

# 2015 WASHINGTON STATE CIVIL LEGAL NEEDS STUDY UPDATE

## LOW-INCOME WASHINGTONIANS FACE MULTIPLE CIVIL LEGAL PROBLEMS BUT FEW GET THE HELP THEY NEED

Justice is absent for many low-income Washingtonians who frequently face serious civil legal problems.

More than 70% of the state's lowest income residents experience at least one civil legal problem a year on matters affecting the most fundamental aspects of their daily lives, including: accessible and affordable health care; the ability to get and keep a job; access to financial services and protection from consumer exploitation; individual and family safety; and the security of having safe and stable housing.

The growing number of legal problems is among the key findings within the 2015 Washington State Civil Legal Needs Study Update commissioned by a special committee of the Washington State Supreme Court.

Average number of legal problems per household	
2003	2014
3.3	9.3

The new study is the first rigorous assessment of legal problems experienced by low-income Washingtonians since the state's landmark 2003 Civil Legal Needs Study. The data come from a statewide survey of Washington's low-income residents by Washington State University's Social and Economic Sciences Research Center.

The findings are significant and sobering. Low-income Washingtonians who face one

### Some of the Key Findings:

- **Civil legal issues are common.** Seven in 10 low-income households in Washington State face at least one significant civil legal problem each year. The average number of problems per household increased from 3.3 in 2003 to 9.3 in the 2014 survey.
- **The most common problems have changed.** Health care, consumer/finance and employment now represent the three areas with the highest percentage of problems.
- **Race, ethnicity and other personal characteristics affect the number and type of problems people have.** These personal characteristics also affect the degree to which people experience discrimination or unfair treatment and the degree to which they are able to get legal help.
- **Victims of domestic violence and/or sexual assault experience the highest number of problems per capita of any group.** Fully 100% of those who have been a victim of domestic violence and/or sexual assault will experience important civil legal problems. These problems occur in every substantive category from health care, to housing, to family law, consumer and employment.
- **Many are adversely affected by data tracking.** Significant numbers of low-income households experience unfair treatment on the basis of their credit histories, prior involvement with juvenile or adult criminal justice system and/or their status as a victim of domestic violence or sexual assault.
- **There is a widespread legal literacy problem.** A majority of low-income people do not understand that there are legal remedies for the problems they experience and that they would benefit from getting legal help.
- **The vast majority of people face their problems alone.** More than three-quarters (76%) of those who have a legal problem do not get the help they need.
- **Most low-income people have limited confidence in the state's civil justice system.** Low-income people generally lack trust and confidence in the civil justice system. Perceptions about the fairness and effectiveness of the system to help solve problems experienced by "people like me" differ significantly on the basis of race, ethnicity and other characteristics.

MOST PREVALENT PROBLEMS PEOPLE EXPERIENCE		
Source: WSU-SESRC		
1	43.4%	Health Care
2	37.6%	Consumer, Financial Services, Credit
3	33.6%	Employment
4	33.3%	Municipal Services/Utilities
5	29.6%	Access to Government Assistance

PROBLEMS PEOPLE MOST OFTEN SEEK LEGAL HELP		
Source: WSU-SESRC		
1	28%	Housing
2	22%	Family & Domestic Problems
3	20%	Consumer, Financial Services, Credit
4	19%	Healthcare
5	16%	Disability-Related Problems

civil legal problem often have other serious and related legal problems at the same time. And, for many, these serious problems are compounded by race, ethnicity, age, disability, immigration status or their status as a victim of domestic violence or sexual assault.

One struggling mom explains how one problem leads to another and then another:

“The day I got custody of my son, I was laid off. Three years later, I’m still having trouble making a living,” she says. “My son is ADHD and autistic. I can’t keep minutes on my phone and keep food in my house. Police have been racial profiling. It’s just been hard.”

While the U.S. Constitution guarantees all people, regardless of their ability to pay, the right to legal representation in a criminal trial, it does not extend that right to people who have civil legal problems. That forces a majority of low-income individuals and families in Washington to face and resolve their problems alone—without the help of a lawyer, no matter how complex or life-changing a problem may be. And it leads many to feel a high level of distrust in the civil justice system and its ability to help people like them.

Indeed, the Justice Gap<sup>1</sup> in Washington is real, growing and calls out for a thoughtful, significant and coordinated response.

<sup>1</sup> The “Justice Gap” refers to the difference between the number of problems experienced by low-income Washingtonians for which they need legal help and the actual level of legal help that they receive to address such problems.

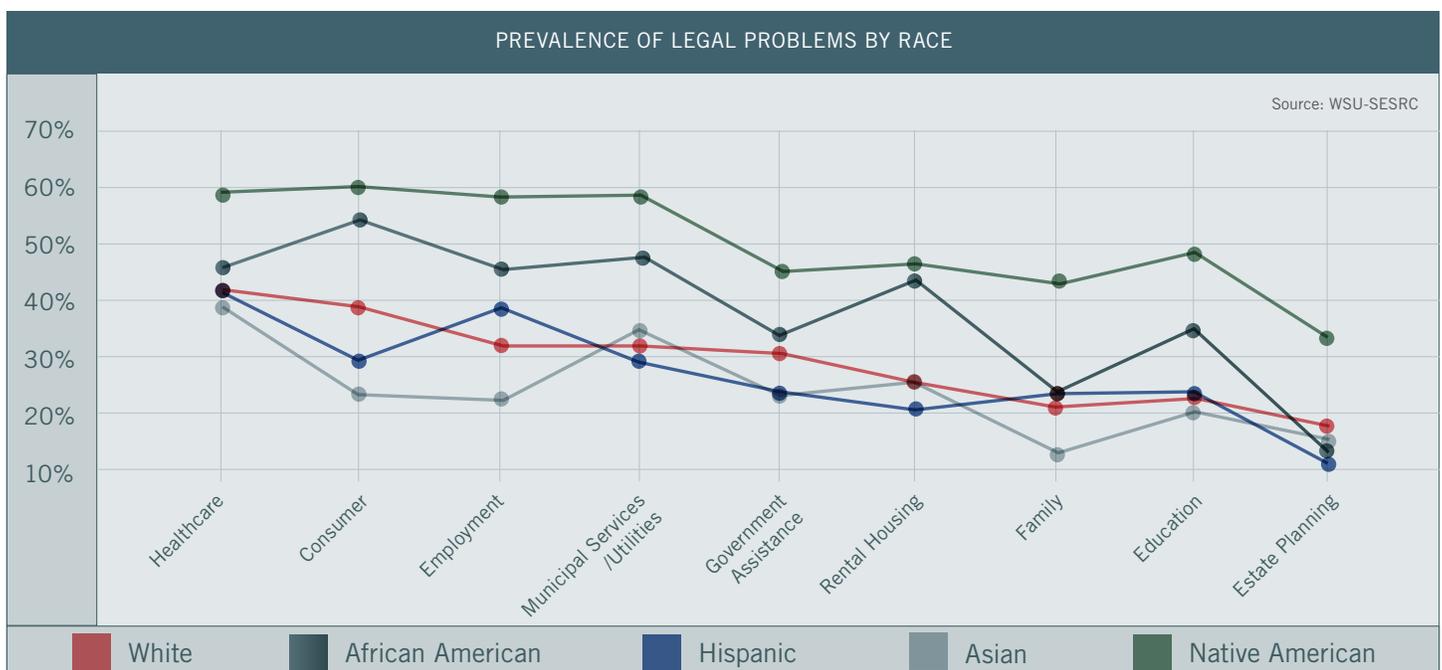
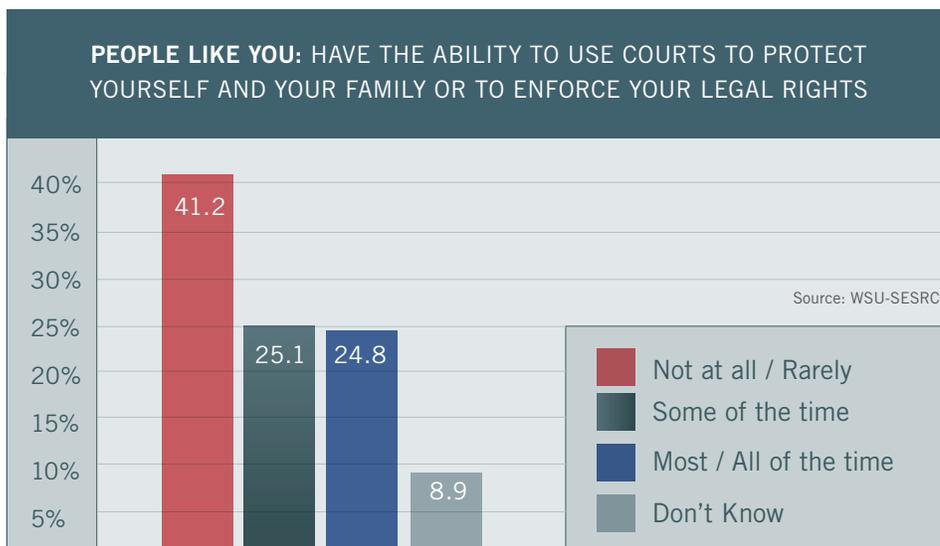
### From Justice Charles K. Wiggins, Chair, Civil Legal Needs Study Update Committee

This Report challenges us to do better.

- It challenges us to ensure that low-income residents understand their legal rights and know where to look for legal help when they need it.
- It challenges us to squarely address not only the scope of problems presented, but the systems that result in disparate experiences depending on one’s race, ethnicity, victim status or other identifying characteristics.
- It challenges us to be aware of the costs and consequences of administering a system of justice that denies large segments of the population the ability to assert and effectively defend core legal rights.
- Ultimately, it challenges us to work all the harder to secure the investments needed to deliver on the promise embedded in our constitutional history and our nation’s creed – that liberty and justice be made available “to all.”



**JUSTICE CHARLES K. WIGGINS**, Chair  
Civil Legal Needs Study Update Committee



ACCESS THE FULL REPORT, OCTOBER 2015 WASHINGTON STATE CIVIL LEGAL NEEDS STUDY UPDATE, AS WELL AS SUPPORTING TECHNICAL DOCUMENTS AT [WWW.OCLA.WA.GOV/REPORTS/](http://WWW.OCLA.WA.GOV/REPORTS/)