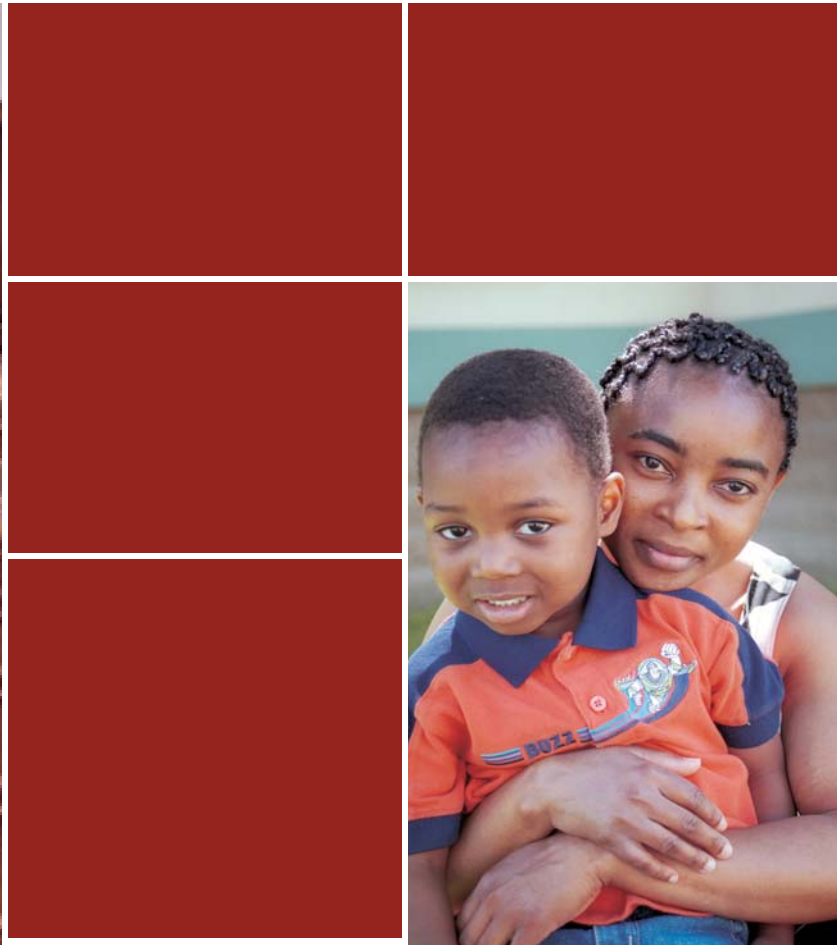


OCEAN-MONMOUTH LEGAL SERVICES



2009

LEGAL NEEDS ASSESSMENT



The Ocean-Monmouth Legal Services
Legal Needs Assessment

Final Report

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Executive Summary

In 2005-2009 Ocean-Monmouth Legal Services engaged *The Resource for Great Programs, Inc.* to assist OMLS in carrying out a process for engaging major stakeholders in appraising the legal needs of eligible low income people in the OMLS service area. The study effort, which was completed in 2009, had five elements:

- An analysis of population characteristics and trends based on the most recent available Census data.
- An estimate of the incidence of legal problems among low-income households in Ocean and Monmouth counties based on the statewide legal needs assessment performed by the *Poverty Research Institute of Legal Services of New Jersey*.
- Focus group meetings in both counties, conducted by OMLS staff using a format and recording instrument developed with the help of *The Resource*.
- Face-to-face interviews with a range of community stakeholders including judges and other court staff, human service providers, shelter workers and other “community partners” with whom OMLS works frequently.
- Self-administered questionnaires completed by members of the general low-income population who received survey packets from community agencies such as family shelters and Community Action agencies.

The study had five broad findings:

1. The legal needs of the poor far exceed the resources available to meet them. In 2008, the cases handled by OMLS lawyers and paralegals addressed only nine percent of the legal problems estimated to occur among the more than 192,000 low-income residents of Ocean and Monmouth counties.

2. Low-income people face big challenges getting legal help when they need it. First is an “awareness gap” -- only half of the eligible population knows free legal assistance is available for those who qualify. Second, there are not nearly enough resources available to serve even those who apply. Together these challenges produce the result that only one of out of every three low-income people who have a legal problem in Ocean and Monmouth counties are able to obtain any legal help at all.

3. OMLS’ focus on six “core” legal problem areas must be maintained. In the focus groups, the community partners of OMLS affirmed that these six critical issues continue to have devastating consequences for the families and individuals affected unless people have immediate access to the highly effective legal assistance provided by OMLS lawyers and paralegals in these areas.

4. Six proposed new projects that OMLS was considering would address important issues and produce significant benefits for the client community. A high percentage of focus group participants -- 67 to 83 percent -- said that the projects would address problems of a lot of people they knew. These projects were subsequently implemented, incorporating feedback from the study.

5. OMLS’ strengths create opportunities for addressing the “Justice Gap.” OMLS focus resources on a core set of legal services that help people in crisis address emergency legal problems such as domestic violence, eviction and utility shut-offs. It is proactive -- its case output almost tripled between 2004 and 2008. It is effective -- in 2008, OMLS advocates helped their clients obtain \$1.2 million in direct payments for which they were eligible and achieved overall economic benefits for the community totaling \$9.2 million. OMLS makes the court system work more efficiently by providing preventative legal education, negotiating disputes and advising people against bringing non-meritorious cases. With more resources, OMLS could expand these benefits to a higher proportion of those who need them.

These findings suggest three opportunities for OMLS and its partners in the immediate future.

First Identify and seek funding to expand OMLS initiatives that have been especially successful.

OMLS should engage in a quick review of its current projects with the goal of creating a list of fundable efforts that are aligned with high priority legal needs as well as the successful outcomes it is already achieving in its advocacy work. OMLS has an opportunity to promote its significant achievements as “methods that work” and seek additional funding for continuing and expanding these initiatives. Especially promising are areas of OMLS’ work that generate additional income for clients, stimulate local economies and address widely acknowledged facets of the current economic crisis such as mortgage foreclosures, evictions, job losses and domestic violence exacerbated by the economic stress families are under.

Second Review and re-align priorities and strategies to take total impacts on clients’ situations into account. A review of priorities and strategies is a worthwhile discussion for the OMLS board and staff to have every few years. It could be especially useful in light of the information produced by this legal needs assessment. The study recommended that OMLS review its priorities in the context of a broader strategic review and re-alignment focusing on the findings of this study.

Third Launch an effort to make the legal service system more transparent and accessible to people experiencing legal problems. The client survey found -- and the focus groups confirmed -- that low-income people have difficulty obtaining legal help in Ocean and Monmouth counties. This situation is partly a matter of OMLS having insufficient legal resources to meet the need. However, it is also due to a lack of coherence in the



legal service system that leaves people confused about where they can go to seek help and what they can expect.

This is a challenge that could be addressed through a joint effort by OMLS and its partners to rationalize the intake system and provide more effective outreach to low-income residents in the two counties. It is also an opportunity, in that funding might be available for such an effort from entities that are concerned about increasing access to the justice system.

The study concluded that the vast disparity between the numbers of legal problems experienced by the poor and OMLS’ capacity to address them through traditional, one-on-one legal representation call for more creative and collaborative approaches that can bring new resources to bear on critical legal needs. Finding these solutions as well as continuing to provide high priority legal assistance should be the focus of OMLS’ strategic planning and advocacy efforts in 2010 and beyond.

Introduction

In 2005-2009, Ocean-Monmouth Legal Services (OMLS) engaged *The Resource for Great Programs, Inc.*¹ to: (a) design a process for engaging major stakeholders in appraising the legal needs of eligible low income people in the OMLS service area; (b) assist OMLS in collecting and analyzing the results; and (c) assist in a review of OMLS' priorities for addressing the low-income community's most critical legal needs.

This report describes the legal needs assessment process and summarizes its results. The findings and overall conclusions of the study are presented in the Executive Summary preceding this introduction. An overview of the methods used is summarized below in this Introduction and described in more detail in Appendix A. Section 2 of this report summarizes the major characteristics of the low-income population and the legal problems they experience as residents of Ocean and Monmouth counties, based on a detailed analysis that was performed in Phase One of this study. Section 3 discusses in more detail the "Justice Gap:" the disparity between the legal needs of the low-income population and the resources that are available in Ocean and Monmouth counties to address them. Section 4 highlights the capacities of OMLS that offer financial, human and institutional resources for narrowing the Justice Gap in the near future. Section 5 highlights the opportunities that arise from our assessment of needs and resources. Section 6 provides a brief conclusion.

Methods Used in the Study

The study, which was completed in 2009, included the following elements. (See Appendix A for a more detailed description of each element.)

- An analysis of population characteristics and trends based on the most recent available Census data.
- An estimate of the incidence of legal problems among low-income households in Ocean and Monmouth counties based on the statewide legal needs assessment performed by the Poverty Research Institute of Legal Services of New Jersey.

THIS REPORT AT A GLANCE

	Page
1. Introduction	3
2. The Face of Poverty in Ocean and Monmouth Counties	4
3. The Legal Needs of the Poor: What the Studies Tell Us	10
4. The "Justice Gap:" Comparing the Need with Our Capacity to Address It	12
5. The Voice of the Low-Income Community: What the Client Survey Told Us	14
6. The Partner Agencies' Perspective: What the Focus Groups Told Us	19
7. OMLS' Strengths	25
8. Opportunities	27
9. Conclusion	28
Appendices	Separate Document

- Focus group meetings in both counties, conducted by OMLS staff using a format and recording instrument developed with the help of The Resource.
- Face-to-face interviews with a range of community stakeholders including judges and other court staff, human service providers, shelter workers and other "community partners" with whom OMLS works frequently.
- Self-administered questionnaires completed by members of the general low-income population ("non-clients"), who received survey packets from community agencies such as Community Action agencies who, at the request of OMLS, distributed a total of 1,000 packets in their waiting rooms and, in some cases, by mail to their clients.

¹ The Resource for Great Programs is a national corporation dedicated to providing strategic support to networks of community-based organizations working in arenas having great impact on our society. For more information, refer to The Resource's Website, www.GreatPrograms.org.

2. The Face of Poverty in Ocean and Monmouth Counties

In 2000, one in six residents of Ocean and Monmouth counties was surviving on a marginal income of 200 percent of the Federal poverty threshold or less.

As shown in Exhibit 1 below, the low-income population numbers more than 192,000 people out of a total of 1.12 million people that live in the two-county area served by OMLS.²

WHERE TO FIND IT IN THIS SECTION	
	Page
A. Where They Live	5
B. Ethnic Minorities	6
C. Other Population Segments	8

**Exhibit 1: People in Poverty in 2000
(200% Federal Poverty Guidelines)**

Region	Population 2000	Low-Income Population 2000	% Low-Income Population 2000
Monmouth County			
Freehold	48,875	7,112	15%
Monmouth Rural	177,528	17,573	10%
Bayshore North	127,800	17,492	14%
Red Bank	38,142	5,110	13%
Eatontown	22,752	3,680	16%
Shrewsbury River	36,232	2,705	7%
Long Branch	31,371	11,232	36%
Neptune/Asbury Park	80,005	22,273	28%
Spring Lake	55,578	6,253	11%
Monmouth Co. Subtotal	618,283	93,430	15%
Ocean County			
North Shore	36,346	6,311	17%
Toms River	193,675	32,749	17%
Lakewood	57,861	23,857	41%
Ocean Rural	81,373	13,716	17%
Bayville	31,689	5,124	16%
Pine Barrens	90,246	15,499	17%
South Shore	11,405	1,919	17%
Ocean Co. Subtotal	502,595	99,175	20%
OMLS Service Area Totals	1,120,878	192,605	17%

² The information in this section is a synopsis of a more detailed report on the demographics and legal needs of Ocean and Monmouth county residents performed in Phase One of this study. For more detailed data, analysis and maps please refer to Appendix B, the final report on Phase One.

A. Where they live.

The incidence of poverty is fairly equal between the two counties, with some deep pockets in particular regions of each county. Exhibit 1 provides data on the poverty population and rate for each region in the two counties, for each county, and for the OMLS service-area as a whole. Exhibits 2 and 3 are maps depicting the number of low-income people living in each county, displayed by region and further subdivided by zip code to identify just where poverty hits hardest.



Exhibit 2

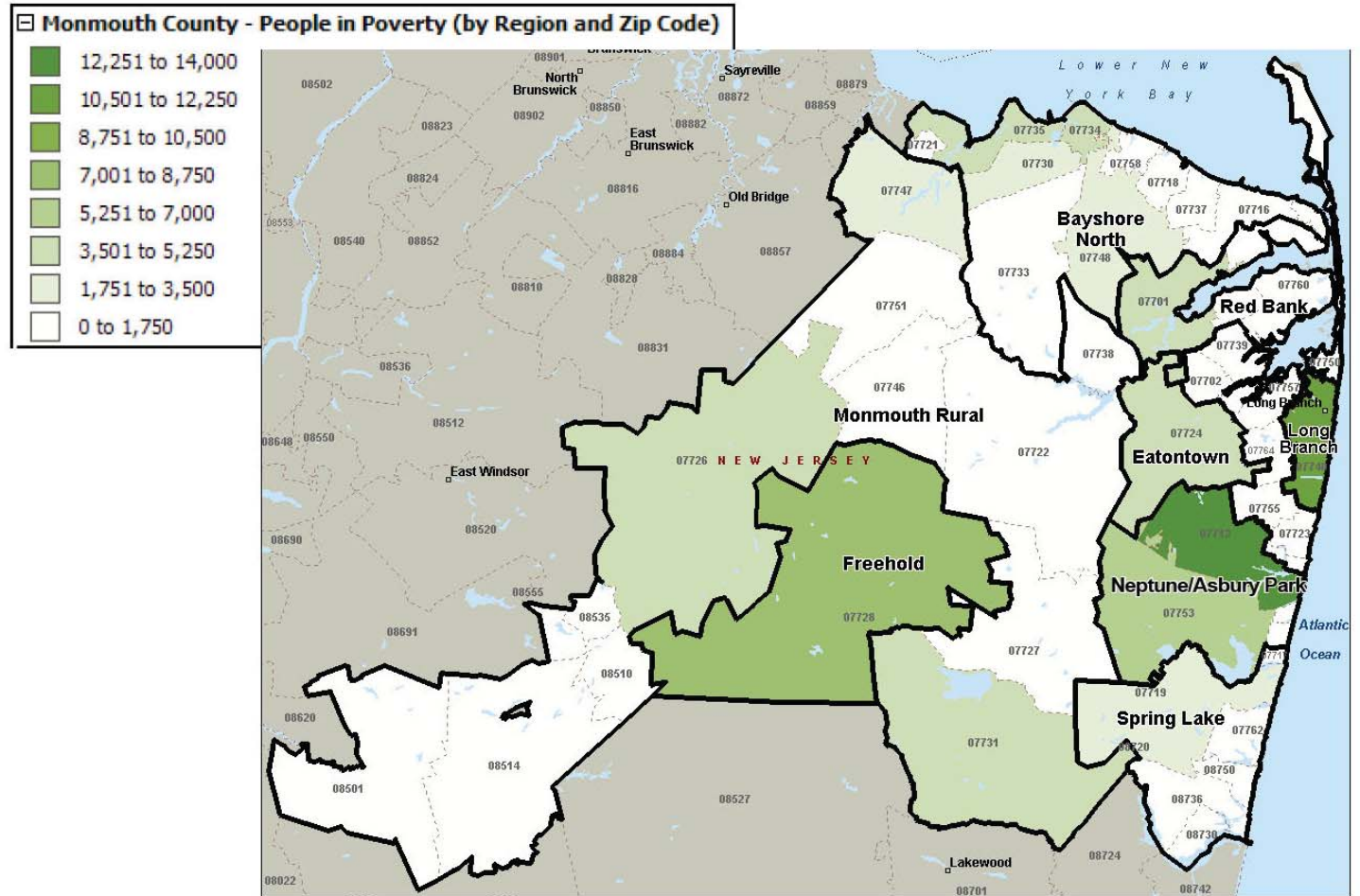
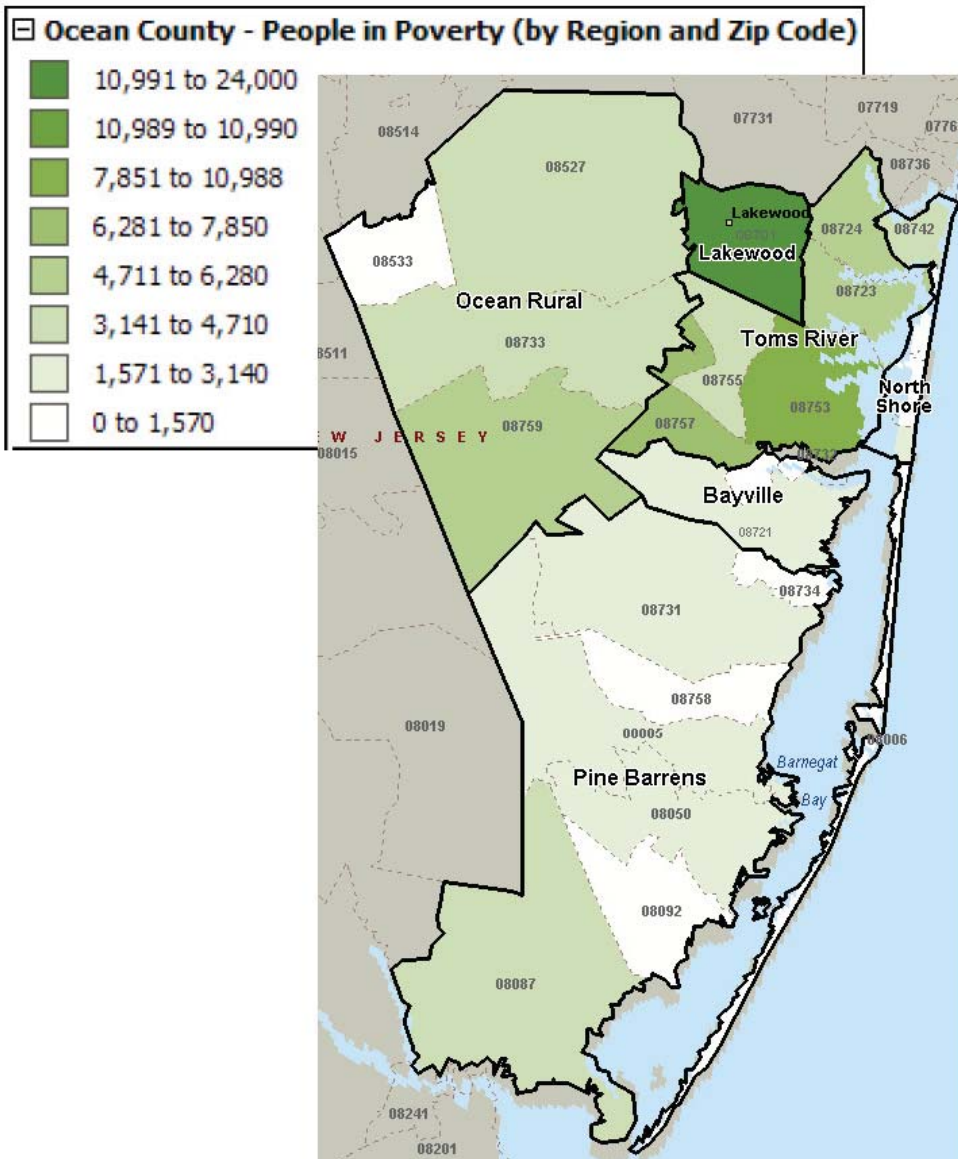


Exhibit 3



B. Ethnic minorities.

Although the plight of the low-income community is nowhere easy, for certain specific segments of the population the burdens are especially difficult. Ethnic minorities are disproportionately represented within the region’s low-income population (see Exhibit 4, on the next page).

People of Asian origin do better economically than population in Ocean and Monmouth Counties overall, but still struggle in Ocean County, albeit in relatively small numbers.

For Blacks and Hispanics, the poverty picture is bleak. Overall and area-wide, nearly four in ten Latino/Hispanic

individuals are low-income, nearly matching the rate for Blacks and far outpacing the incidence of poverty in the White population.

Poverty rates for Native Americans and Whites are much higher in Ocean County than in Monmouth County (see Exhibit 4).

The “other” category includes Native Hawaiians/Pacific Islanders, people self-identified as belonging to two or more ethnicities, and those listing their ethnicity as “other.” These individuals comprise one percent of the two-county population, or 2,722 people, and are about half as likely as Blacks or Latinos/Hispanics to live in poverty.

FACT SHEET INCIDENCE OF POVERTY AND LEGAL PROBLEMS IN THE OMLS SERVICE AREA

A. Poverty in Ocean and Monmouth Counties

- Number of low-income people in OMLS service area: 192,000
- Number of households: 73,800
- Major segments of the low-income population
 - 1. Children 61,271
 - 2. Seniors 33,123
 - 3. People with disabilities 49,892
 - 4. Men 79,411
 - 5. Women 113,194
- Minorities (non-Whites) 56,692

B. Legal Problems of the Poor

- Total number of legal problems in Ocean & Monmouth Counties each year 74,500
- Legal problems per 100 households per year 101
- Top 10 legal problems – number per year in service area --
 - 1. Family
 - Child support 6,438
 - Domestic violence 4,829
 - Custody 3,591
 - Divorce 3,467
 - 2. Public Benefits/Economic Security
 - Food stamps 5,077
 - Medicare/Medicaid 4,829
 - Social Security / SSI 3,962
 - 3. Housing
 - Utility shut-off 4,210
 - Eviction 5,324
 - 4. Consumer
 - Creditor harassment 4,829

C. Other population segments.

Children, seniors, people with disabilities and women are particularly vulnerable segments of the low-income population (see Exhibit 5 below).

Children. One in five children in the two counties under the age of 18 live in or near poverty, most of them in single-parent households. Across the two counties, more than 61,000 children are being raised in households that struggle to get by on gross incomes of \$3,000 per month or less for a family of four. For the typical single mother with three children, this creates enormous challenges in the day-to-day effort to keep food on the table, provide clothes and shelter for her children, help them stay in school, obtain decent healthcare, and provide safe, supportive childcare. When combined with endemic domestic violence, welfare-to-work requirements that do not always adequately accommodate childcare needs, the plight of low-income parents becomes especially dire.

People with disabilities. In both Ocean and Monmouth counties, people with disabilities have about the same poverty rate as the population as a whole. In addition to the tremendous day-to-day challenges many of these people face in dealing with the basic tasks that most of us take for granted, they also frequently struggle to meet unusually high (and sometimes catastrophic) health care costs, special transportation needs, educational barriers, and in some cases, discrimination in social settings and in the workforce. Meeting these challenges while living on an income that is barely adequate to provide shelter and food, much less (for adults with disabilities) help support a family, can be an enormous strain.

Exhibit 4: Ethnicity and Poverty in 2000

Ethnicity	Monmouth County		Ocean County		Totals	
	Low-Income Population	Poverty Rate	Low-Income Population	Poverty Rate	Low-Income Population	Poverty Rate
Asians	2,682	11%	1,286	19%	3,968	13%
Blacks	18,979	40%	6,114	42%	25,093	41%
Hispanics/Latinos	14,561	38%	9,695	39%	24,256	39%
Native Americans	177	24%	475	59%	652	42%
Whites	55,526	11%	80,387	18%	135,913	14%
Others	1,504	19%	1,217	31%	2,722	23%
Total	93,429	15%	99,174	20%	192,603	17%

Exhibit 5: Major Segments of the Poverty Population in 2000

Population Segment	Monmouth County		Ocean County		Totals	
	Low-Income Population	Poverty Rate	Low-Income Population	Poverty Rate	Low-Income Population	Poverty Rate
Children	29,500	18%	31,771	19%	61,271	22%
Seniors	13,103	17%	20,020	42%	33,123	18%
People with Disabilities	24,300	16%	25,592	39%	49,892	16%
Men	39,744	13%	39,667	59%	79,411	15%
Women	53,686	17%	59,508	18%	113,194	19%
All Segments	93,430	15%	99,175	20%	192,605	17%

WHAT THE POVERTY NUMBERS MEAN

The 2000 United States Census collected a wealth of information about the lives and livelihoods of those living within our nation's borders -- including statistics that help us create a portrait of poverty across Ocean and Monmouth counties.

The Census Bureau uses a set of money income thresholds that vary by family size and composition to define who is "poor" and who is not. For example, if the total income for a family or unrelated individual falls below the federal "100 percent of poverty" threshold, then the family or individual is classified as being "below the poverty level." The table below shows the federal income thresholds for a family of four:

Annual income of a family of four living at or near the federal poverty level (2009)

"Poverty" threshold	
100 percent of poverty	\$18,310
133 percent of poverty	\$24,352
200 percent of poverty	\$36,620

Low-income families frequently rely on minimum-wage jobs that offer few, if any, benefits and provide little or no long-term job security. Many low-income households are single-parent families, overwhelmingly headed by single mothers with children under 18, who must struggle to provide for their children's shelter, clothing, education, and food on their own, frequently without adequate access to affordable, reliable childcare.

For example, a single mother of three children, working at a minimum-wage job, would earn approximately \$14,000 a year, well below the federal poverty level of \$18,310. When the costs of rent, utilities, groceries, transportation, health care, and childcare in today's economy are taken into account, the desperate plight of low-income people in Ocean and Monmouth counties all too apparent.

Seniors. In spite of the safety net presumably provided by Social Security and a lifetime of hard work, one out of six seniors in the OMLS service area are living at or near the poverty line. More than 33,000 low-income seniors live in the region, almost two-thirds of those in Ocean County. Many of these live alone, and many face acute needs for health care and home-based assistance with basic living requirements, which they are often unable to pay for from meager incomes. Furthermore, seniors are especially vulnerable to fraudulent schemes and unscrupulous sales practices, which all too often leave them bereft of savings or a secure home.

Gender disparities in income. Females do not fare as well as males in poverty numbers or poverty rates, particularly in Ocean County. Still, it should be recognized that about one in seven males in the two counties lives in poverty and has a significant need for free legal and other human services.

Language Proficiency: More than 20,000 here only speak Spanish. U.S. Census data reports language proficiency for the total population (5 years and older) and not delineated by income status. That said, minority populations in Ocean and Monmouth counties (except for Asians) experience poverty at rates triple that of Whites. Therefore, it seems reasonable to extrapolate that these elevated poverty rates might also roughly hold true, if not soar even higher, for people possessing little or no English skills.

Thus, it is expected (and confirmed by OMLS) that the non-English speaking, low-income here pose special challenges to the civil justice system. Additionally, any Congressional restrictions on the kinds of legal assistance that federally-funded programs can provide to non-U.S. citizens make it particularly difficult to serve the needs of non-naturalized immigrant individuals and families.

3. The Legal Needs of the Poor: What the Studies Tell Us

The Resource developed a civil legal needs model and applied it to the Ocean-Monmouth poverty population data discussed earlier in this report to estimate the number and type of legal problems arising here each year.

We based our model on data from the 2002 report, “Legal Problems, Legal Needs,” produced by the Poverty Research Institute of the Legal Services of New Jersey (LSNJ), and data from the 1992-1996 reports from the “Comprehensive Legal Needs Study,” produced by the American Bar Association (ABA).

A. Methodology

The LSNJ Study provides a basis for estimating the number of legal problems, by type, likely to arise within a given low-income population (adults ages 18 and older). The LSNJ data is based on a statewide survey of 1,013 randomly selected adults living at or below 200 percent of the Federal Poverty Thresholds.

The ABA Study takes this further and allows us to estimate the number of legal problems, by subtype, likely to arise within a given low-income population (expressed

WHERE TO FIND IT IN THIS SECTION

	Page
A. Methodology	10
B. Analysis	11
C. Findings	11

as a number of households). The ABA data is based on 1,782 interviews nationwide with low-income households (those living at or below 125 percent of the Federal Poverty Thresholds) and 1,305 interviews nationwide with moderate-income households (those living above 125 percent of the Federal Poverty Thresholds but below \$60,000).

By inputting the poverty population data for Ocean and Monmouth counties into our model, we were able to derive a set of figures expressing the number and nature of civil legal problems that can be expected to arise annually here.



Exhibit 6: Legal Needs of the Poor Each Year
in Ocean and Monmouth Counties
(Extrapolated from the American Bar Association Legal Needs Study)

B. Findings

About 74,000 Legal Needs Occur Annually in Ocean and Monmouth Counties. Exhibit 6 shows the estimated incidence of specific types of legal need, with subtypes, on an annual basis in Ocean and Monmouth counties.

C. Analysis

Using the LSNJ Study’s and the ABA Study’s framework, our analysis finds that the 192,605 people (131,434 adults and 61,171 children) eligible, at 200 percent of the federal poverty thresholds, for legal assistance in Ocean and Monmouth counties experience an estimated 74,800 legal problems per year. These problems are distributed among the problem types shown below in Exhibit 6, with more than half of the matters expected to relate to consumer and housing issues.

In the next section of this report, we compare this estimate -- 74,800 legal problems per year -- with the capacity of legal assistance providers serving residents of Ocean and Monmouth counties to derive the “Justice Gap,” the disparity between the legal needs of the low income community and the resources available to meet them.

Type of Legal Need	Total Needs per 100 Households	Problems per Year in Ocean & Monmouth Counties
Financial/Consumer	17.0	12,545
Problems with creditors	6.0	4,428
Problems related to insurance	3.0	2,214
Problems obtaining credit	2.0	1,476
Tax problems	1.0	738
Bankruptcy-related problems	2.0	1,476
Problems related to contracts	2.0	1,476
Consumer fraud/defective products	0.7	517
Problems collecting on a debt	0.3	221
Housing/Real Property	17.0	12,545
Problems with landlord	3.0	2,214
Problems with utilities	3.0	2,214
Housing discrimination	2.0	1,476
Real estate ownership problems	1.0	738
Problems with tenants	0.8	590
Property rights issues	0.8	590
Real estate transaction	0.7	517
Mobile home/park problems	0.7	517
Problem with condo/coop boards	0.0	0
Community and Regional Problems	13.0	9,593
Inadequate policing	5.5	4,059
Inadequate municipal services	4.5	3,321
Environmental health hazards	1.5	1,107
Opposition to proposed facility	1.5	1,107
Family/Domestic	12.4	9,151
Household/marital dissolution	6.0	4,428
Problems with child support	4.0	2,952
Domestic violence	2.0	1,476
Pre-nuptial agreements	0.2	148
Elder exploitation/abuse	0.1	74
State intervention in family	0.1	74
Employment-related Problems	8.2	6,051
Discrimination in hiring	1.8	1,328
Problems with compensation	1.5	1,107
Discrimination on the job	1.5	1,107
Problems with working conditions	1.5	1,107
Workers' comp & unemployment	0.8	590
Job-related threats to privacy	0.3	221
Problems with pension plans	0.2	148
Problems with fringe benefits	0.2	148
Problems of self-employed	0.2	148
Farm worker problems	0.2	148
Personal/Economic Injury	6.9	5,092
Suffered injury	5.0	3,690
Victim of slander or libel	1.0	738
Charged with causing injury	0.9	664
Health/Health Care-Related	6.5	4,797
Problems with charges/payments	3.0	2,214
Barriers to health care	2.5	1,845
Violations of patient rights	0.5	369
Environmental health problems	0.5	369
Wills/Estates/Advance Directives	5.0	3,690
Wills/estate planning	2.0	1,476
Advance directives	1.0	738
Estate administration/inheritance	1.0	738
Vulnerable adult	1.0	738
Public Benefits Problems	4.0	2,952
Small Businesses/Farms	2.0	1,476
Need for advice	1.0	738
Other problems	1.0	738
Children's Schooling	3.0	2,214
Inappropriate discipline	1.0	738
Problems with enrollment	1.0	738
Poor quality education	1.0	738
Other Civil Rights/Liberties	1.4	1,033
Improper search or seizure	0.5	369
Free speech/regligion violation	0.4	295
Voting rights violations	0.3	221
Interference with other rights	0.2	148
Discrimination Related to the ADA	0.5	369
Legal Needs of Immigrants/Non English Speakers	0.9	664
Language-related problems	0.4	295
Immigration-related problems	0.3	221
Exploitation and other problems	0.2	148
Legal Needs of Native Americans	0.9	664
Military Personnel/Veterans Needs	0.9	664
Military service-related problems	0.5	369
Needs of veterans	0.4	295
Vocational Training-related Needs	0.9	664
OMLS Service Area Totals	101	74,800

4. The “Justice Gap:” Comparing the Need with Our Capacity to Address It

A. Overall Legal Need versus Capacity.

There is a huge gap between need and legal assistance capacity in Ocean and Monmouth counties. Exhibit 7 below presents a comparison of the model-derived estimates of legal need presented in Section 3 against the 2008 case statistics of OMLS. Overall, this comparison indicates that only about nine percent of the total demand for legal assistance in the region is being met through the legal representation of individuals provided by OMLS. Section “C” below provides further context regarding this figure.

Exhibit 7: Legal Problems Addressed by OMLS Direct Legal Representation in Ocean and Monmouth Counties

Legal Problems	
Legal problems per year in low-income households	74,800
Cases Completed in 2008 by OMLS	6,810
OMLS Case Output as Percentage of Total Demand	9%

B. Top Ten Legal Problems: Need versus Capacity.

Exhibit 8 provides a more detailed comparison between the incidence of the top ten legal problems shown in Exhibit 7 and the numbers of cases closed in those categories by OMLS in 2008.

As shown in Exhibit 8, OMLS meets the greatest proportion of demand in the “core service” areas where basic human needs of income, shelter and family security are at stake. These consist of housing, consumer and family (including divorce, custody and child support where domestic violence is involved). The area in which

Exhibit 8: Comparison Between Estimated Need and OMLS Case Output

Type of Legal Problem	Problems per Year in Ocean & Monmouth Counties	Cases Closed in 2008 by OMLS	Portion of Demand Met by OMLS Case Output
			<i>Percent</i>
Family	Child Support	6,438	9%
	Domestic Violence	4,829	12%
	Custody	3,591	10%
	Divorce	3,467	16%
Public Benefits/	Food Stamps	5,077	1%
Economic	Medicare/Medicaid	5,077	2%
Security	Social Security/SSI	3,962	4%
Housing	Utility Shut-off	4,210	1%
	Eviction	5,324	23%
Consumer	Creditor Harassment	4,829	14%

WHERE TO FIND IT IN THIS SECTION

	Page
A. Overall Legal Need Versus Capacity	12
B. Top Ten Legal Problems: Versus Capacity	12
C. Analysis	12

the program meets the highest proportion of legal need is eviction defense (23 percent), followed by divorce (16 percent).

C. Analysis.

The finding that OMLS is meeting at best 23 percent of the need for civil legal assistance -- and in several areas only 16 percent or less -- could, at first blush, be considered discouraging. There are, however, several additional points that need to be made to place these figures in context.

First, the case statistics reflect only numbers of cases, not the magnitude of impact that legal assistance at a critical point can have on the lives of the people involved. The need in some cases is more compelling than others. For example, intervention in a domestic violence situation can have far-reaching consequences on the lives of an entire family, whereas a name change matter, which “counts” as a legal problem in the legal need statistics, might be regarded as important to the individual involved but considered a low priority by OMLS in comparison to the emergencies that appear every day in the program’s intake.

Another example of the differential impact of cases is provided by “broad scope work.” A precedent-setting case might consume hundreds of attorney hours and “count” in the statistics as only one case, but also address in a single action the legal problems of scores or even thousands of low-income people by altering the way a legal issue will be decided in the future.

Secondly, the case statistics do not capture services other than direct legal representation of individual clients. These other services include community legal information and referral of clients to other sources of help in the community. These services can reduce the severity of legal problems or prevent them

altogether, sometimes helping people to avoid situations that would otherwise require help from a lawyer. (Please see the sidebar, “OMLS Applies a Variety of Strategies for Addressing Legal Needs.”)

In addition, we should note that no single civil legal services program in New Jersey comes close to meeting the total need in a given service area. Statewide, according to the LSNJ Study, 415,000 New Jersey residents require civil legal help each year, but less than 20 percent receive it.

The LSNJ Study estimates that the Legal Services of New Jersey system provides direct assistance to approximately 50,000 people annually, with other non-profit legal services organizations and law schools assisting, at most, 10,000 more people. Reliable figures on the extent of private lawyer representation do not exist. The report found that the combination of pro bono, reduced-fee, and contingent or full-fee representation of low-income people likely does not

meaningfully close the statewide shortfall in legal assistance available to the poor.

The report recommends that legal services programs provide more information to the low-income public on legal rights, so that more people know when they have a legal problem, and know how legal assistance might help.

In addition, we recommend that the Ocean-Monmouth Legal Services community become even more adept in two important kinds of work: raising funds and deploying those funds in new ways that multiply their impact. We believe that by combining those two capacities, OMLS can make meaningful progress in the next decade toward the goal of “Full Access” – providing access for low income people, everywhere, to the level of legal help one needs to function as a responsible member, not a victim, in our society. This topic is addressed in further detail in Section 8: “Opportunities.”

OMLS APPLIES A VARIETY OF STRATEGIES FOR ADDRESSING LEGAL NEEDS

In 2008, OMLS completed 6,810 legal cases, which delivered direct benefits such as protection from domestic abuse, preservation of shelter and access to income to cover basic living needs, for approximately 13,300 people.

In addition to the impact of these services, some portion of the “gap” identified through the legal need statistics is met through OMLS’ other outreach serving an additional 12,800 people each year. For example, in 2007, OMLS staff made community legal education presentations attended by 4,040 people; offered self-help legal clinics attended by 450 others; and referred 2,360 people to other non-profit and private bar providers of civil legal services. The following are examples of this work.

1. Community Legal Education. In 2007 OMLS-conducted programs focused on the legal rights of individuals in family law/domestic violence; Elder Law; TANF/welfare reform; education law; health care access; and consumer law. More than 2,000 brochures, pamphlets, and other materials were distributed at these events or dropped off in bulk at various meeting centers.

Because of the use and impact of Eminent Domain (government taking of private property for public use) on low-income families and communities whose access to affordable housing is often threatened by beachfront development and “gentrification,” OMLS works closely with local groups, municipalities, the private bar and the courts to coordinate and conduct housing forums and community education forums on the rights of those affected by this government practice.

OMLS also reaches out to a growing and vulnerable senior population. For example, in 2007 the program increased its level of activity in the Ocean County Prosecutors Office’s Senior Scam task force. OMLS also joined the TRIAD organizations in both counties, which is a partnership between the State Police, Senior Service agencies and the senior citizen community. Finally, OMLS participated in a local radio broadcast that targets the senior population and provides information about services available to them.

2. Referral Activities. OMLS provides referrals for persons contacting OMLS with problems outside of the program’s priorities, or problems that are not legal at all. In 2007, for example, OMLS referred 2,360 people to other legal services providers and 120 people with non-legal problems to human service providers.

5. The Voice of the Low-Income Community: What the Survey Told Us

In 2007, low-income residents in Ocean and Monmouth counties were asked in a survey to provide information about the legal problems experienced by anyone in their household over the last two years. Almost 300 people responded to the survey, which was handed out to clients of community partner agencies serving the general low-income population in the geographic area covered by OMLS. This section outlines the key findings of the survey and describes the challenges they pose for stakeholders in the civil justice system in Ocean and Monmouth counties, including OMLS, the local leaders in the private bar, individual leadership law firms, the judiciary, and the partner agencies with whom OMLS works to serve the low-income community.

A. Profile of low-income households.

Our survey of low-income households provided further detail for the picture presented in Section 2 based on Census data.

(1) **Educational levels.** Most survey respondents had at least one high-school graduate in their household. As shown in Exhibit 9 below, 94 percent had at least a high-school education and 29 percent had attended one or more years of college.

Exhibit 9: Survey Respondents by Highest Educational Level in Household

Service Area	Highest Educational Level in Household			Total
	Grade School	High School	College	
Monmouth	10	65	30	105
Ocean	4	97	44	145
Not Specified	1	13	5	19
Total	15 6%	175 65%	79 29%	269 100%

WHERE TO FIND IT IN THIS SECTION

	Page
A. Profile of Low-income Households	14
B. Number of Legal Problems Experienced	14
C. Types of Legal Problems	15
D. Legal Help Sought Who Experienced Problems	16
E. Challenges Faced by Those Seeking Help	16
F. Challenges Faced by Stakeholders	17

(2) **Employment and other characteristics.** Exhibit 10 below summarizes four other characteristics of the survey respondents' households. Forty-four percent of the households reported having at least one employed person. A slightly larger percentage (46 percent) was receiving public benefits. Thirty-eight percent of households were in public housing, or receiving housing subsidies. One in five households had at least one member who had significant disabilities.

Exhibit 10: Survey Respondents by Other Characteristics of Household

Service Area	At Least One Household Member Employed	At Least One Household Member Disabled	Receiving Public Housing, Subsidy	Receiving Government Benefits
Monmouth	53	22	41	51
Ocean	62	29	54	70
Not Specified	10	4	7	7
Total	125 44%	55 20%	102 38%	128 46%

B. Number of legal problems experienced by survey respondents.

Over half the respondents (55 percent) reported that someone in their household had experienced at least one legal problem within the previous two years (Please see Exhibit 11 on the next page). Twenty percent reported having had four or more legal problems during this time period.

Exhibit 11: Numbers Of Legal Problems Experienced By Survey Respondents

Number of Legal Problems	Households	Percent of Households
Zero	136	45%
Just One	53	18%
Two	31	10%
Three	19	6%

In total, 299 respondents reported 546 legal problems during the two-year period, an average of 0.9 legal problems per year per household. This average incidence of legal problems among the poor is of the same order of magnitude found in other legal needs studies; for example, the 1993 ABA study reported 1.01 legal problems per year per household.

C. Types of legal problems.

The graph in Exhibit 12 below shows the types and incidence of legal problems experienced by those who said their household had encountered at least one problem during the two-year period. It is worth noting that in all of these problem categories, the incidence of legal problems was higher in Ocean County than in Monmouth County.

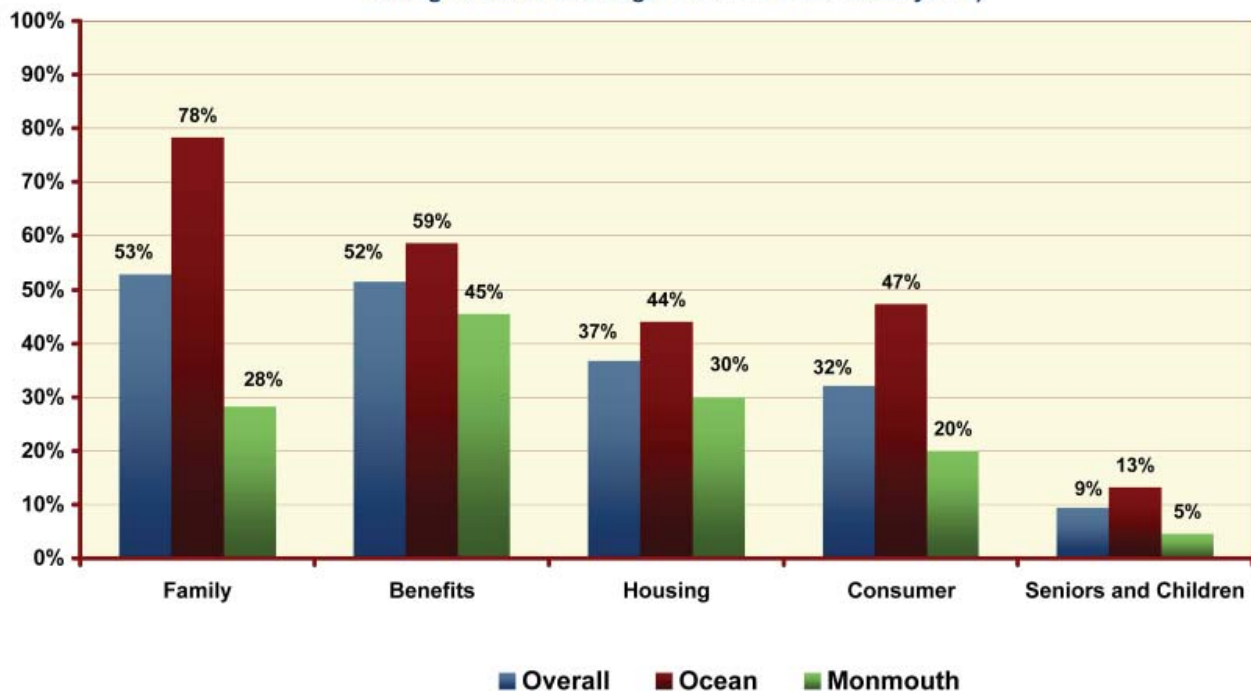
Family matters were most prevalent among respondents overall -- 53 percent reported their household encountered this problem type. Family problems were strikingly more prevalent among the households in Ocean County (78 percent) than in Monmouth County (28 percent).

Public benefits problems were almost as prevalent as family issues (reported in 52 percent of households), but the contrast between Ocean and Monmouth counties was not as great (59 percent in Ocean versus 45 percent in Monmouth) in the benefits area as in the family area.

Housing and consumer issues were also experienced by significant percentages of the households. Legal issues specifically experienced by seniors (such as nursing home issues) or children (such as education) were identified in a lower percentage of households.

Exhibit 12:

Incidence of Legal Problems by Problem Type and County
(100 percent = All Households in County That Reported Having At Least One Legal Problem in the last 2 years)



D. Legal help sought by those who experienced problems.

Of the households that had experienced at one or more legal problems, 49 percent sought legal help with them. Exhibit 13 indicates the various sources of legal help for which survey respondents applied. In addition to OMLS (47 percent of those seeking help), paid private attorneys were the most frequently-consulted source (21 percent of those seeking help), courthouse services (14 percent) and unpaid (pro bono) private attorneys (seven percent).

E. The challenges faced by those seeking help

(1) **The “Awareness Gap.”** Almost one out of every two survey respondents said they were unaware they could get free help from Legal Services if they had a legal problem. This finding from our survey confirms what legal needs studies across the country have consistently found: the availability of free legal assistance is not widely known among those eligible for this service.

(2) **Difficulty finding the help one needs.** Even those who know about legal assistance programs face significant hurdles in obtaining it. Exhibit 15 on the next page shows the various paths followed by those among survey respondents who had a legal problem and sought help.

Exhibit 13

Had Legal Problem(s) and Sought Legal Help From:

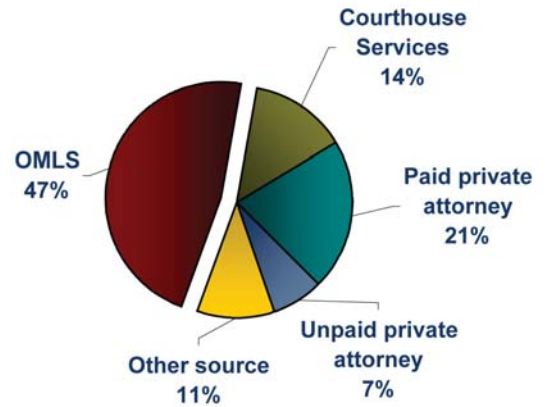


Exhibit 14: The "Awareness Gap"

Did you know that if you have a legal problem you can get free help from Legal Services?

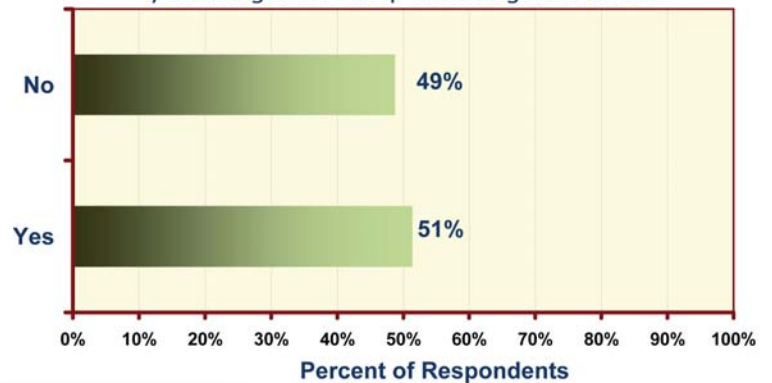
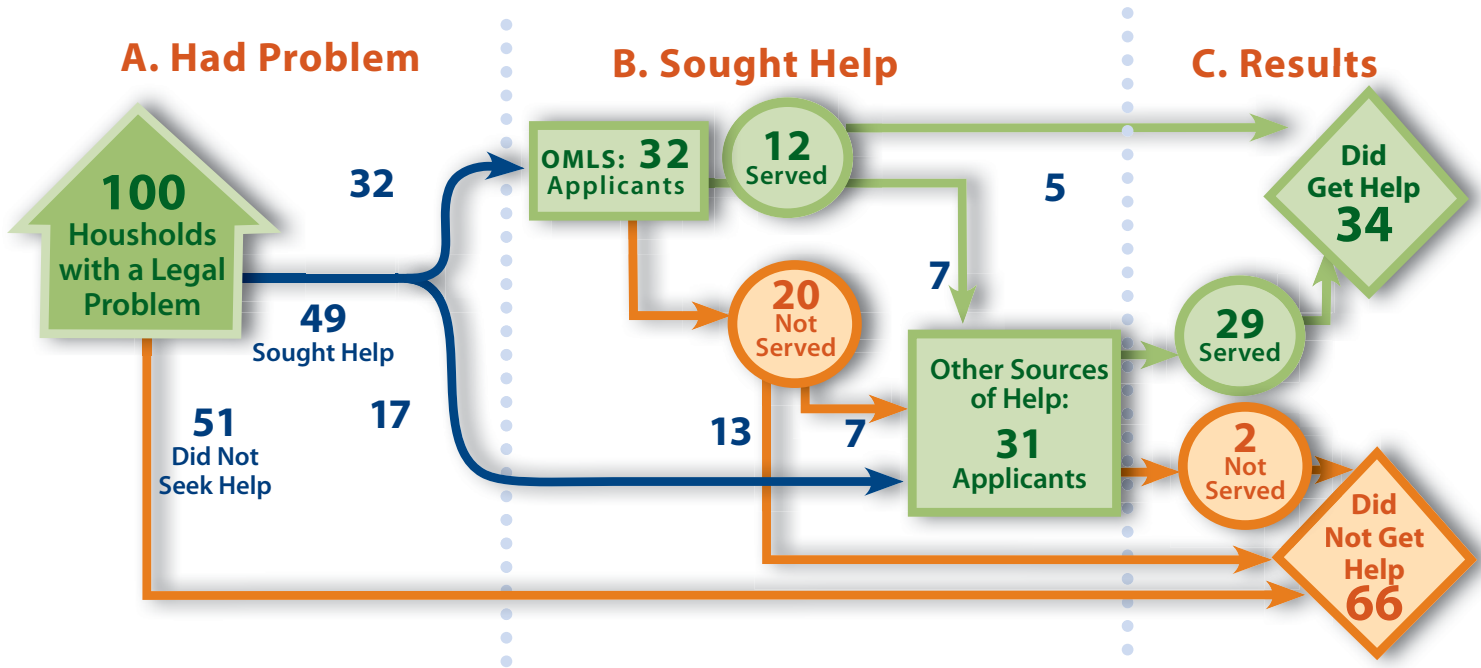


Exhibit 15: The Challenge of Obtaining Legal Help



As indicated in Exhibit 15, for every 100 households with a legal problem, 49 sought legal help. Thirty-two of those applied to OMLS while 17 sought help from other sources. Ultimately, 34 households received legal assistance; they comprised 34 percent of all those with legal problems and 69 percent of the 49 households with legal problems that sought help.

(3) **Lack of resources for providing legal services.** As indicated in Exhibit 15, two out of every three survey respondents who requested legal assistance from OMLS were turned away. Of the 20 people who were refused service, seven went on to seek help from other sources while 13 respondents -- 41 percent of those with legal problems who requested help from OMLS -- did not receive any help at all.

F. Challenges faced by the stakeholders of the civil justice system.

While the survey respondents were not asked to indicate the reasons why they were unable to receive legal assistance, we know from other studies and interviews with OMLS staff that many applicants must be turned away because limited resources require that only the most compelling cases be accepted. (Please see sidebar, "Lack of Resources Means Many Must Be Turned Away.")



The survey results raise a number of questions about access to the justice system for those in Ocean and Monmouth counties experiencing critical legal problems:

- How can the legal community get the word out about the availability of free legal assistance to the 49 percent who need this service but are unaware it exists?
- How can the resulting increase in demand be dealt with? Can OMLS and its partners find the resources and technical means to expand capacity or will they simply create a situation where more people must be turned away?
- Can the existing human and organizational resources be applied in more efficient and effective ways? Can OMLS and the “other sources” of legal help -- including the private bar and court-based service providers -- collaborate in a creating a strategic approach and system for providing legal help to those who need it in Ocean and Monmouth counties?

- How can the system as a whole be made more user-friendly so that obstacles to access -- including a lack of information about available resources and a lack of understanding about how the legal system works -- are cleared away for the low-income people who have a legal problem and need help in resolving it?

These are challenges that potentially can be addressed by the stakeholders of the civil justice system in Ocean and Monmouth counties, including OMLS; local bar leaders, the leading law firms; the judiciary; the funders of legal services; and the partner agencies with whom OMLS works to serve the low-income community. More is said about this in Section 8 of this report (“Opportunities”).

LACK OF RESOURCES MEANS MANY MUST BE TURNED AWAY

In a society that looks to the justice system for orderly and fair resolution of disputes, the need to ration scarce legal resources to those needing help means that for our most vulnerable residents, “Justice for All” is at most an empty promise.

The economic crisis of 2008-09 made worse a dilemma that OMLS has faced for many years: an overwhelming demand for legal assistance and too few resources to meet it.

The majority of applicants coming to OMLS for help must be turned away and many others do not apply, either because they are unaware they are eligible for free legal assistance or they have heard from friends that OMLS is severely constrained in the numbers of people it can serve.

Because of limited resources and restrictions imposed by funders, OMLS must turn away two out every three people who apply for services. To deal with an overwhelming number of applicants, OMLS uses a triage system to select only the most compelling cases for its limited resources. The applicants who are accepted have critical needs such as obtaining a restraining order against an abusive partner, stopping an eviction proceeding that threatens them with homelessness or intervening to cut the red tape that blocks access to critically needed disability income.

This leaves many people with un-met legal needs. Our survey has shown that the vast majority -- 66 percent -- of low-income residents of Ocean and Monmouth counties having a legal problem in any given year will not receive legal help with it from any source.

With the economic crisis, the “Justice Gap” has grown even wider in 2008 and 2009. OMLS advocates report a surge in applications for service, with the following characteristics:

- An increase in numbers and severity of domestic violence cases;
- More people who are either divorced or planning to get divorced continuing to live together because they can't afford to live separate and apart, with potentially disastrous consequences for themselves and their children.
- Landlords filing eviction complaints for non-payment of rent after one missed payment rather than waiting the normal two or three months before filing.
- A growing number of requests to file bankruptcy and steady increase in foreclosure cases.

6. The Partners' Perspective: What the Focus Groups Told Us

In July and August 2006, staff from OMLS conducted three focus group meetings as part of the needs assessment and priority setting process. These were small, informal meetings in which four to eight people who interact with the low income community on a day-to-day basis had an opportunity to provide a range of perspectives on what kinds of legal services are needed by their neighbors and clients.

The sessions were conducted by OMLS staff using scripts, data collection instruments and training supplied by The Resource, and the information was forwarded to The Resource for analysis. The three groups had four, six and eight people each. The meetings were designed to take 90 minutes to two hours. Each of the three focus groups had a facilitator and a recorder.

Focus groups were held in three locations: Toms River and Lakewood (both in Ocean County) and Freehold (in Monmouth County). All were held in the program's conference rooms. Lunch was brought in for each of the meetings.

A. Focus Group Participants

A total of 18 people participated in the focus group sessions. Three categories of people were invited to participate:

- People who live in the low-income community and hold leadership positions -- for example, serve on the board of a tenants' organization.
- People who work in the low-income community for example, manage a family shelter.
- People who see a lot of low-income people as customers -- for example, front-line staff in the courthouse.

OMLS managers in the offices serving each county worked with client board members to identify people to be invited. The intent was to wind up with participants who were "connected" into the low income community in the sense that they collectively know the community players and have a good sense of the situations with which community residents are faced. Exhibit 16 summarizes the participants according to the principal roles they play in the community.

WHERE TO FIND IT IN THIS SECTION

	Page
A. Focus Group Participants	19
B. The Six Emergency Priority Legal Problems Addressed by OMLS	19
C. Community situations other than the six emergencies	21
D. Effective referral	22
E. Reactions to New Services under Consideration by OMLS	22
F. Analysis and Summary	24

B. The six emergency, priority legal problems addressed by OMLS

In its priority planning process, OMLS had committed to placing high priority on six types of legal problems. These are legal issues that represent a personal crisis for a person or family, with major negative consequences if not attended to. These are situations which have a legal remedy as part of the solution. They are situations that call for an immediate and timely response. The focus group sessions reaffirmed the importance of continuing to place top priority on providing direct legal assistance in the six "emergency" areas:

1. **Loss of Housing**-- for example, eviction situations where representation is necessary to prevent homelessness.
2. **Family Crisis** -- for example, divorce and dissolution cases in which there is a substantial issue of custody or visitation, or a history of domestic violence.

Exhibit 16: Participants in the Focus Group Meetings

Type of Organization	Monmouth County	Ocean County	Total	Percent
Community College		1	1	6%
Court Staff	1	1	2	11%
General Human Svcs Agency	1	2	3	17%
Services to Special Population	1	4	5	28%
Specialized Legal Svcs Provider	1	1	2	11%
Domestic Violence Shelter		3	3	17%
Housing Advocacy Group		2	2	11%
Total	4	14	18	100%

- 3. **Loss of Basic Income** -- for example, termination or denial of TANF (welfare)/General Assistance benefits or SSI/Social Security benefits.
- 4. **Consumer Crisis** -- for example, confiscation of assets worth \$1,000 or more or bankruptcy cases when necessary to preserve the client’s home or income.
- 5. **Domestic Violence** -- for example, cases where a Temporary Restraining Order is needed to prevent an abusive partner from threatening the safety of a family or individual.
- 6. **Problems of the Elderly, Children, and Other Vulnerable People** -- for example, guardianship cases for frail and vulnerable elders, termination or denial of Medicare/Medicaid benefits; State of New Jersey “Charity Care” (free hospital services for certain low-income people)

Prevalence of the problems and community usage of OMLS’ services as a way of addressing them. The focus group participants were asked to respond to three questions that dealt with “prevalence” of the six emergency problems in the low-income community:

- How many of you know people who experienced this type of emergency in the past year?
- If “Yes,” in how many of the situations were the people known to use OMLS for legal assistance: “all,” “some” or “none.”

- In the situations where the person did not use OMLS, describe in a few words what the person did.

The responses are summarized in Exhibit 17, below.

Almost everyone (94 percent) knew someone who’d experienced domestic violence or some kind of family crisis. The other four emergencies were almost as prevalent; between 72 and 90 percent of participants knew people who had experienced them.

The percentage of people who used OMLS to address these emergencies varied widely according to the type of situation. A majority (56 percent) of those with consumer problems or domestic violence problems used OMLS to resolve them. Four out of ten with legal problems involving family crises (e.g., loss of child custody) used OMLS to address them.

At the other end of the scale, only one out of four or fewer of the people facing emergencies with housing or income used OMLS to resolve their legal problems. Emergencies that were unique to elderly, children or other vulnerable populations were even less likely to produce requests to OMLS for help.

Community awareness of OMLS’ six emergency services. Participants were then asked the following:

- How familiar were you before today that these were the priorities of the program?

Exhibit 17: Prevalence of the Six Emergencies and Community Usage of Legal Aid as a Way of Addressing Them

Type of Emergency	A. Prevalence: Participants who know people who've experienced it.	B. Legal Services Usage Participants who report that "all" or "some" people use legal services for this problem.
1. Loss of Housing	89%	22%
2. Family Crisis	94%	39%
3. Loss of Basic Income	89%	17%
4. Consumer Crisis	72%	56%
5. Domestic Violence	94%	56%
6. Problems of the Elderly, Children and Other Vulnerable People	50%	11%

As indicated in Exhibit 18 below, every one of the participants were at least “somewhat” aware of the services provided by OMLS in the six priority areas. It was generally known among community leaders and helping agencies that if one has a domestic violence problem, or is being evicted, or has had disability benefits cut off, OMLS is a place you can go to get legal help.

Exhibit 18: Community Awareness of OMLS' Emergency Services

Percentage of participants aware of Legal Service's help for victims of the six emergencies		
"Aware"	"Some-what"	"Not Aware"
72%	28%	

The six emergency services indeed address the highest-priority needs of the region's population. The focus group participants affirmed that issues such as domestic violence, eviction from one's home and denial of benefit income needed for a family's basic survival are highly prevalent among their neighbors and clients.

It is less clear that people are using OMLS' emergency services. As indicated in the 'Legal Services Usage' column of Exhibit 17, the percentage of participants' neighbors and clients using OMLS to assist in these matters ranged from 11 to 56 percent.

This finding is consistent with the results of our survey of low-income people discussed in Section 5. There we found that only half of the low-income population knows this help is available and many of those who do know also are aware that OMLS is severely constrained in how many people it can serve and therefore do not apply for help.

In light of the prevalence of these problems and the dire consequences if left unaddressed, OMLS' policy of placing highest priority on these services is warranted and should be continued.

At the same time, more outreach is clearly needed to inform the people experiencing these problems that their situations are a high priority to OMLS and are likely to be accepted for service.

C. Community situations other than the six emergencies

Participants were asked to provide their perspectives on five other situations commonly faced by low-income people:

1. Having a legal emergency other than the six that OMLS regards as high-priority
2. Going to court without a lawyer
3. Having legal questions that don't require representation by a lawyer
4. Having a legal problem but not speaking English well
5. Searching for legal information on the Internet

The facilitator asked participants to provide their thoughts on three questions:

- How many of you know people who experienced this type of situation in the past year?
- If “Yes,” in how many of the situations were the people known to use OMLS for legal assistance: “all,” “some” or “none.”
- In the situations where the person did not use OMLS, describe in a few words what the person did.

Exhibit 19 below summarizes responses to the above questions.

Exhibit 19: Prevalence of Needs Other Than the Six Emergencies

Type of Legal Situation	A. Prevalence: Participants who know people who've experienced it.	B. Legal Services Usage: Participants who report that "all" or "some" people use legal services for this problem.
1. Other Legal Emergency	28%	17%
2. Went to Court Without a Lawyer	89%	17%
3. Had legal questions but didn't need a lawyer to respond	56%	6%
4. Had a legal problem but didn't speak English well	50%	6%
5. Searched for legal information on Internet	44%	22%

Almost everyone (89 percent) knew someone who'd gone to court without a lawyer. More than half knew someone who had legal questions but didn't need a lawyer to respond. Half knew someone who had a legal problem but didn't speak English well and thus was in need of translation assistance. Only 28 percent knew someone who had legal emergencies other than the six high-priority situations addressed by OMLS; these were scattered among a range of legal issues.

Compared with the six "core service" areas that were deemed high priority by OMLS, these "other" legal situations were much less likely to generate requests for legal assistance from those experiencing them. As indicated in Exhibit 19, the percentages of people having these situations who used OMLS for help ranged from a high of 22 percent down to only six percent.

Community awareness of these other services provided by OMLS. Participants were then asked the following:

- How familiar were you before today that the program provided these kinds of services?

As indicated in Exhibit 20 below, 80 percent of the focus group participants were only "somewhat" aware of the services provided by OMLS in the areas mentioned. Twenty percent were unaware of these services.

Clearly, more outreach is needed if OMLS is to use strategies other than direct legal representation to address a greater proportion of the legal need that is out there. For example, people generally were not aware that OMLS offered clinics to help people proceed on a pro se basis with matters such as uncontested divorces that they could potentially handle on their own.

Exhibit 20: Community Awareness of Other Services Provided by OMLS

Percentage of participants aware of Legal Services help for people in "other" legal situations		
"Aware"	"Some-what"	"Not Aware"
	80%	20%

D. Effective referral.

One of the important roles OMLS plays is referring people to other organizations that can help them. Important objectives of the focus group process included getting community perspectives on the importance of this role, finding out what helping agencies were already in place and identifying potential referral partners for the future.

(1) **Referral resources already in place.** Participants were asked to identify the great resources in the community that low-income residents can turn to for help. The information from this exercise provided a valuable asset -- a listing of community resources that focus group participants clearly felt were of greatest value to low-income residents. A list of these resources is provided in Appendix B.

(2) **Implication:** OMLS can build upon this network. The list of referral agencies produced by the focus group meetings can be mined in the future to identify gaps either in the network of helping agencies or in the community's awareness of it. It provides a starting point for improving OMLS's service of referring its clients to other agencies for assistance. It also offers an opportunity for collaboration with some of these agencies in grant proposals for projects that would provide access to help for low-income residents in areas where there currently is none.

E. Reactions to New Services Implemented by OMLS.

Focus group participants were asked to give feedback on six new projects and initiatives for which OMLS had opportunities for funding, addressing situations that its funders believed were major problems facing low income individuals and communities. They were briefed on each of the following projects:

1. **Education Law Project** -- for example, access to educational services, application of discipline policies, quality of education, and special needs students.
2. **Employment Rights** -- for example, fair pay, overtime, wage payment; family and medical leave issues
3. **Health Law Project** -- for example, insurance coverage -- COBRA, access to records, privacy issues
4. **Legal Assistance to Seniors (LAS)** -- for example, nursing home issues; access to health care, wills.
5. **More Help for non-English Speakers** -- for example, translators, bilingual staff

6. Family Representation Project -- Representation for parents in danger of losing custody of children in Department of Youth and Family Services cases.

■ What is the major benefit you see people getting as a result of this service?

Exhibit 21 below summarizes the participants' reactions to these projects. A high percentage of participants, ranging from 67 to 83 percent, said that five out of the six projects would address problems of a lot of people they knew. The exception was the sixth project, identified as "more help for Spanish speakers and other non-English speakers," for which only 28 percent of the participants said that large

Participants were then asked to respond to two questions:

■ How many of you believe this project would address serious situations faced by people you know personally?

Exhibit 21: Focus Group Participants' Feedback on the Six Projects under Consideration by OMLS

Proposed Project Focus	Think Services are Needed	Percent of Total	Themes Mentioned
1. Education Law Project	12	67%	<ul style="list-style-type: none"> - ESL children treated unfairly; being put in remedial classes. - Schools don't know the law. - Homeless children being relocated. - Parents need to know rights.
2. Employment Rights	15	83%	<ul style="list-style-type: none"> - People losing their jobs need help. - Loss of job trickles to other problems; e.g., shelter issues. - People fired because of mental illness. - Age discrimination in the workplace.
3. Health Law Project	15	83%	<ul style="list-style-type: none"> - Have a lot of clients with no insurance. - Many died or not offered NJ Charity Care. - Uninsured in custody matters. - Denied coverage because of drug conviction, ineligible forever. - Uninsured clients get into problems getting Medicare/Medicaid.
4. Legal Assistance to Seniors (LAS)	13	72%	<ul style="list-style-type: none"> - Senior scams; e.g., reverse mortgages - Estate planning, power of attorney. - Adult children caregivers need more assistance. -Credit card debt issues. - Landlord-tenant & rent control issues.
5. More Help for Spanish Speakers & Other Non English Speakers	5	28%	<ul style="list-style-type: none"> - People are more comfortable with person who speaks their language. -Scared to come to court.
6. Child Custody Rights	14	78%	<ul style="list-style-type: none"> - Parents don't understand process; don't have access. - Remove & give child a chance. - Bad to remove child at late age. - Need help from someone able to relate to cultural factors.

numbers of their clients and neighbors would benefit. (We would point out that this result is to be expected given the more specialized population segment targeted by this kind of legal help.)

This feedback suggests that all six of the projects are deemed very useful by the people who work and live in the low-income community. Perhaps the most valuable feedback is provided by the details provided by focus group participants, (identified in Exhibit 21 as “Themes mentioned”). For example, in discussing the Education Rights Project, the focus groups raised the following themes:

- Special-needs children being treated unfairly; being put in remedial classes.
- Special needs of homeless children arising from their constantly being relocated;
- Parents not knowing their legal rights;
- Schools not knowing the law.

F. Analysis and Summary.

The Focus Groups told OMLS that its’ priorities are right but more resources are needed in Ocean and Monmouth Counties.

Participants told OMLS that its focus on emergency representation addressing the legal crises faced by low-income families must be sustained, and additional resources in the form of funding and new collaborative initiatives with other community organizations are needed.

They said that the proposed new projects that OMLS is considering would address important issues and produce significant benefits for their neighbors and clients.

The focus groups identified the agencies that, in addition to OMLS, the community uses for help and that could serve as the backbone of a larger, more powerful referral network throughout the region.

It was clear from the focus group results that more effective outreach is needed, especially directed at the low-income population itself. While the focus group participants were largely aware of the six emergency areas representing OMLS’ top priorities, they were less certain that people experiencing these emergencies were actually using the services offered by OMLS.

This is consistent with our findings in Section 5 that many low-income people are unaware of OMLS and many others do not apply for help because they think they would be turned away.

More effective outreach could bring in the people having the high-priority problems. At the same time, it is likely that more outreach would also increase the numbers of people applying for help with non-emergencies and for the “other” services offered by OMLS, such as pro se assistance, legal education and referrals. OMLS will need more resources across the board to address greater demand if it responds to the feedback offered by the focus groups about the legal needs of the low-income community in Ocean and Monmouth counties.



7. OMLS' Strengths Create Opportunities for Narrowing the Justice Gap

It is clear from our study that there is a wide gap between the need for legal assistance by low-income residents of OMLS' service area and the capacity of OMLS and its partners to address them. That said, OMLS has significant assets in seeking the resources it needs to substantially narrow that gap:

A. OMLS has the right strategic focus.

It focuses resources on a core set of legal services that help people in crisis address emergency legal problems such as domestic violence, homelessness, and loss of income. By addressing these critical issues, OMLS promotes the welfare and safety of low-income people and the larger community.

B. OMLS is working to increase access to legal assistance.

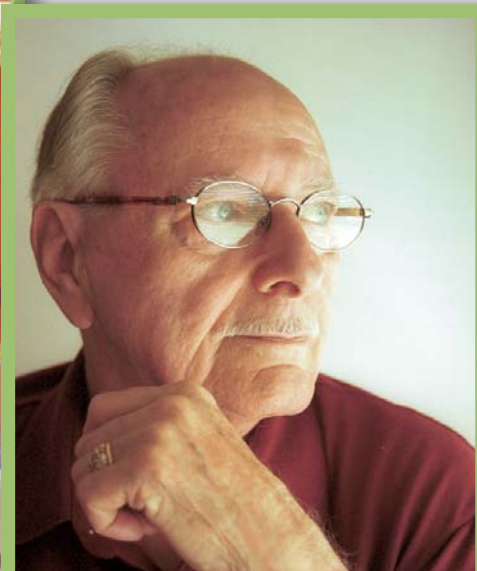
OMLS' case output almost tripled between 2004 and 2008. This achievement came as a result of concerted efforts by OMLS, working with its local and state partners, to expand access to services for its clients." What these case output numbers don't show is the impact on a growing number of clients who, as a result of these efforts, are now able to receive shelter, basic income,

WHERE TO FIND IT IN THIS SECTION	
	Page
A. OMLS has the Right Strategic Focus	25
B. OMLS is Working to Increase Efficiency and Effectiveness	25
C. OMLS Partner Agencies and Leaders Working in the Low-income Community	25
D. Other Outcomes of OMLS' Work	26

health care and personal safety as outcomes of the legal help they receive from OMLS.

C. OMLS is well known to partner agencies and leaders who work in the low-income community.

It has a good referral network. These relationships are valuable assets that can be built upon in the future. They provide opportunities for expanded outreach to low-income clients through presentations and appearances at partners' events. They create possibilities for joint funding proposals with these partners that offer efficiencies and synergies that could be attractive for funders.





D. There are other outcomes of OMLS' work that are not as well known.

These are more nuanced than can be conveyed by simple case statistics, and they should be promoted more aggressively in OMLS' resource development efforts. Four examples of these are as follows (please see Appendix C for the methods used in deriving the figures given here):

■ **Millions of dollars in additional income for low-income families is preserved or obtained each year through OMLS advocacy.**

For example, we estimate that in 2008, OMLS advocates obtained \$1.2 million in income for their clients in the form of benefits, Social Security Disability for people unable to work, Earned Income Tax Credits for the working poor and child support for children affected by family dissolution. This was achieved by helping clients to cut through red tape and overcome inappropriate or illegal denials by the agencies responsible for administering these programs. Without the work of OMLS, these clients would have burdened the welfare system and increased costs to taxpayers.

■ **These dollars have a big impact on local economies.** Every dollar received by clients as a result of OMLS advocacy circulates through the local economy, creating jobs and income for working residents of Ocean and Monmouth counties. We estimate that in 2008, this economic impact amounted to \$9.2 million and 216 jobs that would otherwise have been lost to the local communities served by OMLS.

■ **OMLS saves taxpayers millions of dollars each year.** OMLS' advocacy in many cases prevents homelessness, avoids domestic violence, helps children stay in school and reduces the incidence of many high-cost social emergencies. We estimate that in 2008, more than \$1 million in savings for taxpayers resulted from OMLS advocates' work in the areas housing and family representation.

■ **Greater efficiency in the court system.** By providing preventive legal education, negotiating solutions to disputes and advising people against bringing non-meritorious cases, OMLS advocates help their clients move smoothly through the court system, and enable the courts to function more smoothly than they otherwise would. Although difficult to quantify, this work clearly saves dollars for taxpayers and increases the numbers of people who can be served by the courts.

8. Opportunities: Additional resources would enable OMLS to have an even bigger impact.

Based on the findings of this legal needs assessment, we recommend that OMLS seek additional funding and seek additional partners in an expanded, strategically-focused effort to address the overwhelming need that clearly exists in Ocean and Monmouth counties. Three opportunities are especially promising.

A. Identify and seek funding to expand OMLS initiatives that have been especially successful.

OMLS should engage in a quick review of its current projects with the goal of creating a list of fundable efforts that are aligned with desirable outcomes it is already achieving in its advocacy work. OMLS has an opportunity to promote its significant achievements as “methods that work” and seek additional funding for continuing and expanding these initiatives. Especially promising are areas of OMLS’ work that generate additional income for clients, stimulate local economies and address widely acknowledged facets of the current economic crisis such as mortgage foreclosures, evictions, job losses and domestic violence exacerbated by the economic stress families are under.

OMLS’ apparent success in increasing case output over the past few years provides a point that should be stressed in seeking funding. Potential funders and partners should be impressed with the “bang for the buck” that OMLS is able to demonstrate.

WHERE TO FIND IT IN THIS SECTION

	Page
A. Expand Successful OMLS Initiatives	27
B. Review Total Impacts on Clients’ Situations	27
C. Efforts to Make the Legal Service System More Transparent and Accessible	28

B. Review and re-align priorities and strategies to take total impacts on clients’ situations into account.

A review of priorities and strategies is a worthwhile discussion for the OMLS board and staff to have every few years. It could be especially useful in light of the information produced by this legal needs assessment. We recommend that OMLS review its priorities in the context of a broader strategic review and re-alignment focusing on the findings of this study.

The survey in Section 5 and the focus group feedback in Section 6 make it clear that OMLS should continue to set a high priority on addressing legal emergencies experienced by low-income people. This doesn’t mean, however, that current priorities have been endorsed by this study and should simply be continued.

Some problems have legal solutions that can leverage bigger impacts than others. For example, saving a person’s job can have broad ripple effects on the client’s shelter



situation, access to health care, family stability and educational prospects. Gaining or preserving disability benefits for a single client can stabilize his or her client's financial situation; hundreds of disability cases can provide broader economic payoffs for the entire low-income community and reflect a broad, conscious strategy decision by OMLS.

C. Launch an effort to make the legal service system more transparent and accessible to people experiencing legal problems.

The findings of the survey discussed in Section 5 suggest that low-income people have difficulty obtaining legal help in Ocean and Monmouth counties. This was confirmed by the focus group feedback discussed in Section 6, which indicated that the percentages of people experiencing legal emergencies who seek help from OMLS are fairly low.

This situation is partly a matter of OMLS having insufficient legal resources to meet the need. However, it is also due to a lack of coherence in the legal service system that leaves people confused about where they can go to seek help and what they can expect.

This is a challenge that could be addressed through a joint effort by OMLS and its partners to rationalize the intake system and provide more effective outreach to low-income residents in the two counties. It is also an opportunity, in that funding might be available for such an effort from entities that are concerned about increasing access to the justice system.

Summary and conclusion

It is clear that the vast disparity between legal needs and OMLS' capacity to address them call for more aggressive fundraising efforts and more creative and collaborative service delivery approaches. OMLS' first fundraising Gala in 2008 was a success, but only a start. With falling IOLTA income in 2009 and beyond, OMLS faces the likelihood of cuts in staff and services.

OMLS historically has worked closely with a wide range of community partners. The focus group sessions conducted in the needs assessment process have: (a) reinforced many of those relationships; (b) educated the participating stakeholders in the role OMLS can play in meeting the needs of the shared clientele; and (c) spurred



new interest in exploring opportunities with OMLS for collaboration aimed at expanding capacity to address needs that currently are not being met. Eight out of ten agencies involved in these discussions saw high potential in exploring these opportunities further.

OMLS began to tap into this interest immediately after the focus group sessions were completed. Hopefully this effort will continue. Further strategic planning and priority setting discussions will present opportunities to re-engage these partners and generate momentum for joint efforts in the near future.

The relationships that were reinforced and the possibilities for effective, collaborative efforts to address the needs of the entire low-income community in a bigger way are perhaps the greatest benefits produced by this legal needs study.

We hope that the information provided in this report will provide insights that will energize and inform these efforts to shrink the "Justice Gap" in the immediate future. Ultimately, this is our vision for "Full Access:" that every resident of Ocean and Monmouth counties will be able to obtain the level of legal help he or she needs to function fully as a participant, not a victim, in our society.

