems in the next year, the most common of which will include: family law and custodial matters; housing issues; consumer and finance issues; wills, directives, and power of attorney; and others issues, such as expungements.
- Indiana's system of civil legal aid closed 25,000 cases statewide in 2017.
- Of those people seeking help next year, Indiana's system of legal aid will fully serve only 3 out of every 10 persons due to insufficient resources.
- More than 4 in 10 cases were resolved by offering low-income Hoosiers advice through self-help clinics or advice lines. Unbundled services and limited advice (i.e., up to eight hours) accounted for another 2 in 10 cases. Direct legal services—including full representation in litigation of a client through the resolution of a matter—accounted for only 2 in 10 cases. Lastly, 1 in 10 cases were resolved by referring clients to volunteer attorneys who accepted them on a pro bono basis.
- Demand is increasing for civil legal aid across many categories of legal needs, including other issues (e.g., expungements), rental housing, family law, consumer and finance cases, veterans' issues, wills and estates, and employment matters.
- There are approximately 100 full-time equivalent attorneys employed within Indiana's system of civil legal aid.
- There is less than one-tenth of a full-time civil legal aid attorney available to serve every 1,000 low-income Hoosiers.
- On average, each of Indiana's 100 full-time equivalent civil legal aid lawyers will resolve nearly five civil legal problems per week, or one per weekday, 52 weeks per year.
- All Indiana civil legal aid providers expressed that an inability to accept cases because of a lack of resources and/or ineligible case status pose barriers to Hoosiers seeking legal aid.
- Virtually all legal aid providers believe that if the current level of financial support remains unchanged, they will not be able to meet the future needs of low-income Hoosiers whom they serve.

Indiana's pro bono system

- Indiana attorneys reported almost 250,000 hours of pro bono service in 2016.
- Fewer than half of Indiana attorneys reported engaging in pro bono services, while more than half did not.
- Twenty-five percent of Indiana attorneys engaged in 20 hours or more of pro bono legal services in the last calendar year, contributing nearly 220,000 pro bono hours and accounting for 90 percent of the pro bono hours reported statewide.

- For every 1,000 low-income Hoosiers, there were fewer than five attorneys available who provide 10 or more pro bono hours.
- Volunteer attorneys recruited to do pro bono services will resolve an average of one to two cases per year.

Unrepresented parties in Indiana courts

- In 2016, more than 116,000 civil cases in Indiana involved unrepresented parties, accounting for 25 percent of all civil cases filed in Indiana courts.
- In total, the percentage of civil cases with unrepresented parties increased 33 percent during the past decade.
- The domestic relations category had the largest proportion of cases with unrepresented parties. Other categories with large percentages of unrepresented parties included protective orders, small claims, miscellaneous, expungements, guardianships, and civil collections.
- The percentage of cases with unrepresented parties has risen greatly in domestic relations, small claims, civil collections, guardianships, and expungement petitions.
- Not all counties apply the same metric to measure the presence of unrepresented parties in cases. This causes tremendous variation in the absolute number and percentage of unrepresented filings. Variation also exists based on case type within individual counties.
- Unrepresented parties appear more often as defendants/respondents than plaintiffs/petitioners in Indiana courts.
- Asymmetries in representation—instances where only one party is unrepresented—are somewhat more common than cases where both parties are unrepresented in Indiana courts.
- Judicial officers and clerks of court reported that unrepresented parties are common in family law matters; consumer and finance issues, such as debt-collection cases; and rental housing matters.
- Judicial officers and clerks of court reported that unrepresented parties usually require additional assistance and evidence and rarely follow court rules.
- Judicial officers and clerks of court reported that unrepresented parties are often successful in expungement petitions, and often/sometimes successful in family law cases and rental housing matters.
- Judicial officers and clerks of court reported that the rising tide of unrepresented parties has put pressure on court personnel and leads to progression delays and more contested hearings.
- Judicial officers and clerks of court often refer unrepresented parties seeking legal advice or information to the Internet, the Indiana Supreme Court's website, and Indiana's legal aid providers and pro bono districts.

INTRODUCTION

Need for legal aid in Indiana is wide, deep, and urgent. To be eligible for legal assistance from Indiana's system of civil legal aid, a person's income must often fall below 125 percent of the federal poverty level. A household income at 125 percent of the FPL corresponds to \$31,375 per year for a family of four.¹ According to the U.S. Census Bureau's American Community Survey, an estimated 212,479 Hoosier households live below this line. That equates to 1,156,910 low-income Hoosiers who are potentially eligible for legal aid. These Hoosiers routinely encounter adversities when accessing justice and regularly fail to receive the legal help necessary to address basic civil legal needs and significant legal problems.

When left unaddressed, these problems interact with other social, environmental, and economic circumstances to undermine human well-being and the fulfillment of essential needs, including access to medical services and healthcare; maintenance of safe, habitable housing; the receipt of benefits, such as disability and Social Security payments; support for family law matters, including child support and child custody actions; protection from abusive relationships; and relief from financial exploitation.

Purpose and goals of this study

Broadly, this civil legal needs study includes three goals:

1. Assessing the unmet legal needs of Indiana's low-income population.
2. Examining the current system of legal aid delivery to determine underserved communities' access to legal aid services.
3. Reviewing legal services programs to determine ways to improve resource allocation among and collaboration within Indiana's system of civil legal aid.

We designed this comprehensive study of legal needs to provide a relevant, reliable source of information with which the CCA, policymakers, and legal aid providers can make strategic decisions about where, when, and how to allocate resources for the effective, efficient delivery of civil legal services. We also designed this project to generate data and information that these organizations can use in their efforts to increase the visibility of legal aid, develop support for legal aid work, and encourage resource development.

Literature review

The last statewide study of legal needs conducted in Indiana took place more than a decade ago. See *Unequal Access to Justice: A Comprehensive Study of the Civil Legal Needs of the Poor in Indiana* (2008). Given the marked economic and societal changes during the past decade, as well as the need to comprehensively understand the adversities encountered by low-income Hoosiers and the nature of their legal needs, this evidence-based study of legal needs and legal aid system scan was commissioned.

We designed our scan of Indiana's legal needs and legal aid system to emulate and methodologically apply at the state level one of the most well-designed and comprehensive national legal needs studies to date, the Legal Services Corporation's 2017 Justice Gap Measurement Survey. The core findings of the 2017 Justice Gap Measurement Survey were organized into four sections spread throughout this report, which we tailored and applied to understand legal needs and legal aid in Indiana:

1. Low-income America

Using current data from the U.S. Census Bureau and other sources, Section 1 described the low-income population in America. More specifically, it explored how many people live in households that fall below 125 percent of the FPL, how they are distributed across the U.S., and how key demographics like education and racial and ethnic background are distributed among them.

2. Experience with civil legal problems

Section 2 presented findings on the prevalence of civil legal problems among low-income households, the types of problems they face, and the degree to which civil legal problems affect their lives. To complete Section 2, the Legal Services Corporation contracted with National Opinion Research Center (NORC) at the University of Chicago to conduct a survey of more than 2,000 adults living in low-income households using a nationally representative study. As will be described in further detail, we harnessed this important data for analysis to derive similar estimates of legal needs in Indiana for the major categories of legal problems (see Table I.1).

3. Seeking legal help

Section 3 presented findings on which types of problems are most likely to receive legal attention, where people turn for legal help, what types of legal assistance they receive, and the reasons people do not seek legal help.

Table I.1: Civil legal needs problem areas

Consumer and finance
Disability
Employment
Family issues, including issues for parents with children and custodial issues
Housing, including rental housing and homeownership
Income maintenance
Medical services and healthcare
School and education
Veterans' issues
Wills, estates, directives, power of attorney
Other issues: expungements, immigration, etc.

4. Reports from the field

Section 4 presented findings on the assistance low-income Americans receive after seeking help from a legal aid organization funded by LSC.

The LSC found that, in 2017, low-income Americans approached LSC-funded legal aid organizations for help with an estimated 1.7 million civil legal problems. Although they received legal help of some kind for 59 percent of these problems, they were expected to receive enough help to fully address their legal needs for only 28–38 percent of these problems. More than half (53–70 percent) of low-income American problems referred to LSC grantees received limited legal help or no legal help due to a lack of resources.

Research design

As Figure I.1 illustrates—and as will be described in greater detail in this report—this study’s research design involved multiple modes of data collection, gathering both quantitative and qualitative data, as well as analytical techniques that effectively address a comprehensive set of research goals.

Summary of research activities

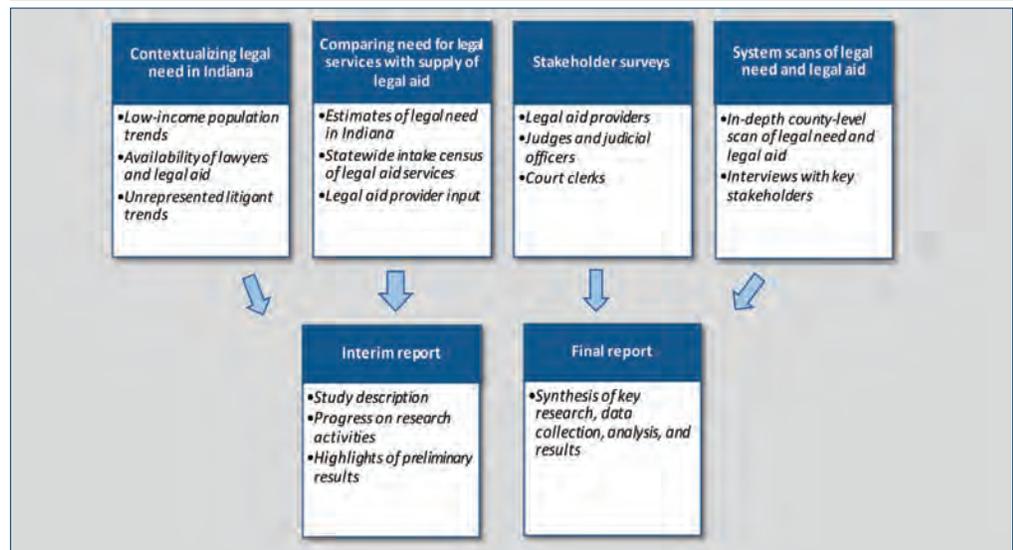
This comprehensive legal needs study and legal aid system scan included the following research activities:

- Chapter 1 offers context for understanding legal needs and legal aid in Indiana by presenting (1) trends and demographics of low-income Hoosiers, (2) the number of attorneys providing pro bono services and pro bono hours tallied statewide and across counties, (3) the number of legal aid attorneys statewide and the number of civil cases they closed in 2017, and (4) unrepresented party filing trends in civil cases filed statewide and across counties.
- Chapter 2 compares the need for legal aid among low-income Hoosiers with the supply of legal aid. This is performed through analysis that estimates:
 - The number of low-income households experiencing one or more civil legal problems in the past year
 - The number and kinds of civil legal problems experienced by these low-income Hoosiers
 - The percentage of low-income Hoosier households seeking legal help
 - The number and kinds of civil legal problems brought to Indiana’s system of legal aid
 - The extent to which Indiana’s civil legal aid providers are unable to serve these requests because of insufficient resources

We then report the results of a survey examining the number of cases closed in 2017 by Indiana’s system of legal aid, along with the kinds of cases resolved. This survey examines the number of full-time equivalent attorneys and professionals who constitute Indiana’s system of legal aid, along with the unpaid volunteers and pro bono attorneys who support them. Chapter 2 closes by reporting results that raise concerns about the rising demand for legal aid and resource scarcities that threaten Indiana’s system of legal aid.

- Chapter 3 presents the results of stakeholder surveys with judicial officers, clerks of courts, and legal aid providers. Results of the survey of legal aid providers address a range of topics, including perceptions of the legal needs of low-income Hoosiers, types of legal services provided, demand for services, and adequacy of resources. Surveys conducted with judicial officers and clerks of court primarily examined experiences with unrepresented parties. In Chapter 3, we provide judicial and clerk evaluations about case outcomes for and experiences

Figure I.1: Overview of Indiana legal needs study and legal aid system scan



with unrepresented parties in their courts, and perceptions of the most pressing and urgent unmet civil legal needs.

- Chapter 4 presents the results of in-depth quantitative and qualitative system scans of legal needs and aid conducted in Monroe and Lawrence Counties by teams of law students at the IU Maurer School of Law. These law student teams studied the legal needs of specific demographic groups, including residents of rural areas, senior citizens, veterans, immigrants, homeless and housing-insecure persons, and persons with mental illness. These system scans entailed structured interviews with social service providers, legal aid providers, judicial officers, and national experts, as well as listening tours with members of the public. These county-level scans of legal needs and legal aid analyzed the most common problems facing these vulnerable groups and the factors contributing to each group’s vulnerability.

Data sources

This report summarizes findings from an analysis of primary and secondary data sources, the results of a six-week intake census, as well as surveys of legal aid providers, judicial officers, and clerks of court. The data in this publication come from the following sources:

- U.S. Census Bureau, American Community Survey (ACS): five-year estimates from 2008–2012 and 2012–2016 and one-year estimates from 2008 through 2017
- Legal Services Corporation (LSC), Justice Gap Survey Data, 2017
- Indiana Office of Court Services, Indiana Judicial Service Reports, 2006–2016
- Indiana Supreme Court, Roll of Attorneys, 2016
- Indiana University, Intake Census, 2018
- Indiana University, Survey of Legal Aid Providers, 2018
- Indiana University, Survey of Judicial Officers and Clerks of Court, 2018



CHAPTER 1: CONTEXTUALIZING LEGAL NEEDS AND LEGAL AID IN INDIANA

Indiana's low-income population

Analysis of the poverty demographics in Indiana provides an important context for understanding the substance, prevalence, and impact of civil legal problems among different segments of the low-income population. Using American Community Survey data, we have examined—at the statewide and county levels—the distribution of Hoosiers who live in low-income households, as well as the socio-demographic and educational attainment characteristics of households below the 125 percent FPL.

How many Hoosiers live in low-income households, and how has this changed during the past decade?

We first examined the number of Hoosiers living in low-income households and how this figure has changed since 2008, when Indiana's last statewide legal needs study was conducted. When deriving these figures and related changes over time, we collected data from the U.S. Census Bureau's

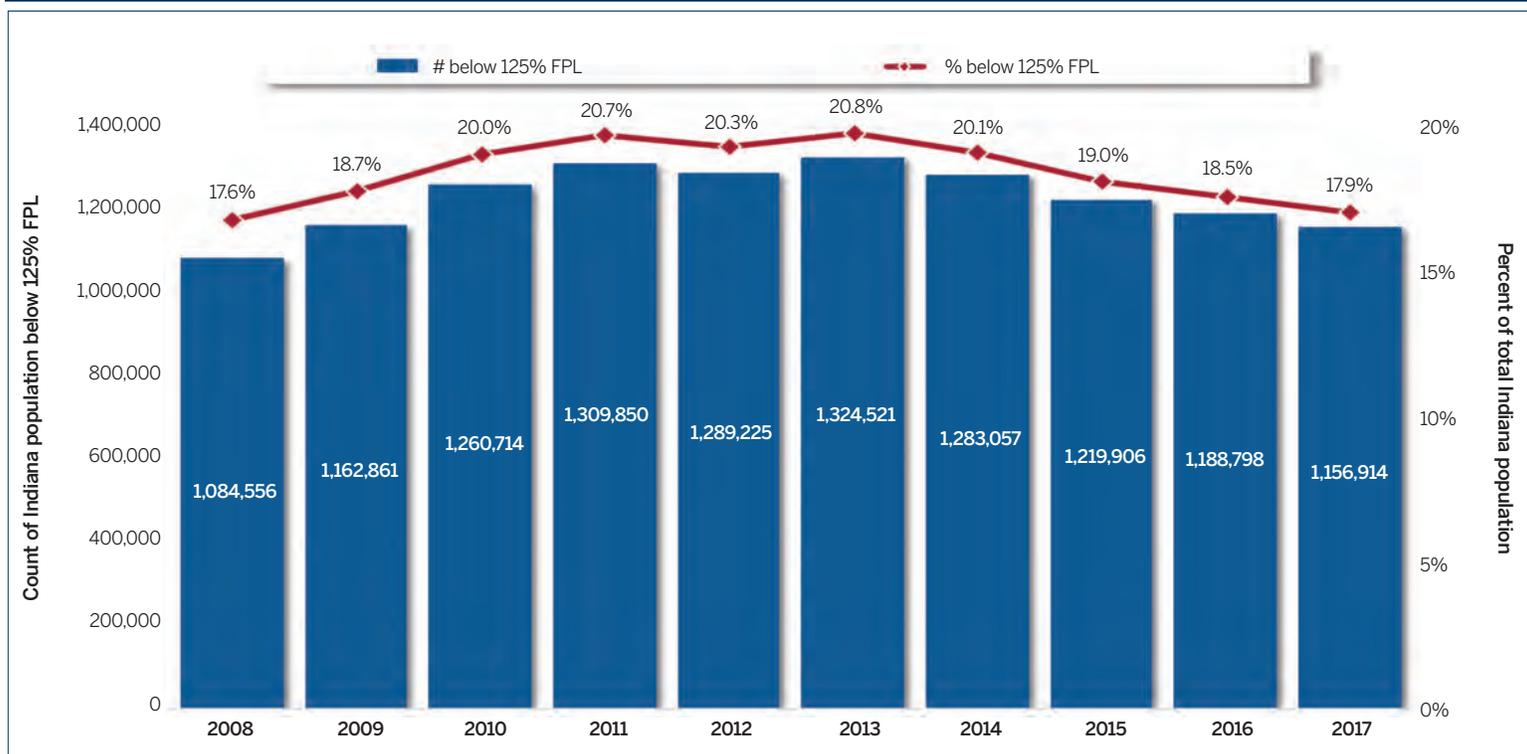
American Community Survey one-year estimates from 2008 to 2017 specific to Indiana.

We first compiled ACS one-year estimates of low-income Hoosiers below 125 percent of the FPL. The 2017–2018 Federal Poverty Guidelines show that, in Indiana, a household income of \$31,375 represents 125 percent of the FPL for a family of four. We then gathered ACS one-year estimates for the working poor living at or below 150 percent of the FPL. This equates to a household income of \$37,650 for a family of four in Indiana.

Based on these ACS one-year estimates, more than 1.15 million Hoosiers live in low-income households, nearly 1 in 5 residents. During the past decade, the number of Hoosiers living in low-income households grew by more than 6.7 percent. Yet from 2013 to 2017, that number fell by more than 12.7 percent and returned to a level slightly above that of 2008 (calculated from Figure 1.1).

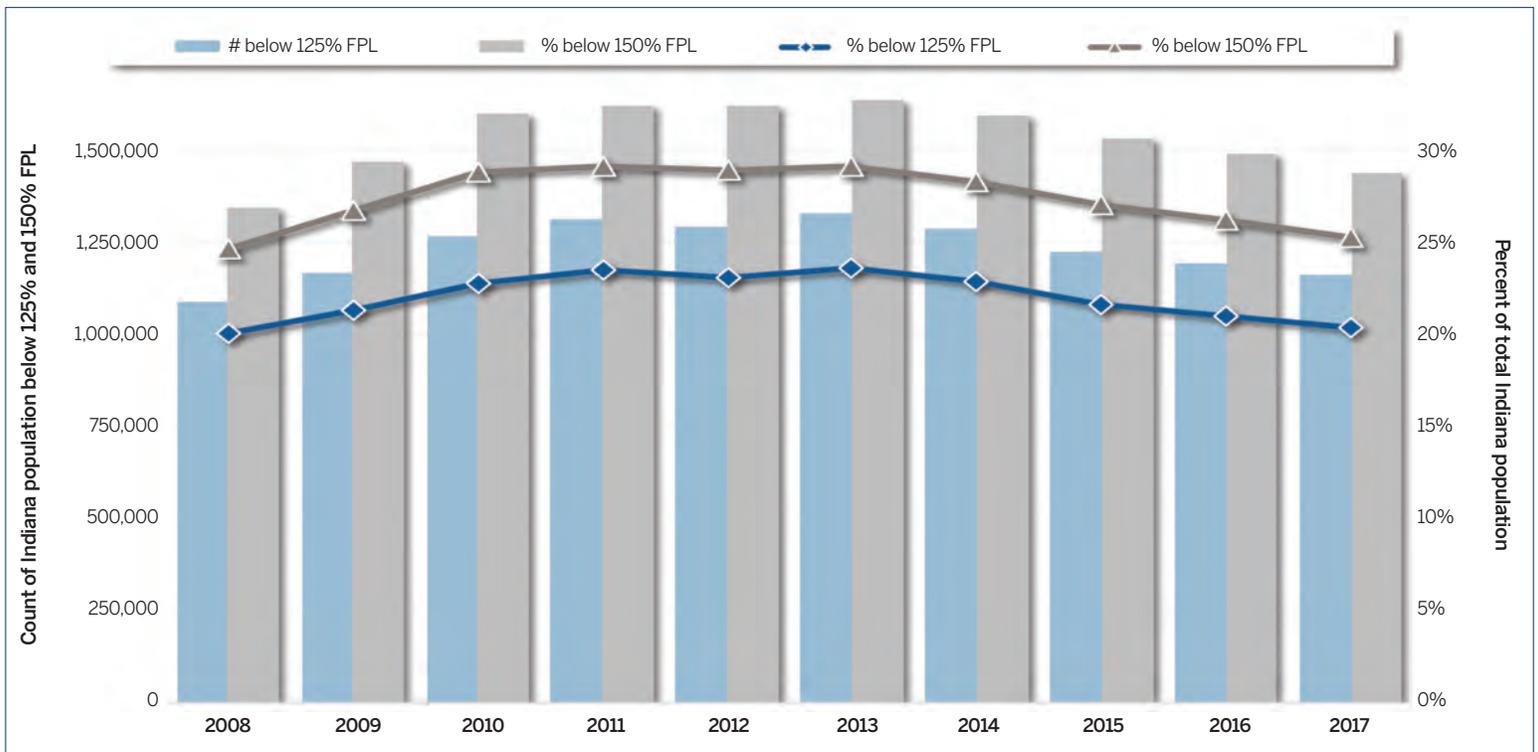
With regard to the working poor, Figure 1.2 reveals that among those with household incomes below 150 percent of the FPL, the 10-year trend mirrors that of Hoosiers living in low-income households. In 2017, 1 in 5 Hoosiers—more than 1.4 million—lived in families with incomes below 150 percent of the FPL. While this figure has risen by nearly 7 percent since 2008, it is down from a 10-year high of 1.6 million in 2013.

Figure 1.1: Number and percentage of Hoosiers below 125% of Federal Poverty Level (FPL), 10-year trend, 2008 - 2017



Source: U.S. Census Bureau; 2008-2017 American Community Survey (ACS) 1-Year Estimates

Figure 1.2: Number and percentage of Hoosiers below 125% and 150% of Federal Poverty Level (FPL), 10-year trend, 2008 - 2017



Source: U.S. Census Bureau; 2008-2017 American Community Survey (ACS) 1-Year Estimates

What are the demographic characteristics of Hoosiers living in low-income households?

We then sought to discern the demographic characteristics of Hoosiers living in low-income households. For example, how is Indiana's low-income population dispersed among age, gender, racial, ethnic, disability, and veteran populations in Indiana? To analyze these demographics, we harnessed data from the U.S. Census Bureau's 2017 American Community Survey one-year estimates. Table 1.1 includes demographic characteristics of Indiana's low-income population.

Turning first to the ages of the state's low-income population, based on an analysis of 2017 ACS data, nearly 400,000 Hoosier children aged 0 to 17 years, more than 660,000 adults aged 18 to 64 years, and more than 120,000 seniors (65 years of age or older) live with family incomes below 125 percent of the FPL.

Regarding gender, 55.4 percent of women live in low-income households compared to 45.6 percent of men. With respect to racial and ethnic demographics, more than 70 percent of low-income Hoosiers identify as white, more than 17 percent identify as African American, and more than 10 percent identify as Hispanic. Yet the proportion of African Americans (33.2 percent) and Hispanics (28.2 percent) living in low-income households in Indiana is greater than that of white persons living in similar

circumstances (15.5 percent). In examining education status, approximately 63 percent of low-income Hoosiers aged 25 years or older have no more than a high school education (see Table 1.1). Finally, among Hoosiers with disabilities, 1 in 4 (27.5 percent) live in low-income households, and nearly 10 percent of Indiana's veterans have family incomes below 125 percent of the FPL.

More than 1.15 million Hoosiers live in low-income households.

Table 1.1: Demographic characteristics of Indiana's low-income population, 2017

Demographic group	Total	Estimated number below 125% federal poverty level (FPL)	Percentage below 125% Federal Poverty Level (FPL)
Total population for whom poverty status is determined	6,463,636	1,156,914	17.9%
Households	1,660,102	212,479	12.8%
Age			
Under 18 years	1,538,059	372,210	24.2%
18-64 years	3,937,914	665,507	16.9%
65 years and over	987,663	120,495	12.2%
Gender			
Male	3,173,471	517,276	16.3%
Female	3,290,165	641,582	19.5%
Education (among adults aged 25+ years)			
Less than high school graduate	481,812	150,325	31.2%
High school graduate (includes equivalency)	1,412,948	235,962	16.7%
Some college or associate's degree	1,273,474	163,005	12.8%
Bachelor's degree or higher	1,180,518	67,290	5.7%
Race and ethnicity			
White	5,421,585	840,346	15.5%
Black or African American	595,841	197,819	33.2%
Hispanic or Latino origin (of any race)	448,734	126,543	28.2%
Employment status (among population aged 16 to 64 years)			
Worked full-time, year-round	2,178,696	106,756	4.9%
Worked less than full-time, year-round	1,057,252	257,969	24.4%
Did not work	882,159	335,220	38.0%
Disability status			
With any disability	909,395	250,084	27.5%
No disability	5,550,980	904,810	16.3%
Living arrangement			
In family households	5,326,710	804,333	15.1%
In married-couple family	3,891,892	295,784	7.6%
In female householder, no husband present households	1,016,136	402,390	39.6%
In other living arrangements	1,136,926	351,310	30.9%
Nativity and citizenship status			
Native	6,122,478	1,071,434	17.5%
Foreign born	341,158	84,266	24.7%
Naturalized citizen	133,644	19,913	14.9%
Veteran status			
Veteran	377,850	36,847	9.8%
Nonveteran	4,544,538	743,933	16.4%

Sources: U.S. Census Bureau; 2017 American Community Survey (ACS) 1-Year Estimates

Table S1703: Selected characteristics of people at specified levels of poverty in the past 12 months

Universe: Population for whom poverty status is determined

Table B21007: Age by Veteran Status by poverty status in the past 12 months by disability status for the civilian population 18 years and over

Universe: Civilian population 18 years and over for whom poverty status is determined more information

Table S1702: Poverty status in the past 12 months of families

Note: Per 2017 LSC Justice Gap Study, to estimate the number of veterans with family incomes below 125% of FPL, the ratio of the estimated number of persons with incomes less than 125% of FPL to persons with incomes less than 100% FPL was applied to the total number of veterans below 100% FPL to estimate the number of veterans below 125% FPL.

How does the number of low-income Hoosiers differ among counties?

Following our analyses of the demographics of Hoosiers living in low-income households, we sought to discern how this population differs from county to county. To analyze these county-level trends, we collected county-level data from American Community Survey 2012–2016 five-year estimates. The total numbers and proportions of populations living below 125 percent of the FPL are presented for each of Indiana’s 92 counties in Map 1.²

The 10 Indiana counties with the highest concentrations of low-income Hoosiers include:

- Marion (240,346)
- Lake (106,934)
- Allen (72,743)
- St. Joseph (57,006)
- Tippecanoe (43,920)
- Elkhart (39,775)
- Vanderburgh (39,001)
- Monroe (37,844)
- Delaware (30,366)
- Madison (27,104)

These 10 counties account for 60.1 percent of Hoosiers living statewide below 125 percent of the FPL. They also represent 10 of the most populous and urban regions of the state:

- Indianapolis (Marion)
- Hammond (Lake)
- Gary (Lake)
- Fort Wayne (Allen)
- South Bend (St. Joseph)
- Lafayette (Tippecanoe)
- Elkhart (Elkhart)
- Evansville (Vanderburgh)
- Bloomington (Monroe)
- Muncie (Delaware)
- Anderson (Madison)

In contrast, the 10 Indiana counties with the highest percentage of low-income Hoosiers include:

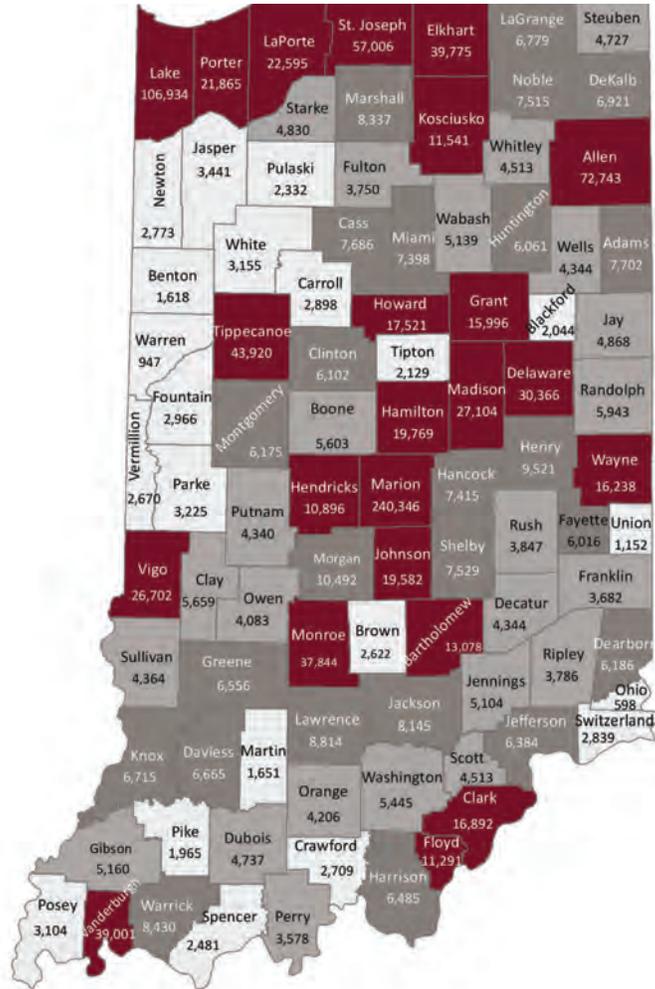
- Monroe: 29.5 percent
- Delaware: 27.8 percent
- Switzerland: 27.5 percent
- Vigo: 27 percent
- Marion: 26.3 percent
- Tippecanoe: 26.2 percent
- Crawford: 25.9 percent
- Fayette: 25.9 percent
- Grant: 25.4 percent
- Wayne: 25.1 percent

While the counties with the highest concentration of low-income Hoosiers largely represent populous and urban regions, many of the counties with the highest proportion of impoverished residents represent rural regions, including Switzerland, Crawford, Fayette, Grant, and Wayne Counties. Yet given the population densities of these four counties, together they account for approximately 4 percent of Hoosiers living below 125 percent of the FPL.

During the past decade, the number of Hoosiers living in low-income households grew by more than 6.7 percent.

Map 1.1: Total number and percentage of county population below 125 percent of the federal poverty level (FPL), 2012-2016

County population below 125% of FPL



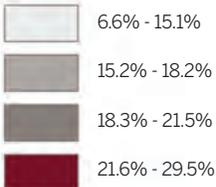
Median county population below 125% of FPL = 6,039

Population below 125% of FPL

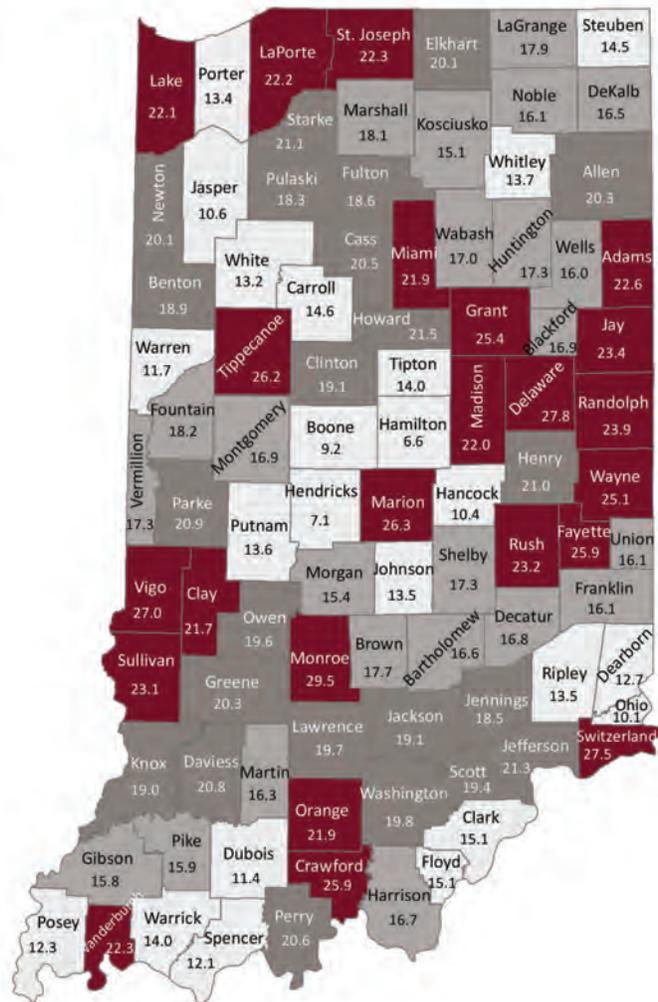


Median percentage of county population below 125% of FPL = 18.2%

% of county population below 125% of FPL



Percentage of county population below 125% of FPL



Source: U.S. Census Bureau; 2012-2016 American Community Survey (ACS) 5-year estimates

Availability of lawyers and legal aid

How many attorneys are available statewide to serve Indiana's total population, and how many legal aid attorneys are available to serve low-income Hoosiers?

We next sought to derive the number of attorneys available to serve Indiana's population per 1,000 residents, and to compare this figure with the number of civil legal aid attorneys available per 1,000 Hoosiers living in poverty.

We used ACS's one-year estimate for 2017 to determine population data and to estimate the number of Hoosiers living below 125 percent of the FPL. To determine the number of registered attorneys in Indiana, we analyzed data from the Indiana Supreme Court's Roll of Attorneys provided by the Office of Court Services. To derive the total number of civil legal aid attorneys in Indiana, we collected data from the Survey of Civil Legal Aid Providers and summed the number of full-time equivalent attorneys. This survey is a virtual census of civil legal aid providers across the state.

According to these data sources, there were 14,898 registered attorneys in Indiana in 2016 and only 98 FTE civil legal aid attorneys. Indiana's total population in 2017 was 6,463,636, and 1,156,914 Hoosiers were living in poverty.³ Our analysis of these data reveal there were two attorneys for every 1,000 Hoosiers and, on average, less than one-tenth of a full-time equivalent civil legal aid attorney available to serve every 1,000 low-income Hoosiers.

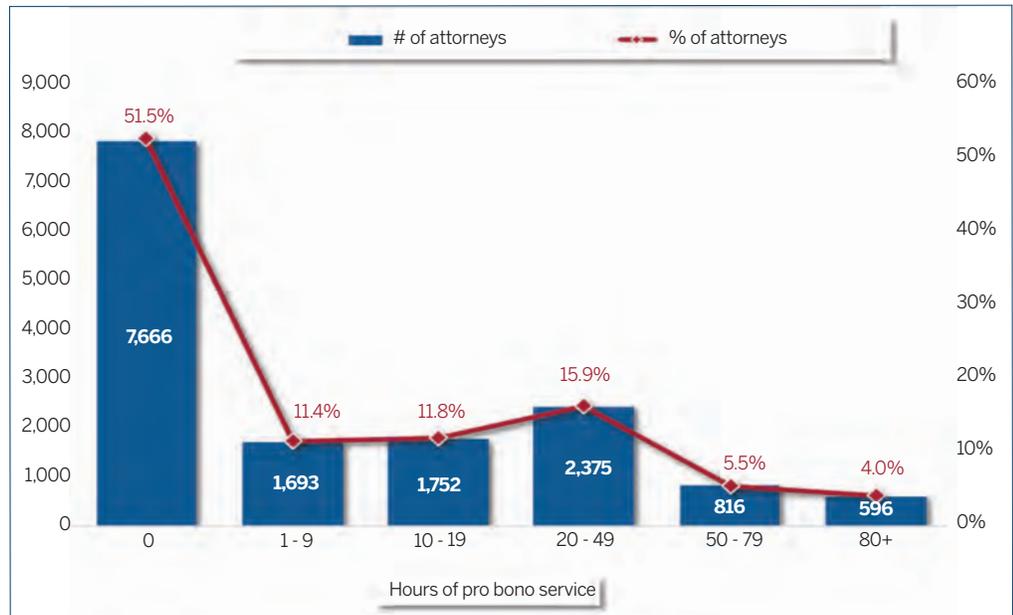
How many attorneys provide pro bono legal services statewide, and how many pro bono hours do they provide?

We next examined the number of Indiana attorneys who engaged in pro bono services and the number of pro bono hours they reported. To derive these estimates, we again analyzed data from the Indiana Supreme Court's Roll of Attorneys.

While Indiana attorneys are not required to provide pro bono services, they must report any pro bono hours completed during the previous calendar year in their annual registration with the bar.⁴ The Office of Court Services compiles this data. Reportable pro bono hours entail legal services provided directly to individuals reasonably believed to be of limited means either (1) without charge and without any fee expectations when the services were rendered, or (2) at a charge of less than 50 percent of one's normal rate and without expectation of any greater fee when the services were rendered.

In 2016, Indiana attorneys reported engaging in nearly 250,000 hours of pro bono service. Yet these hours were provided by less than half (48.5 percent) of the state's attorney population (see Figure 1.3). Furthermore, only 25.4 percent of Indiana's 14,898 registered attorneys provided 20 hours or more of pro bono legal services in the last calendar year. This group of attorneys

Figure 1.3: Hours of pro bono service provided in 2016, by percentage of attorneys



Source: Indiana Supreme Court, Roll of Attorneys, 2016

contributed nearly 220,000 hours of pro bono services, accounting for 88.3 percent of the pro bono hours reported statewide. Overall, in 2016, Indiana attorneys reported an average of 16.5 hours of pro bono services per attorney.

Geographic analysis of Office of Court Services registered attorney data

How do the number and percentage of attorneys providing pro bono legal services differ among counties?

Our next analysis combined data from the Indiana Supreme Court's Roll of Attorneys with a county-level geographic analysis. In 2016, there were an estimated 4.7 attorneys providing 10 or more hours of pro bono legal services per 1,000 low-income Hoosiers. Map 2 illustrates this county-level analysis of the percentage of attorneys who reported 10 or more pro bono hours.

The five Indiana counties with the highest proportion of attorneys reporting 10 or more pro bono hours include:

- Franklin: 90 percent
- Jennings: 83.3 percent
- Blackford: 83.3 percent
- Pulaski: 83.3 percent
- Orange: 81.8 percent

The five Indiana counties with the lowest proportion of attorneys reporting 10 or more hours of pro bono include:

- Whitley: 30 percent
- Sullivan: 20 percent
- Rush: 20 percent

- Spencer: 18.2 percent
- Wells 6.3 percent

Each of these 10 counties is classified as rural or rural/mixed; therefore, norms unique to local bar associations may best explain these differences, rather than the nature of population concentrations associated with urban versus rural divides.

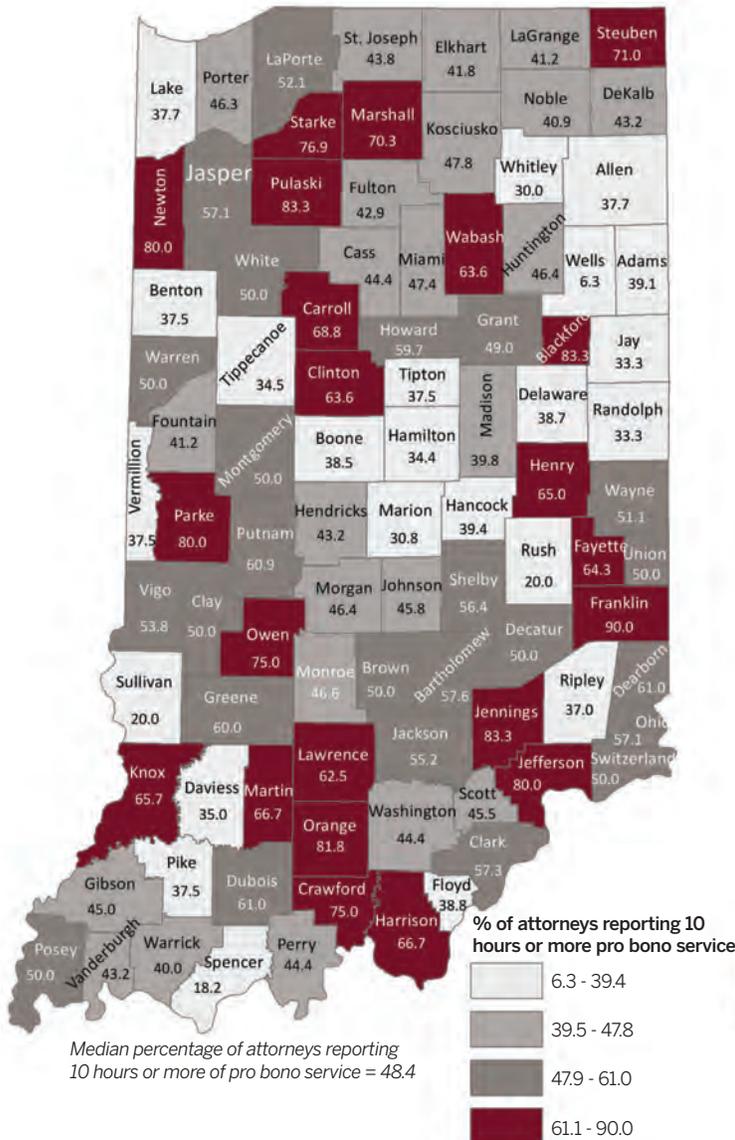
We next examined the availability of attorneys providing 10 or more hours of pro bono services at the county level, taking into account the low-income county population in which these attorneys reside. Whitley, Rush,

Spencer, Sullivan, and Wells Counties have the lowest rates of attorneys engaging in high levels of pro bono work per 1,000 low-income Hoosiers (see Map 2). This troubling pattern appears related to the percentage of attorneys engaged in pro bono services. For example, these are the same five Indiana counties with the lowest proportion of attorneys reporting 10 or more pro bono hours with any segment of the population.

At the opposite end of spectrum, the five counties with the highest estimated rates in this same category— Hamilton, Boone, Porter, Marion, and Ohio—included three that were surrounding the Indianapolis metropolitan area: Hamilton, Boone, and Marion.

Map 1.2: Registered attorneys reporting 10 hours or more of pro bono service, by county (2016) and per 1,000 county population below 125 percent FPL (2012-2016)

Percentage of registered attorneys reporting 10 hours or more hours of pro bono service, by county, 2016





Geographic analysis of results of survey of Indiana's civil legal aid providers

How does the number of cases closed by Indiana's system of civil legal aid differ among counties?

To better understand the number of cases closed by Indiana's system of civil legal aid, we harnessed county-level data from our Survey of Indiana Legal Aid Providers (see Appendix C). Within this virtual census, we asked Indiana's civil legal aid providers to report the number of cases their office(s) closed in 2017 (see Map 3). We also asked this same group to identify the counties they served and then to specify the percentage of cases closed within each county that they served.

The 10 counties with the highest number of legal aid cases resolved in 2017 included Marion, Allen, Lake, Vanderburgh, St. Joseph, Monroe, Hamilton, Delaware, Johnson, and Wayne Counties. These counties are among Indiana's most populous and urban counties, and they account for 77.8 percent of the total cases resolved by the state's system of civil legal aid in 2017.

The 10 counties with the lowest estimated number of cases resolved are Martin, Montgomery, Franklin, Switzerland, Warren, Washington, Parke, Tipton, Vermillion, and Union Counties. These 10 counties make up less than 1 percent of the total cases resolved by Indiana's system of civil legal aid and are among the state's less populous, largely rural counties.

To standardize and place these results in context, we calculated the number of cases closed per 1,000 low-income residents. The 10 Indiana counties with the highest number of these cases included Ohio, Owen, Marion, Vanderburgh, Lawrence, Hendricks, Allen, Hamilton, Putnam, and Hancock. Several of these counties are among the most populous in Indiana.

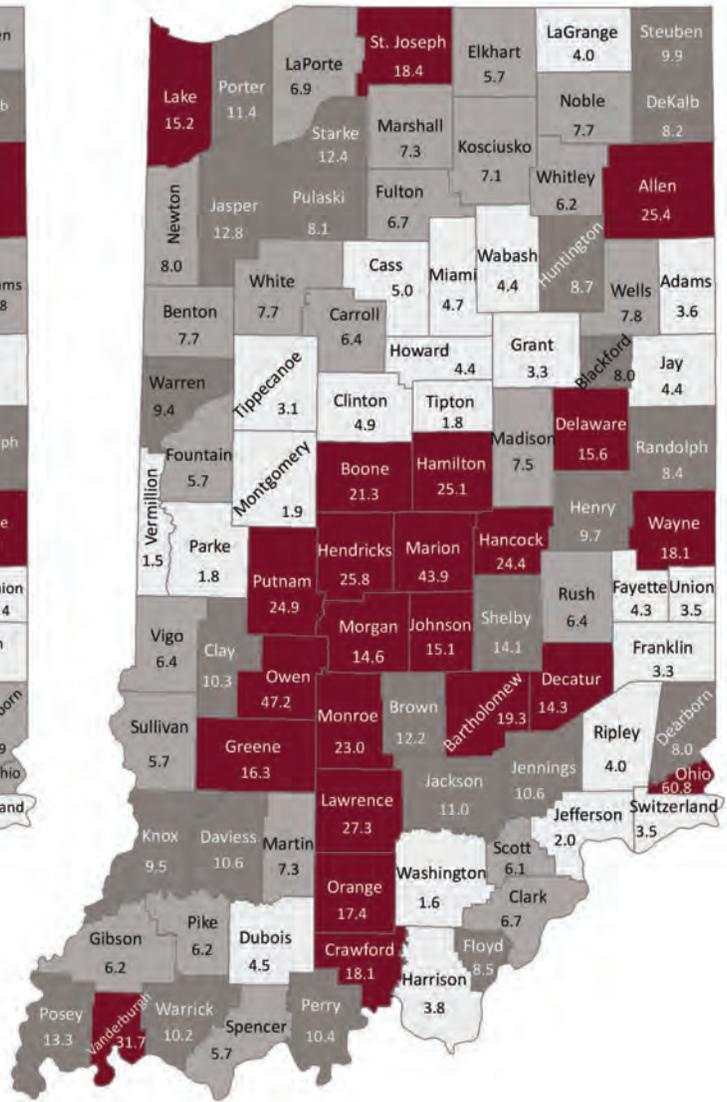
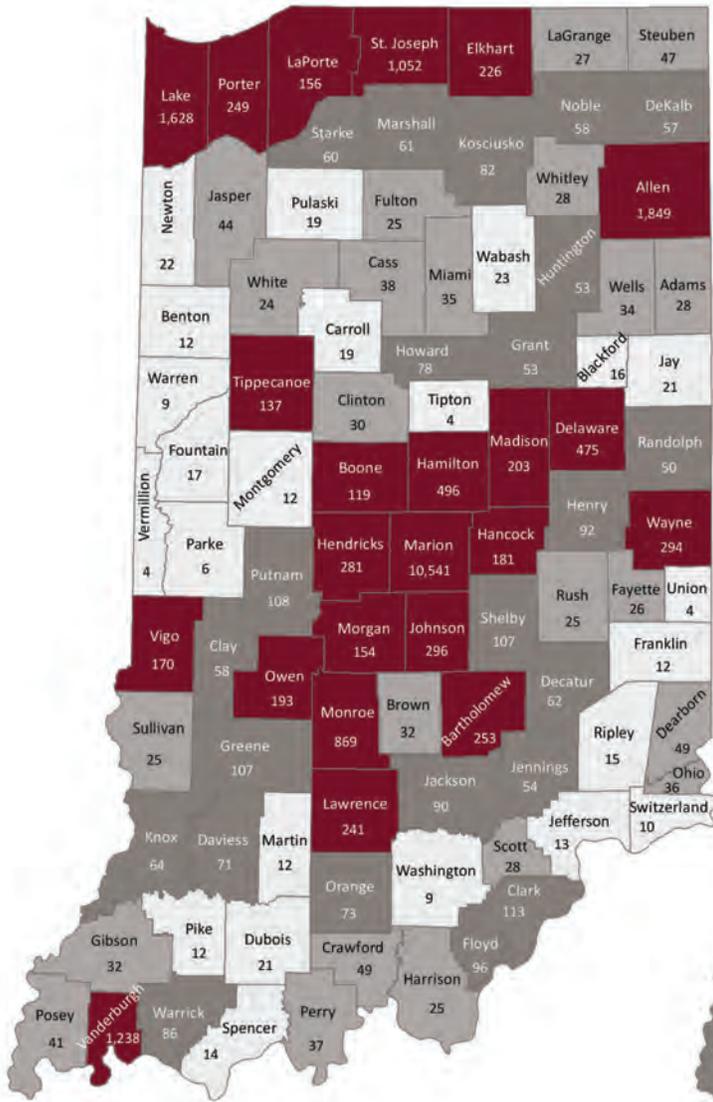
The 10 Indiana counties with the lowest number of these included Union, Grant, Franklin, Tippecanoe, Jefferson, Montgomery, Parke, Tipton, Washington, and Vermillion. Several of these counties are among the least populous in Indiana and are largely rural or rural/mixed counties.

Our analysis found that in 2017, there were two attorneys for every 1,000 Hoosiers and, on average, less than one-tenth of a full-time equivalent civil legal aid attorney available to serve every 1,000 low-income Hoosiers.

Map 1.3: Total number of cases closed by Indiana legal aid providers, by county (2017) and per 1,000 county population below 125 percent FPL (2012-2016)

Total number of cases closed by Indiana legal aid providers, by county, 2017

Number of cases closed (2017) per 1K county population below 125% FPL (2012-2016)

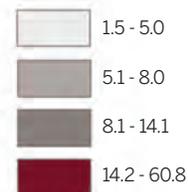


Median number of cases closed per 1K county population below 125% of FPL = 8.1

Median number of cases closed = 50



of cases closed per 1K below 125% of FPL



Sources: Indiana University, Survey of Legal Aid Providers, 2018; U.S. Census Bureau; 2012-2016 American Community Survey (ACS) 5-Year Estimates

Unrepresented litigant trends in Indiana

We next examined unrepresented litigant trends in Indiana. In doing so, we analyzed data combed from Indiana Judicial Service Reports from 2006 through 2016, the most recent year available for this study. Each quarter, Indiana's state courts report caseload information to the Office of Court Services. The OCS compiles statistical data on case filings within Indiana's state courts, including information about cases with unrepresented parties.

As stated in Indiana's Judicial Services Reports from 2006 to 2016:

The courts report cases in each case type category if a party proceeds without attorney representation at any point in the case while the case remains open. A case is only reported once; even if several parties in the same case proceed without attorney representation, or if the status of the litigant changes one or more times during the course of the case.

Frequently, those courts that exercise small claims jurisdiction and/or handle infractions and ordinance violations have multiple cases falling into this category. Litigants who are defaulted are not counted as unrepresented since information about representation was not obtained. A case may be counted as unrepresented at any time the court believes at least one party is acting on his or her behalf without the assistance of counsel.

Each case may be counted a maximum of one time as unrepresented in the life of the case. Courts may look to appearance forms, filings (if a person files something or appears without an attorney), attendance at hearings without attorney representation or any other factor for this determination. The Indiana Supreme Court uses the statistics reported on this line to provide enhanced resources tailored to the case type for unrepresented litigants.

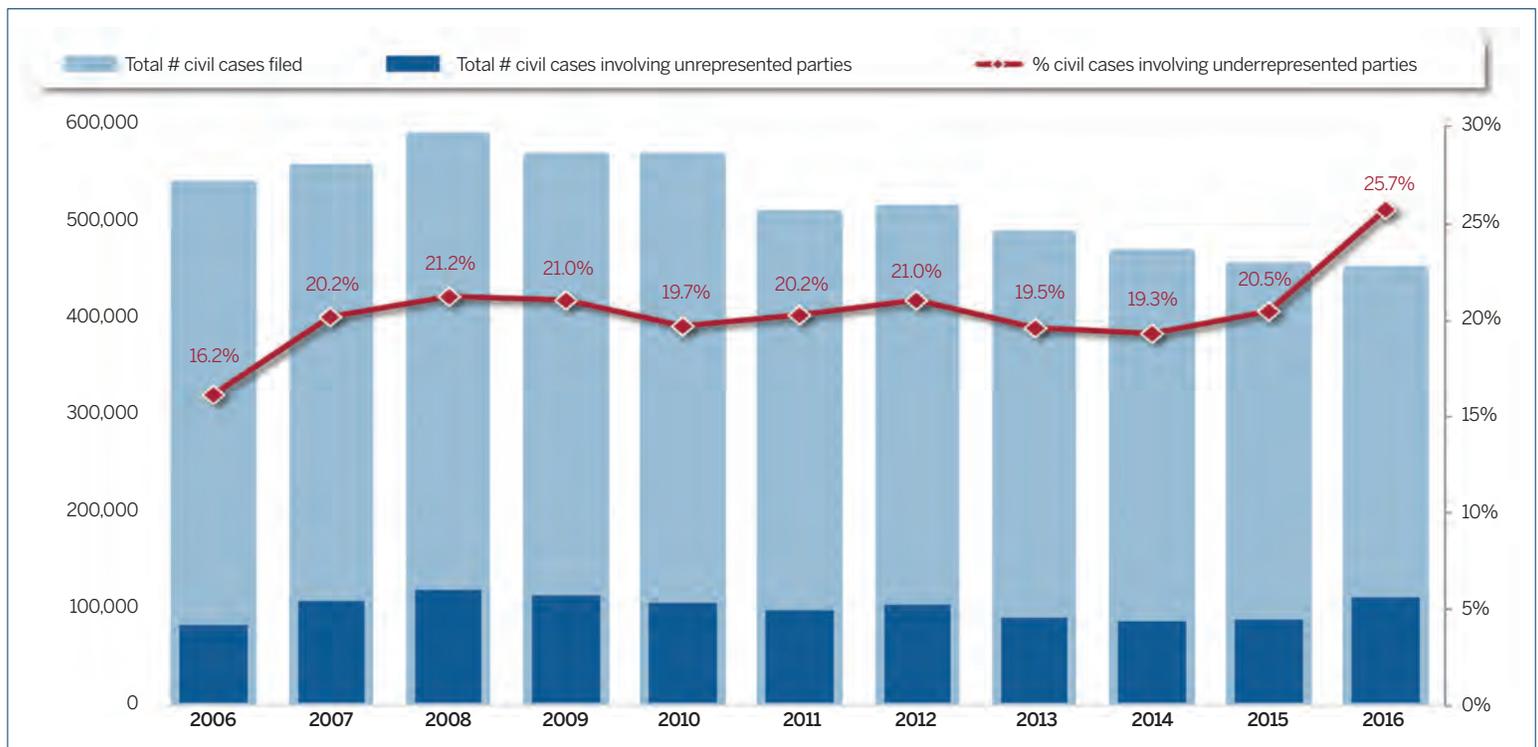
We employed this court data to estimate the number of cases in which unrepresented parties appeared in Indiana state courts and to examine differences among major case types, trends over time, and differences among counties in the percentage of reported cases with unrepresented parties.⁵

How many civil cases are there in Indiana courts with unrepresented parties, and how has this changed during the past decade?

We first turned to the total number of civil cases in Indiana courts with unrepresented parties, paying attention to how this number has ebbed and flowed over time. We collected this information from Indiana Judicial Service Reports from 2006 through 2016.

In 2016, there were 116,222 civil cases with unrepresented parties in Indiana courts. Unrepresented parties appeared in 25.7 percent of all civil cases filed in courts statewide.⁶ In total, the percentage of civil cases with unrepresented parties has increased by 33 percent in the past decade. In 2006, these cases made up 16.2 percent of all civil cases filed. Ten years later, they made up 25.7 percent.

Figure 1.4: Number and percentage of civil cases filed involving unrepresented parties, 2006-2016



Source: Indiana Office of Court Services, Indiana Judicial Services Reports, 2006-2016

In what kinds of cases do unrepresented parties most frequently appear?

Indiana Judicial Services Reports categorize civil cases into the following case types: plenary, mortgage foreclosures, civil collections, torts, small claims, domestic relations, reciprocal support, mental health, adoptions, estates, guardianships, trusts, protective orders, expungements, and miscellaneous.

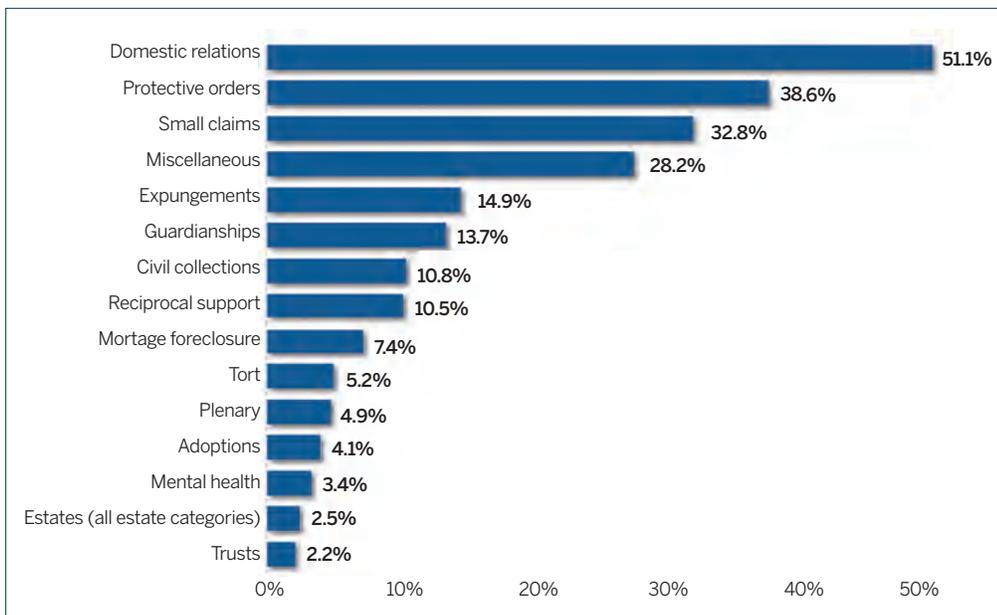
In 2016, domestic relations was the category with the largest proportion of cases with at least one unrepresented party. Other categories with large percentages of unrepresented parties included protective orders, small claims, miscellaneous, expungements, guardianships, and civil collections (see Table 1.2 and Figure 1.5).

Table 1.2: Number of civil filings by case category and number and percentage of cases filed involving unrepresented parties, 2016

2016 Reported case categories	Civil filings	Unrepresented party cases	Unrepresented party % in case category
Domestic relations	31,754	16,236	51.1%
Protective orders	35,189	13,578	38.6%
Small claims	209,698	68,702	32.8%
Miscellaneous	16,834	4,743	28.2%
Expungements	6,660	995	14.9%
Guardianships	8,004	1,100	13.7%
Civil collections	65,555	7,052	10.8%
Reciprocal support	2,172	227	10.5%
Mortgage foreclosure	15,752	1,172	7.4%
Tort	11,899	613	5.2%
Plenary	16,239	799	4.9%
Adoptions	4,159	172	4.1%
Mental health	13,477	460	3.4%
Estates (all estate categories)	14,536	363	2.5%
Trusts	449	10	2.2%
Total	452,377	116,222	25.7%

Source: Indiana Office of Court Services, Indiana Judicial Services Reports, 2016

Figure 1.5: Percentage of unrepresented cases to civil cases filed, 2016



Source: Indiana Office of Court Services, Indiana Judicial Services Reports, 2016

In 2016, there were 116,222 civil cases with unrepresented parties in Indiana courts. Unrepresented parties appeared in 25.7 percent of all civil cases filed in courts statewide.

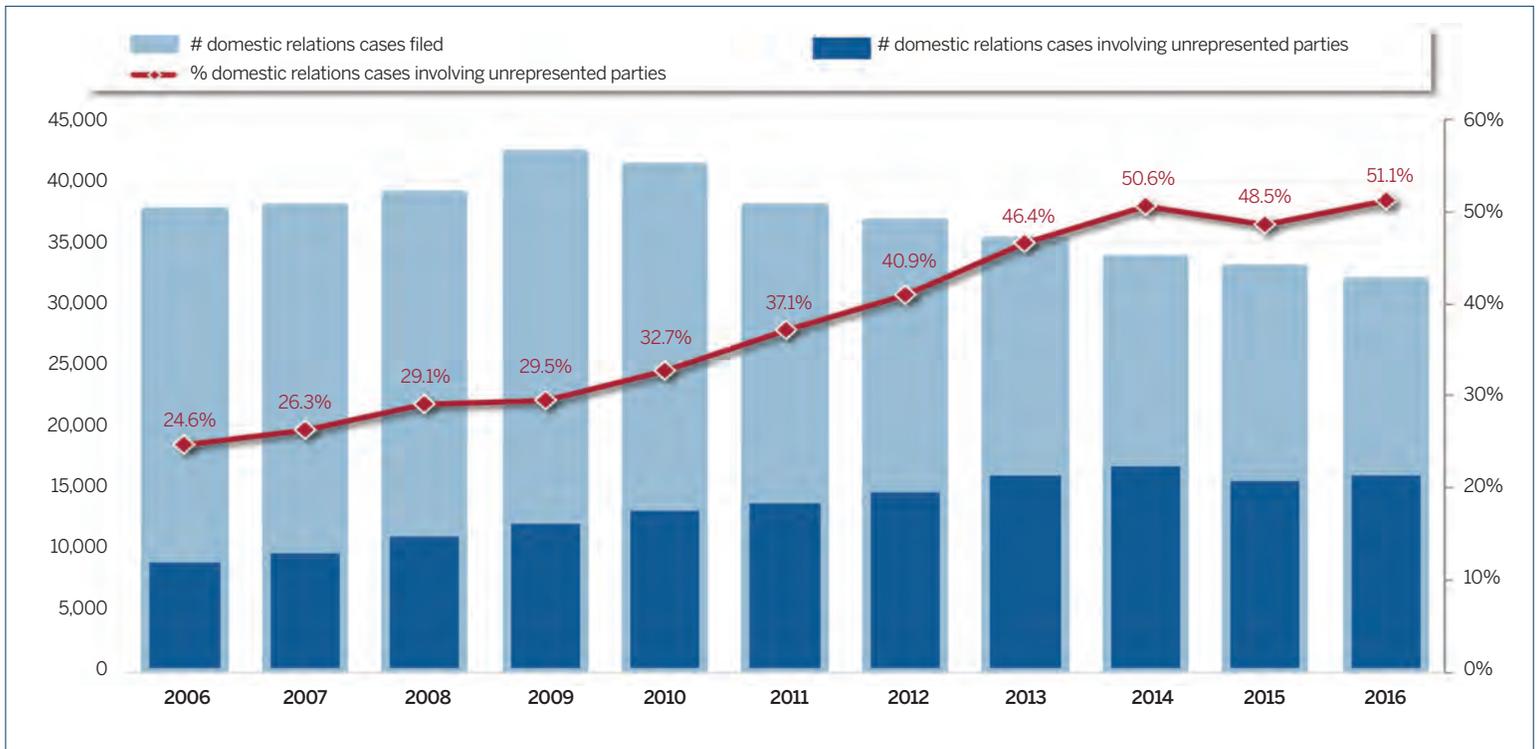
How has the prevalence of unrepresented parties in these case categories changed during the past decade?

Our analysis in case trends during the past decade focused on domestic relations, protective orders, small claims, guardianships, and civil collections. The number of cases with unrepresented parties has risen in the last decade by 76.2 percent in domestic relations cases and 74 percent in civil collection cases. There is even greater growth in expungement petitions filed by unrepresented parties. The number of those cases climbed by more than 135 percent in one year alone, from 421 in 2015 to 995 in 2016.⁷

The number of cases with unrepresented parties rose by 968 percent in guardianship cases, climbing from 182 cases in 2006 to 1,100 a decade later. We believe this reflects trends relating to the growing need for minor guardianships resulting from the opioid epidemic and perhaps underlying changes in the way these cases are processed.

As is clearly revealed in our analysis of available data, the percentage of cases with unrepresented parties has markedly risen during the past decade across these major case categories: domestic relations, protective order cases, small claims, civil collections, and guardianships (see Figures 1.6, 1.7, 1.8, 1.9, and 1.10).

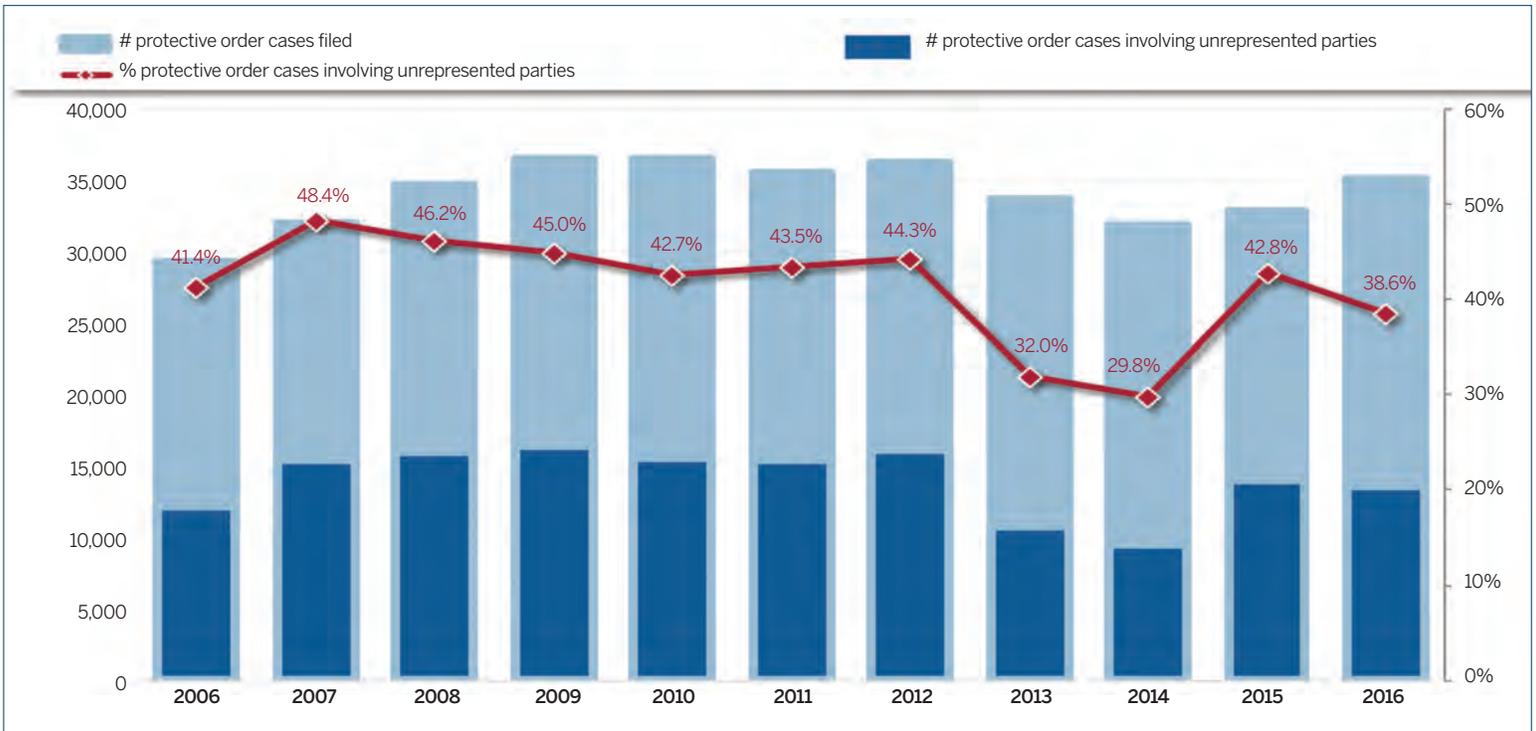
Figure 1.6: Number and percentage of domestic relations cases filed involving unrepresented parties, 2006-2016



Source: Indiana Office of Court Services, Indiana Judicial Services Reports, 2006-2016

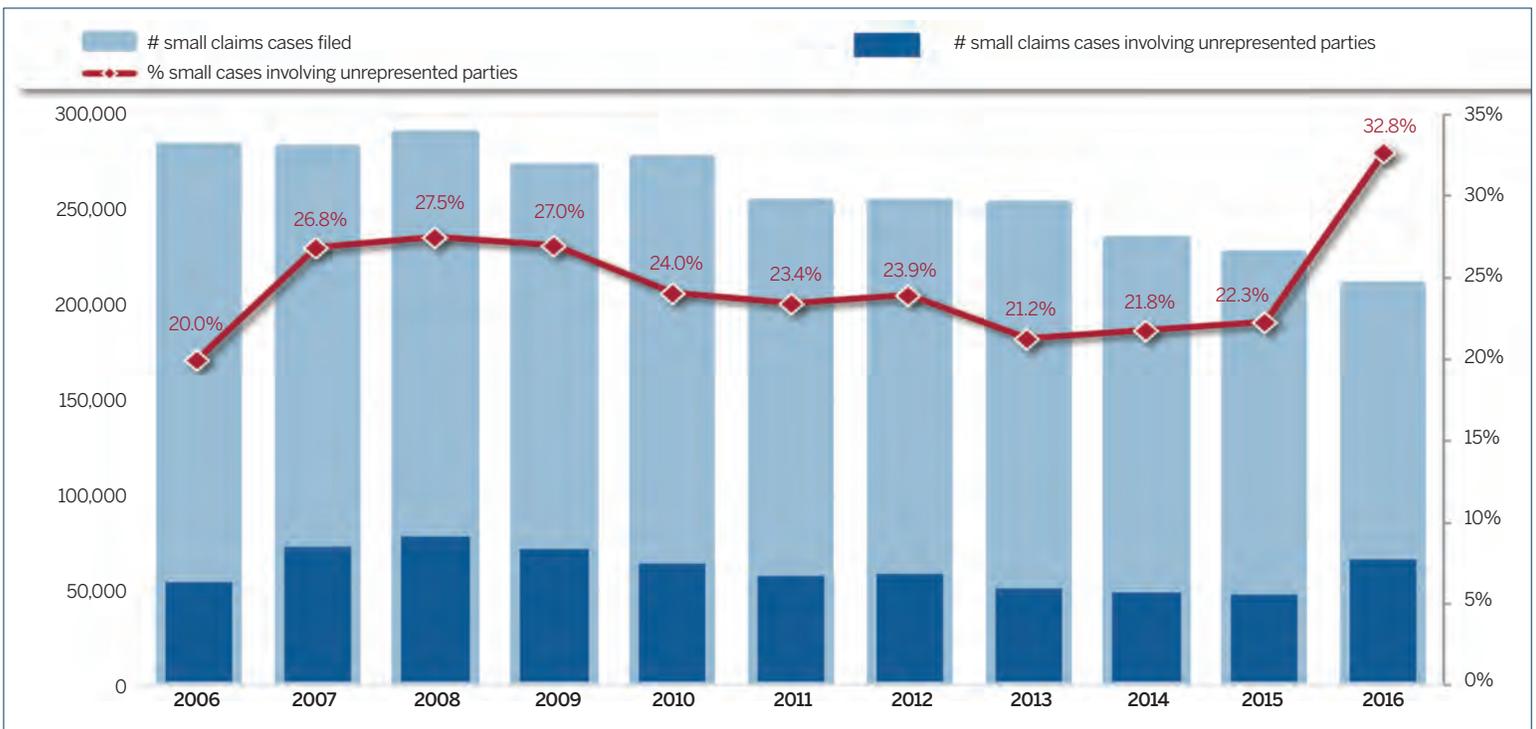
The percentage of civil cases with unrepresented parties has increased by 33 percent in the past decade.

Figure 1.7: Number and percentage of protective order cases filed involving unrepresented parties, 2006-2016



Source: Indiana Office of Court Services, Indiana Judicial Services Reports, 2006-2016

Figure 1.8: Number and percentage of small claims cases filed involving unrepresented parties, 2006-2016

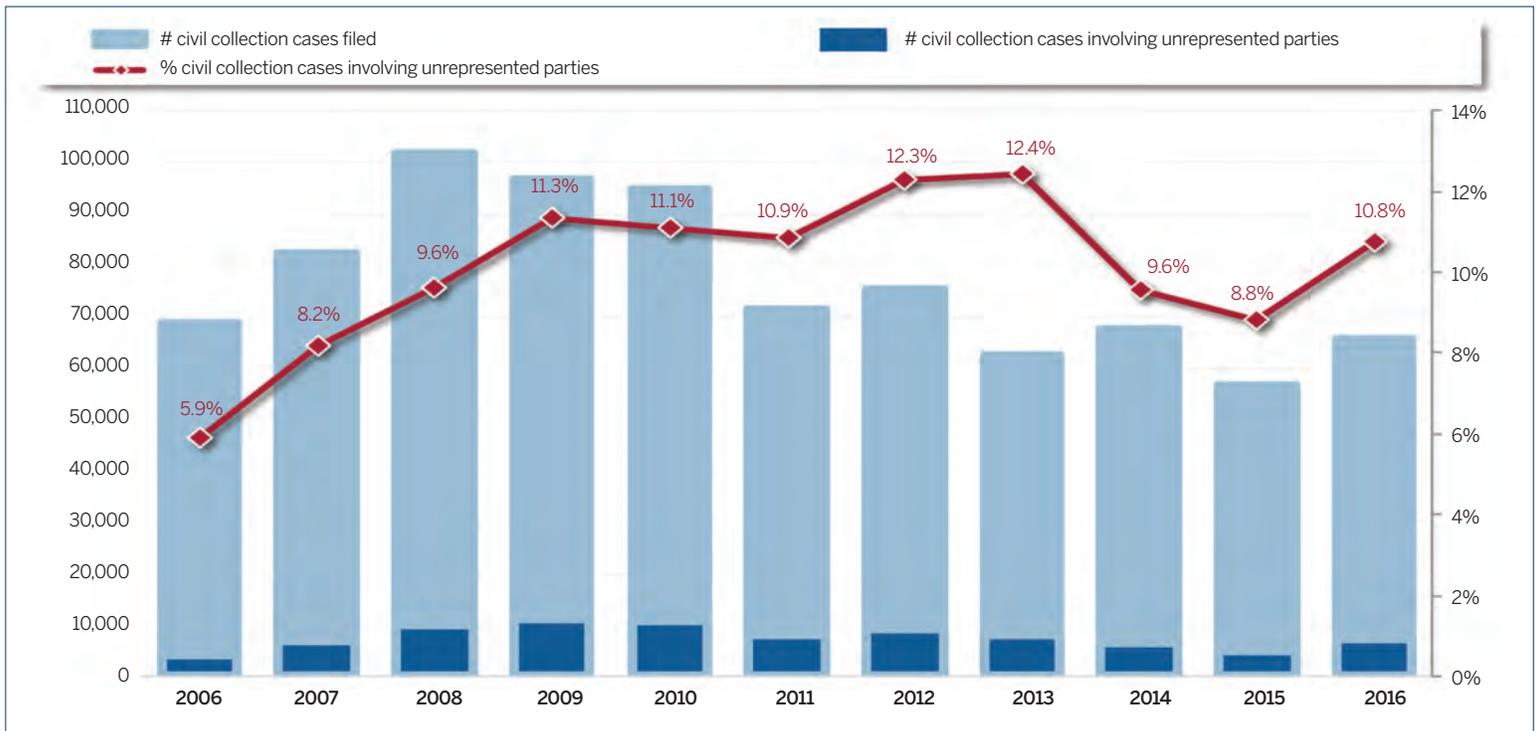


Source: Indiana Office of Court Services, Indiana Judicial Services Reports, 2006-2016

Regarding the number of unrepresented parties in civil collection matters, we offer an important caveat: a large percentage of these cases are filed by debt collectors against persons who do not file answers, motions, or otherwise appear in these cases. As a result, default orders are routinely entered against them. According to Indiana's unrepresented party data-collection procedures, persons who are defaulted are not counted as unrepresented because information about their representation was not provided. However, the vast majority of these defaulted parties are unrepresented in civil

collection matters nationally and in Indiana. Therefore, the percentage of unrepresented parties in the category of civil collections is likely far greater than depicted. For example, in the Survey of Judicial Officers and Court Clerks discussed in Chapter 3, we inquired about the prevalence of unrepresented parties in consumer financial cases. A large majority of judges and clerks of court (64.4 percent) reported that unrepresented parties often appear before them in these matters.

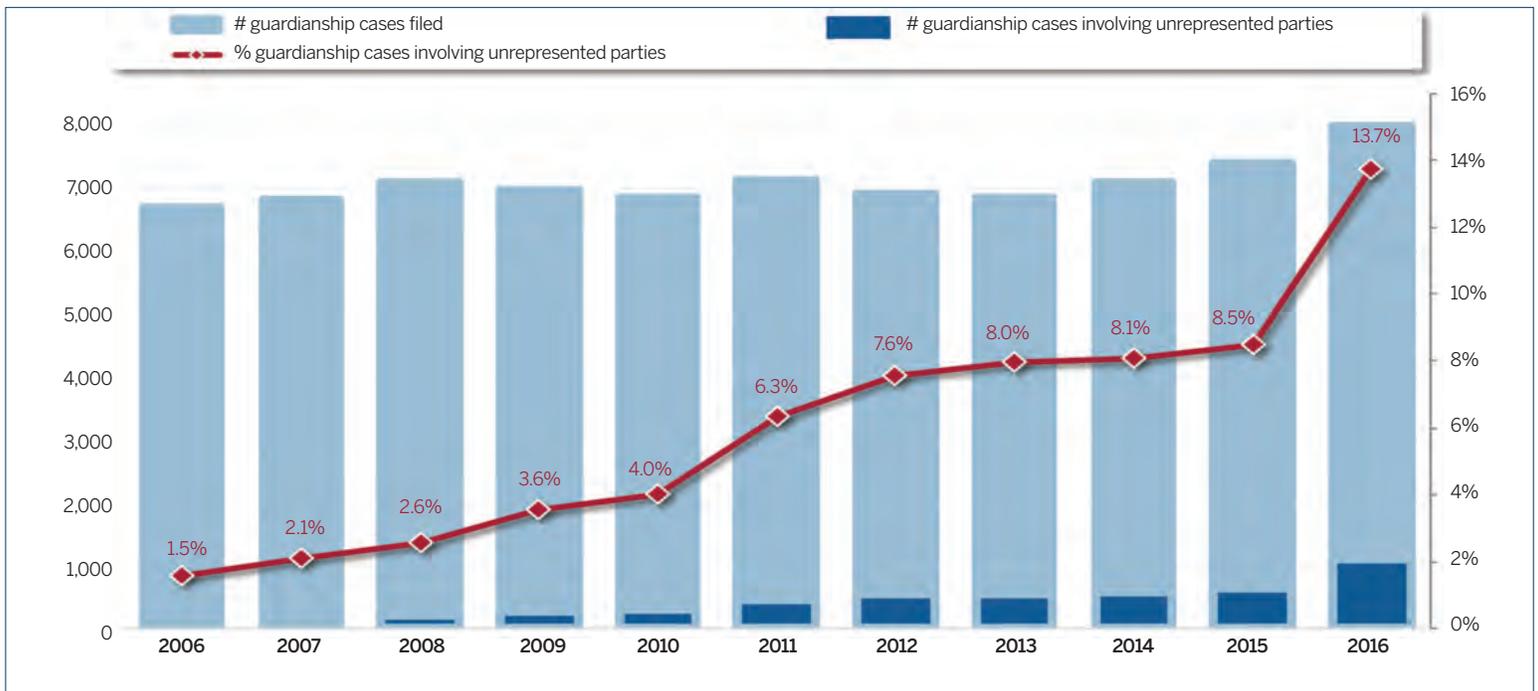
Figure 1.9: Number and percentage of civil collection cases filed involving unrepresented parties, 2006-2016



Source: Indiana Office of Court Services, Indiana Judicial Services Reports, 2006-2016

The percentage of cases with unrepresented parties has markedly risen during the past decade across these major case categories: domestic relations, small claims, civil collections, and guardianships.

Figure 1.10: Number and percentage of guardianship cases filed involving unrepresented parties, 2006-2016



Source: Indiana Office of Court Services, Indiana Judicial Services Reports, 2006-2016

How does the prevalence of unrepresented parties in these major case categories differ among counties?

Finally, we examined the ways in which these trends vary across counties in Indiana and developed county-level maps, presented below. These maps reveal the nature of these trends as proportions of the total civil cases filed within each county in the following case categories: domestic relations, protective orders, small claims, civil collections, and expungements.

We offer a word of caution: this county-level analysis suggests that several counties may not be consistently collecting case-level data about unrepresented parties and that some counties may be reporting the number of cases involving unrepresented parties using different metrics. Some county-level data suggests possible underreporting, while other county-level data suggests possible over-reporting. In the category of domestic relations, for example, several counties reported no cases with unrepresented parties, while several other counties reported more than 100 percent. In addition, while the Office of Court Services data reveals that 51.5 percent of family law cases involve unrepresented parties in courts statewide, studies in other jurisdictions revealed percentages as high as 76 percent.⁸

Even so, several trends emerge. First, in the case category of domestic relations, many counties with the highest concentrations of low-income

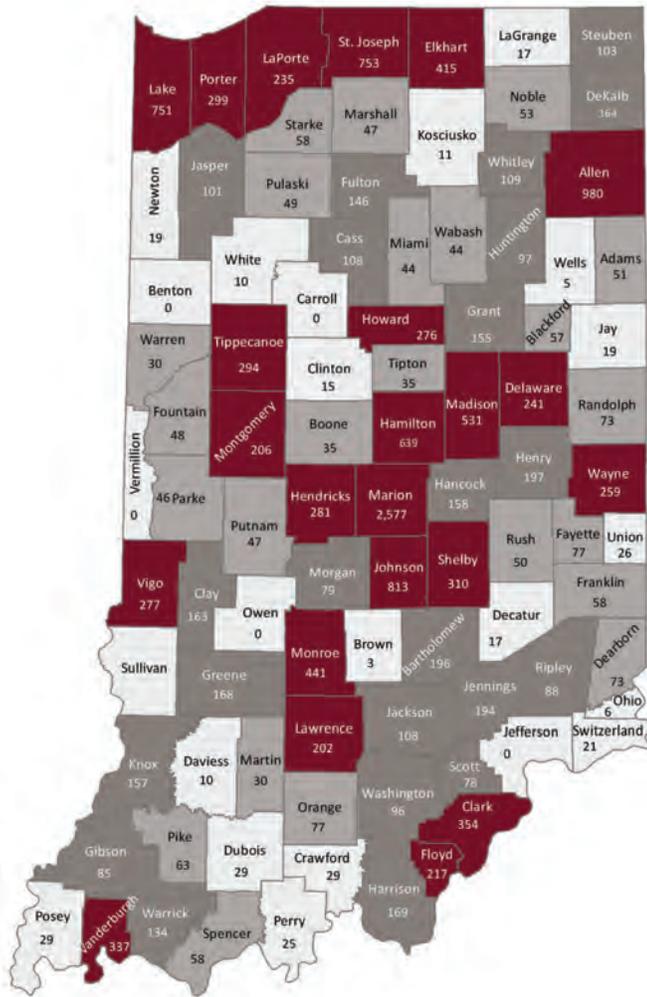
Hoosiers include the greatest number of cases reported with unrepresented parties: Marion, Allen, St. Joseph, Lake, Madison, and Monroe.

Second, there is considerable variation among counties in the proportion of cases reported with unrepresented parties. This suggests that the state's system of civil legal aid may operate differently for unrepresented parties from county to county. For example, the system may be more or less available to unrepresented parties and affect how these persons will navigate court without counsel differently based upon the county.

Third, there is considerable variability within counties in the proportion of civil cases with unrepresented parties across case types. Taking Monroe County as a single example, nearly 75 percent of domestic relations cases involve unrepresented parties; however, when it comes to other case categories, the percentages of cases involving these parties are as follows: 0.6 percent of protective order cases, 5.7 percent of expungement petitions, 7.4 percent of small claims cases, and 35 percent of civil collections cases. This wide range within a single county may result from the public's willingness to navigate court without representation in some case categories more than others, and from county-level systems of civil legal aid addressing each of these case categories with different approaches.

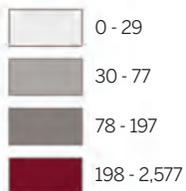
Map 1.4: Number and percentage of domestic relations cases filed involving unrepresented parties, by county, 2016

Number of domestic relations cases involving unrepresented parties

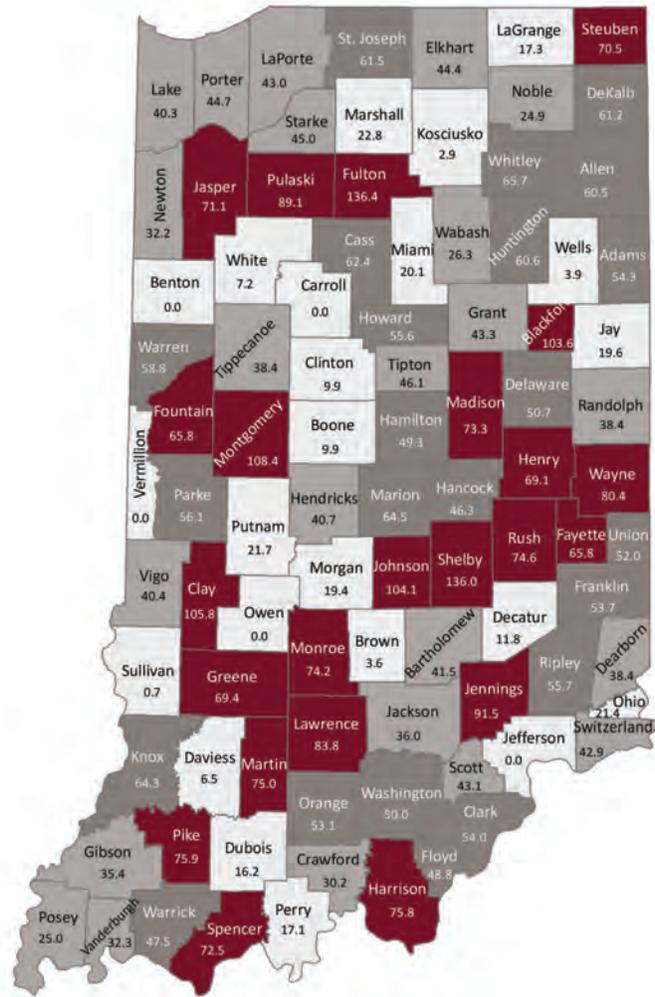


Median number of domestic relations cases involving unrepresented parties = 78

of domestic relations cases involving unrepresented parties

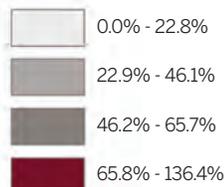


Percentage of domestic relations cases involving unrepresented parties



Median percentage of domestic relations cases involving unrepresented parties = 46.2%

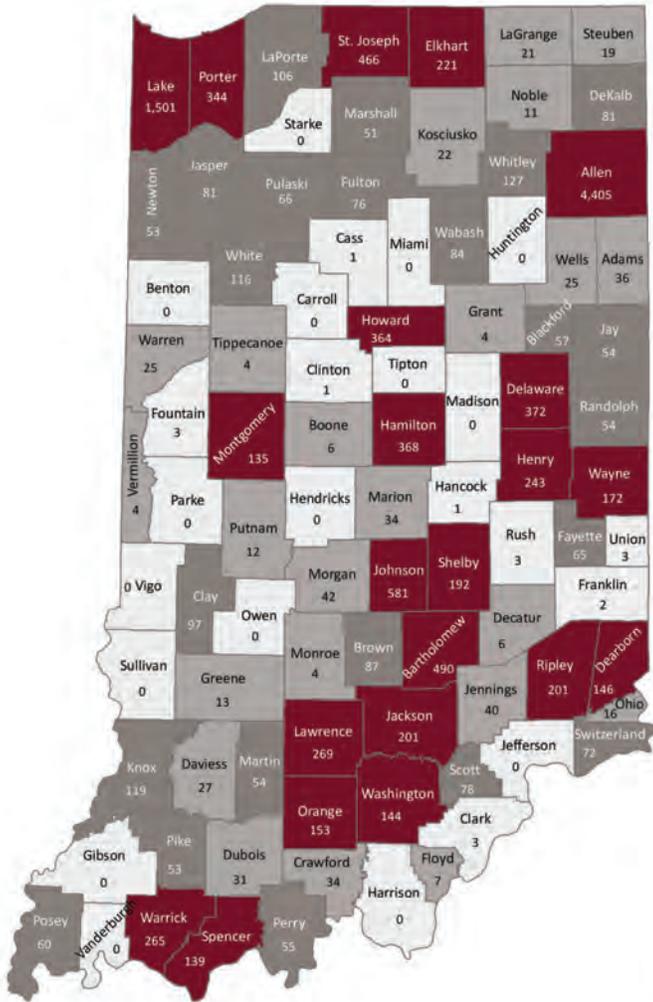
% of domestic relations cases involving unrepresented parties



Source: Indiana Office of Court Services, Judicial Service Reports, 2016

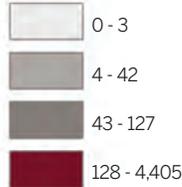
Map 1.5: Number and percentage of protective order cases filed involving unrepresented parties, by county, 2016

Number of protective order cases involving unrepresented parties

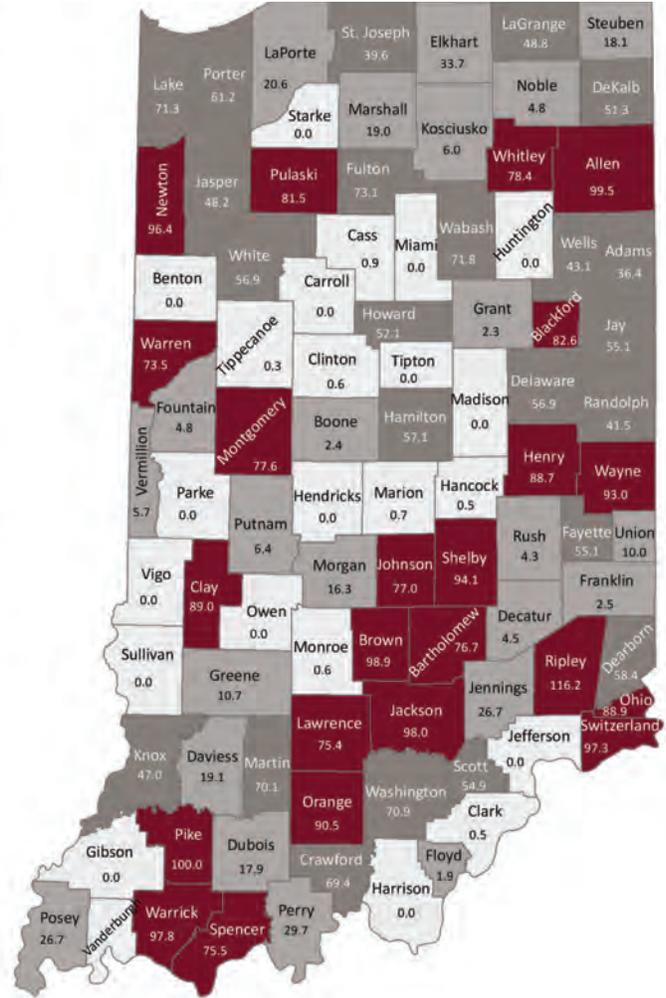


Median number of protective order cases involving unrepresented parties = 41

of protective order cases involving unrepresented parties

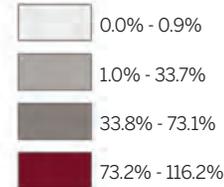


Percentage of protective order cases involving unrepresented parties



Median percentage of protective order cases involving unrepresented parties = 35.0%

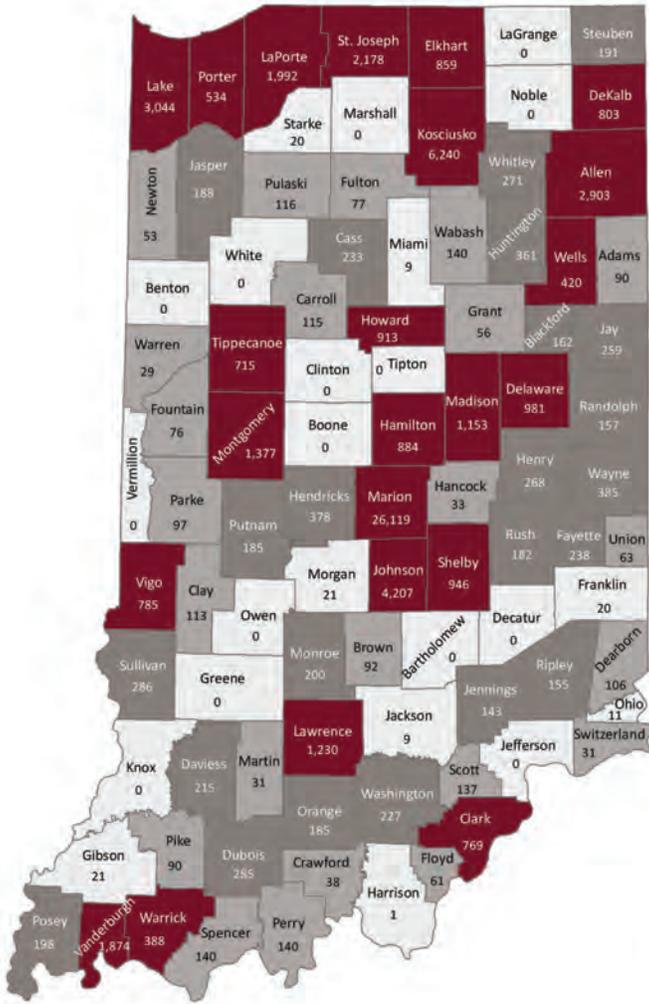
% of protective order cases involving unrepresented parties



Source: Indiana Office of Court Services, Judicial Service Reports, 2016

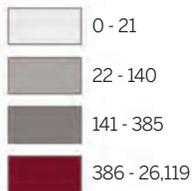
Map 1.6: Number and percentage of small claims cases filed involving unrepresented parties, by county, 2016

Number of small claims cases involving unrepresented parties

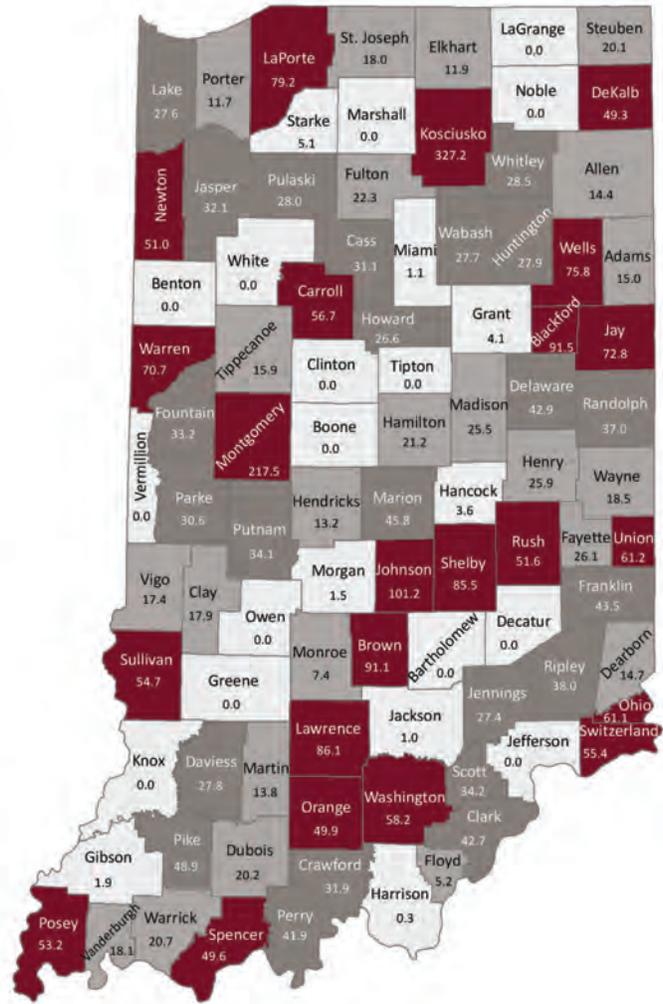


Median number of small claims cases involving unrepresented parties = 142

of small claims cases involving unrepresented parties

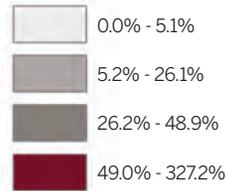


Percentage of small claims cases involving unrepresented parties



Median percentage of small claims cases involving unrepresented parties = 26.3%

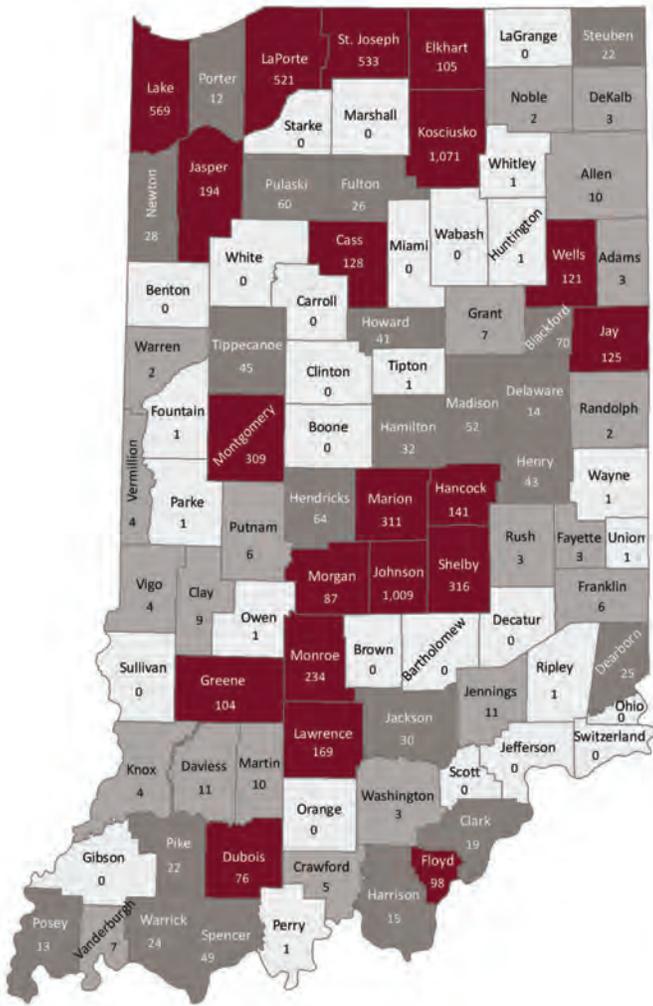
% of small claims cases involving unrepresented parties



Source: Indiana Office of Court Services, Judicial Service Reports, 2016

Map 1.7: Number and percentage of civil collections cases filed involving unrepresented parties, by county, 2016

Number of civil collections cases involving unrepresented parties

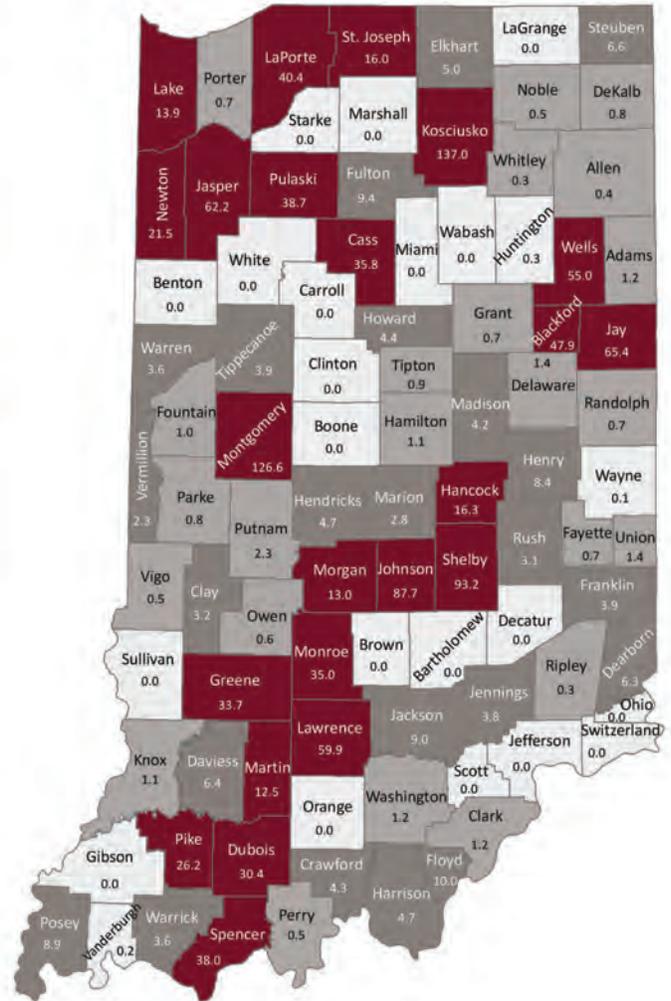


Median number of civil collections cases involving unrepresented parties = 8

of civil collections cases involving unrepresented parties

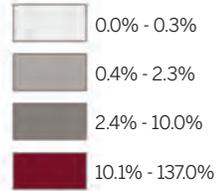


Percentage of civil collections cases involving unrepresented parties



Median percentage of civil collections cases involving unrepresented parties = 2.3%

% of civil collections cases involving unrepresented parties

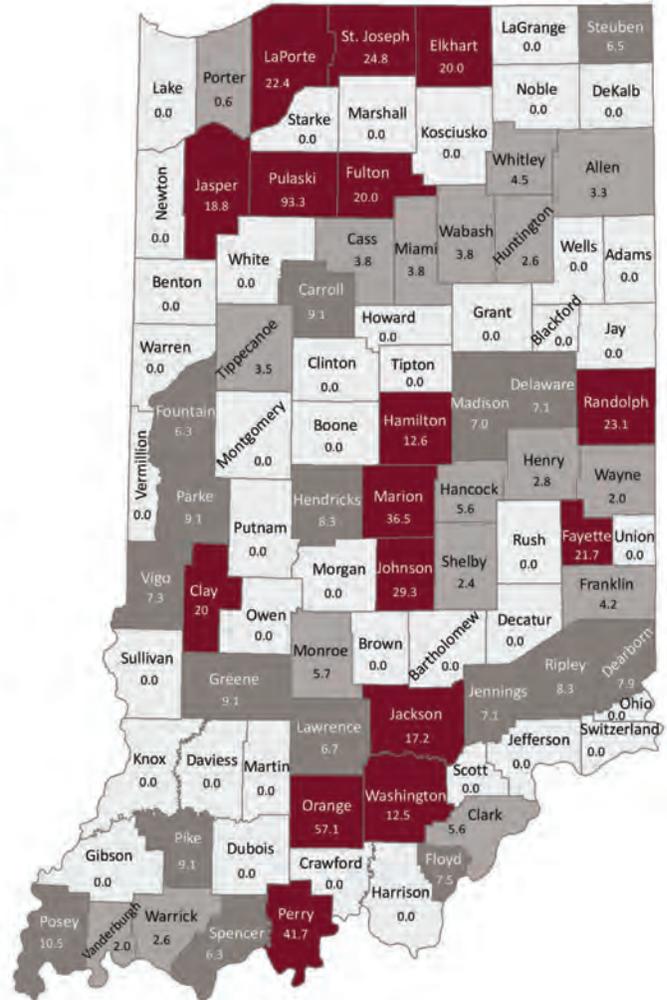
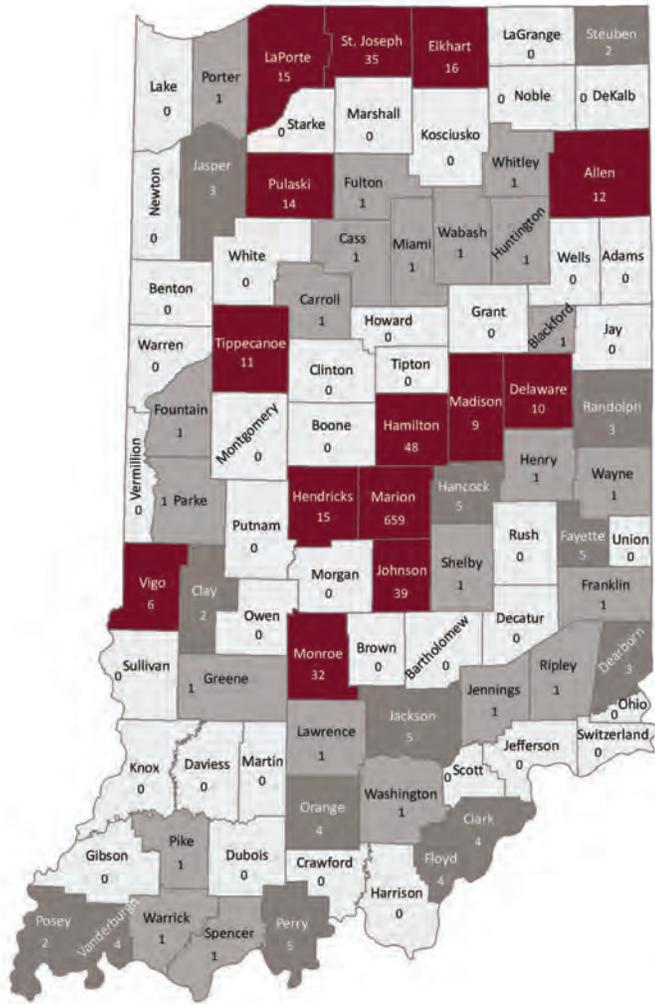


Source: Indiana Office of Court Services, Judicial Service Reports, 2016

Map 1.8: Number and percentage of expungement cases filed involving unrepresented parties, by county, 2016

Number of expungement cases involving unrepresented parties

Percentage of expungement cases involving unrepresented parties



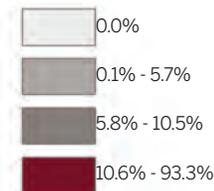
Median number of expungement cases involving unrepresented parties = 1

Median percentage of expungement cases involving unrepresented parties = 2.5%

of expungement cases involving unrepresented parties



% expungement cases involving unrepresented parties



Source: Indiana Office of Court Services, Judicial Service Reports, 2016

CHAPTER 2: COMPARING LEGAL NEEDS WITH THE SUPPLY OF LEGAL AID

A key component of this legal needs study compares and contrasts estimates of legal needs among low-income Hoosier households with the supply of legal aid available in Indiana’s system of legal aid.

Measuring the need for civil legal aid among low-income Hoosiers

Our analysis of legal needs among low-income Indiana households was based on the 2017 Justice Gap Measurement Survey that researchers with National Opinion Research Center (NORC) at the University of Chicago conducted on behalf of the Legal Services Corporation (LSC). The 2017 Justice Gap Measurement Survey is widely considered a well-designed and well-implemented national survey of households below 125 percent of the federal poverty level. We combined this national survey of low-income households with U.S. Census and American Community Survey data on low-income Indiana residents to derive estimates specific to Indiana. The statistical approach, referred to as spatial microsimulation (SMS), is detailed in Appendix A. The categories measured in the 2017 Justice Gap Measurement Survey and our IU intake census are listed in Table 2.1.

How many low-income Hoosier households experienced one or more civil legal problems in the past year, and how many problems did these low-income households experience?

Our analysis showed the vast majority (80.5 percent) of Indiana’s 212,479 low-income households experienced one or more civil legal problems in the past year, for a total of 769,386 civil legal problems during that time. According to the SMS analysis, the average number of civil legal problems confronted by low-income Hoosier households in the past year was 3.62.

The SMS analysis also generated a low estimate (3.37) and a high estimate (3.97) of the average number of civil legal problems confronted by low-income Hoosiers, thereby reflecting a low estimate of 714,992 total legal problems and a high estimate of 843,117 total legal problems.

What kinds of legal problems did low-income Hoosier households contend with in past year, and how many households were affected?

We further analyzed the kinds of problems to gain a deeper understanding of these problems by category (see Table 2.1). Common civil legal problems among low-income Hoosiers relate to healthcare, consumer and finance issues, employment, and family and custodial matters (see Figures 2.1 and 2.2).

Civil legal problems relating to healthcare, for example, affect more than 1 in 3 low-income Hoosier households, or more than 74,000 households. Common examples include trouble with debt collection for health procedures, denial of health insurance coverage for medically necessary care, and incorrect billing for medical services.

Table 2.1: Case categories, Indiana University Intake Census of Indiana Legal

Civil legal needs problem areas
Consumer and finance
Disability
Employment
Family issues, including issues for parents with children and custodial issues
Housing, including rental housing and homeownership
Income maintenance
Medical services and healthcare
School and education
Veterans’ issues
Wills, estates, directives, power of attorney
Other issues: expungements, immigration, etc.

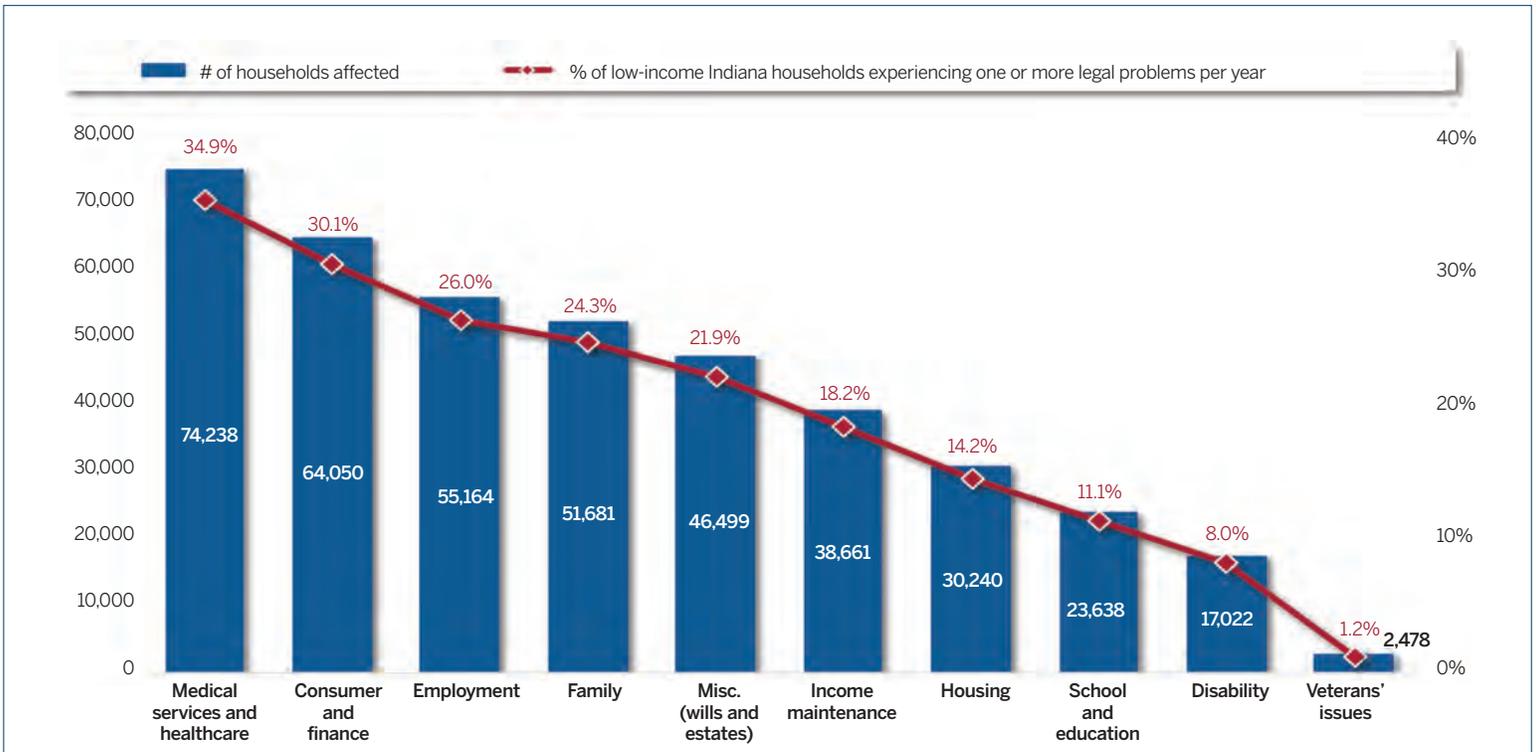
Similarly, 3 out of every 10 low-income Hoosier households experienced at least one legal need relating to consumer and finance matters in the past year, equating to about 64,000 households. Common examples include the inability to make payments for debts or utilities on time, difficulties with creditors or collection agencies, utility disconnection due to nonpayment or billing disputes, and problems buying or paying for a car, including repossession.

Other common categories of civil legal problems include employment (26 percent), family and custodial matters (24.3 percent), income maintenance (18.2 percent), and housing (14.2 percent). Tens of thousands of low-income Hoosier households were affected by each of these civil legal problems in the past year (see Figure 2.1).

We offer one important point for context and to assist with the interpretation of these results. Some of these categories of civil legal problems are issues that might affect any low-income household in Indiana, including employment, health, consumer and finance, income maintenance, family and custodial issues, as well as assistance with wills and estates. Other categories apply only to households that contain certain population groups and characteristics, e.g., survivors of domestic violence, homeowners, renters, households with children, individuals with disabilities, and veterans. These latter categories of civil legal problems may reflect lower percentages than the former categories because there are fewer households that could potentially be affected.

The 2017 Justice Gap Measurement Survey was structured so as to use earlier answers about household characteristics to selectively present survey questions about legal needs relating to those characteristics. For example, survey questions about disability issues and veterans’ issues were only presented to respondents who indicated that at least one member of their household had a disability or was a member of the military or a veteran, respectively. However, based on the methodology used to develop our estimates (see Appendix A), our results should be interpreted as being relative to the population of all low-income households in Indiana, not only the population of those households with military personnel or veterans.

Figure 2.1: Number and percentage of low-income households experiencing one or more problems per year, by problem category



Source: Indiana University Spatial Microsimulation Analysis of Civil Legal Needs in Indiana

How many of each kind of civil legal problem did low-income Hoosier households contend with in the past year?

In order to gain an in-depth understanding, we analyzed the number of civil legal problems experienced per low-income household in Indiana within each of the civil legal needs categories. We found that low-income Hoosier households most frequently contended with legal problems relating to consumer and finance issues. Healthcare and family and custodial matters were the next most common problems, followed respectively by employment issues, housing issues, income maintenance, and issues relating to wills and advance directives (see Table 2.2 and Figure 2.2).

Table 2.2: Number of legal problems low-income Hoosier households experienced

Problem category	Estimate	Low estimate	High estimate
Consumer and finance	164,246	148,948	182,307
Medical services and healthcare	144,698	132,162	158,297
Family issues	130,250	114,526	150,223
Employment	89,029	79,892	101,352
Housing	71,393	57,582	85,629
Income maintenance	64,594	55,457	73,730
Wills, estates, directives, power of attorney	52,482	48,445	56,732
School and education	28,685	23,373	33,997
Disability	19,761	15,723	23,585
Veterans' issues	4,250	1,700	7,862
Total	769,386	714,992	843,117

Source: Indiana University Spatial Microsimulation Analysis of Civil Legal Needs in Indiana

The vast majority (80.5 percent) of Indiana's low-income households experienced one or more civil legal problems in the past year.

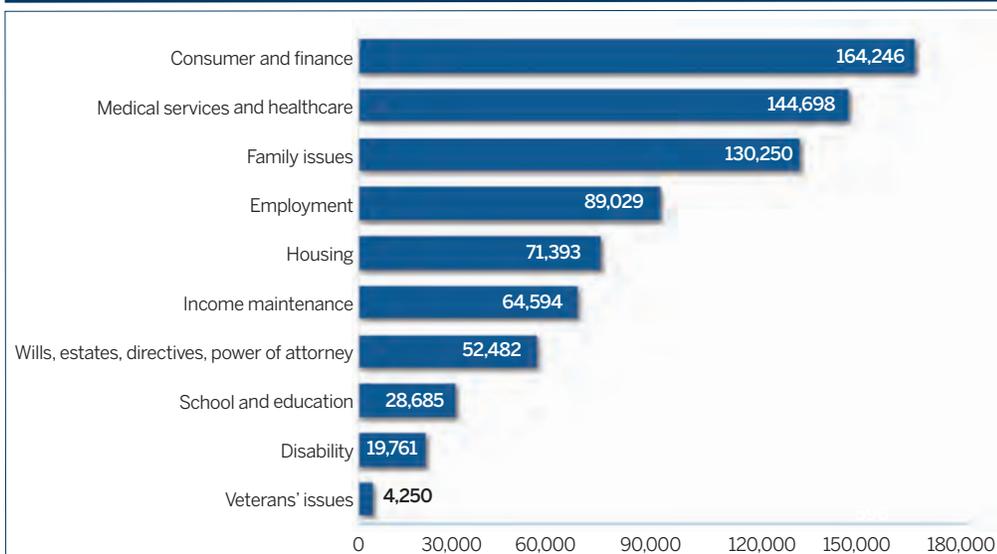
Low-income Hoosier households seeking legal help

To examine the ways in which low-income Hoosier households reach out for legal help, we partnered with virtually all civil legal aid providers in Indiana during a six-week intake census from May 14 through June 22, 2018. See Appendix B for a full report on census methodology. Sixteen legal aid providers in 24 offices throughout the state participated in this important effort (see Table 2.3). These 24 civil legal aid offices account for the vast majority of civil legal aid activity statewide for the problem categories included within LSC's 2017 study and within our estimates of legal needs.⁹ We will refer to this virtual census of civil legal providers as Indiana's system of civil legal aid.

Throughout this six-week period, Indiana's system of civil legal aid expended time, resources, and effort to count the persons who sought help from them, whether by phone, in person, or via online submissions. We used the same methodology for this six-week intake census as employed within the LSC's 2017 study. We used this data to estimate the extent to which people seeking help from Indiana's system of legal aid received the assistance they needed to resolve their issue.¹⁰ Indiana's legal aid providers grouped requests for help into three main categories:

- Fully served, including the provision of extended case services
- Partially served/unable to serve fully due to insufficient resources, resulting in the provision of legal information, limited services, or pro se resources
- Unable to serve for reasons of ineligibility, conflict of interest, outside program priorities or guidelines, insufficient resources, or other reasons

Figure 2.2: Number of legal problems low-income Hoosier households experienced, by case category



Source: Indiana University Spatial Microsimulation Analysis of Civil Legal Needs in Indiana

Table 2.3: Participating pro bono districts and legal aid providers, IU Intake Census of Indiana Legal Aid Providers, 2018

Organization name	Type of provider
District 10 Pro Bono Project, Inc.	Pro bono district H
District 6 Access to Justice, Inc.	Pro bono district F
Hammond Legal Aid Clinic	Legal aid organization
Heartland Pro Bono Council, Inc.	Pro bono district G
Indiana Distric 4 Pro Bono Corporation and Wabash Valley Volunteer Attorneys, Inc.	Pro bono district D & E
Indiana Legal Services, Inc. (8 regional offices)	Legal aid organization
Indianapolis Legal Aid Society	Legal aid organization
Legal Aid District Eleven, Inc.	Pro bono district I
Legal Aid Society of Evansville, Inc.	Legal aid organization
Legal Volunteers of Southeast Indiana, Inc.	Pro bono district J
Neighborhood Christian Legal Clinic (2 regional offices)	Legal aid organization
NWI Volunteer Lawyers, Inc.	Pro bono district A
Southern Indiana Pro Bono Referrals, Inc.	Pro bono district L
Volunteer Lawyer Network, Inc.	Pro bono district B
Volunteer Lawyer Program of Northeast Indiana	Pro bono district C
Volunteer Lawyer Program of Southwestern Indiana, Inc.	Pro bono district K

Common civil legal problems among low-income Hoosiers relate to healthcare, consumer and finance issues, employment, and family and custodial matters.

How many low-income Hoosier households sought legal help in the past year?

Our analysis revealed that 2 out of every 3 low-income Hoosier households that experienced at least one civil legal issue in the past year sought help by talking to someone or looking for information online. However, only 1 in 4 of these households sought help from lawyers—including legal aid providers.

How many civil legal problems will low-income Hoosiers likely bring to Indiana's system of legal aid in the next year?

During the period of our intake census, low-income Hoosier households presented Indiana's system of legal aid with 5,027 civil legal problems. Based upon this data, we estimate that low-income Hoosier households will present 47,048 legal problems to the system within the next year. These represent only 6.1 percent of the total 769,386 civil legal problems experienced by low-income Hoosier households in the past year.

To derive this annual estimate, we multiplied the total from the six-week intake census by 9.3590. This figure represents the six-week intake census that took place during the 40-day trial period (May 14–June 22, 2018). This analysis does not address the potential for seasonality in the presentation of problems to legal aid providers. For example, if more problems were presented in this window than at other times of the year, this estimate may somewhat overestimate the number of problems presented.

What kinds of civil legal problems do low-income Hoosiers bring to legal aid providers?

The 2017 Justice Gap Measurement Survey revealed that low-income households nationwide do not seek legal help for all kinds of civil legal needs. For example, these households more often turn to legal aid providers for matters relating to family law and custody, wills and estates, and disability issues rather than many other kinds of civil legal problems.

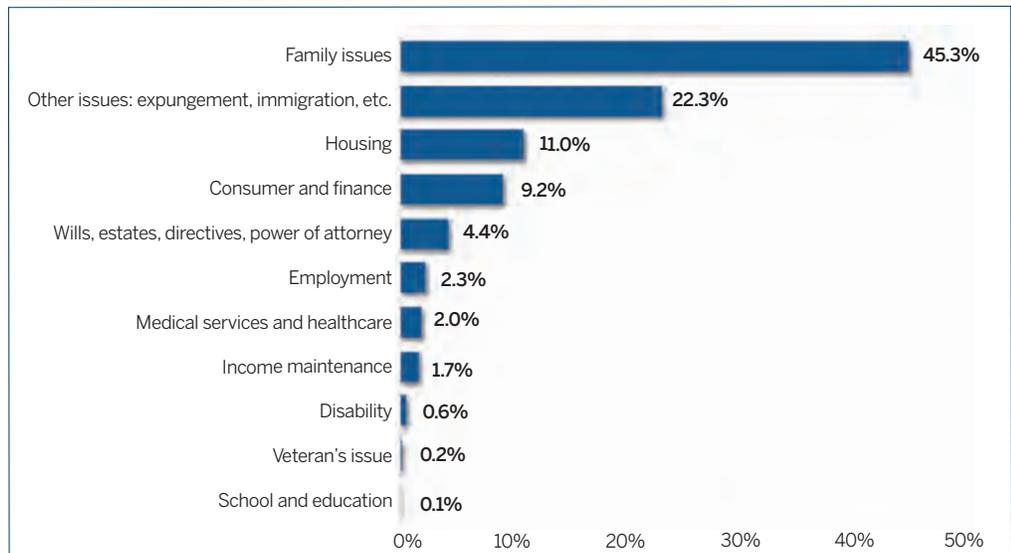
As part of our analysis, we found the issues low-income Hoosier households most frequently sought help for were family law; other issues, including expungements and immigration; rental and homeownership; consumer and finance matters; and wills and directives. More detail on the types and percentages of civil legal problems for which low-income Hoosiers seek help from Indiana's system of legal aid are presented in Table 2.4 and Figure 2.3.

Table 2.4: Civil legal problems presented for case intake to Indiana legal aid providers, 2018

Problem category	Number of case services provided by Indiana legal aid providers	Percentage of total case services provided by Indiana legal aid providers
Family issues	2,276	45.3%
Other issues: expungements, immigration, etc.	1,172	23.3%
Housing	554	11.0%
Consumer/finance	462	9.2%
Wills, estates, directives, power of attorney	219	4.4%
Employment	114	2.3%
Medical services and healthcare	99	2.0%
Income maintenance	86	1.7%
Disability issues	30	0.6%
Veterans' issues	8	0.2%
School and education	7	0.1%
Total	5,027	100.0%

Source: Indiana University, Intake Census of Indiana Legal Aid Providers, May 14–June 22, 2018

Figure 2.3. Civil legal problems presented for case intake to Indiana legal aid providers, 2018



Source: Indiana University, Intake Census of Indiana Legal Aid Providers, May 14–June 22, 2018

Consistent with the results of the 2017 Justice Gap Measurement Survey, the kinds of problems experienced by low-income Hoosier households differ from the kinds of problems they present to Indiana’s system of civil legal aid. There are likely several explanations for this pattern including that low-income Hoosiers may not believe some of these legal problems are legal in nature or can be resolved through the civil justice system. In addition, Indiana’s system of legal aid may prioritize and signal the availability of legal aid for some civil legal problems over others.

Table 2.5: Distribution of eligible problems by extent of service, 2018

	Percentage of total eligible problems	Total from 2018 Indiana Intake Census sample	Total 12-month projection
Total eligible problems	100.0%	5,027	47,048
Total served to some extent	68.5%	3,441	32,205
Served fully	32.6%	1,637	15,321
Served, but not fully	35.9%	1,804	16,884
Not served	27.9%	1,403	13,131
Unknown or pending	3.6%	183	1,713
Total problems not served or not fully served (excluding unknown/pending)	63.8%	3,207	30,015

Source: Indiana University, Intake Census of Indiana Legal Aid Providers, May 14–June 22, 2018

Will Indiana’s legal aid providers be able to fully serve these civil legal problems?

Through our intake census, Indiana’s civil legal aid providers indicated the level of support they felt they would be able to provide for each problem by selecting a response from three categories: fully served, unable to serve fully due to insufficient resources, and unable to serve (see Table 2.1). These levels of support were based upon the nature of each potential client’s civil legal problem and their request for help.

Based upon our census, we estimate that legal aid providers statewide will fully serve 32.6 percent of the problems brought by persons seeking legal help. This sums to an estimated 15,321 civil legal problems.

However, due to insufficient resources, they will be unable to fully serve 35.9 percent of those seeking assistance. This accounts for nearly 16,884 civil legal problems—nearly half of all problems presented to the system. The type and extent of this limited service varies depending on the nature of the legal problem presented to them and the resources available. In Chapter 3 of this report, we will describe in greater detail the way in which Indiana’s system of legal aid triages these different levels of support.

Lastly, providers reported they would not be able to serve 27.9 percent of those seeking help in the next year. That accounts for 13,131 civil legal problems that will not be addressed through legal aid providers. As will be described further in Chapter 3, the Survey of Legal Aid Providers reveals that legal aid providers maintain guidelines about the kinds of civil legal problems that are eligible for service. All legal aid providers used income as the most common eligibility criterion. Given that such a large percentage of these intakes were presented to Indiana Legal Services across the state, the most frequently applied income eligibility fell below 125 percent FPL.¹¹ This trend results, in part, from Indiana’s statute governing its Civil Legal Aid Fund, which imposes a 125 percent eligibility criterion.

The next most common eligibility guidelines applied within Indiana’s system of legal aid, respectively, are geographic service area and case acceptance based upon the type of legal issue. Finally, in some instances, legal aid providers are unable to serve Hoosiers who seek help because the providers lack resources or expertise to provide advice, even though the members of the public meet eligibility guidelines.

2 out of every 3 low-income Hoosier households that experienced at least one civil legal issue in the past year sought help by talking to someone or looking for information online. Only 1 in 4 of these households sought help from lawyers—including legal aid providers.

Indiana's system of legal aid serving low-income Hoosiers in need

Our team next designed and fielded our Survey of Legal Aid Providers. This survey gathered data that included the number of cases closed by legal aid offices in 2017, the kinds of cases and level of services provided, and approximate waiting time for particular levels of service. Moreover, the Survey of Legal Aid Providers gathered information about the number and kinds of full-time employees of these legal aid providers and their volunteers. The Survey of Legal Aid Providers also collected information about the eligibility criteria applied by these legal aid providers, and a demographic breakdown of vulnerable communities and geographic areas served. Survey recruitment and methodology is discussed more fully in Appendix C.

All 17 civil legal aid providers invited to participate in the survey did so (see Table 2.6). These providers account for 27 offices throughout Indiana and reflect a virtual census of the legal aid provided statewide by civil legal aid offices for the problems previously discussed.¹²

How many cases did Indiana's system of civil legal aid close in 2017?

Compiling responses from our survey, providers indicated they closed an estimated total of 24,250 cases statewide in 2017. Earlier in this chapter, we estimated that low-income Hoosiers will turn to legal aid for more than 47,000 civil legal problems in the coming year. At its current capacity and resource level, Indiana's system of civil legal aid will be unable to serve nearly half (48.5 percent) of the problems presented by low-income Hoosiers.

How many full-time lawyers, staff, and volunteers work within Indiana's system of civil legal aid?

After analyzing the number of closed cases, we sought to learn more about the people engaged in this public service. Within the Survey of Legal Aid Providers, we asked providers to indicate the number of full-time equivalent staff employed by their offices, including attorneys, non-attorney professionals (e.g., investigators, legal assistants, and social workers), paid students, management professionals, and other support staff. Moreover, we asked legal aid providers to indicate approximately how many volunteer attorneys handle cases for their office on a pro bono basis.

Although Indiana's civil legal aid system closed more than 24,000 cases in 2017, there are only about 98 full-time equivalent attorneys employed within Indiana's system of civil legal aid. These 98 attorneys were supported by 111 non-attorney professionals, such as office managers, pro bono specialists, and support staff.

Table 2.6: Participant pro bono districts and legal aid organizations, IU Survey of Legal Aid Providers, 2018

Organization name	Type of provider
District 10 Pro Bono Project, Inc.	Pro bono district H
District 6 Access to Justice, Inc.	Pro bono district F
Hammond Legal Aid Clinic	Legal aid organization
Heartland Pro Bono Council, Inc.	Pro bono district G
Indiana District 4 Pro Bono Corporation and Wabash Valley Volunteer Attorneys, Inc.	Pro bono district D & E
Indiana Legal Services, Inc. (8 regional offices)	Legal aid organization
Indianapolis Legal Aid Society	Legal aid organization
Legal Aid District Eleven, Inc.	Pro bono district I
Legal Aid Society of Evansville, Inc.	Legal aid organization
Legal Volunteers of Southeast Indiana, Inc.	Pro bono district J
Neighborhood Christian Legal Clinic (2 regional offices)	Legal aid organization
NWI Volunteer Lawyers, Inc.	Pro bono district A
Southern Indiana Pro Bono Referrals, Inc.	Pro bono district L
Volunteer Lawyer Network, Inc.	Pro bono district B
Volunteer Lawyer Program of Northeast Indiana	Pro bono district C
Volunteer Lawyer Program of Southwestern Indiana, Inc.	Pro bono district K
Whitewater Valley District 9 Pro Bono Commission, Inc.	Legal aid organization

Note: Sixteen of the 17 civil legal aid providers listed also participated in the 2018 IU Intake Census of Indiana Legal Aid Providers.

Table 2.7: Total number of full-time equivalent (FTE) staff and volunteers employed and utilized by Indiana civil legal aid providers, by type of position, 2018

Position	All providers
Full-Time Equivalent	
Attorneys	98.2
Non-attorney professionals	74.5
Management professionals	21.0
Other support staff	15.5
Volunteers	
Volunteer Attorneys (Pro Bono)	1,659.0

Source: Indiana University, Survey of Indiana Legal Aid Providers, 2018

Note: Non-attorney professionals include investigators, legal assistants, social workers, and paid students.

Remarkably, these 98 lawyers and 111 staff members are the human foundation of Indiana's system of civil legal aid, which seeks to serve more than 170,000 low-income Hoosier households who encounter legal problems each year. On average, each full-time equivalent attorney represents the resolution of 247 civil legal problems per year. This equates to nearly five civil legal problems closed by each FTE attorney per week, or one each weekday of the year.

The sheer volume of demand for services and the existing resource and capacity level of the system have put considerable pressure on the levels of support and representation these attorneys and support staff can provide to low-income Hoosiers. We caution that the ability of these teams to even partially serve low-income Hoosier households at the current level

of effectiveness and quality may not be sustainable. This will be especially true if funding sources become scarcer or if demand for services increases—as seems likely, given the civil legal needs stemming from the opioid crisis.

Moreover, because we did not investigate this issue, we are unable to answer whether Indiana’s system of legal aid’s human-resource level of 98 FTE attorneys and 111 non-attorney professionals has remained at this same level during the past decade, increased, or declined. Yet given survey responses by legal aid providers, on the difficulty to hire and replace existing FTE positions, we infer that the number of attorneys has declined over time.

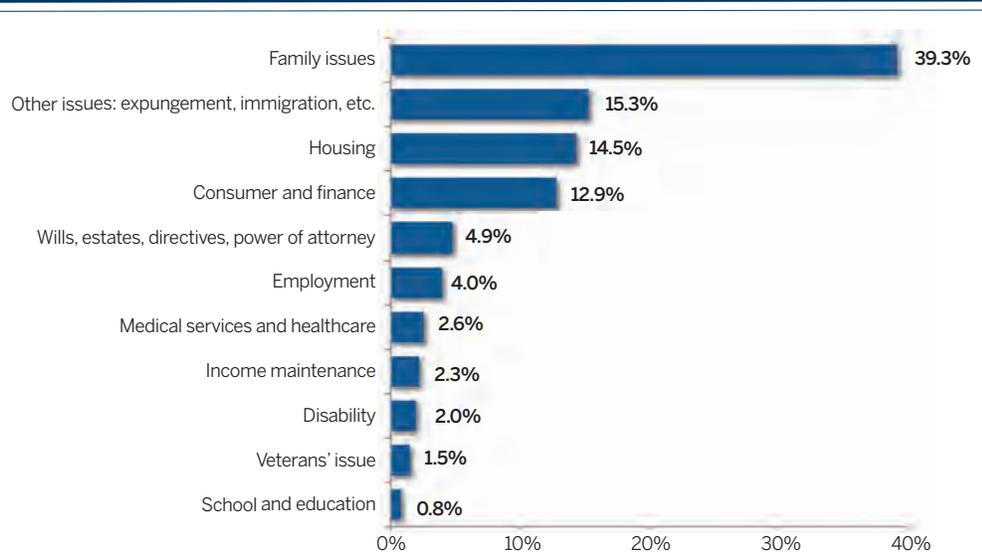
While there are approximately 200 full-time attorneys and non-attorney professionals combined serving within the state system, these professionals are supported by more than 1,600 volunteer attorneys who accept cases when they are able and willing to do so on a pro bono basis.¹³ On average, these volunteer attorneys will accept one to two (1.54 cases) referrals of pro bono cases per year from civil legal aid providers. On average, when including all levels of pro bono support—such as limited advice services—volunteer attorneys help resolve two civil legal problems per year. In addition to volunteer attorneys, most legal aid providers (70.6 percent) enlist non-attorney volunteers, such as law students, paralegals, community members, undergraduate students, guardians ad litem, or trained mediators.

What kinds of problems did Indiana’s system of civil legal aid resolve in 2017?

Civil legal aid providers were asked to select what kinds of legal problems their offices served in 2017 from the list of civil legal needs described in Chapter 1, and then to indicate the approximate percentage of cases by category. Moreover, legal aid providers were asked to identify the top three categories of need their office addressed in 2017.

Far and away, the largest case category served in 2017 was family law. The second- and third-largest specific-issue categories were housing, including rental housing and homeownership issues, and consumer and finance issues. Other issues made up another large category (15.3 percent). These were issues that were not specifically included in the categories listed in the LSC study, such as immigration matters and expungement petitions.

Figure 2.4: Type and percentage of total problems resolved by Indiana legal aid providers, 2017



Source: Indiana University, Survey of Indiana Legal Aid Providers, 2018

Table 2.8: Estimates of cases closed annually by Indiana civil legal aid providers, 2017

Problem category	Number of cases closed	Percentage of total case services provided
Family issues	9,689	39.3%
Other issues: expungements, immigration, etc.	3,782	15.3%
Housing	3,566	14.5%
Consumer and finance issues	3,177	12.9%
Wills, estates, directives, power of attorney	1,197	4.9%
Income maintenance	980	4.0%
Employment	645	2.6%
Veterans' issues	559	2.3%
Disability	482	2.0%
Medical services and healthcare	366	1.5%
School and education	201	0.8%
Total	24,644	100.0%

Source: Indiana University, Survey of Indiana Legal Aid Providers, 2018

Issues low-income Hoosier households most frequently sought help for were family law; other issues, including expungements and immigration; rental and homeownership; consumer and finance matters; and wills and directives.

When looking at how often cases in each category were addressed in 2017, all providers indicated that family issues appeared in their top three categories of needs served. Fifty-three percent reported housing also appeared on that list, while 65 percent included cases that fell into the “other issues” category. While in Chapter 1 we noted that the kinds of civil legal problems experienced by low-income Hoosier households differed from those presented to providers, the results of this survey indicate that the problems presented to providers more closely match those that are actually resolved.

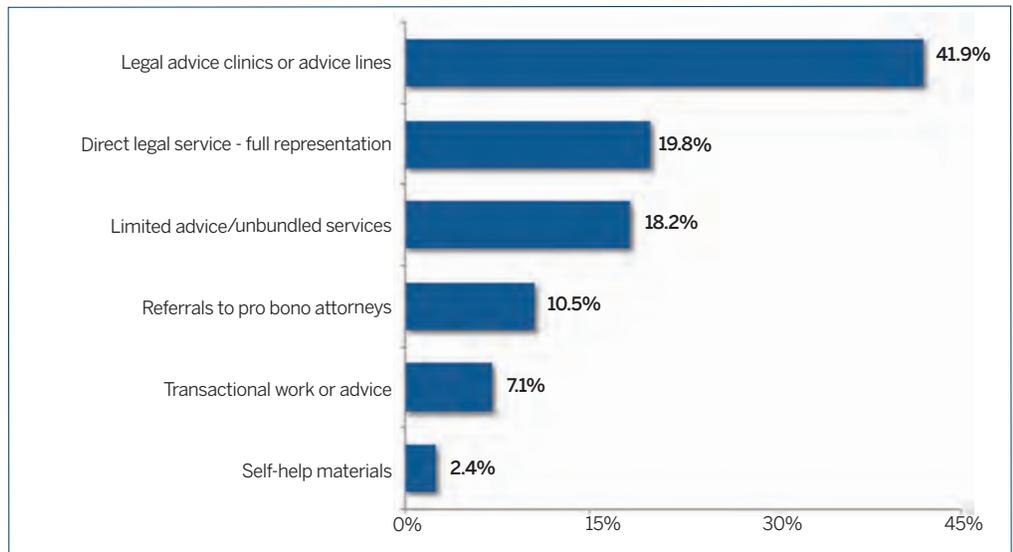
What kinds of services did Indiana’s system of legal aid provide in 2017?

After understanding the kinds of problems addressed, we sought to learn more about the type of service provided. Each legal aid provider was asked to indicate the kinds of legal services their office provides and approximately what percentage of their cases were resolved using those services. Response options for types of services included:

- Direct legal services: full representation in litigation (i.e., representation through the resolution of a matter, including appeals, regardless of time spent)
- Transactional work or advice (e.g., drafting contracts or wills, tax matters, or for the purposes of community and economic development)
- Limited advice or unbundled services (i.e., up to eight hours)
- Referrals to volunteer (pro bono) attorneys
- Self-help materials (including materials distributed at community outreach sessions)
- Legal advice clinics or advice lines
- Other (please describe)

Of the 24,644 cases closed in 2017 statewide, more than 4 in 10 were resolved by offering low-income Hoosiers advice through self-help clinics or advice lines. Unbundled services and limited advice (i.e., up to eight hours) accounted for 2 of every 10 cases, as did direct legal services, including full representation (see Figure 2.5).

Figure 2.5: Types of services provided by Indiana legal aid providers



Source: Indiana University, Survey of Indiana Legal Aid Providers, 2018

Table 2.9: Distribution of cases by extent of service, by Indiana civil legal aid providers, 2017

Extent of service by civil legal aid providers	Percentage of total eligible problems	Total from 2018 Legal Aid Provider Survey
Total eligible problems	100.0%	24,644
Total served to some extent		
Served fully	55.2%	13,600
Direct legal services - full representation	19.7%	4,866
Transactional work or advice	7.0%	1,714
Referrals to pro bono attorneys	10.4%	2,555
Limited advice/unbundled services	18.1%	4,465
Served, but not fully	44.8%	11,045
Self-help materials	2.4%	587
Legal advice clinics or legal advice lines	42.4%	10,458

Source: Indiana University, Survey of Indiana Legal Aid Providers, 2018

Civil legal aid providers resolved about 1 of every 10 cases by referring them to volunteer attorneys who accepted them on a pro bono basis.¹⁴ Transactional work or advice, such as drafting wills and contracts, accounted for approximately 1 out of every 14 services provided by civil legal aid providers in 2018 (see Figure 2.5 and Table 2.10).

Has demand for legal aid changed over time, and will Indiana's system of legal aid be able to meet rising demand in the future?

Our survey asked legal providers whether, during the past five years, demand within the following civil legal problem categories has greatly decreased, slightly decreased, remained unchanged, slightly increased, or greatly increased. Moreover, we asked respondents whether demand for their organizations' legal aid services will likely greatly decrease, slightly decrease, remain unchanged, slightly increase, or greatly increase. We also asked participants if they anticipated their organization could fully meet the demands of the low-income people they serve in the next two years, providing current levels of financial support from public and private resources remain unchanged. We then asked them to briefly explain their responses.

A majority of civil legal aid providers reported an increase in the following categories of needs during the past five years: other issues (e.g., expungements), rental housing problems, family law issues, and consumer and finance issues. One-third of civil legal aid providers reported that demand has increased in the areas of veterans' issues, wills and estates, and employment matters (see Figure 2.6).

In contrast, a majority of participants (60 percent) reported that demand has decreased in the area of homeownership. This response may reflect the time that has passed since the height of the subprime mortgage and foreclosure crisis that swept the country 10 years ago.

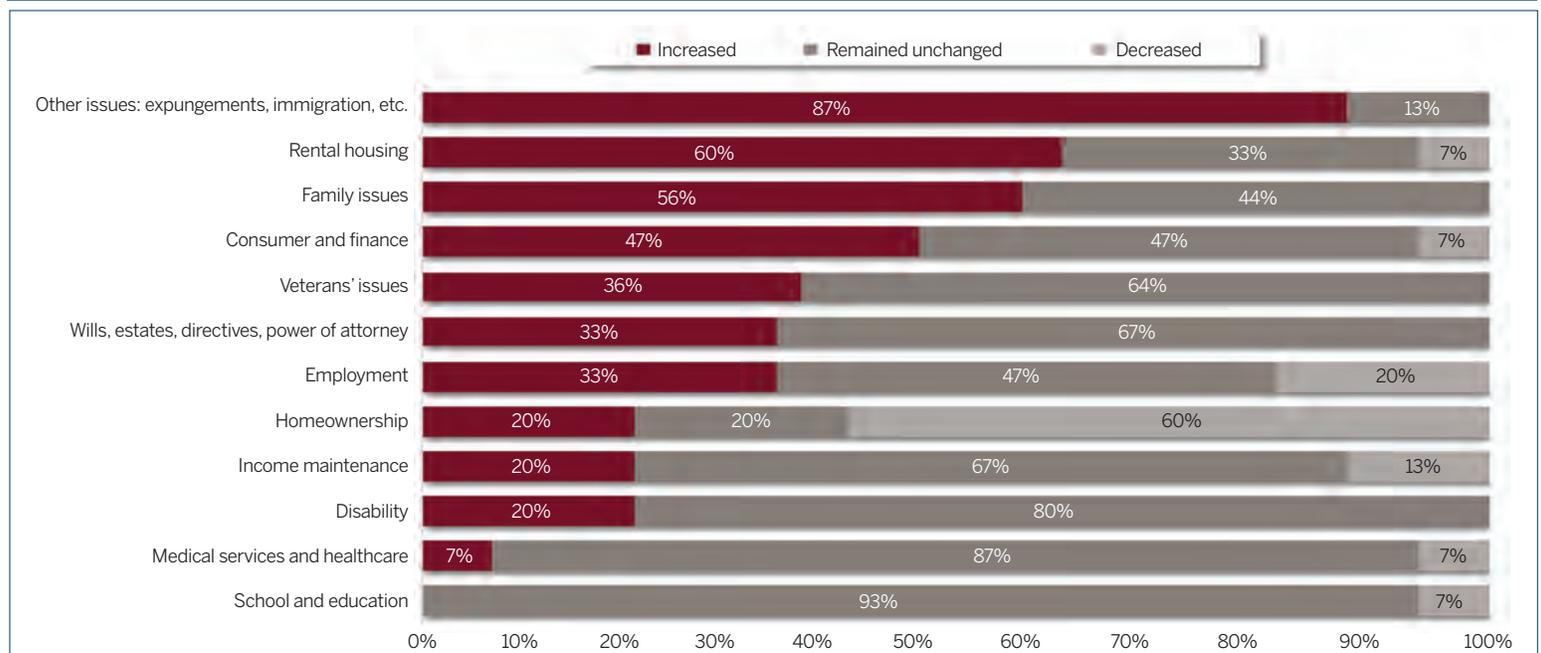
When asked to predict how demand might change in the next two years, the vast majority of legal aid providers (88.2 percent) anticipated that demand for services will slightly/greatly increase in the next two years, while only 11.8 percent expected they would remain unchanged.

Virtually all civil legal aid providers (93.8 percent) believe that if the current level of financial support from public and private resources remains unchanged, they will not be able to fully meet the needs of the low-income Hoosiers whom they serve.

When asked to further explain in open-ended responses, many providers stated their current level of support is too low to maintain their human resources and expressed concerns about rising levels of need. Several explained that, as public funding has declined, they have lowered levels of representation provided to low-income Hoosiers. Illustrative examples include the following responses:

- "Current funding is too low to maintain the human resources needed to meet current demand."
- "Barely making it now, wages are too low and no benefits, can't attract employees."
- "We cannot meet the full needs of our clients now and the level of demand for our services has been increasing over time . . ."
- "Poverty, mental illness, and drug addiction are increasing in my district."
- "Since the steep decrease in IOLTA funding . . . this has meant a shift from full representation to clinical and brief service work during the past decade."
- "We are already unable to serve—and certainly unable to fully serve—most of those who contact us . . ."
- "We are operating in the red. We have two more fundraisers this year to try to get our balance in the black so that we can operate in 2019."

Figure 2.6: During the past five years, demand within the following categories of need has:



Source: Indiana University, Survey of Indiana Legal Aid Providers, 2018

In what ways do the delivery models of Indiana's civil legal aid offices and pro bono districts differ?

Legal aid organizations employ 87.5 percent of the FTE attorneys and staff working within Indiana's system of legal aid, whereas pro bono districts employ the remaining 12.5 percent.¹⁵ Pro bono districts maintain attorney rolls reflecting 79.9 percent of the volunteer attorneys offering pro bono service to this virtual census of Indiana's legal aid providers, whereas legal aid organizations' attorney rolls reflect 20.1 percent of these volunteer attorneys.

Civil legal aid offices closed more cases than all pro bono districts combined. The six civil legal aid organizations that participated closed 19,755 cases in 2017—81.5 percent of the total cases resolved statewide. The 11 pro bono districts participating closed the remaining 4,495 cases.

The kinds of cases closed also varied when comparing legal aid organizations to pro bono districts. More than half of the cases resolved by

pro bono districts involved family law matters, while 37 percent of cases resolved by legal aid organizations involved family law matters. Legal aid organizations appeared to resolve more cases involving housing matters and other matters than pro bono districts.

Table 2.10: Number of full-time equivalent (FTE) staff employed by and volunteers serving Indiana legal aid providers, by type of position and organization, 2018

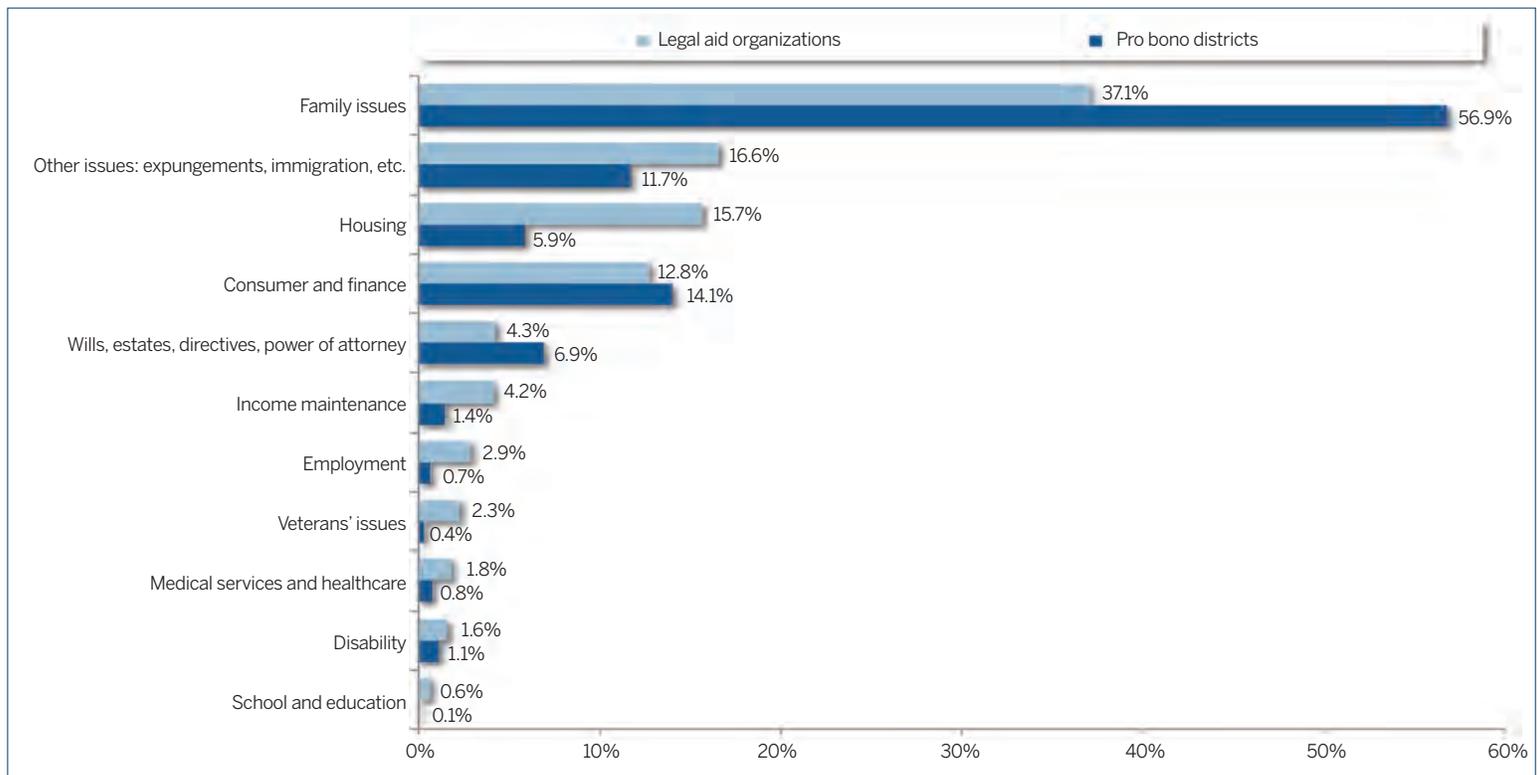
Survey question: For each category of paid employee, please indicate the number of full-time equivalent (FTE) staff employed by your office.

Position	All legal aid providers	Legal aid organizations	Pro bono districts
Full-time equivalent (FTE)			
Attorneys	98.2	89.0	9.2
Non-attorney professionals	74.5	66.0	8.5
Management professionals	21.0	18.0	3.0
Other support staff	15.5	10.0	5.5
Volunteers			
Volunteer attorneys (pro bono)	1,659.0	333.0	1,326.0

Source: Indiana University, Survey of Indiana Legal Aid Providers, 2018

Note: Non-attorney professionals include investigators, legal assistants, social workers, and paid students.

Figure 2.7: Cases closed by categories of legal need and type of provider, 2018

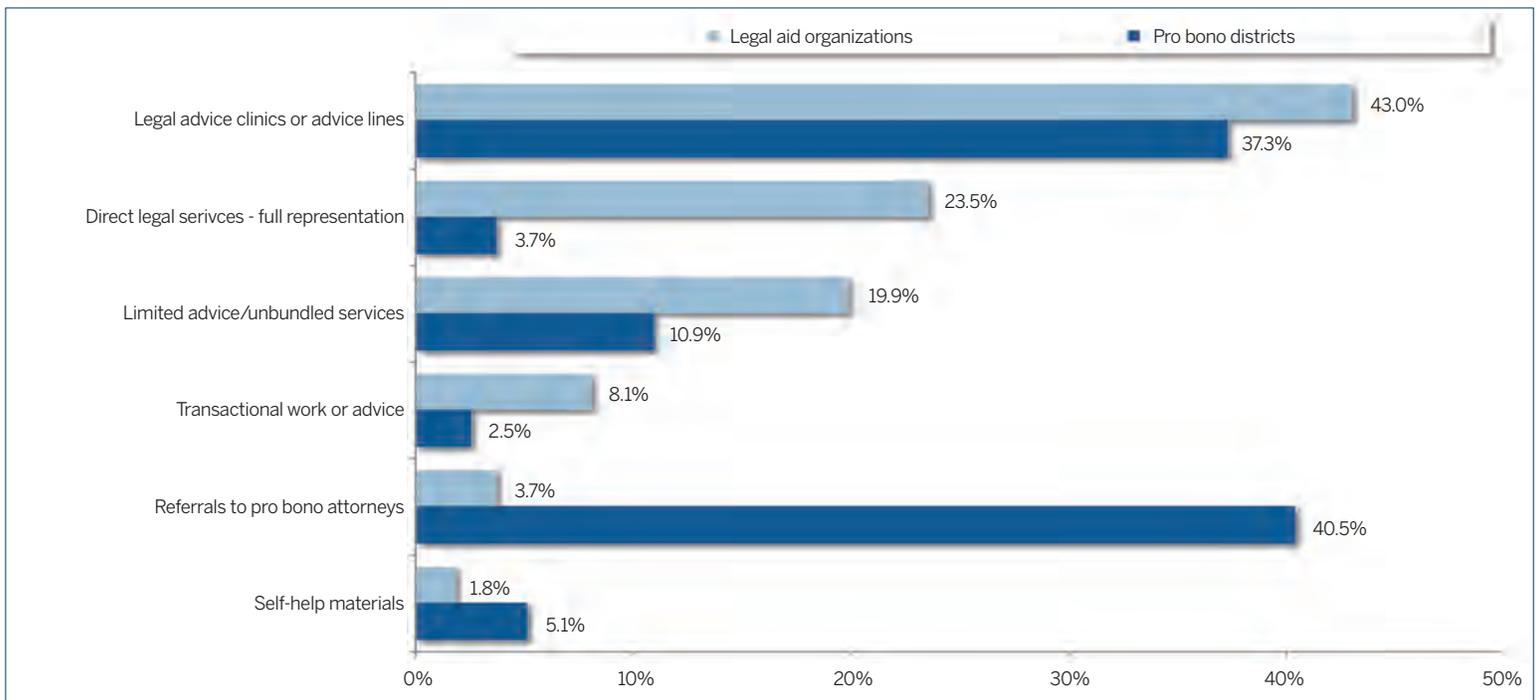


Source: Indiana University, Survey of Indiana Legal Aid Providers, 2018

As might be expected, legal aid organizations and pro bono districts allocated their level of services and kinds of work for low-income Hoosiers quite differently, with legal aid organizations engaging direct legal services

in more cases than pro bono districts and providing unbundled legal services. Pro bono districts referred more of their cases to volunteer attorneys on a pro bono basis than legal aid organizations (see Figure 2.8).

Figure 2.8: Types of legal services provided, by service category and type of provider, 2018



Source: Indiana University, Survey of Indiana Legal Aid Providers, 2018

A majority of civil legal aid providers reported an increase in the following categories of needs during the past five years: rental housing problems, family law issues, and consumer and finance issues.



CHAPTER 3: STAKEHOLDER SURVEY RESULTS

A third part of this study involved conducting surveys among stakeholder groups with important perspectives on legal needs and the system of legal aid in Indiana: legal aid providers, judicial officers, and clerks of court. These surveys were designed to examine these stakeholders' perceptions about the severity and urgency of unmet legal needs in Indiana and potential challenges posed by the rising tide of unrepresented parties in Indiana courts.

Survey of Indiana legal aid providers

In addition to gathering data about the supply of legal aid in Indiana, the Survey of Legal Aid Providers first mentioned in Chapter 2 also analyzes perceptions on the severity and urgency of addressing various categories of legal needs, along with the under-addressed nature of civil legal aid and the importance of obtaining additional resources. The Survey of Legal Aid Providers was also designed to assess both circumstances that pose barriers to low-income people seeking legal aid and trends in demand for legal aid services. Finally, the survey examined referrals from and to other social service providers and the existence of partnerships with social service providers and healthcare providers.

What are the top categories of legal needs addressed by Indiana's system of legal aid?

We asked Indiana civil legal aid providers to identify the top three categories of needs addressed by their office(s) in 2017, and 100 percent identified family issues as one of those top three needs they addressed. Housing issues and other issues, such as expungements and immigration, were also among the most commonly addressed needs. About 41 percent of providers indicated that wills and estates, directives, and power of attorney were among their top three categories of need, while 29 percent selected consumer and finance issues, and nearly 6 percent said income maintenance issues appeared in their top three categories of needs (see Table 3.1).

Table 3.1: Top categories of civil legal needs addressed by Indiana's system of legal aid

Survey question: Please identify the top 3 categories of need your office addressed in 2017:

Category of need	Number of respondents	Percentage of respondents
Family issues	17	100.0%
Housing	12	70.6%
Other issues: expungements, immigration, etc.	11	64.7%
Wills and estates, directives, power of attorney	7	41.2%
Consumer and finance	5	29.4%
Income maintenance	1	5.9%
School and education	0	0.0%
Medical services and healthcare	0	0.0%
Disability	0	0.0%
Employment	0	0.0%
Veterans' issues	0	0.0%

Source: Indiana University, Survey of Indiana Legal Aid Providers, 2018

100 percent of Indiana civil legal aid providers identified family issues as one of the top three needs they address.

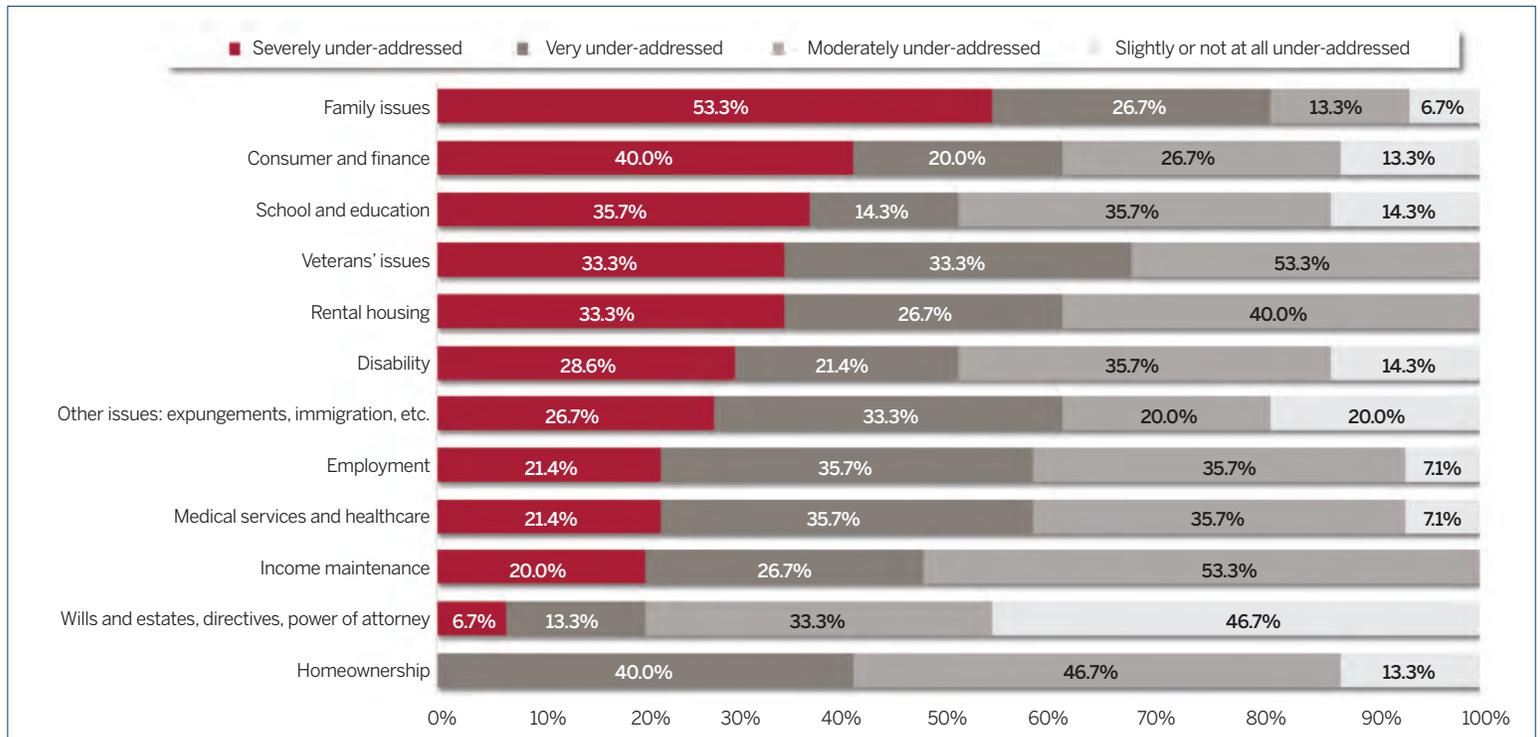
Which are the most severely under-addressed categories of legal needs studied within this report?

Of the civil legal aid providers surveyed, 80 percent responded that family issues were severely or very under-addressed. Other areas of needs that topped the list of severely or very under-addressed categories included

consumer and finance issues (60 percent), school and education matters (50 percent), and veterans' issues (66.6 percent) (see Figure 3.1). Nearly half of civil legal aid providers identified wills and estates, directives, and power of attorney as areas of legal needs that were only slightly or not at all under-addressed.

Figure 3.1: Most severely under-addressed categories of civil legal needs, as reported by Indiana legal aid providers

Survey question: How severely under-addressed are each of the following legal needs by Indiana's system of legal aid?



Source: Indiana University, Survey of Indiana Legal Aid Providers, 2018

For which of the civil legal needs categories studied in this report should services be expanded?

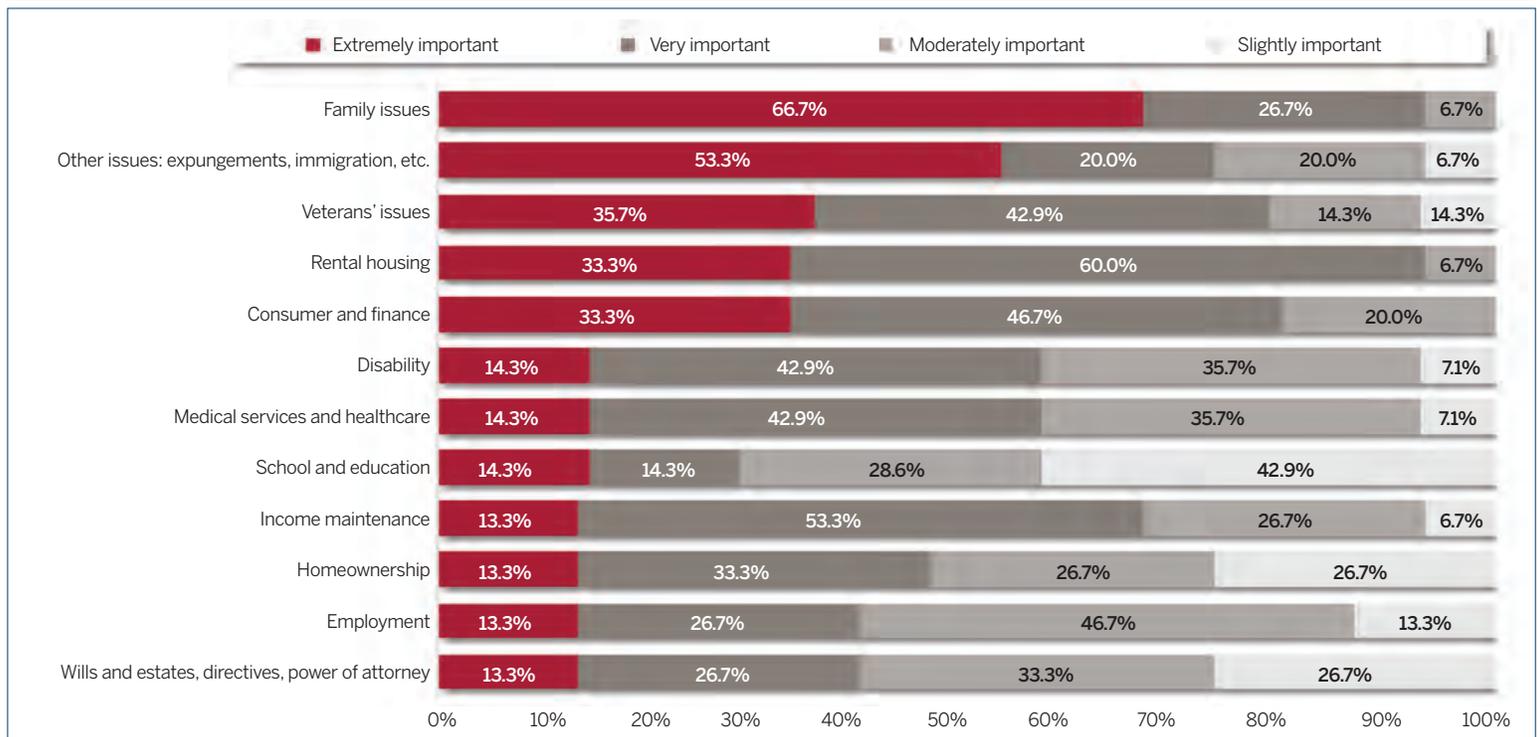
Indiana’s civil legal aid providers were asked to indicate the importance of expanding civil legal aid services within each of the categories of legal needs studied by this report.

The vast majority (93.3 percent) indicated that it is extremely or very important to expand legal aid services to address family issues and rental

housing issues. Large majorities indicated the same is true for consumer and finance issues (80 percent), veterans’ issues (78.6 percent), and other issues (73.3 percent).

The categories that providers believed needed the least amount of service expansion included school and education; home ownership issues; and wills and estates, directives, and power of attorney matters. See Figure 3.2 for a further breakdown of responses.

Figure 3.2: Survey question: How important is it to expand civil legal aid services in the following categories:



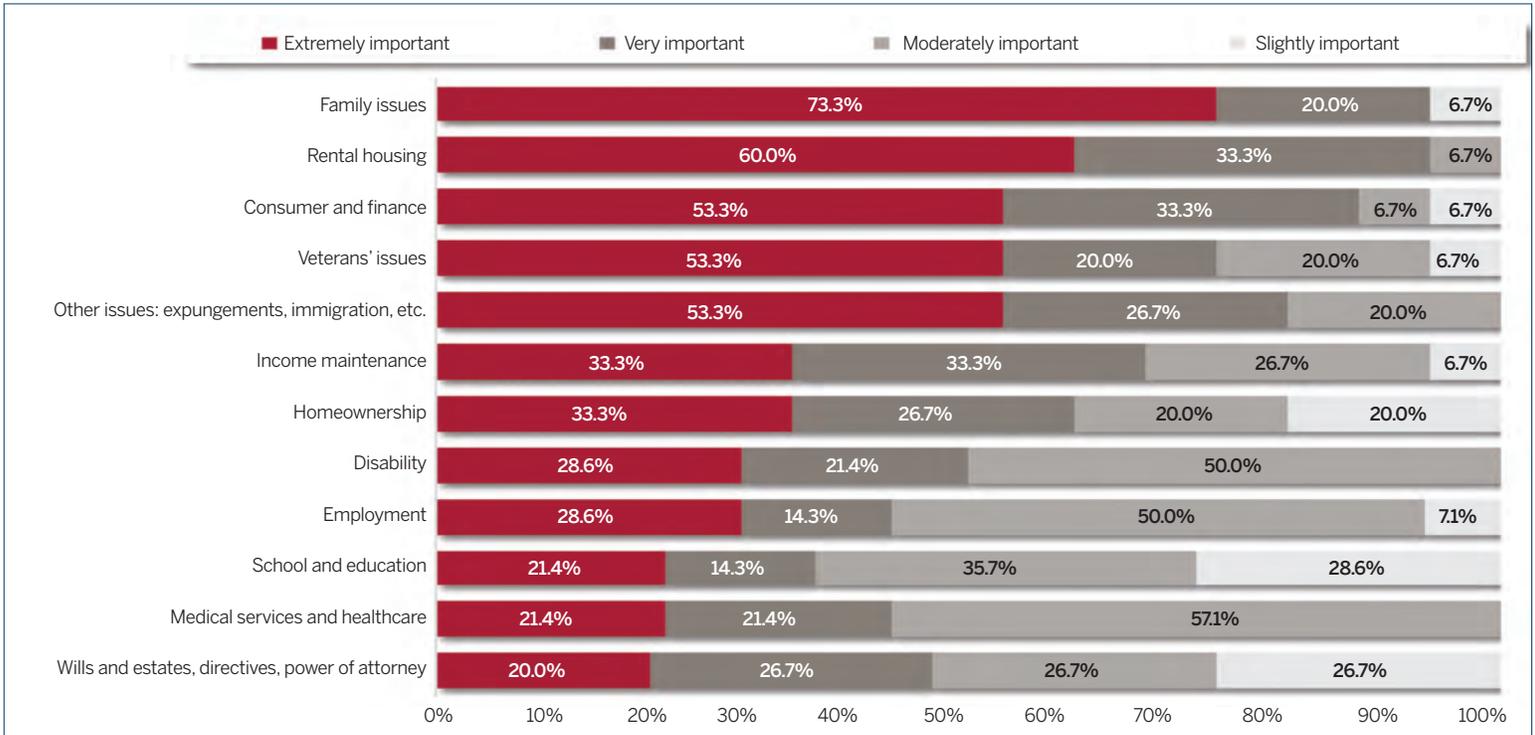
Source: Indiana University, Survey of Indiana Legal Aid Providers, 2018

For which of the categories of legal needs studied in this report are additional resources necessary?

The vast majority (93.3 percent) again indicated that it is extremely or very important to obtain additional resources to address family issues and rental housing issues. Consistent with their beliefs about the importance of

expanding civil legal services, a large majority of providers again indicated that it is extremely or very important to expand services for consumer and finance issues (86.6 percent), other issues (80 percent), and veterans' issues (73.3 percent).

Figure 3.3: Survey question: How important is it to obtain additional resources for civil legal aid needs in the following categories:



Source: Indiana University, Survey of Indiana Legal Aid Providers, 2018

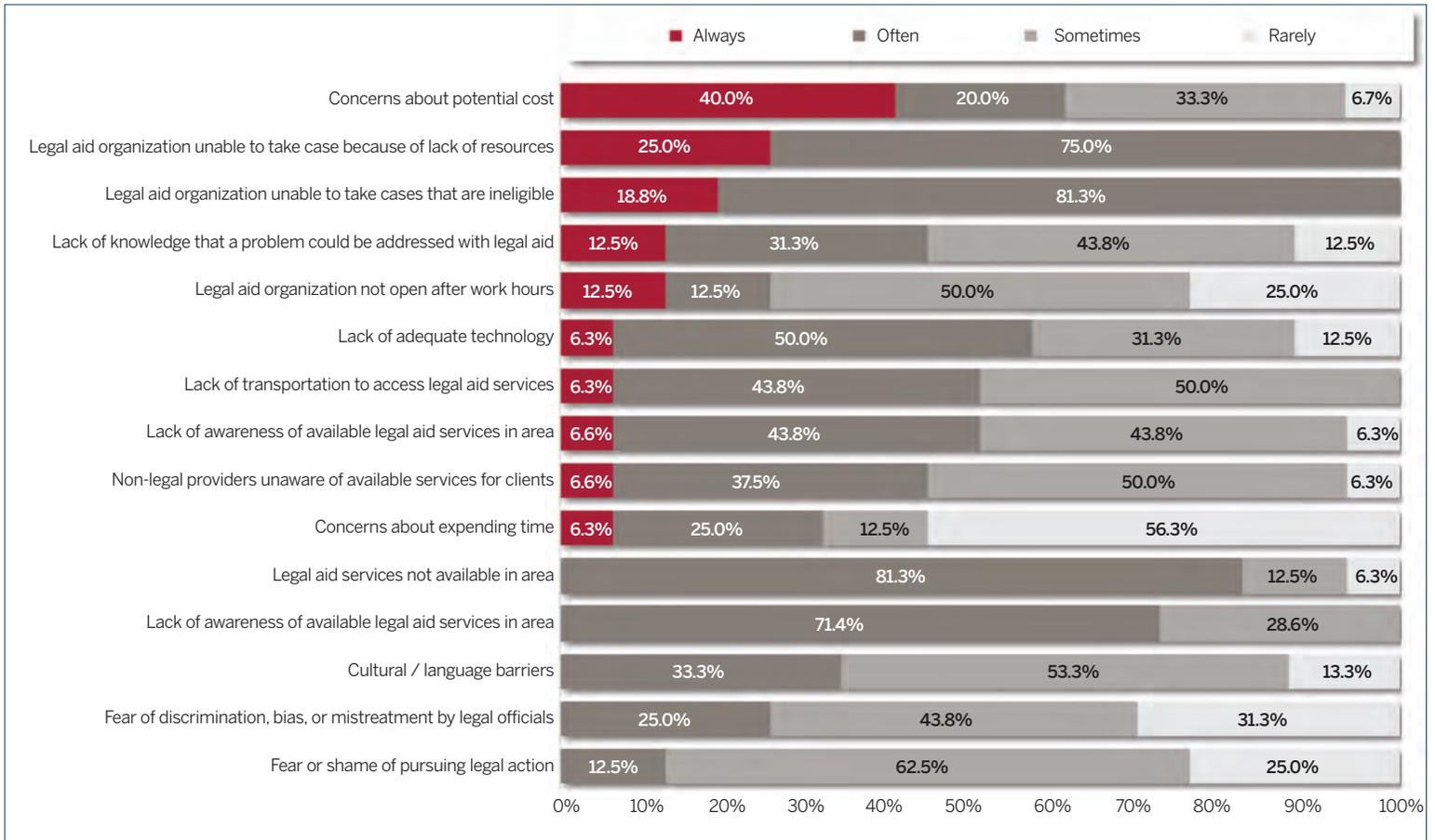
93 percent of Indiana civil legal aid providers conveyed that it is extremely/very important to obtain additional resources to address family issues and rental housing issues.

What are the most prevalent barriers that Hoosiers navigate when turning to Indiana’s system of civil legal aid?

All Indiana civil legal aid providers surveyed indicated that the inability to accept cases because of a lack of resources and the inability to accept cases that are ineligible always or often pose barriers to Hoosiers seeking

legal aid. Most providers also indicated that a lack of legal aid availability outside geographic service areas (81.3 percent) and lack of childcare during service hours (71.4 percent) always or often pose barriers to Hoosiers seeking legal aid. And 60 percent of respondents were concerned about the cost of services posing barriers to Hoosiers seeking legal aid.

Figure 3.4: Survey question: How often do the following circumstances pose barriers on low-income people seeking legal aid?



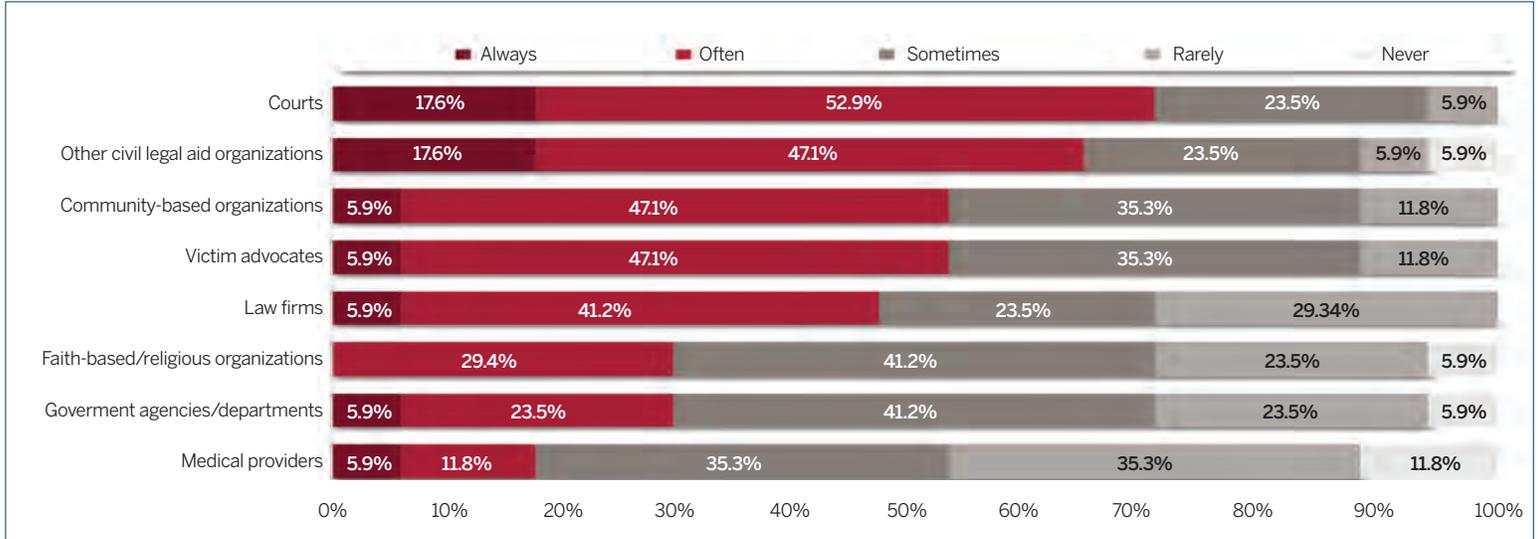
Source: Indiana University, Survey of Indiana Legal Aid Providers, 2018

How often do Indiana's civil legal aid providers receive referrals from courts, law firms, social service organizations, and other civil legal aid providers?

A substantial majority of providers surveyed say they always or often receive referrals from courts (70.6 percent), while 64.7 percent say they

always or often receive referrals from other civil legal aid organizations. More than half (52.9 percent) always or often receive requests for assistance from community-based organizations and victim advocates.

Figure 3.5. Survey question: How frequently does your organization receive referrals or requests for assistance from the following types of organizations:



Source: Indiana University, Survey of Indiana Legal Aid Providers, 2018

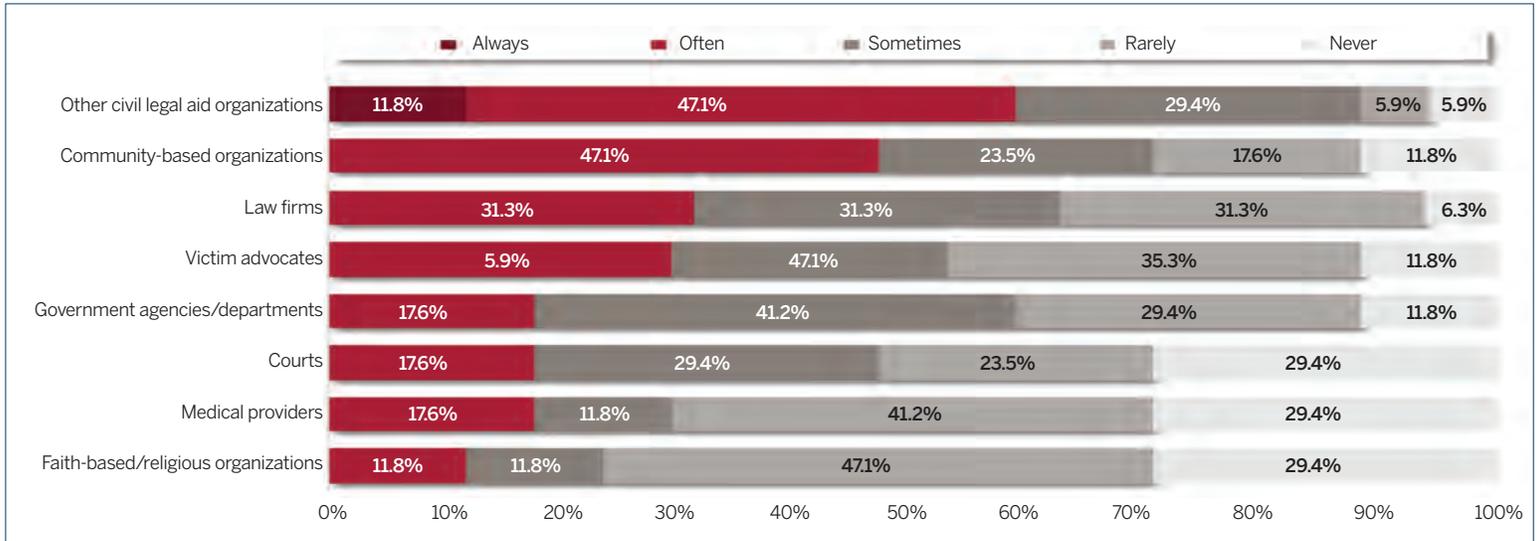
70 percent of providers surveyed report that they always/often receive referrals from courts, while 65% indicate they always/often receive referrals from other civil legal aid organizations.

How often do Indiana's civil legal aid providers refer clients to law firms, social service organizations, and other civil legal aid providers?

Roughly 60 percent of civil legal aid providers always or often refer clients to other civil legal aid organizations. Nearly half (47.1 percent) often refer

their clients to community-based organizations, and one-third (31.3 percent) refer their clients to law firms.

Figure 3.6. How frequently does your organization refer clients to the following types of organizations and providers:



Source: Indiana University, Survey of Indiana Legal Aid Providers, 2018

Our partnerships allow this work to reach more deeply into the community with wrap-around supportive services making the work of greater value.

Approximately 60 percent of Indiana’s civil legal aid providers are involved in partnerships with other organizations. Examples include collaborations with law school clinics, medical-legal partnerships with local healthcare providers, and relationships with local United Way affiliates. Indiana legal aid providers listed a number of benefits that flow from participating in these collaborations/networks, including:

- “Greater overall efficiency . . . fewer steps in the intake process, less time between first contact with the client and assignment of an attorney volunteer.”
- “Partners are efficient referral services, meaning they generally send us clients they know we can help. Partners can address the non-legal needs of our clients, leading to better outcomes. Partners help keep us in touch with the evolving needs of client communities.”
- “We are able to capitalize on community credibility that these organizations may have that we do not.”
- “The power of collective impact is exponentially higher than one-off services from many different providers. When we join with other organizations to serve clients and if we have a common goal with the other provider especially, it makes it that much more likely that we will have a sustaining impact on that client’s life through our combined intervention.”

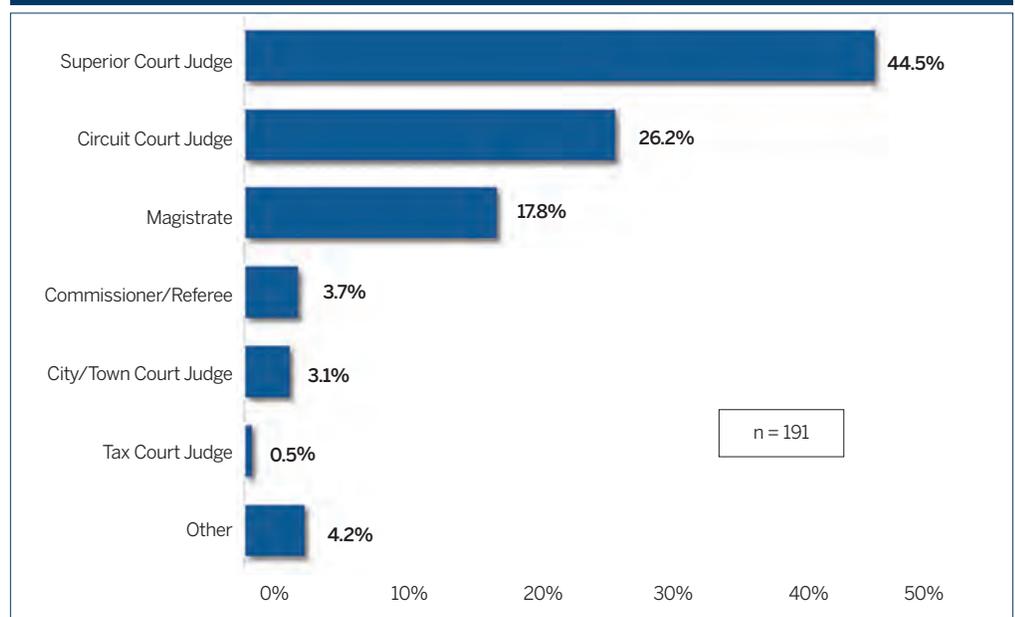
Survey of judicial officers and clerks of court

With assistance from the Office of Court Services, we have designed a Survey of Judicial Officers and Clerks of Court. In addition to identifying perceptions of unmet civil legal needs, these surveys examined unrepresented party trends and resources available to serve them. Specifically, the Survey of Judicial Officers and Clerks of Court examined the percentages of unrepresented parties appearing in court and perceptions of these unrepresented party trends. These surveys also examined the frequency with which unrepresented parties experience procedural difficulties. Moreover, we surveyed clerks of court about the kinds of information and referrals they provide unrepresented parties.

We asked survey respondents to identify their position. As shown in Figure 3.7, the majority of judicial officers who participated in the survey are superior court judges, followed by circuit court judges, and magistrates. Of the clerks of court who responded to the survey, 56 percent identified as county clerks. The average number of years that judicial officers served as judges in any capacity is three and a half years. Among clerks of court, the average length of service as a clerk is three years.

Consistent with national trends and with the official court data presented in Chapter 1, our survey revealed that a growing number and proportion of parties are unrepresented in state courts. The results are consistent with other state-level findings in showing that unrepresented parties are present in a range of categories of civil litigation.¹⁶

Figure 3.7: Types of judicial officers participating in survey



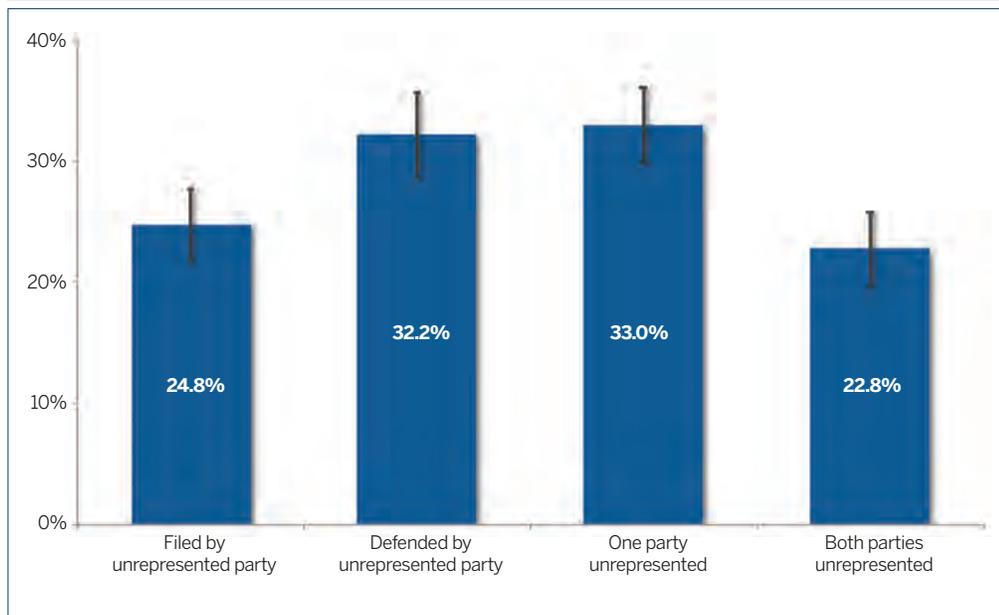
Source: Indiana University, Survey of Judicial Officers and Clerks of Court, 2018

How often do unrepresented parties appear in Indiana courts, and how often do they appear as plaintiffs versus defendants?

In Chapter 1, we learned the total number and percentage of civil cases in Indiana courts with unrepresented parties, using information available within Indiana Judicial Service Reports from 2006 through 2016. Here, we added to this understanding, using the Survey of Judicial Officers and Court Clerks, to analyze the percentage of parties—rather than cases—who are unrepresented in Indiana courts, and to identify whether these unrepresented parties appear most often as plaintiffs or defendants.

Judges and clerks estimated that, while unrepresented parties appear as plaintiffs or petitioners in about one-quarter of the civil cases in their courts annually¹⁷, unrepresented parties appear as defendants/respondents in about one-third of civil cases in their courts annually. Judges and clerks also estimated that more civil cases involve instances where one party is unrepresented than when both parties are unrepresented (see Figure 3.8).

Figure 3.8: Percentage of unrepresented party cases



Source: Indiana University, Survey of Judicial Officers and Clerks of Court, 2018

Judges and clerks estimate that unrepresented parties appear as plaintiffs/petitioners in about 1/4 of civil cases annually and as defendants/respondents in about 1/3 of civil cases.

How often do unrepresented parties appear in Indiana courts within the categories of legal need identified by this report?

In Chapter 1, we noted there was considerable variability in the percentages of cases with unrepresented parties across the types of civil cases presented in Indiana Judicial Reports. We sought to supplement this understanding by learning from judges and clerks of courts about the categories of need identified within this report. Accordingly, we asked judges and clerks to indicate the frequency in which unrepresented parties appear before them in the case categories examined throughout this report.

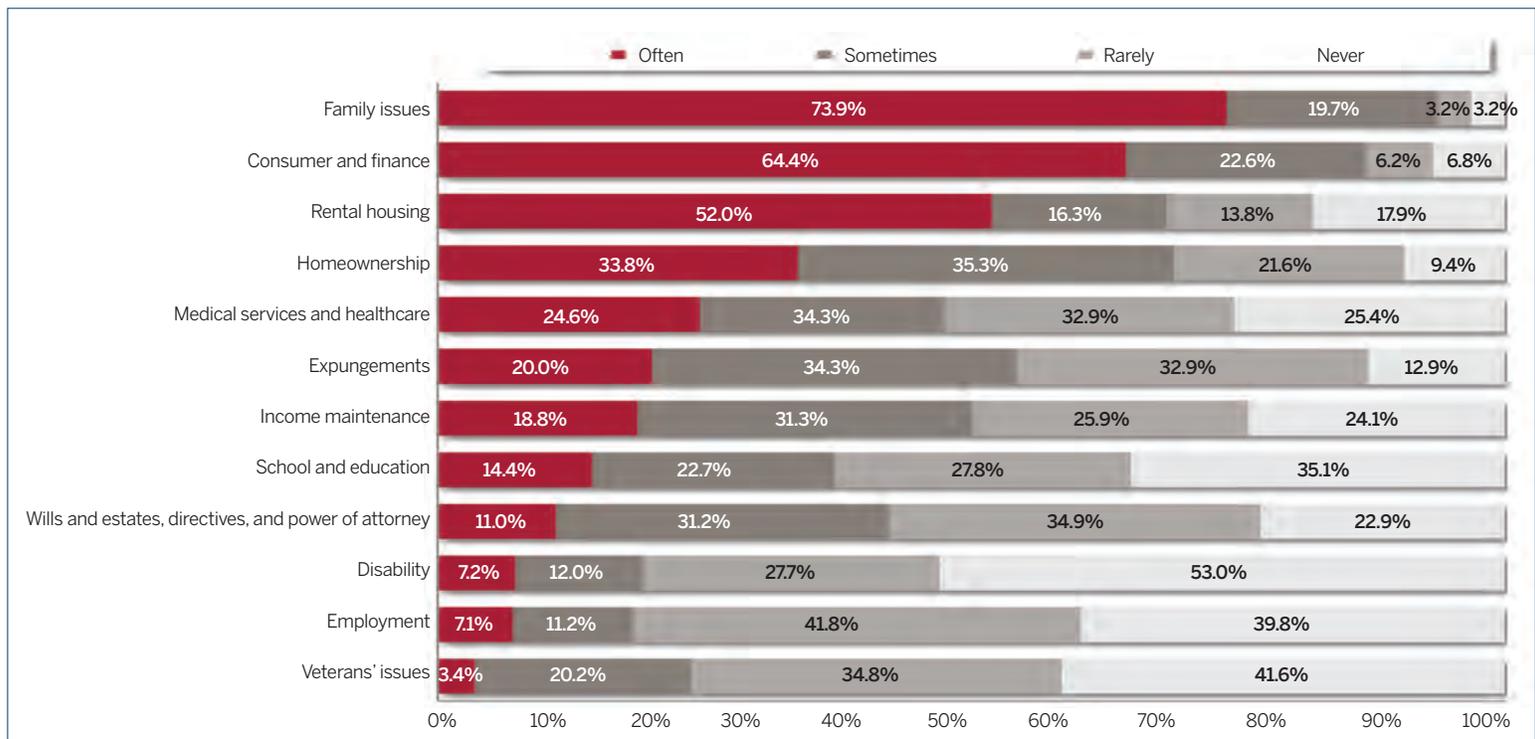
Judges and clerks of court reported that the top three areas of law in which unrepresented parties often appear before them are family law matters (73.9 percent); consumer and finance issues, such as debt-

collection cases (64.4 percent); and rental housing cases, such as landlord-tenant disputes (52 percent). See Figure 3.9 for further details.

Virtually all judges and clerks surveyed (93.6 percent) indicated that unrepresented parties sometimes or often appear before them in family law matters. Nearly all (87 percent) indicated that unrepresented parties sometimes or often appear before them in consumer and finance issues, such as debt-collection cases. More than half the judges and clerks surveyed indicated that unrepresented parties sometimes or often appear before them in three other categories: homeownership (69.1 percent), rental housing (68.3 percent), and expungements (54.3 percent).

Judges and clerks indicated that the three categories where unrepresented parties least often appear before them were disability matters (24.2 percent), veterans' issues (23.7 percent), and employment disputes (18.3 percent).

Figure 3.9: Survey question: How frequently do unrepresented parties appear before you in the following categories of cases?



Source: Indiana University, Survey of Judicial Officers and Clerks of Court, 2018

Judges and clerks of court report that the top 3 areas of law in which unrepresented parties often appear are family law matters, consumer and finance issues, and rental housing cases.

How often do unrepresented parties require court assistance, and how well do they represent themselves and follow court rules?

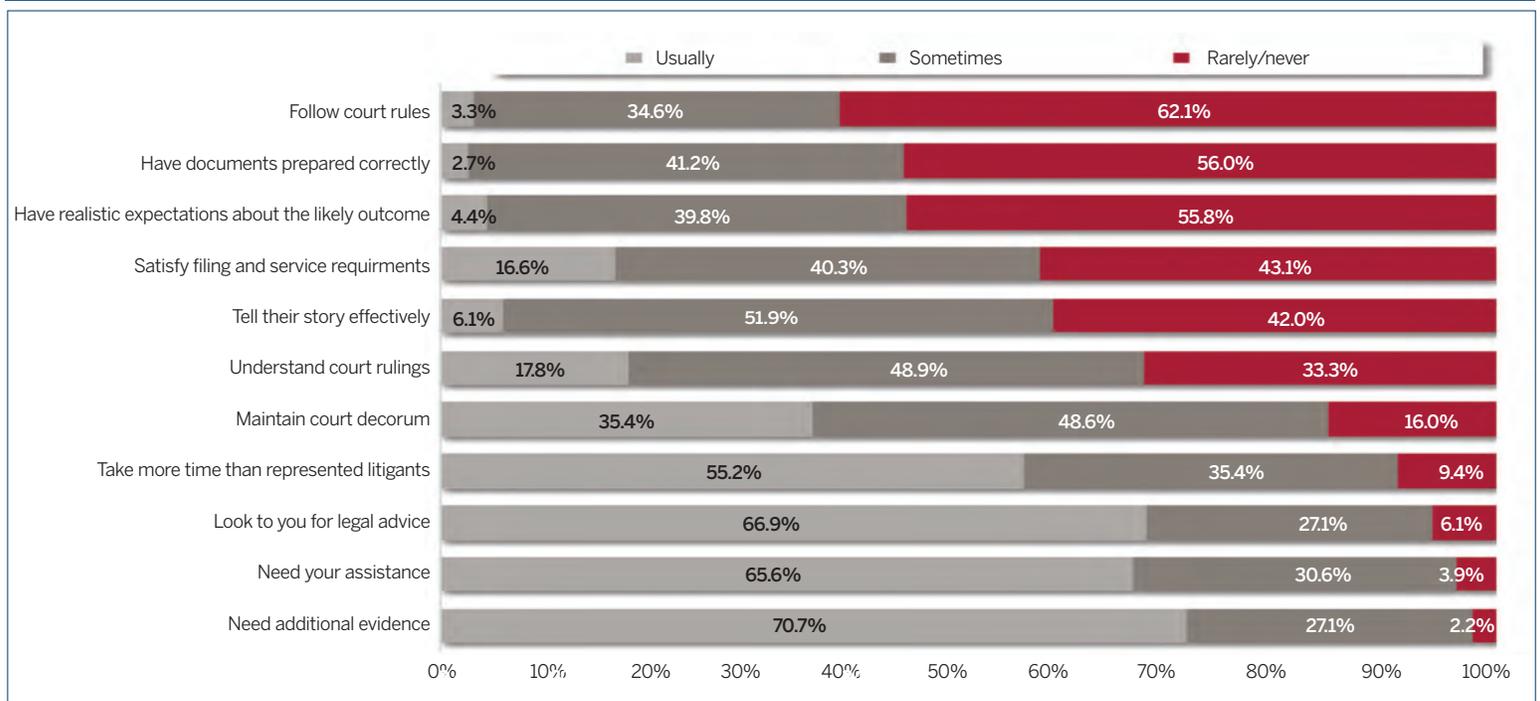
Many judges and clerks indicated that unrepresented parties usually require additional assistance (65.6 percent), look to them for legal advice (66.9 percent), and take more time than represented parties (55.2 percent).

We also asked judges and clerks a series of questions about how often unrepresented parties effectively represent themselves using specific court procedures and activities. About two-thirds of judges and clerks

indicated that unrepresented parties never or rarely follow court rules. The vast majority (70.7 percent) indicated that unrepresented parties usually need additional evidence. Many judges and clerks indicated that unrepresented parties never or rarely have documents prepared correctly, have realistic expectations about likely outcomes, satisfy filing and service requirements, or tell their story effectively. See Figure 3.10 for more details.

Troublingly, about a third of judges and clerks indicated that unrepresented parties never or rarely understand court rulings. However, most judges and clerks (84 percent) indicated that unrepresented parties sometimes or usually maintain court decorum.

Figure 3.10: Evaluation of unrepresented party compliance with court procedures



Source: Indiana University, Survey of Judicial Officers and Clerks of Court, 2018

Many judges and clerks indicate that unrepresented parties usually require additional assistance, look to them for legal advice, and take more time than represented parties.

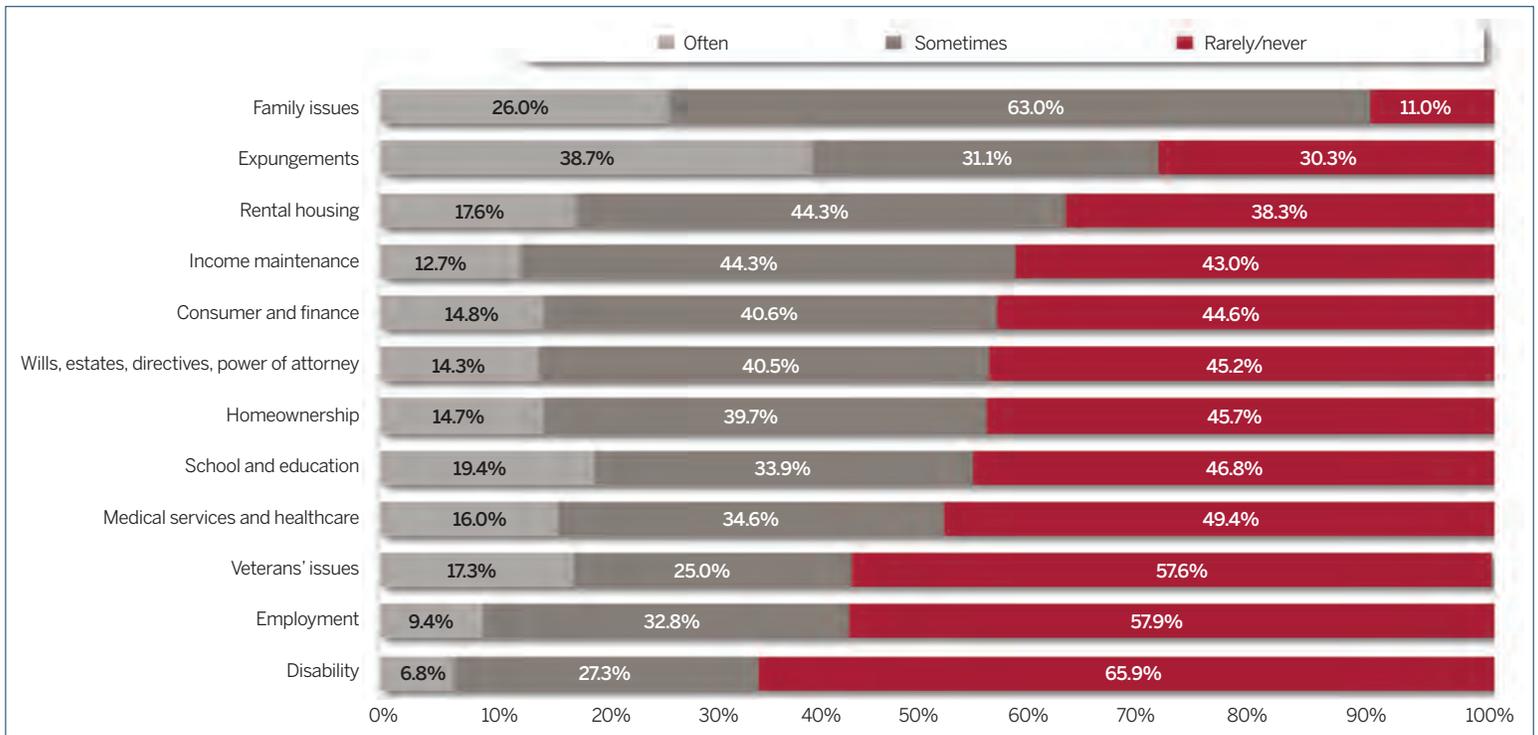
How successful are unrepresented parties when representing themselves, and how does this vary across types of cases?

To evaluate whether there are categories of cases for which unrepresented parties need additional attention or support, we asked judges and clerks of court to indicate the frequency in which these litigants are successful across areas of the law. Specifically, we asked how frequently unrepresented parties are successful in resolving their issues in the categories of cases examined within this report.

About 39 percent of judges reported that unrepresented parties are most often successful in expungement petitions. There were several other categories of cases in which judges reported that these litigants are often or sometimes successful, including family issues (89 percent) and rental housing matters (61.7 percent).

The categories in which judges and clerks believed that unrepresented parties were never or rarely successful included disability cases, employment matters, veterans' issues, and medical services and healthcare disputes. See Figure 3.11 for a detailed breakdown of how judges and clerks reported success rates among these litigants by case type.

Figure 3.11. Survey question: How frequently are unrepresented parties successful in resolving their issues when appearing before you in the following categories of cases?



Source: Indiana University, Survey of Judicial Officers and Clerks of Court, 2018

Nearly 40% of judges report that unrepresented parties are most often successful in expungement petitions.

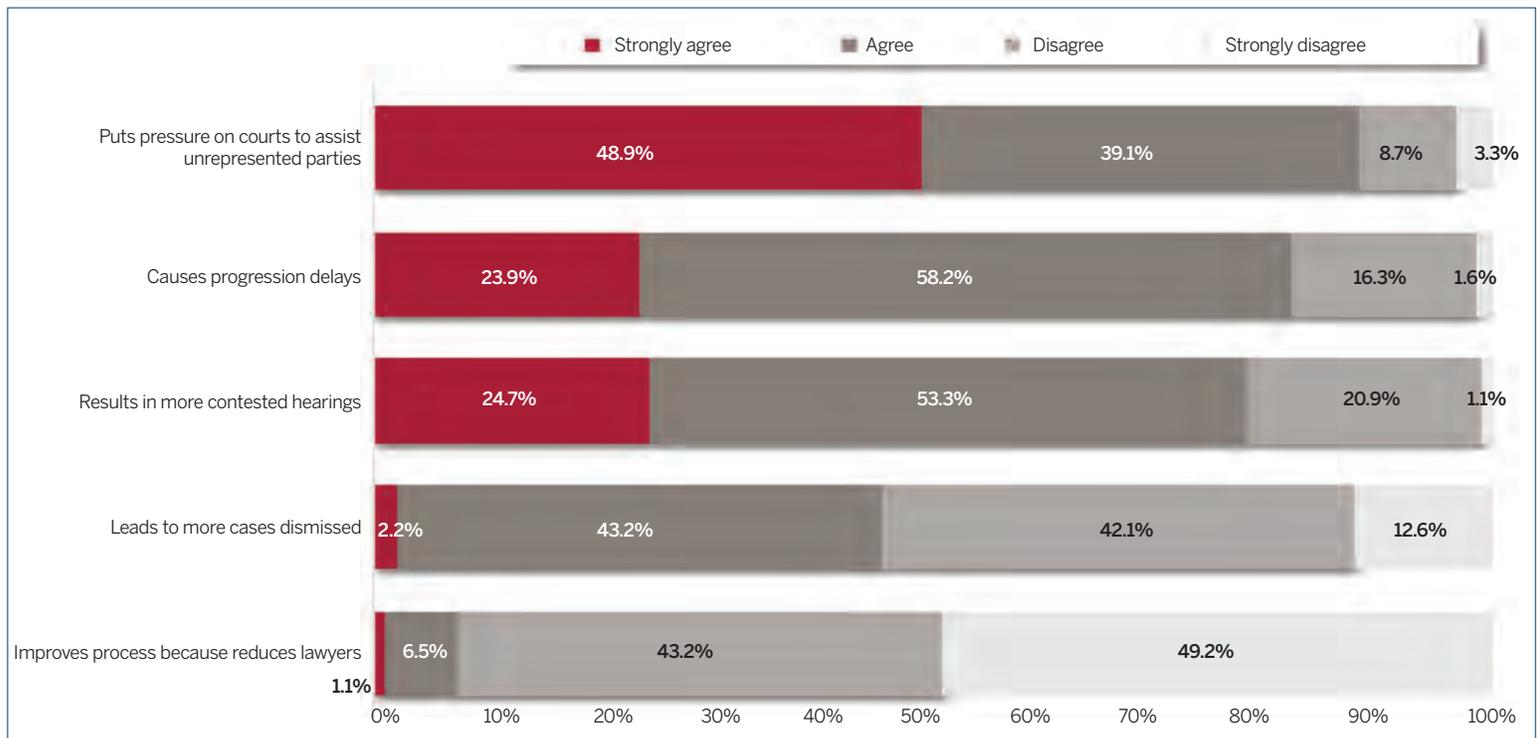
How has the rising tide of unrepresented parties affected judges, court personnel, and court procedures?

Courts are expending additional time and energy assisting unrepresented parties. Virtually all (88 percent) judicial officials and clerks agreed that the increase in unrepresented parties puts pressure on courts to assist them. Nearly all judges and clerks believed that these litigants lead to case-

progression delays (82.1 percent) and to more contested hearings (78 percent).

When asked if they believed that unrepresented parties improve the process because they reduce the number of lawyers in the courtroom, the overwhelming majority—approximately 92 percent—did not feel that was the case.

Figure 3.12: Evaluation of unrepresented litigation trends



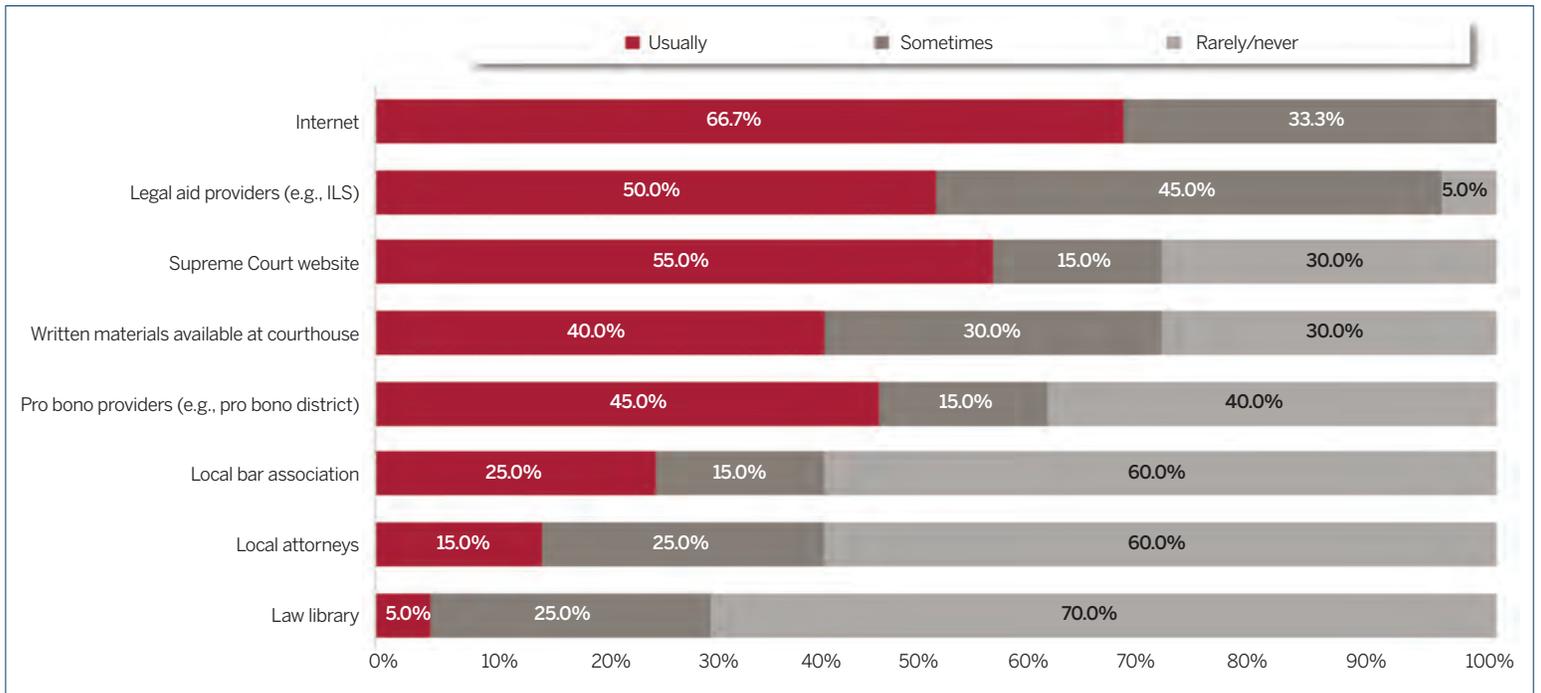
Source: Indiana University, Survey of Judicial Officers and Clerks of Court, 2018

Where, and to whom, do court personnel refer unrepresented parties who seek legal advice or legal information?

We tailored a question specifically for the clerks of court participating in our survey because they are the front line in interacting with unrepresented parties. Clerks rated how often they referred unrepresented parties seeking legal advice and/or representation to several sources of

information. Clerks indicated that they usually refer these persons to the Internet; the Supreme Court’s website; legal aid providers, such as Indiana Legal Services; and pro bono providers, including pro bono districts. They never or rarely refer unrepresented parties to law libraries, local attorneys, or local bar associations. See Figure 3.13 for a breakdown of referral responses.

Figure 3.13: Clerks' perceptions of unrepresented party information referrals



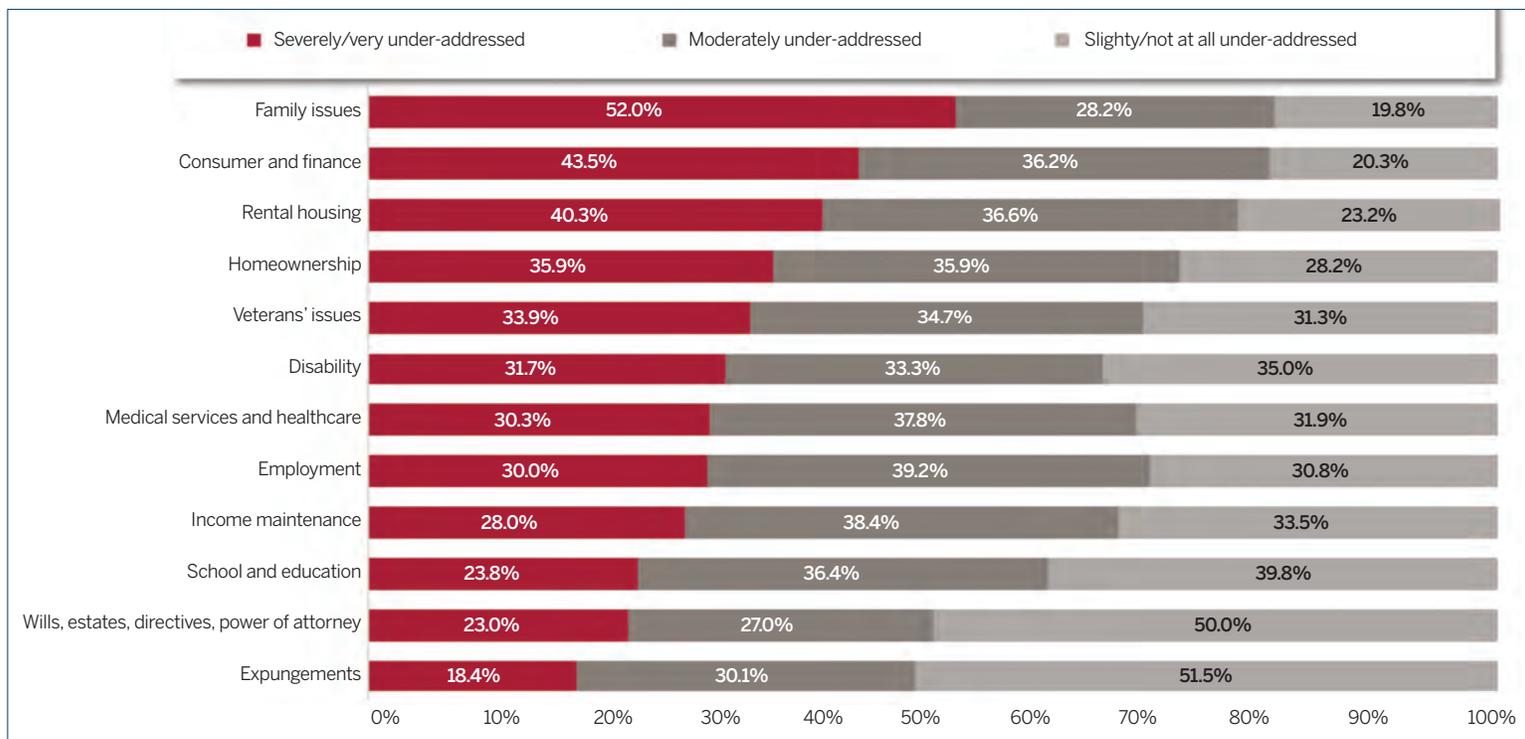
Source: Indiana University, Survey of Judicial Officers and Clerks of Court, 2018

What are the most under-addressed categories of civil legal need studied within this report?

Approximately half of judges and clerks rated family law as being the most under-addressed category of civil legal need. More than a third of judges

and clerks rated consumer and finance issues, rental housing, and homeownership cases each as areas that are under-addressed. As is shown in Figure 3.14, the least under-addressed categories included expungements, wills and estates, and school and education cases.

Figure 3.14. Survey question: How severely under-addressed are each of the following legal needs by Indiana's system of legal aid?



Source: Indiana University, Survey of Judicial Officers and Clerks of Court, 2018



CHAPTER 4: COUNTY-LEVEL SCANS OF LEGAL NEEDS ON BEHALF OF VULNERABLE GROUPS

In addition to our statewide surveys, we conducted in-depth system scans of legal needs and legal aid in Monroe and Lawrence Counties. These counties were selected to capture essential information about specific demographic groups among Indiana's low-income population and, in part, because of their geographic proximity to the IU Maurer School of Law. As described below, and more fully in Appendix E, this phase of the legal needs study was overseen by Professor Victor Quintanilla and Professor Shana Wallace and was conducted by 58 first-year law students who were overseen by 14 second- and third-year law students. Teams of law students were assigned to a particular county to study the legal needs of specific demographic groups indicated by the CCA's request for proposal: senior citizens, veterans, homeless persons, persons with mental illness, residents of rural areas, and immigrants. These system scans entailed structured interviews with the following stakeholders in each county: social service providers, legal aid providers, judicial officers, national experts, and listening tours with members of the public.

The study also included Lake County, where the scan of legal needs and legal aid was led by Ellen Szarleta, Director of the Indiana University Northwest Center for Urban and Regional Excellence and Professor in the School of Public and Environmental Affairs at IU Northwest. Professor Szarleta led a small team of graduate and undergraduate students. The team interviewed eight key stakeholders to obtain multiple perspectives regarding the legal needs of low-income Hoosiers in Lake County. These interviews helped with identifying key social service and legal aid providers in the county. Interviews were conducted with 19 social service provider agencies and a county-based legal aid provider. Professor Szarleta also interviewed three judges that covered issues of civil legal need and provision of legal aid.

These county-level scans of legal needs and legal aid analyzed the vulnerable groups served by legal aid providers, the most common problems facing these low-income households, and the factors contributing to each group's vulnerability. Moreover, the county-level scans examined the reasons these demographic groups seek help, the services offered, the top needs legal aid providers cannot meet, and the barriers and gaps in service provision.

Contextualizing legal needs and legal aid in Monroe, Lawrence, and Lake Counties

There is significant poverty in Lawrence and Monroe Counties. In 2016, U.S. Census Bureau statistics found that out of a combined two-county population of 173,099, approximately 46,658 persons were below 125 percent of the FPL, reflecting a quarter of the total population.

Lawrence County is a rural county with 18,432 households. Its total population is 44,755 including 8,814 residents who live below 125 percent of the FPL. That equates to nearly 1 in 5 people who call Lawrence County home. While Lawrence County residents predominantly identify as white (96.7 percent), poverty is spread differently across racial and ethnic groups, with higher percentages of Hispanic (56.3 percent) and black (47.2 percent) low-income residents, relative to white residents (18.7 percent). The median age in Lawrence County is 42.4 years old. Veterans or active-duty personnel make up 12 percent of the county population, while 14 percent of all residents in Lawrence County have a bachelor's degree or higher.

Monroe County, which envelops the city of Bloomington, is an urban county with 55,014 households and a total population of 128,344. Nearly 30 percent of that population live below 125 percent of the FPL. Similar to Lawrence County, most Monroe County residents identify as white (86.7 percent). Yet a greater percentage of Hispanic (36.6 percent) and African-American (48.1 percent) residents live in low-income households, compared to white residents (26.5 percent). Veterans or active-duty personnel make up 7 percent of Monroe County residents, while 45 percent of residents have a bachelor's degree or higher.

Regarding the civil legal aid infrastructure in Lawrence and Monroe Counties, there are two primary civil legal aid providers in this region: the Bloomington office of Indiana Legal Services and District 10 Pro Bono Project, Inc. (District H). Together, these two legal providers closed more than 1,000 cases in Monroe and Lawrence Counties in 2017. In addition to these providers, there were fewer than 4 attorneys per 1,000 low-income residents in Monroe County, and fewer than 2 attorneys per 1,000 low-income residents in Lawrence County who contributed 10 or more hours of pro bono services in the last calendar year.

In 2016, there were 7,772 civil cases filed in Monroe and Lawrence Counties in the categories of domestic relations, protective orders, small claims filings, expungements, civil collections, and guardianships. Of these cases, 1 in 3 involved unrepresented litigants, according to Indiana's 2016 Judicial Service Report.

Lake County is an urban area with a total population of 488,694 residents. Based on analysis of 2017 ACS data, there are approximately 21,000 county households with incomes below 125 percent of FPL. The county is one of the more diverse in the state. Roughly two-thirds of county residents identify as white (64.4 percent), just over one-quarter (25.6 percent) as African American, and 18.4 percent as Hispanic or Latino. Veterans account for roughly 8 percent of the county population. Approximately 39,000 children aged 0 to 17 years, nearly 55,000 adults aged 18 to 64 years old, and more than 8,000 seniors (65 years of age or older) live with family incomes below 125 percent of FPL. Most low-income adults in Lake County (22.5 percent) do not have any college education. Approximately 47.8 percent of low-income county residents aged 25 years or older have no more than a high school education.

Legal aid providers in Lake County reported closing over 1,600 cases in 2017. There were fewer than four registered attorneys per 1,000 low-



income residents in the county, who reported 10 or more hours of pro bono services in 2016. That same year, there were 19,869 civil cases filed in Lake County in the categories of domestic relations, protective orders, small claims filings, expungements, civil collections, and guardianships. Of these cases, 30 percent involved unrepresented litigants, according to Indiana's 2016 Judicial Service Report.

Adversities faced by vulnerable low-income groups

In the 2018 spring semester, IU Maurer School of Law students focused their scans of legal needs and legal aid in Monroe and Lawrence Counties on behalf of homeless or housing-insecure persons, seniors, and immigrants in both counties. They also surveyed persons in Monroe County who are mentally ill and live below 125 percent of the FPL. These scans consisted of structured interviews and listening tours with members of the demographic groups and professionals who serve these populations. For each group, teams interviewed social service providers, legal aid providers, court officials, national experts, and members of the communities to obtain multidimensional views of needs.

What are the adversities confronted by senior citizens?

Across the 10 structured interviews our teams conducted regarding senior citizens, the most pressing and oft-cited unmet need of seniors is access to affordable housing and healthcare.¹⁸ Without these two basic needs, senior citizens are particularly vulnerable to other collateral problems.

Legal aid providers noted that elder abuse, guardianship fraud, and debt/wage garnishment resulting from predatory lending are frequent legal issues for seniors in these counties. In more rural Lawrence County, seniors also reported a lack of access to transportation as a major issue. As a result, many low-income senior citizens become homebound and isolated. Similarly, in Lake County, transportation was reported by interview participants as a significant barrier for seniors.

In Monroe and Lawrence Counties, ILS Bloomington and District 10 Pro Bono, Inc., among others, serve all members of the community—not only seniors. As a result, senior citizens encounter gaps in the provision of legal aid services. This issue is further exacerbated by a lack of access to adequate transportation, posing significant barriers for senior citizens seeking legal aid. Moreover, senior citizens and their social service providers often do not conceive of the justiciable legal issues they encounter to be ones that can be resolved. As a result, they may never seek legal aid even when they are eligible.

What are the adversities confronted by Hoosier veterans?

The 11 interviews conducted regarding veterans' issues identified that the pressing legal needs this demographic faces nationally also apply to veterans in Monroe and Lawrence Counties. This includes access to medical services and healthcare, disability benefits, employment, rental housing, and family law issues. Many of these issues have a cumulative

effect for homeless veterans and those who are dealing with mental health issues, such as depression, anxiety, and post-traumatic stress disorder (PTSD). As a result, interviewers found that the overlapping nature of veterans' needs can make providing adequate legal remedies difficult. In addition, these unmet needs are further complicated by the stigmatization of mental illness and a culture that discourages seeking help for such illnesses. In Lake County, veterans' challenges also mirror national trends. The top factors contributing to the group's vulnerability include PTSD as well as other mental health challenges, substance abuse, and homelessness. Stakeholders also reported that female veterans struggle with issues related to sexual and domestic violence.

In meeting the general and legal needs of veterans, a strong referral system between the providers in Monroe and Lawrence Counties was in place to help close gaps. Providers also work together to meet some general social legal needs, such as disability claims and wills. However, one systemic need identified was an increase in attorneys willing to conduct pro bono services on behalf of veterans. This is especially important in addressing complex veteran disability laws. These laws often prevent veterans from effectively applying for or appealing claims on their own. They also can prevent some attorneys from handling claims because small firms and sole practitioners may not have the time or resources to learn these complex areas of law. In addition to these issues, credit and finance issues involving legal action also figure prominently among veterans in Lake County.

Investigators in Monroe and Lawrence Counties also identified a lack of attorneys to address landlord-tenant issues and family law issues faced by low-income veterans. There are also insufficient resources targeted to address the cumulative impact of multiple needs and the role stigmatization plays in discouraging help-seeking behavior. Finally, as is consistent with other populations, veterans' issues such as mental health, homelessness, and substance abuse can lead to criminal convictions.

In Lake County, social service providers direct veterans to organizations providing legal services, although these are limited in number and capacity. One service organization directs veterans to their U.S. congressional

Many of these issues have a cumulative effect for homeless veterans and those who are dealing with mental health issues, such as depression, anxiety, and post-traumatic stress disorder (PTSD).

representatives for additional assistance. For those veterans charged with nonviolent crimes, The Veterans Treatment and Assistance Court can provide needed social and mental health services. This court was established in Lake County in 2014 and provides an alternative to resolving nonviolent criminal charges against defendants who have served in the U.S. military.

What are the adversities confronted by homeless and housing-insecure Hoosiers?

Throughout the 15 interviews we conducted to survey the needs of the homeless and housing-insecure population in Lawrence and Monroe Counties, we discovered one of the most prevalent needs faced by the community is the need for expungement assistance. The legal aid provider interviewed, along with members of the community, explained that having a conviction on a person's record creates obstacles to obtaining housing for multiple reasons, such as denial of services to persons with criminal records, or being unable to obtain a steady job because of a conviction.

Homelessness in Lake County affects populations of all ages, races, and genders. In almost all interview with service providers, including legal providers, homelessness was connected to multiple issues, including credit problems, mental health and substance abuse, domestic abuse, driving suspensions, as well as other socioeconomic concerns. Those interviewed also described housing insecurity as substandard housing, characterized by a variety of conditions that impact both the health and safety of the renter. Finally, an increase in the rate of homelessness was noted by providers serving women and children in Lake County. The increasing cost of housing and absence of safe and adequate housing options were also mentioned as issues of concern.

In addition, the current opioid crisis has hit Lawrence and Monroe Counties particularly hard and is a contributing factor to homelessness and housing insecurity. Substance abuse is often worsened by the status of being homeless. Our listening tour indicated that many persons in the community turn to drugs and alcohol to cope with their homeless status. Moreover, substance abuse often leads to criminal convictions and other issues. Our interviewees identified collateral issues such as losing custody of children, public benefits or social service provider benefits, employment, and housing. Our interviewees also indicated that low-income persons affected by housing insecurity are rendered vulnerable, in part because Indiana's landlord-tenant laws largely favor landlords. In Lake County, benzodiazepine withdrawal and alcoholism were noted as significant challenges in the field of addiction services.

Our teams found that there are few civil legal aid providers in Lawrence and Monroe Counties, and these providers are stretched thin. When serving persons who are homeless and housing insecure, these providers primarily help with landlord-tenant issues, expungements, and disability benefits. When providers cannot serve these clients because of resource constraints, the providers offer them self-help forms. A local official also identified self-help forms available online as a tool to simplify the legal process. Our team found, however, that such self-help forms may not always be helpful for this population, given the challenges of literacy and

reliable Internet access. Moreover, while there are services available for those affected by substance abuse, the services available cannot match the sheer volume of need.

In Lake County, providers noted substantial challenges in accessing legal aid services. One provider observed that the waiting period is currently in excess of two years to access services due to limited resources. With few alternatives, populations rely on social service providers to guide them to attorneys who are willing to perform pro bono and low bono work. For example, Catholic Charities, a large social service organization, has a list of eight attorneys who will evaluate non-/low-pay legal matters. In some cases, e.g., in the city of Hammond, a local legal aid clinic operates to assist individuals in civil legal matters. There is also a network of NWI volunteer attorneys.

Finally, it is important to note that some members of this population do receive other forms of legal assistance. For example, one legal official indicated that parents involved in Child in Need of Service (CHINS) cases receive a court-appointed attorney. And while the criminal justice needs of homeless and housing-insecure persons are often addressed by public defenders, members of this population told our teams they found public defenders to be so overworked that they were not satisfied with the help received.

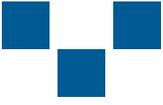
In line with the national trend, there are no housing-first programs in Lawrence County and only one in Monroe County, but these programs carry promise for both counties. As the legal official indicated, once a person has stable housing, many of the other issues they face are solvable. The national expert echoed the sentiment that increased funding and a housing-first approach are keys to breaking the cyclical nature of homelessness and housing insecurity.

What are the adversities confronted by Hoosiers with mental illness?

When surveying the needs of mentally ill persons in Monroe County, our six interviews provided varying perspectives but were consistent in identifying general needs relating to poverty, healthcare, housing, and stigma. Similarly, attention to specific legal issues was largely consistent, focusing on guardianships, custody issues, benefits claims, evictions, and criminal prosecutions related to homelessness and substance abuse. Interviewees also consistently discussed evictions, with the sole exception being the social service provider. The social service provider also did not mention guardianships and custody issues as primary issues for people with mental illness. However, these needs were discussed in the literature, as well as during interviews with community members, the legal aid provider, and the national expert.

The pro bono organization provides volunteer attorneys to address civil legal problems faced by people below the federal poverty line, including those with mental illness. The needs most commonly addressed by legal aid providers are unfair termination cases, annulments, custodial issues, access to medication, and access to Social Security and disability benefits.

Yet resources are limited, so there are gaps in service provision. For



example, the pro bono organization cannot accept cases with a deadline of 30 days or less because of the time it takes to pair the case with a volunteer attorney. In addition, several interviewees were concerned about the trend away from civil commitments and institutionalization for the severely mentally ill. While this is outside the scope of the legal aid organization's efforts, this is a general policy direction that has affected the legal needs of the mentally ill population.

In Lake County, the most significant factors related to vulnerability are substance abuse, loss of employment, housing and/or family support, and criminal prosecutions. Stakeholders reported that addiction issues appear to be more frequent among 20- to-40-year-old individuals. Based on interviews, it is estimated that roughly three-quarters of clients served by the largest provider of mental health services in the county also experience civil legal problems.

Key takeaways from the system scan are consistent with other regions. First, people with mental illness encompass a broad range of circumstances, symptoms, and disorders and overlap with other populations, such as veterans, seniors, and the homeless. Second, stigmatization of people with mental illness continues to have negative effects, such as volunteer attorneys viewing them as difficult, and keeping people with mental illness from seeking help. Third, criminal prosecutions stemming from substance abuse and homelessness complicate the ability of people with mental illness to address their social service and civil legal needs.

What are the adversities confronted by rural residents?

Around 60 percent of the population of Lawrence County live in what is traditionally thought of as a rural setting, outside a formal town or city. The 13 interviews we conducted regarding rural residents revealed that the most pressing general issues they face are a lack of transportation, inadequate employment, and the opioid crisis. The most pressing legal issues this population faces include family law issues, which are often exacerbated by the opioid crisis. Other very present legal needs are housing issues and a general lack of affordable representation.

Part of the nature of a rural county is that there is a limited population, which includes a limited number of lawyers. The nearest legal aid provider for Lawrence County is actually located in Monroe County, a 40-minute drive from most places in Lawrence County. Many low-income residents there often enter into handshake agreements with their landlord, which leaves them vulnerable. The legal aid provider indicated that many clients from Lawrence County come to their office for assistance with landlord-tenant disputes, often involving handshake deals. The legal aid provider also assists with family law disputes—often involving someone with an opioid dependency—and criminal matters. However, the organization is not equipped to handle every legal issue. When possible, they refer clients to other legal aid organizations and volunteer attorneys for issues that include Medicare/Medicaid benefits, worker-compensation claims, Bloomington Housing and Urban Development (HUD) claims, and food stamp issues.

Many of the unmet legal needs in Lawrence County are similar to those

rural residents face around the country. These legal needs are then compounded by other general needs rural residents face, including a lack of education, a lack of job prospects, and a lack of adequate public transportation. Furthermore, the sparse economy in rural areas reduces the incentive for attorneys to work in these locations, limiting the number of attorneys to whom residents can reach out for help. Therefore, to access free or discounted legal aid providers, residents must have transportation, which is a barrier that prevents some from seeking help in the first place. Additionally, as with the other demographic groups, rural residents have been greatly impacted by the opioid crisis, which has not only created additional legal problems, but has aggravated social and economic issues for rural individuals.

The sparse economy in rural areas reduces the incentive for attorneys to work in these locations, limiting the number of attorneys to whom residents can reach out for help.

What are the adversities confronted by immigrants?

According to the nine providers and stakeholders working with low-income immigrants in Monroe and Lawrence Counties, the most urgent unmet need of immigrants is the lack of translated legal resources, bilingual attorneys, and social providers who can assist them. Furthermore, documented and undocumented immigrants alike indicated they frequently experience fear of deportation and encounters with Immigration and Custom Enforcement (ICE) agents. Monroe County officials explained that the lack of bilingual attorneys often results in a lack of representation for immigrants in many civil cases.

Similarly, in Lake County, undocumented immigrants' fear of deportation limits access and availability of legal services. In addition, service providers interacting with migrant populations were reluctant to share information related to the population and their service needs. Interview participants conveyed that addressing migrant issues is a significant challenge. Translation services are available and are not a significant barrier; however, fear of interacting with the system limits participation, which can lead to legal consequences that compound financial and other problems, e.g., judgments, liens, evictions, etc.

In both Monroe and Lawrence Counties, there is a lack of legal aid for immigrants. The primary legal aid organization serving both Monroe and Lawrence Counties is Indiana Legal Services, which is located in Monroe County. Because ILS is federally funded, ILS can represent a narrow

category of noncitizens, regardless of status, who have been subject to domestic abuse or whose children have been subject to domestic abuse, who have been the subject of trafficking or sexual assault, or who are otherwise eligible for U-Visa status. Yet ILS is precluded from serving undocumented immigrants with issues frequently experienced by low-income persons, including landlord-tenant issues and debt-collection matters. The inability to access bilingual legal representation at an affordable rate means that many immigrants will be unrepresented anytime they have a legal issue.

A key takeaway from these interviews is that some of the challenges that immigrants face can be solved when legal resources are made language accessible. Translating forms into common foreign languages would be of significant benefit to immigrants who are otherwise foreclosed from navigating the legal system as unrepresented parties. Furthermore, some immigrants—particularly undocumented immigrants—are hesitant to challenge abuse against them by invoking civil legal protections, fearing an invasive review from ICE. Indeed, our investigatory teams learned that ICE had recently apprehended an undocumented immigrant handling a routine traffic infraction in Monroe County's courthouse, without seeking prior permission from the chief judge to enter the courthouse. Additionally, as

previously described, most undocumented persons cannot be represented by federally funded legal aid programs. Therefore, immigrants and undocumented persons may be more vulnerable to abuse—including in family and custody matters, landlord-tenant issues, and employment matters—because of the extensive barriers in remedying legal hardship in

In Monroe and Lawrence Counties, the most urgent unmet need of immigrants is the lack of translated legal resources, bilingual attorneys, and social providers who can assist them.



CONCLUSION

Need for legal aid in Indiana is wide, deep, and urgent. Despite diligent efforts by Indiana's civil legal service providers, the pro bono community, and Indiana's judicial officers and court personnel, low-income Hoosiers need more support for their legal problems.

Low-income Hoosiers routinely encounter adversities when accessing justice and regularly fail to receive the legal help necessary to address basic civil legal needs and significant legal problems. When left unaddressed, these problems interact with other social, environmental, and economic circumstances to undermine human well-being and the fulfillment of essential needs, including access to medical services and healthcare; maintenance of safe, habitable housing; the receipt of benefits, such as disability and Social Security payments; support for family law matters, including child support and child custody actions; protection from abusive relationships; and relief from financial exploitation.

This comprehensive study of legal needs was designed to provide a relevant, reliable source of information from which Indiana's Coalition for Court Access, policy makers, and legal aid providers can make strategic decisions about where, when, and how to allocate resources for the effective, efficient delivery of civil legal services. We also designed this project to generate data and information that these organizations can use in their efforts to increase the visibility of legal aid, develop support for legal aid work, and encourage resource development and collaboration.

Given the multidimensional and detailed depiction of Indiana's civil justice system provided through this study, we look forward to the Coalition for Court Access using this study to undertake a strategic planning process to design a comprehensive set of recommendations and a statewide plan of action to better meet the needs of low-income Hoosiers. This planning could include the following areas of focus:

- Narrowing the gap between the kinds of legal needs commonly experienced by low-income Hoosiers, and the kinds of legal problems commonly addressed by Indiana's system of civil legal aid, which may require reform and rule-making in areas that disproportionately affect low-income Hoosiers
- Closing the gap between the number of problems low-income Hoosiers bring to Indiana's civil legal aid providers and the number of problems Indiana's system of civil legal aid has the capacity to address
- Increasing the resources available to Indiana's system of civil legal aid
- Increasing the supply of pro bono legal services by members of the bar, which may require creating new opportunities for pro bono engagement, and changing the culture of the bar toward pro bono legal services
- Increasing the provision of services to underserved areas of the state, including rural areas, and among underserved groups within urban and rural communities, which may require leveraging programs within public libraries, remote service projects, modest-means delivery systems, and partnerships with healthcare and social service providers
- Addressing unmet legal needs within the growing population of unrepresented parties, which may require expanding self help centers within courts, developing infrastructure for specialized courts, and leveraging the CCA's statewide portal and new technologies
- Developing plans for future data collection, including surveys of attorneys about pro bono legal services, and plans for consistent data collection across counties
- Disseminating key findings about Indiana's system of civil legal aid to, and learning from, the many stakeholders of Indiana's system of civil legal aid, including: legislators, public servants, judicial officers and court personnel, attorneys and members of bar associations, legal aid providers, funders, and members of the public

Endnotes

- ¹U.S. Federal Poverty Guidelines Used to Determine Financial Eligibility for Certain Federal Programs. Office of the Assistant Secretary of Planning and Evaluation. U.S. Department of Health and Human Services. July 2018 from <https://aspe.hhs.gov/poverty-guidelines>
- ²Examination of U.S. Census American Community Survey (ACS) 2012-2016 data found that a large portion of off-campus college students can impact an area's poverty rate. In Indiana, this includes the following counties: Delaware, Madison, Monroe, Tippecanoe, and Vigo. Benson, C. & Bishaw, A. (2017, December 7) Examining the Effect Of Off-campus College Students on Poverty Rates. *Census Bureau Quick Facts*. Retrieved from <https://www.census.gov/newsroom/blogs/random-samplings/2017/12/off-campus.html>
- ³Given that 2016 is the last year of attorney data available as of the time of writing this report, we derived this ratio by combining 2016 attorney data with population data from 2017.
- ⁴Professional Rule 6.7 requires all Indiana attorneys to report direct pro bono legal services, unless considered exempt. Exempt categories include inactive/retired lawyers, lawyers employed by the government, and members of the judiciary or judicial staff.
- ⁵Because this court data is coded at the level of each case, this court data cannot reveal how many unrepresented parties are found in Indiana courts. For example, while each case counts only once as a case with an unrepresented party, there may be many such cases in which two unrepresented parties appear. As such, this counting at the case level cannot reveal the number of unrepresented parties per se. For similar reasons, this court data cannot reveal how many unrepresented parties appear as plaintiffs versus defendants in Indiana courts. As such, we investigated these questions within the Survey of Judges and Clerks of Court discussed in Chapter 3.
- ⁶This analysis examines total civil cases as categorized and reported in Indiana Judicial Service Reports and excludes filings involving juvenile matters, such as Child in Need of Services (CHINS) and juvenile delinquency matters.
- ⁷Indiana courts did not separately compile data for expungements until 2015; as such, we compared change over time for expungements from 2015 to 2016.
- ⁸National Center for State Courts, *Civil Justice Initiative: The Landscape of Civil Litigation in State Courts* (Williamsburg, Va.: National Center for State Courts, 2015)
- ⁹Of the 17 civil legal aid offices contacted, 16 out of 17 (94.1 percent) participated. One smaller legal society declined to participate because of staffing limitations. We did not include law school clinics within the six-week intake census period as most law school clinics are not staffed with law students during the summer months, and to avoid the double-counting issue that would result from counting cases that law school clinics receive as referrals from legal aid providers. We believe that one additional legal aid office should have been, but was not, included: the Center for Victim and Human Rights: Legal Services for Victims. For these reasons, we believe that our estimates may underreport the total number of problems presented by low-income Hoosier households to legal aid providers in Indiana.
- ¹⁰The methodology of the six-week intake census is described more fully in Appendix B.
- ¹¹Regarding ILS's eligibility rules, Indiana Legal Services has a baseline eligibility figure of 125 percent of FPL but represents many people whose income is higher for two reasons: First, ILS eligibility rules (which mirror Legal Services Corporation regulations) allow ILS to represent people with incomes of up to 200 percent of FPL if certain factors are present, such as high housing costs or high medical costs, or if eligibility for public benefits is the subject of representation. Second, ILS receives grants funding work for seniors, which require ILS to represent seniors without regard to their income. ILS represents several hundred people every year who have incomes above 200 percent of FPL. ILS is Indiana's only LSC-funded provider.
- ¹²Of the 17 civil legal aid offices contacted, 100 percent participated. We did not include law school clinics within the legal aid provider survey as law school clinics were not included in the six-week intake census. We believe that one additional legal aid office should have been, but was not, included: the Center for Victim and Human Rights: Legal Services for Victims. As with the six-week intake census, we believe that our estimates underreport the total number of problems addressed by civil legal aid providers.
- ¹³We caution that this figure may overstate the number of volunteer attorneys who accept cases within Indiana's system of civil legal aid. For example, some attorneys may volunteer for more than one civil legal aid provider in their region, and hence these attorneys may be double counted in this figure. Moreover, some of these attorneys may not be currently available to resolve cases, and findings in Chapter 3 suggest that many of these volunteer attorneys accept one to two pro bono cases per year. Therefore, this figure best reflects the pool of potential volunteer attorneys who may be willing to assist civil legal aid offices when able from time to time.

¹⁴The approximately 1,650 volunteer attorneys provided pro bono assistance with civil legal problems other than direct case referrals, including by helping with legal advice clinics and by staffing advice lines. While Indiana's legal aid system referred approximately 2,500 cases to volunteer attorneys for case acceptance on a pro bono basis, these volunteer attorneys handled a higher number of problems for Indiana's legal aid system, approximately 3,300 civil legal problems. The first figure is derived by multiplying the total number of cases closed in 2017 by the percentage of cases resolved by referring the case to a volunteer (pro bono) attorney, whereas the second figure is derived by multiplying the total number of cases closed in 2017 by the percentage of cases handled by volunteer attorneys on a pro bono basis. We, therefore, estimate that each volunteer attorney, on average, accepts one to two cases on a pro bono basis per year. Each volunteer attorney in the pool represents the resolution of an average of two legal problems per year.

¹⁵Civil legal aid organizations employ a greater number of FTE attorneys when compared to pro bono districts (legal aid organizations = 89 vs. pro bono districts = 9.2); moreover, civil legal aid organizations employ a greater number of non-attorney professionals, managers, and staff (legal aid organizations = 94 vs. pro bono districts = 17). In contrast, pro bono districts maintain larger rolls of volunteer attorneys who assist with pro bono cases when willing and able to do so (pro bono districts = 1,326 vs. legal aid organizations = 333).

¹⁶National Center for State Courts, *Civil Justice Initiative: The Landscape of Civil Litigation in State Courts* (Williamsburg, Va.: National Center for State Courts, 2015).

¹⁷These estimates exclude the percentage of unrepresented parties appearing in small claims court and traffic cases.

¹⁸See generally R. Ruth Linden, *Assessing the Legal Needs of California's Elders* (Legal Aid Association of California, 2011).

¹⁹[endnote 1] See, e.g., Law & Justice Found., *No Home, No Justice?* 84 (2005), [http://www.lawfoundation.net.au/ljf/site/articleIDs/46AFCFE76A8314F8CA25707500815B9F/\\$file/no_home_no_justice.pdf](http://www.lawfoundation.net.au/ljf/site/articleIDs/46AFCFE76A8314F8CA25707500815B9F/$file/no_home_no_justice.pdf); Kathleen Rowan et al., *Access and Cost Barriers to Mental Health Care, by Insurance Status, 1999–2010*, *Health Affairs*, Oct. 2013, at 1723, <https://www.healthaffairs.org/doi/pdf/10.1377/hlthaff.2013.0133>; Law & Justice Found., *On the Edge of Justice* 60-69 (2006), [http://www.lawfoundation.net.au/ljf/site/articleIDs/CB05FD97AAF2458CCA25718E00014293/\\$file/EdgeOfJustice.pdf](http://www.lawfoundation.net.au/ljf/site/articleIDs/CB05FD97AAF2458CCA25718E00014293/$file/EdgeOfJustice.pdf).



Appendix A: Indiana University spatial microsimulation (SMS) analysis of civil legal needs in Indiana methodology

We measured legal needs among low-income Indiana households by conducting a spatial microsimulation (SMS) analysis. This SMS analysis was based on the 2017 Justice Gap Measurement Survey that the National Opinion Research Center (NORC) at the University of Chicago conducted on behalf of the Legal Services Corporation (LSC). The 2017 Justice Gap Measurement Survey is widely considered a well-designed and well-implemented national survey of households at or below 125 percent of the federal poverty level. We combined this national survey of low-income households with U.S. census and American Community Survey data on low-income Indiana residents to derive estimates specific to Indiana.

SMS analysis is a form of population synthesis that enables researchers to generate realistic samples for geographic areas using individual-level survey responses of a target population and constraints derived from U.S. census data about that target population. Here, we combined 2017 Justice Gap Measurement Survey data with constraints derived from U.S. census and ACS data about Indiana households at or below 125 percent of the federal poverty level. Using this information, we generated, modeled, and analyzed 500 simulated data sets with a sample size of 100,000 persons. By averaging across these 500 simulated data sets, we derived mean estimates, sample statistics, and confidence intervals on the prevalence of civil legal needs among low-income Indiana households for the categories of problems measured in the 2017 Justice Gap Measurement Survey. The categories measured include:

Indiana University Intake Census of Indiana Legal Aid Providers 2018, case categories

Civil legal needs problem areas
Consumer and finance
Disability
Employment
Family issues, including issues for parents with children and custodial issues
Housing, including rental housing and homeownership
Income maintenance
Medical services and healthcare
School and education
Veterans' issues
Wills, estates, directives, power of attorney
Other issues: expungements, immigration, etc.

We engaged in the following steps to conduct this SMS analysis:

Step 1: First we gathered the data that the Legal Services Corporation has made available from the 2017 Justice Gap Measurement Survey, underlying codebooks, and data. This wealth of information can found at this link: <https://www.lsc.gov/justicegap2017>. We then reviewed the

demographic categories within this measurement survey that could potentially be matched with information from the U.S. Census Bureau's American Community Survey (ACS) and, therefore, form the basis of a spatial microsimulation analysis.

Step 2: Second, we gathered demographic information from American Community Survey (ACS) one-year and five-year estimates from the U.S. census and particularly information for all 50 states, including Indiana, on population poverty characteristics, male/female ratios, age breakdowns, race and ethnicity percentages, marital status percentages, educational attainment levels, employment status, income distributions, urban vs. rural, household sizes, disability status distributions, school-aged children distributions, and veterans' and active military status. This information was woven into a database and captured at the statewide level for all 50 states.

Step 3: We analyzed this ACS data to obtain the demographic characteristics of all 50 states, including Indiana. We used the database to develop the boundaries utilized in the simulated data set, which included population poverty characteristics, male/female ratios, age breakdowns, race and ethnicity percentages, marital status percentages, educational attainment levels, employment status, income distributions, urban vs. rural, household sizes, disability status, school-aged children, and veterans' and active military status.

Step 4: We used a package in the R statistical program (version 3.5.2) known as IPFP (Iterative Proportional Fitting Procedure), which assigned weights to each of the participants in the LSC data set, so that these data could be allocated to geographic zones.

Step 5: We used the calculated weights to run a spatial microsimulation analysis (Lovelace and Dumont, 2016) to simulate data for Indiana using the LSC data set and the boundary conditions and weights discussed in Steps 4 and 5. The spatial microsimulation analysis yielded estimates for Indiana.

Step 6: We replicated Step 5 500 times to provide reliable estimates of the parameter of interests provided in the report. Throughout the report, we provide the lower bound of the 500 simulations as the lower-bound confidence interval, and the upper bound of the 500 simulations as the higher-bound confidence interval. The point estimate provided is the average across these 500 data simulations.

Sources

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Lovelace, R. (2016). *Spatial Microsimulation with R*. Boca Raton, FL: Routledge.

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Appendix B: Indiana University 2018 Intake Census methodology

We partnered with Indiana legal aid providers to conduct a six-week intake census to track and produce a count of individuals seeking assistance with civil legal problems. We employed a substantially similar methodology as the Legal Service Corporation's 2017 intake study. See Legal Services Corporation, *The Justice Gap: Measuring the Unmet Civil Legal Needs of Low-income Americans, 37-45* (2017). We analyzed the data collected to estimate the extent to which people seeking help from Indiana's system of legal aid receive the legal aid they need to resolve their civil legal problems. We used the multiplier 9.359061 that equates to 40 days for this intake census.

From May 14 to June 22, 2018, Indiana legal aid providers tracked and collected data about individuals who approached their offices with a civil legal problem. These providers recorded every encounter with a member of the public who requested civil legal aid, whether in person, by phone, or via an online submission. Participating organizations tracked the number of individuals who contacted their offices for assistance and grouped requests for civil legal aid help into three main categories found in the LSC Intake Census instrument: (1) unable to serve for reasons of ineligibility, conflict of interest, outside program priorities or guidelines, insufficient resources, or other reasons; (2) unable to serve fully due to insufficient resources, resulting in the provision of legal information, limited services, or pro se resources; and (3) fully served, including the provision of extended case services.

Prior to implementation of the intake census, we provided materials and offered detailed information and training to participating legal aid providers. The materials and training addressed the following:

- Purpose of the intake census within overall study
- Problem case categories
- Detailed explanation and examples of levels of service categories
- Waiting time for clients to receive services
- Direct referrals received and sent

A total of 16 Indiana legal aid providers participated in the intake-census tracking and data-collection effort. We offered three options for collecting intake data and submission:

1. Legal aid providers that collected data via their own electronic intake and case management systems could provide an electronic data extract for the six-week period with fields that aligned with the intake-census fields. Two providers submitted intake-census data in this manner.
2. We designed a user-friendly, online data-collection tool employing a Qualtrics platform for providers to enter intake data. Four organizations used the online tool to submit their organizations' data.
3. We offered a paper form for providers to track intake information (see below). The majority of participating organizations (10) utilized this method of data collection and submission. We designed a data-entry system for transferring data collected on paper to an electronic format.

IU researchers cleaned and merged the three types of discrete electronic data sets for the analyses and findings presented in this report.

Indiana University 2018 Intake Census tracking and data collection form

NAME OF ORGANIZATION:

PAGE START DATE:

PAGE END DATE:

PAGE __ OF __:

COUNT	CASE CATEGORY	UNABLE TO SERVE	UNABLE TO SERVE FULLY INSUFFICIENT RESOURCES	FULLY SERVED	WAITING TIME TO BEGIN SERVICE (IN WEEKS)	DIRECT REFERRAL RECEIVED?	DIRECT REFERRAL SENT?
		Please indicate only one column for expected level of service.					
	S chool and education M edical services and health care D isability issues E mployment issues R ental housing issues H ome ownership issues C onsumer / finance issues I ncome maintenance issues F amily issues V eterans issues W ills and estates, directives, power of attorney O ther issues: Expungements, immigration, etc.	I neligible C onflict of Interest G uidelines - Outside R esources Insufficient O ther Reasons	P ro se resources or legal info L imited service and/or advice	P ro se resources or legal info L imited service and/or advice E xtended services	Number of weeks	Case was direct referral received Y / N	Case was/will be directly referred to: L egal aid provider P ro bono attorney

Appendix C: Indiana University Survey of Legal Aid Providers

We designed and administered the Survey of Legal Aid Providers online between July 7 and September 30, 2018. The primary goal of the survey was to gather the perspectives of organizations and individuals throughout the state that are involved in providing legal services to members of the low-income community. The 46-question survey (included below) addressed a wide range of topics, including perceptions of the legal needs of low-income Hoosiers, types of legal services provided, demand for services, adequacy of resources, and coordination of services.

The survey population consisted of representatives of organizations serving low-income Hoosiers in need of legal assistance. The sample of 33 legal aid providers—including 11 pro bono districts, eight legal aid organizations, and 14 law school clinics—was compiled based on Indiana Coalition for Court Access-identified partners and organizations. We worked with the CCA to identify individuals best suited to respond to surveys as well as to confirm email contact information.

We prepared an email invitation to request participation in the survey. The email provided an overview of the study, explained the purpose of the survey, and encouraged participation. In an effort to further boost the survey response rate, respondents also received separate email communications from the CCA encouraging participation. The survey-request email provided each respondent with a link to the online instrument. Follow-up emails were transmitted weekly to remind respondents to start or complete the survey.

Respondents were assured that all individual responses would remain strictly confidential and that only aggregate data, not individual results, would be analyzed and reported. The overall response rate for the survey was 60.6 percent. Among pro bono districts invited to participate, 100 percent responded to the survey. Six of eight legal aid organizations participated in the survey. Given the low response rate from law school clinics (3 out of 14 contacted), these responses were not included in the overall analysis of survey data collected. Once all follow-up activities had been completed, we downloaded the online database, cleaned, and prepared the survey data for analysis.

Indiana University Survey of Legal Aid Providers

Q1 What is the name of your organization?

Q2 What is your address?

Street address: _____

City: _____

Zip code: _____

Q3 In what county is your office located?

▼ Adams ... Whitley

Q4 Please identify the counties that your office serves. Please select ALL that apply. If your office serves all counties, please indicate "Statewide". (*To select multiple counties on a PC, please hold the Ctrl key and click on the desired counties. To select multiple counties on a Mac, please hold the Command key and click on the desired counties. If your office serves all counties, please indicate statewide.*)

▼ Adams ... Whitley

Q5 In what year was your organization/office founded?

Q6 Which of the following BEST describes your organization/office?

- Legal aid organization
- Law school clinic within college or university
- Nonprofit with legal component
- Government agency
- Pro bono district/legal aid district
- Other (please describe:) _____

Q7 What is your position in the organization?

Q8 For each category of paid employee, please indicate the number of full time equivalent (FTE) staff employed by your office:

- Attorneys: _____
- Non-attorney professionals (e.g., investigators, legal assistants, social workers, and paid students): _____
- Management professionals: _____
- Other support staff: _____

Q9 Do volunteer attorneys handle cases/matters on a pro bono basis for your office?

- Yes
- No

Q10 Please indicate the approximate number of volunteer attorneys who handle cases on a pro bono/matters basis for your office.

Q11 Does your office use non-attorney volunteers?

- Yes
- No

Q12 What types of non-attorney volunteers does your office use? (Please select ALL that apply.)

- Law school students
- Paralegals
- Community members
- Other (please describe:) _____

Q13 In 2017, approximately how many cases did your office close? _____

Q14 Which vulnerable and/or low-income groups does your office serve? (Please select ALL that apply.)

- Homeless persons
- Residents of rural communities
- Seniors
- Veterans
- Minority language speakers
- Migrant workers
- Persons with mental illness
- Abused partners/spouses/domestic violence
- Persons facing substance abuse issues
- Individuals with physical disabilities
- Persons with cognitive impairment/low IQ/low functioning/illiterate
- People with lack of family support
- Members of the LGBT community
- Justice-involved persons (meaning those in the criminal justice system)

Q15 For which of the following categories of legal need does your office provide legal service? (Please select ALL that apply.)

- School and education
- Medical services and health care
- Disability issues
- Employment issues
- Rental housing issues
- Home ownership issues
- Consumer / finance issues
- Income maintenance issues
- Family issues
- Veterans issues
- Wills and estates, directives, power of attorney
- Other issues: Expungements, immigration, etc.

Q16 Which types of legal services does your office provide? (Please select ALL that apply.)

- Direct services-full representation in litigation (representation through resolution of matter, including appeals, regardless of time spent)
- Transactional work or advice (e.g., drafting contracts, wills, tax matters, or for purposes of community and economic development)
- Limited advice/unbundled services (up to 8 hours)
- Referrals to volunteer (pro bono) attorneys
- Self-help materials (including materials distributed at community outreach sessions)
- Legal advice clinics or advice lines
- Other (please describe:) _____

Q17 Please select the types of eligibility criteria your office uses to deliver services (Please select ALL that apply.)

- Income
- Service area
- Age
- Type of legal issue/need
- No eligibility criteria
- Other (please describe:) _____

Q18 If your office has a written policy that explains these eligibility criteria, would your organization be willing to provide that policy to the researchers?

Yes

No

Q19 Please provide contact information for an individual within your office whom we can contact for your organizations eligibility criteria:

Name: _____

Position/title: _____

Email: _____

Phone number: _____

Q20 Does your office collect demographic information (e.g., age, gender, race, ethnicity, household income, veteran's status, etc.) of clients served?

Yes

No

Q21 Would your office be able to provide a demographic breakdown of clients served for 2017?

Yes

No

Q22 Please provide contact information for an individual within your office whom we can contact for this demographic information. (If this is the same as contact information requested above for your organization's eligibility criteria, please write "same" in the name field below.)

Name: _____

Position/title: _____

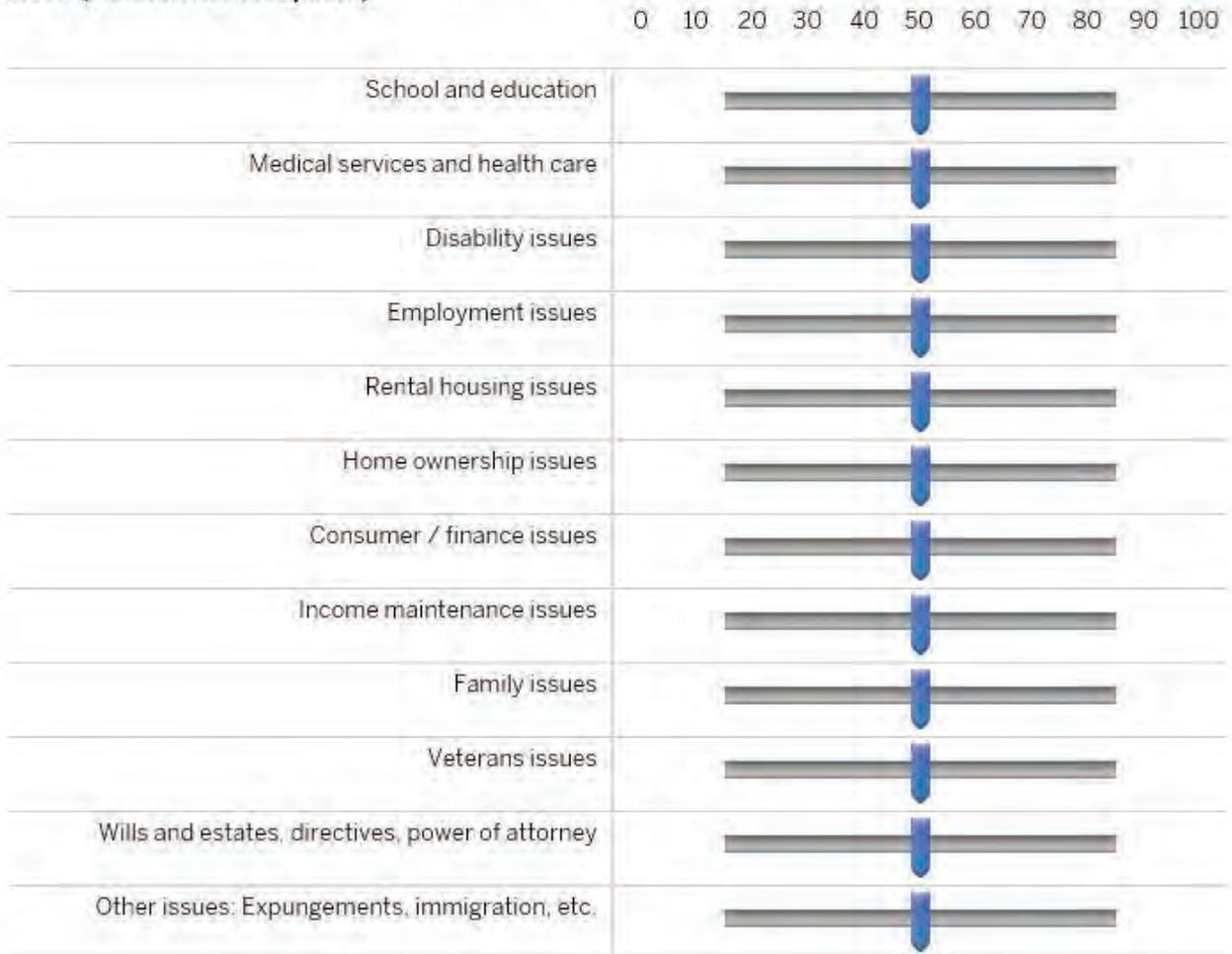
Email: _____

Phone number: _____

Q23 In 2017, approximately what percentage of your office's cases served the following counties: (Estimates are acceptable)

▼ Adams ... Whitley

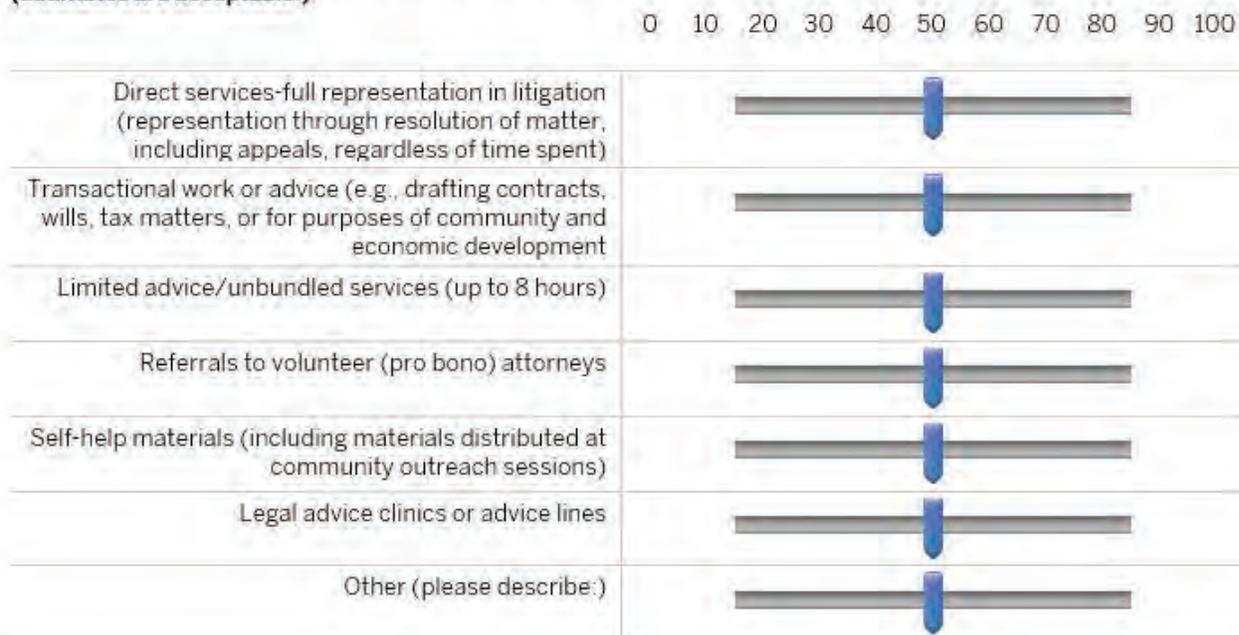
Q24 In 2017, approximately what percentage of your office's cases addressed the following categories of legal need? (Estimates are acceptable)



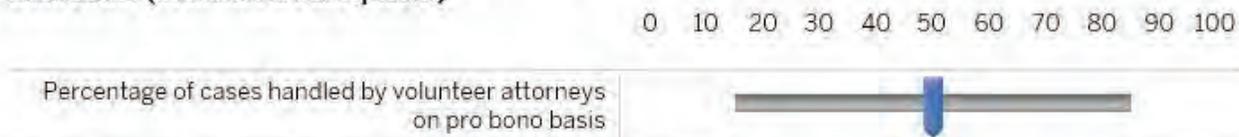
Q25 Please identify the top 3 categories of need your office addressed in 2017:

- School and education
- Medical services and health care
- Disability issues
- Employment issues
- Rental housing issues
- Home ownership issues
- Consumer / finance issues
- Income maintenance issues
- Family issues
- Veterans issues
- Wills and estates, directives, power of attorney
- Other issues: Expungements, immigration, etc.

Q26 In 2017, approximately what percentage of your office's cases were resolved with the following services? (Estimates are acceptable.)



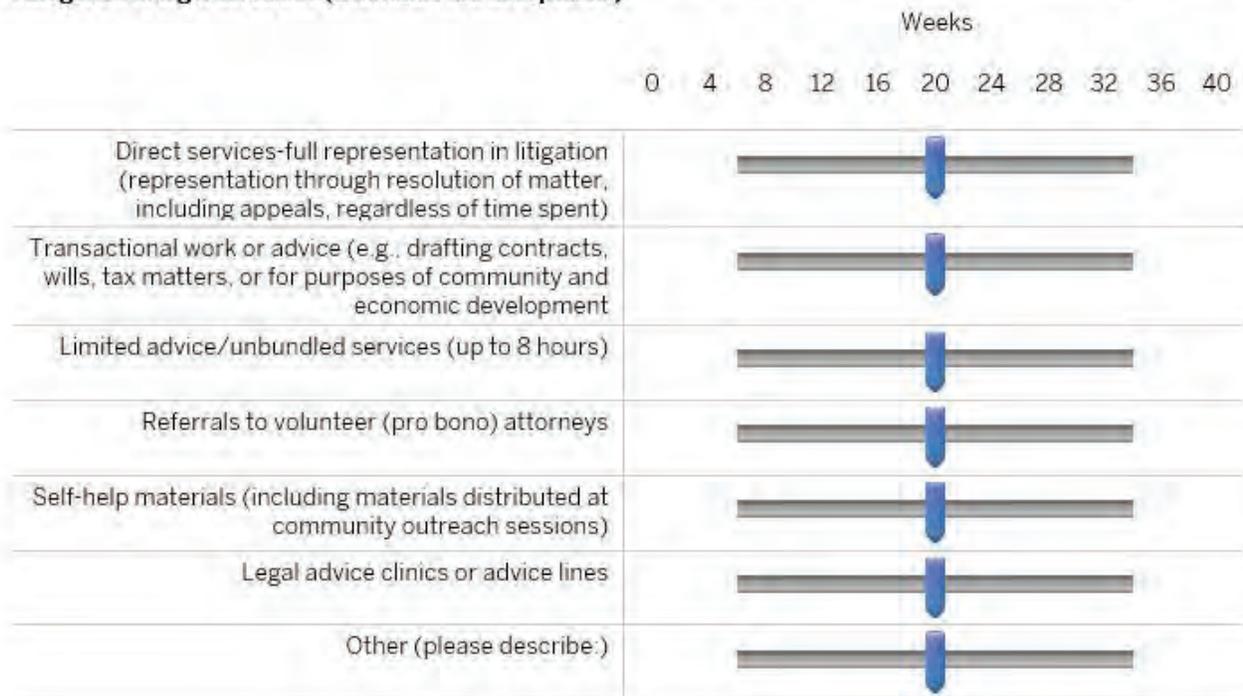
Q27 In 2017, approximately what percentage of your office's cases were handled by volunteer attorneys on a pro bono basis? (Estimates are acceptable.)



Q28 Right now, approximately how long (in weeks) is your waiting listing for clients to begin receiving direct legal services (i.e., full representation) in the following categories of legal need? (Estimates are acceptable.)



Q29 Right now, approximately how long (in weeks) is your waiting listing for clients to begin receiving the following categories of legal services? (Estimates are acceptable.)



Q30 How insufficiently or sufficiently addressed are each of the following categories of legal need by Indiana's system of legal aid?

	Very insufficient	Insufficient	Slightly insufficient	Slightly sufficient	Sufficient	Very sufficient
School and education	<input type="radio"/>					
Medical services and health care	<input type="radio"/>					
Disability issues	<input type="radio"/>					
Employment issues	<input type="radio"/>					
Rental housing issues	<input type="radio"/>					
Home ownership issues	<input type="radio"/>					
Consumer / finance issues	<input type="radio"/>					
Income maintenance issues	<input type="radio"/>					
Family issues	<input type="radio"/>					
Veterans issues	<input type="radio"/>					
Wills and estates, directives, power of attorney	<input type="radio"/>					
Other issues: Expungements, immigration, etc.	<input type="radio"/>					

Q31 How severely under addressed are each of the following legal needs by Indiana's system of legal aid?

	Severely under addressed	Very under addressed	Moderately under addressed	Slightly under addressed	Not at all under addressed
School and education	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Medical services and health care	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Disability issues	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Employment issues	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Rental housing issues	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Home ownership issues	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Consumer / finance issues	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Income maintenance issues	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Family issues	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Veterans issues	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Wills and estates, directives, power of attorney	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Other issues: Expungements, immigration, etc.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Q32 How important is it to expand civil legal aid services in the following categories:

	Not at all important	Slightly important	Moderately important	Very important	Extremely important
School and education	<input type="radio"/>				
Medical services and health care	<input type="radio"/>				
Disability issues	<input type="radio"/>				
Employment issues	<input type="radio"/>				
Rental housing issues	<input type="radio"/>				
Home ownership issues	<input type="radio"/>				
Consumer / finance issues	<input type="radio"/>				
Income maintenance issues	<input type="radio"/>				
Family issues	<input type="radio"/>				
Veterans issues	<input type="radio"/>				
Wills and estates, directives, power of attorney	<input type="radio"/>				
Other issues: Expungements, immigration, etc.	<input type="radio"/>				

Q33 How important is it to obtain additional resources for civil legal aid needs in the following categories:

	Not at all important	Slightly important	Moderately important	Very important	Extremely important
School and education	<input type="radio"/>				
Medical services and health care	<input type="radio"/>				
Disability issues	<input type="radio"/>				
Employment issues	<input type="radio"/>				
Rental housing issues	<input type="radio"/>				
Home ownership issues	<input type="radio"/>				
Consumer / finance issues	<input type="radio"/>				
Income maintenance issues	<input type="radio"/>				
Family issues	<input type="radio"/>				
Veterans issues	<input type="radio"/>				
Wills and estates, directives, power of attorney	<input type="radio"/>				
Other issues: Expungements, immigration, etc.	<input type="radio"/>				

Q34 How often do the following circumstances pose barriers on low-income people seeking legal aid?

	Never	Rarely	Sometimes	Often	Always
Legal aid services not available in area	<input type="radio"/>				
Legal aid organizations unable to take cases that are ineligible	<input type="radio"/>				
Legal aid organization unable to take case because of lack of resources	<input type="radio"/>				
Legal aid organization not open after work hours	<input type="radio"/>				
Non-legal providers do not know where to refer clients or what services are available	<input type="radio"/>				
Lack of knowledge that a problem could be addressed with legal aid	<input type="radio"/>				
Lack of awareness of available legal aid services in area	<input type="radio"/>				
Lack of transportation to access legal aid services	<input type="radio"/>				
Lack of childcare during agency service hours	<input type="radio"/>				
Lack of adequate technology (e.g. working internet or telephone access)	<input type="radio"/>				
Fear or shame of pursuing legal action	<input type="radio"/>				
Fear of discrimination, bias, or mistreatment by legal officials	<input type="radio"/>				
Concerns about potential cost	<input type="radio"/>				
Concerns about expending time	<input type="radio"/>				
Cultural / language barriers	<input type="radio"/>				

Q35 Over the PAST 5 YEARS, within the following categories of need, demand for your organization's legal aid services has:

	Greatly decreased	Slightly decreased	Remained unchanged	Slightly increased	Greatly increased
School and education	<input type="radio"/>				
Medical services and health care	<input type="radio"/>				
Disability issues	<input type="radio"/>				
Employment issues	<input type="radio"/>				
Rental housing issues	<input type="radio"/>				
Home ownership issues	<input type="radio"/>				
Consumer / finance issues	<input type="radio"/>				
Income maintenance issues	<input type="radio"/>				
Family issues	<input type="radio"/>				
Veterans issues	<input type="radio"/>				
Wills and estates, directives, power of attorney	<input type="radio"/>				
Other issues: Expungements, immigration, etc.	<input type="radio"/>				

Q36 In the NEXT 2 YEARS, demand for your organization's legal aid services will likely:

- Greatly decrease
- Slightly decrease
- Remain unchanged
- Slightly increase
- Greatly increase

Q37 In the NEXT 2 YEARS, if the current level of financial support from public and private resources remain unchanged, do you anticipate that your organization will be able to fully meet demand for the low-income people that you serve?

- Yes
- No
- Don't know

Q38 Please briefly explain your response:

Q39 In the PAST 12 MONTHS, has your organization received client referrals from other organizations?

- Yes
- No

Q40 How frequently does your organization receive referral or requests for assistance from the following types of organizations:

	Never	Rarely	Sometimes	Often	Always
Other civil legal aid organizations	<input type="radio"/>				
Law firms	<input type="radio"/>				
Court(s)	<input type="radio"/>				
Victim advocates	<input type="radio"/>				
Community-based organizations	<input type="radio"/>				
Faith-based/religious organizations	<input type="radio"/>				
Government agency/departments	<input type="radio"/>				
Medical providers	<input type="radio"/>				
Other (please specify:)	<input type="radio"/>				

Q41 In the PAST 12 MONTHS, has your organization referred clients to other organizations or other providers?

- Yes
- No

Q42 How frequently does your organization refer clients to the following types of organizations and providers:

	Never	Rarely	Sometimes	Often	Always
Other civil legal aid organizations	<input type="radio"/>				
Law firms	<input type="radio"/>				
Court(s)	<input type="radio"/>				
Victim advocates	<input type="radio"/>				
Community-based organizations	<input type="radio"/>				
Faith-based/religious organizations	<input type="radio"/>				
Government agency/departments	<input type="radio"/>				
Medical providers	<input type="radio"/>				
Other (please specify:)	<input type="radio"/>				

Q43 For the purpose of providing services to low-income Hoosiers' civil legal needs, is your organization currently involved with organizations/agencies in partnerships (e.g., medical legal partnerships) and/or networks?

Yes

No

Q44 Please briefly describe these partnerships (including type and name of organizations):



Q45 Please briefly describe any benefits to your organization and clients you serve that result from participating in these collaborations/networks:

Q46 If there are important issues regarding the civil legal needs of individuals that you serve and the legal aid system in Indiana that this survey has not addressed, please provide additional comments below:

Appendix D: Indiana University Survey of Judicial Officers and Clerks of Court

We designed the Survey of Judicial Officers and Clerks of Court and worked closely with the Indiana Supreme Court, Office of Court Services to administer the survey online between September 20 and November 2, 2018. The primary goal of the survey (included below) was to gather both the perspectives of court officials throughout the state involved in serving low-income Hoosiers' civil legal needs, including their perspectives on unrepresented parties. This approach enabled us to gather more knowledge about the unmet legal needs of potentially vulnerable populations. The 13-question survey addressed a range of topics, including perceptions of unmet civil legal needs of low-income Hoosiers, unrepresented party trends, how frequently unrepresented parties experience procedural difficulties, and the adequacy of resources to meet civil legal needs of the low-income population in Indiana.

The Office of Court Services assembled the sample of potential survey participants. The survey population consisted of 670 judges and 94 clerks

throughout the state. Indiana University researchers prepared an invitation requesting participation in the survey. This recruitment message provided an overview of the study, explained its purpose, encouraged participation, provided assurances of confidentiality, and included a link to the online survey instrument. The Office of Court Services incorporated these elements into an email message that was distributed among the survey sample on September 20, 2018.

In an effort to boost the survey response rate, respondents received additional email communications from the Office of Court Services encouraging participation. The follow-up email requests were transmitted on October 10, 17, and 31 to remind respondents to start or complete the survey.

Respondents were assured that only aggregate data, not individual results, would be analyzed and reported. The overall response rate for the survey was 30.4 percent among judges. Among clerks of the court invited to participate, 36.1 percent responded to the survey. Once all follow-up activities were completed and the survey was closed (November 2, 2018), we downloaded the online database, cleaned, and prepared the survey data for analysis.

Indiana University Survey of Judicial Officers and Clerks of Court

Q1 In what county is your court located?

▼ Adams ... Whitley

Q2 In what city/town is your court located?

Q3 What type of judge are you?

- Circuit Court Judge
- Superior Court Judge
- City/Town Court Judge
- Magistrate
- Tax Court Judge
- Commissioner/Referee
- Other (please specify) _____

Q3 What type of clerk are you? (Survey of Clerks of Court)

- Head Clerk of Court
- County Court Clerk
- City Court Clerk
- Tax Court Clerk
- Other (please describe): _____

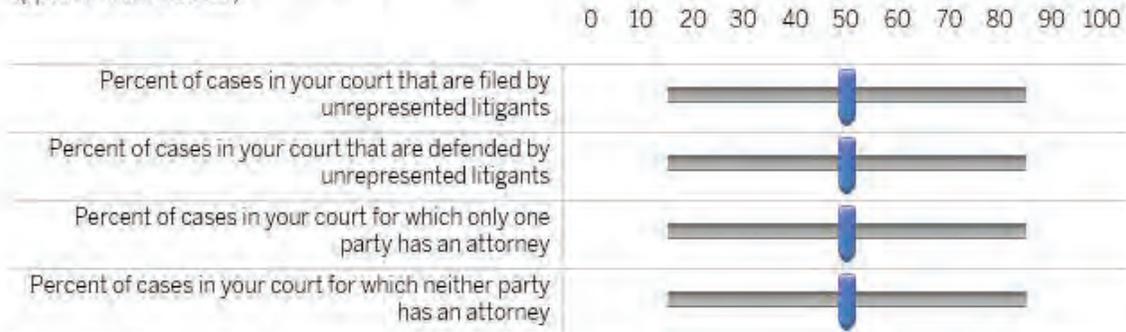
Q4 How many years have you served as a judge (in any capacity)?

- 0 - 2
- 3 - 5
- 6 - 10
- 11 - 15
- 16 - 20
- 21+

Q4 How many years have you served as a clerk (in any capacity)? (Survey of Clerks of Court)

- 0 - 2
- 3 - 5
- 6 - 10
- 11 - 15
- 16 - 20
- 21+

Q5 Please provide your best approximation of the percentage of unrepresented litigants appearing in your court in the last year within the categories below. (Do not include small claims litigants or unrepresented litigants that appear in traffic cases.)



Q6 How frequently do unrepresented parties appear before you in the following categories of cases: (Please select NA, or not applicable, if you do not preside over this category of case.)

	Never	Rarely	Sometimes	Often	NA
School and education	<input type="radio"/>				
Medical services and health care	<input type="radio"/>				
Disability issues	<input type="radio"/>				
Employment issues	<input type="radio"/>				
Rental housing issues	<input type="radio"/>				
Home ownership issues	<input type="radio"/>				
Consumer / finance issues	<input type="radio"/>				
Income maintenance issues	<input type="radio"/>				
Family issues	<input type="radio"/>				
Veterans issues	<input type="radio"/>				
Wills and estates, directives, power of attorney	<input type="radio"/>				
Expungements	<input type="radio"/>				
Other issues (please describe:)	<input type="radio"/>				

Q7 How frequently are unrepresented parties successful in resolving their issue(s) when appearing before you in the following categories of cases: (Please select NA, or not applicable, if you do not preside over this category of case.)

	Never	Rarely	Sometimes	Often	NA
School and education	<input type="radio"/>				
Medical services and health care	<input type="radio"/>				
Disability issues	<input type="radio"/>				
Employment issues	<input type="radio"/>				
Rental housing issues	<input type="radio"/>				
Home ownership issues	<input type="radio"/>				
Consumer / finance issues	<input type="radio"/>				
Income maintenance issues	<input type="radio"/>				
Family issues	<input type="radio"/>				
Veterans issues	<input type="radio"/>				
Wills and estates, directives, power of attorney	<input type="radio"/>				
Expungements	<input type="radio"/>				
Other issues (please describe:)	<input type="radio"/>				

Q8 Rate your agreement with the following statements about pro se litigation:

	Strongly disagree	Disagree	Agree	Strongly agree
Causes case progression delays.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Improves the process because it reduces the number of lawyers in the courtroom.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Leads to more case dismissals.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Places pressure on judges to assist unrepresented litigants.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Results in more contested hearings because there are fewer settlements.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Q9 How often do unrepresented litigants appearing before you:

	Never	Rarely	Sometimes	Usually
Satisfy filing and service requirements?	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Have documents prepared correctly?	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Need additional evidence?	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Follow court rules?	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Maintain court decorum?	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
"Tell their story" effectively?	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Need your assistance?	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Look to you for legal advice?	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Take more time than represented litigants?	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Have realistic expectations about the likely outcome?	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Understand court ruling(s)?	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

NOTE: The following four questions (Q10 – Q13) were included in the Survey of Clerks of the Court:

Q10 How often do you refer unrepresented litigants seeking legal advice and/or representation to the following resources:

	Never	Rarely	Sometimes	Usually
Internet	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Written materials available at courthouse	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Legal aid providers (e.g. Indiana Legal Services)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Pro bono providers (e.g. Pro bono district)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Supreme Court website	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Local attorneys	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Law library	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Local bar association	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Other (please specify)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Q11 Has your courthouse developed any of the following resources to assist unrepresented litigants? (Please select all that apply.)

Designated pro se assistance staff

Handbooks

Other written materials

Clinics

Ask-a-lawyer programs

Other tutorials

Online resources

Self-help Desk

Other (please specify)

Q12 Have you received written guidance and/or training on the difference between providing legal information and legal advice?

Yes

No

Unsure

Q13 How confident are you that you are able to distinguish requests for legal information from requests for legal advice?

Not at all confident

Slightly confident

Moderately confident

Very confident

Extremely confident

Note: The following final 4 questions were included in both surveys:

Q10 How severely under addressed are each of the following legal needs by Indiana's system of legal aid?

	Severely under addressed	Very under addressed	Moderately under addressed	Slightly under addressed	Not at all under addressed
School and education	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Medical services and health care	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Disability issues	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Employment issues	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Rental housing issues	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Home ownership issues	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Consumer / finance issues	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Income maintenance issues	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Family issues	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Veterans issues	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Wills and estates, directives, power of attorney	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Expungements	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Other issues (please describe:)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Q11 What is your gender?

Male

Female

Q12 What is your race/ethnicity? (Choose one or more from the following groups.)

Hispanic/Latino

American Indian or Alaska Native

Asian

Black or African American

Native Hawaiian or Other Pacific Islander

White

Other (please specify) _____

Q13 If there are important issues regarding the civil legal needs of Hoosiers and the legal aid and pro bono system in Indiana that this survey has not addressed, please provide additional comments below:

Appendix E: County-level scans of legal needs on behalf of vulnerable groups

This phase of the legal needs study was overseen by Professor Victor Quintanilla and Professor Shana Wallace and conducted by 58 first-year law students who were overseen by 14 second- and third-year law students at the Indiana University Maurer School of Law. This program was incorporated as an access-to-justice service learning module within Professor Wallace's first-year course on the legal profession. For this access-to-justice service-learning module, each of 11 teams—comprised of five to six students each—investigated the gaps experienced by particular demographic groups when accessing justice, including rural persons, immigrants, veterans, homeless persons, juveniles, persons with mental illnesses, and seniors. These teams of law students conducted in-depth county-level scans which investigated the needs and supply of services for these demographic groups.

At the beginning of the semester, the first-year law students wrote an extensive literature review detailing the current state of legal needs literature for their assigned demographic group. They then investigated the most pressing needs for that demographic group in the local community as well as nationally. They also explored how social service providers, legal aid providers, and legal officials seek to address these needs, and how members of this demographic group think about their most pressing challenges and legal problems, including unmet civil legal needs. Finally, the students obtained the wider perspective of a national expert who shared programs and interventions to address these legal problems and needs.

The goals of the students' work included:

- An assessment of the most pressing unmet legal needs of Indiana's low-income population
- An examination of the current legal services delivery system to determine rural and underserved communities' access to legal services
- A review of legal services programs to determine ways to improve resource allocation among and collaboration with programs
- A review of effective and innovative programs nationwide that addressed the most prevalent legal needs of low-income Hoosiers identified during the research process

In each assignment, students were tasked with a combination of research, writing, and interviewing. Additionally, students were expected to keep detailed notes and spreadsheets with their new findings and keep track of their time spent on the project in 15-minute increments with a narrative description of the work performed. These elements provided a practical and experiential component to a first-year law curriculum that will benefit the students immensely upon joining the legal profession.

Arc of assignments in the Access-to-Justice Service Learning Program

Assignment 1: In the first assignment, first-year law students reviewed legal needs studies to learn what a completed legal study looks like as well

as to learn about the unmet civil legal needs of their particular demographic group. Each team wrote a two- to three-page memo describing what they learned in their research. In short, Assignment 1 laid the foundation to help students begin to learn about access-to-justice gaps and barriers.

Assignment 2: In the second assignment, teams were matched with a social service provider who worked with their demographic group in their assigned county. Each team conducted an in-person interview with their assigned social service provider to learn about the demographic group's needs and services available. This assignment gave students insight into the particular needs of each unique locality. The interview provided a better sense of the actual needs of the demographic group in the assigned county and what services are available for the demographic group to address those needs. The students also wrote another two- to three-page reflective memo describing their experience with the social service

Thank you to the community partners who provided support for this assignment:

- Centerstone
- Lawrence County CASA
- Lawrence InterFaith Endeavor
- Shalom Community Center
- Hoosier Uplands Economic Development Corporation
- Area XV Agency on Aging – Hoosier Uplands
- Housing Authority of the City of Bedford
- The Indiana Department of Veterans' Affairs
- Elder Care Connections
- Bloomington Refugee Support Network

provider and reporting their new findings.

Assignment 3: For the third assignment, the teams conducted a listening tour to hear personal stories from members of their demographic group. This assignment provided the chance for the teams to directly learn about the kinds of problems members of their group experience in their day-to-day lives and whether this community perceives these problems as legal or not.

First, teams identified locations to conduct a listening tour using a predetermined list provided by the team coaches. They were also given the option to conduct additional listening tours at other locations if they desired.

Second, teams engaged in a reciprocity exercise. They developed three different perspectives that members of their demographic group may have had about their general needs and legal needs. For example, teams grappled with the following questions:

- What will members of your demographic group say are their most serious general problems and needs they experienced during the last three years?
 - Will they describe these problems as legal in nature?
 - How do members of your demographic group cope with or resolve these serious problems?

- o Where do they turn for support?
- What will members of your demographic group say are the legal problems they encountered during the last three years?
 - o How do you anticipate they dealt with these legal problems?
 - o How do members of your demographic group cope with or resolve these serious problems?
 - o Where do they turn for support?

Third, teams prepared for their listening tours. For this, the students conducted preliminary research on the locations they selected, familiarized themselves with the listening tour interview outline and questions, and determined roles of each group member during the listening tour.

Fourth, teams conducted the listening tours. Each member of the team initiated at least one conversation with a community member at the selected location. Teams were provided with a listening tour script. They were tasked with using their active listening skills and incorporating their perspective-taking exercises into their interviews.

Fifth, each student wrote a two- to three-page memo describing what they learned from their conversations. These individual reflective memos described the serious general and legal problems that members of their demographic group identified as most pressing.

Thank you to the community partners who provided support for this assignment:

- | | |
|--|---------------------------------|
| • Salvation Army Community Center | • Christian Horizons |
| • Shalom Center | • American Legion Post 33 |
| • Burton Woolery American Legion Post 18 | • Bloomington Police Department |

Sixth, teams updated their data spreadsheet and timesheet.

Assignment 4: In this assignment, teams connected with a legal aid provider to learn their perspective on issues, including:

- The most common problems facing the demographic group
- The greatest legal needs facing the demographic group
- The services they offer and how these services address these needs
- The primary legal needs that members of the demographic group present to the legal aid provider which that legal aid provider is unable to serve and the reasons why they are unable

First, teams were matched with a legal aid provider or lawyer who provides pro bono services to members of the demographic group in their assigned county. Legal aid providers were already provided background information about the purpose and scope of the Access to Justice Legal Needs Project. Teams were responsible for scheduling the interview time with the legal aid

provider.

Second, teams developed three different perspectives that the legal aid provider may have about the general and legal needs of the demographic group. Students explored the following questions:

- What will the legal aid provider believe are the demographic group's most serious problems and general needs?
- What will the legal aid provider believe are the demographic group's most pressing legal problems?
- What needs will the legal aid provider address, which needs will they be unable to meaningfully resolve, and why might this be?

Third, teams prepared for the interview by gathering background information and reading the structured interview outline. Teams were responsible for conducting preliminary research on the assigned legal aid provider, familiarizing themselves with the structured interview question outline, and determining the role of each team member in the assignment.

Fourth, teams interviewed the legal aid provider or lawyer providing pro bono services and prepared an interview memorandum. The team was given a structured interview question outline.

Fifth, each student wrote a short reflective memo and turned in a completed timesheet. Teams were responsible for submitting their

Thank you to the community partners who provided support for this assignment:

- | | |
|--|--|
| • D10 Pro Bono Project | • Justice Unlocked |
| • Indiana Legal Services - Bloomington | • Popp & Bullman |
| • Indiana University Veteran's Disability Law Clinic | • Lawrence County Public Defender's Office |

interview notes as well.

Assignment 5: In this assignment, teams turned to learning about the perspectives and efforts of legal officials in the civil justice system. Teams connected with a legal official to learn their perspective on issues, including:

- The most common problems facing the demographic group
- The greatest legal needs facing each demographic group
- The legal problems that members of the demographic group bring to or find in court that the court attempts to address, including a description of whether most of these cases go through the entire process and obtain the relief sought, or why they do not
- Recommendations of what could be done to ensure that more members of the group receive relief for the legal problems they bring to

court

First, teams were matched with a legal official. Teams were responsible for scheduling the in-person interview. The legal official was provided with background information regarding the purpose and scope of the project.

Second, teams repeated the perspective-taking exercise from Assignment 4.

Third, teams prepared for the interview by gathering background information and reading through the structured interview outline similar to Assignments 3 and 4.

Fourth, teams interviewed one legal official and prepared an interview memorandum. Teams conducted an in-person interview with the court official using the structured interview question outline. This interview gave students a better sense of the actual needs of the demographic group in their assigned county and what services are available for that group to address their needs.

Fifth, each student wrote a short reflective memo to file. The students memorialized their findings in a reflective memo to help them remember their discussions for the final memo required in Assignment 7. The memo contained the following:

- A description of the most common problems facing each demographic group from the legal official's perspective.
 - Do these differ from the general needs identified in Assignment 1?
 - How do these general needs compare to or differ from the needs identified in Assignment 2?
 - How do these general needs compare to or differ from the needs identified in the perspective-taking exercise?
- A description of the greatest legal needs facing each demographic group from the legal official's perspective.
 - Do these differ from the legal needs identified in Assignment 1?
 - How do these legal needs compare to or differ from the needs identified in Assignment 2?
 - How do these unmet civil legal needs compare to or differ from the needs identified in the perspective-taking exercise?
- A description of the legal problems that members of the demographic group bring to or find in court that the court attempts to address.
 - Did team members learn anything more generally about the actual services provided by the court to address the needs in Assignment 2?
 - Do most of these cases actually go through the entire process and obtain the relief sought?
 - If not, what happens to them and why?
- A description of the legal official's recommendations of what can be done to ensure that more members of the group receive relief for the legal problems they bring to court.

Thank you to the community partners who provided support for this assignment:

- Hon. Marc Kellams
- Hon. Stephen Galvin
- Hon. Mary Ellen Diekhoff
- Hon. Andrea K. McCord
- Hon. John Plummer III
- Barbara McKinney,
Bloomington Human
Rights Commission
- Bret Raper, Monroe County
Court Commissioner

Sixth, each group turned in a completed timesheet.

Assignment 6: In this assignment, teams turned to learning about the perspectives of a national expert and learned how the problems they identified in that region compared to national trends. The teams learned about programs and initiatives adopted across the country that have addressed the problems and needs that they identified.

First, teams were matched with a national expert. They were responsible for scheduling a time to conduct the interview via conference call. The national expert was provided information about the project prior to being matched with the student team.

Second, teams engaged in a perspective-taking exercise. The students developed three different perspectives that the national expert may have about the general and legal needs of the demographic group. The students grappled with the following questions:

- What will the national expert believe are the demographic group's most serious problems and general needs across the country?
- What will the national expert believe are the demographic group's most pressing legal needs across the country?

Third, teams prepared for the interview by gathering background information and reading through the structured interview outline. The students conducted preliminary research on their assigned national expert, familiarized themselves with the structured interview question outline, and determined each student's role for the interview.

Fourth, teams interviewed the national expert through a phone/video conference. Teams relied on a structured interview question outline.

Fifth, each student wrote a short reflective memo. The memo contained the following:

- A general description of how the needs identified in Assignments 1–5 compare to the legal problems and needs identified as national trends by the expert: are the problems and needs identified similar to or different from the national trends discussed by the national expert?
- A description of the programs/interventions identified by the national expert as addressing these problems and needs. Describe the who,

what, when, where, how, and why of each of these programs and interventions.

- How might members of the legal profession participate in tailoring the programs/interventions described in Assignment 2 to this region?

Assignment 7: In the final assignment, teams prepared a memorandum for the Indiana Coalition for Court Access, and they developed and gave an in-class presentation that communicated their findings.

The group memorandum was 20–25 pages and reported the results and information learned throughout the semester in Assignments 1–6 about the legal needs of their demographic group.

Step 1: The memo contained the following sections:

1. Introduction: We provided the students with the introduction that described the process used to arrive at their findings.
2. Identifying needs: Teams put together a holistic picture of the unmet general needs and civil legal problems encountered and experienced by the demographic group in their assigned county. They discussed the findings gathered from legal needs studies, social service

Thank you to the community partners who provided support for this assignment:

- Mental Health America of Indiana
- Indiana Legal Services Military Assistance Project
- Barbara Poppe and Associates
- U.S. Department of Justice, Elder Justice Initiative
- LeadingAge
- National Law Center on Homelessness & Poverty
- U.S. Department of Veterans Affairs
- Bonnie Gibson, Fragomen, Del Rey, Bernsen & Loewy, LLP (Maurer J.D. 1978)
- Professor Lisa Pruitt, University of California, Davis

providers, legal aid providers, legal officials, national experts, and their listening tour with members of the public, and they summarized the general needs and civil legal problems observed across Assignments 1–6.

3. Addressing needs and gaps in addressing needs: Teams described whether and how the most pressing general needs and civil legal problems of the demographic group are currently being addressed in their assigned county. They discussed findings gathered from social service providers, legal aid providers, and legal officials. Here, students analyzed questions such as: What are the services provided to this particular demographic group? Are there gaps in provision? Are there barriers in provisions or perhaps the need for greater coordination among stakeholders?
4. Strategies for more effectively meeting needs: Students described strategies and best practices discussed with national experts, and whether these can be tailored to and adopted in their local community.

Step 2: Teams prepared and gave an in-class presentation. The presentation was from eight to ten minutes and summarized the findings of their final memo.

The presentation was organized into four parts:

1. Identifying needs: Teams provided a holistic picture of the unmet general needs and civil legal problems encountered and experienced by the demographic group in their assigned county.
2. Addressing needs and gaps in addressing needs: Teams described whether and how the most pressing general needs and civil legal problems of the demographic group are currently addressed in their assigned county.
3. Strategies for more effectively meeting needs: Teams took into account what they learned from the national expert in Assignment 6.
4. Teams described their perspective-taking exercises in Assignments 1-6.





Coalition for Court Access

The Coalition for Court Access was created by Supreme Court order on May 17, 2016 to provide a focused and comprehensive organizational structure for Indiana's civil legal aid programs. The seventeen-member Coalition coordinates all Supreme Court related programs designed to provide civil legal aid to those with limited financial resources. The Coalition includes judges, law school representatives, civil legal aid and pro bono providers, and Indiana State Bar Association and Foundation members.



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This publication was prepared on behalf of the Indiana Coalition for Court Access (CCA) by the Indiana University Public Policy Institute and the Indiana University Center for Law, Society & Culture. Please direct any questions concerning this document to the CCA at 317-269-7863.