Justice Measured:
An Assessment of the Economic Impact of Civil Legal Aid in Arkansas

A Report of the Arkansas Access to Justice Commission in partnership with University of Arkansas Clinton School of Public Service

Paola Cavallari, Matthew D. Devlin, Rebekah A. Tucci with contributions from Amy Dunn Johnson

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About Arkansas Access to Justice (AATJ)

The Arkansas Access to Justice Commission was created in 2003 by the Arkansas Supreme Court for the purpose of coordinating statewide efforts to provide equal access to civil justice for all Arkansans. Since its creation, the Commission has worked toward this goal by undertaking initiatives to expand pro bono attorney recruitment and participation, implementing court assistance projects, facilitating changes to statutes and court rules that impact access to justice, educating the public about the need for civil legal aid, and working to increase financial resources available to provide civil legal aid to low-income Arkansans. Learn more at [www.arkansasjustice.org](http://www.arkansasjustice.org).

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Matthew Devlin (Silver Spring, Md.) – A graduate of the University of Maryland at College Park majoring in economics, Devlin served two years with AmeriCorps as a Site Coordinator with LIFT, a nonprofit dedicated to supporting low-income families. He co-founded the Economics Tutoring Association of Maryland and was a corporate social responsibility intern for CR Consulting in London.

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Acknowledgements

This report details the findings of research conducted in 2014 by Clinton School Practicum students Paola Cavallari, Matthew Devlin, and Rebekah Tucci. Portions of this report were authored by Amy Johnson, Executive Director for the Arkansas Access to Justice Commission.

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This research does not reflect the views of the University of Arkansas Clinton School of Public Service or of the Arkansas Access to Justice Commission, the Center for Arkansas Legal Services or Legal Aid of Arkansas.
Executive Summary

This study assessed the economic impact of civil legal aid delivered by Arkansas’s two Legal Services Corporation (LSC)-funded organizations in the state—the Center for Arkansas Legal Services (CALS) and Legal Aid of Arkansas (LAA)—for 2013. The research team analyzed detailed case closing information from each program, financial statements, self-help resource usage statistics from the Arkansas Legal Services Partnership website, and secondary data from other economic benefit studies, including methods for projecting costs saved through housing foreclosure and domestic violence interventions. This study also gathered qualitative information through surveys and interviews with former legal aid clients, current legal aid attorneys, and circuit courts judges.

The study demonstrates that CALS and LAA have a substantial positive economic impact on their clients and on the state of Arkansas. Together, they served nearly 12,000 clients in 2013 at a cost that was $2.4 million less than the equivalent cost of such services in the private legal market. In addition, researchers concluded the following:

- Legal aid saved clients an estimated $3.4 million in costs for nonlawyer legal document services.
- Legal aid put nearly $2.3 million into the pockets of their clients and helped them avoid liabilities of over $9.4 million.
- Representation in housing foreclosure cases prevented $2.2 million in diminished housing values.
- Legal assistance for domestic violence victims likely prevented more than $3.9 million in costs for emergency shelter, medical expenses, and social services.
- Revenues that legal aid brings into the state generate an additional $8.8 million in economic activity in the state by virtue of their multiplier effect in local communities.

These positive outcomes are realized in only a small handful of the total cases that CALS and LAA close each year. Many of the cases they handle—such as guardianships of minor children, advocacy for children caught up in the juvenile justice system, and assistance to elderly Arkansans who are victimized by scams—are not often readily subject to quantification. Further study in this area is needed to establish reliable outcome measures that capture the broader benefits of civil legal aid that qualitative research indicates are present.

These findings can serve as a vital tool for aiding policymakers and funders to understand the dollar value of investments in civil legal aid. However, they tell only part of a larger story about the immeasurable contribution that legal aid makes to preserving the integrity of the rule of law by affording persons of limited means equal access to the civil justice system.
I. Introduction

There are a variety of well-known organizations and initiatives that seek to address the complex challenges that limit opportunities for persons living in poverty. Some are obvious: hunger relief, job skills training, and affordable housing, to name a few. For philanthropists and other funders, the case for investing in these efforts is clear.

National public opinion research indicates, however, that civil legal aid is not widely viewed as a tool for addressing these challenges.¹ Yet for decades, legal aid programs across the country have effectively helped low-income people solve legal problems by addressing and correcting bad policy—and have done so in innovative ways and with limited resources.²

Dozens of states around the country have begun to quantify the positive impact of civil legal aid by measuring such impacts as prevention of costs to society by helping families avoid homelessness, secure health benefits, and protect domestic violence victims.³ To date, no such study has been conducted in Arkansas. The goal of this economic benefit study is to quantify the impact that CALS and LAA have on the clients they serve and, ultimately, on the state and its economy. It is our hope that this information will inform policymakers and funders who are looking for evidence-based solutions to the complex issues that contribute to poverty in Arkansas.

Our research concluded that civil legal aid in Arkansas has a substantial positive effect at the individual level by increasing household income, decreasing household debt, keeping families in their homes, and protecting victims of domestic violence. This positive impact can also be measured at the community and state levels in the form of job creation, increased state revenues, and reduced taxpayer costs. Much of the positive impact, however, is not readily subject to quantification because the outcomes achieved through legal intervention are qualitative in nature (e.g., retaining custody of a child or enforcement of civil rights). Much of the qualitative impact is realized by clients who are able to reclaim a sense of dignity and control over their circumstances through meaningful access to our system of civil justice.

II. BACKGROUND

A. The Access to Justice Movement in Arkansas

The right to legal representation in criminal matters has been recognized since the U.S. Supreme Court handed down the *Gideon v. Wainwright* decision in 1963. There is not, however, a categorical right to an attorney in civil matters in Arkansas—even those affecting such basic needs as access to safe and habitable housing, protection from domestic violence, and economic security.

Long before the *Gideon* decision, there was a recognition among members of the legal profession of the importance of the concept of free legal assistance for the poor. Beginning in the late 1800s, legal aid societies and bar association legal aid committees were established to provide such assistance. Since the 1964 “War on Poverty” initiative, federal funds have been available to support civil legal services for the poor. In 1974, the Legal Services Corporation Act was enacted into law. It established the Legal Services Corporation (LSC) as a nonprofit corporation that receives federal funds to distribute to legal services providers across the country. Controlled by an independent board appointed by the President and confirmed by the Senate, LSC provides grants to 134 nonprofit civil legal aid organizations across the country.

While LSC funding expanded significantly during its first decade of existence, it has seen significant ebbs and flows over the years. The mid-1990’s saw the imposition of significant funding cuts, as well as major restrictions on the permissible activities of LSC grantees. They could not engage in direct or grassroots lobbying, represent certain categories of aliens, or represent prisoners in litigation. In Arkansas, those cuts accompanied the required consolidation of the state’s seven legal aid programs into the two programs that survive today: the Center for Arkansas Legal Services (CALS) and Legal Aid of Arkansas (LAA).

The funding cuts and program restrictions became the impetus for a national movement urged by LSC, the National Legal Aid and Defender Association (NLADA), and the American Bar Association (ABA), for states to coordinate access to justice efforts more broadly and with the support of state leaders of the bench and bar. At that time, access to justice commissions began forming as an organizing point for engaging key stakeholders in supporting the expansion of access to civil justice.

Arkansas’s two legal aid organizations responded to the national call and organized a conference in March 2001 to examine these issues as they related to access to justice in

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5 In Arkansas, like other states, there are limited exceptions. For example, a person who is the subject of a petition for involuntary commitment has the right to counsel. Ark. Code Ann. § 20-47-212. A custodial parent has the right to be represented by an attorney in a termination-of-parental rights proceeding. Ark. Code Ann. § 9-27-316.
7 Legal Services Corporation, About LSC, http://www.lsc.gov/about/what-is-lsc (last visited Aug. 20, 2014)
Arkansas. The conference resulted in a call to action that led to the formation of an Access to Justice Working Group. That group ultimately recommended that the Arkansas Bar Association submit a formal request to the Arkansas Supreme Court to create a permanent Arkansas Access to Justice Commission. The Association filed a petition to establish the Commission in August of 2003.

The Arkansas Supreme Court granted the Association’s request in a per curiam opinion handed down on December 18, 2003, tasking the newly-formed Commission with the mission of providing “equal access to justice in civil cases to all Arkansans.” Since its creation, the Commission has worked toward this goal by undertaking initiatives to expand pro bono attorney recruitment and participation, implementing court assistance projects, facilitating changes to statutes and court rules that impact access to justice, educating the public about the need for civil legal aid, and working to increase financial resources available to provide civil legal aid to low-income Arkansans.

B. Civil Legal Aid in Arkansas

Two civil legal aid organizations work in Arkansas today: the Center for Arkansas Legal Services (CALS) and Legal Aid of Arkansas (LAA). LAA serves thirty-one counties covering the north and eastern part of the state, while CALS serves the remaining forty-four counties in central, southern, and western Arkansas. For every case that CALS or LAA accepts, it has to turn another one away due to resource constraints. In determining which cases to accept and which ones are turned away, each program follows income guidelines that generally limit eligible clients to those whose household income falls within 125% of the federal poverty level. In addition, the programs follow case acceptance priorities that serve as “triage” protocols for allocating program resources to client matters based on the seriousness of an issue and the potential merits of a case. Typical case types include family law, consumer law, health and housing, neglect and abuse, public benefits, and education—in other words, civil cases where there is no financial incentive for attorneys to offer representation (such as a potential contingency fee recovery or statutory attorney’s fees).

In 2013, LAA employed forty-six staff members, of whom thirty-seven were attorneys or paralegals. That same year, CALS employed forty staff members, of whom twenty-eight were attorneys or paralegals. Altogether, LAA and CALS attorneys delivered legal services to 11,787 clients in a wide variety of issue areas, including housing, family, consumer, and employment law. Of these cases, LAA and CALS attorneys offered counsel and advice to a majority of their clients (7839, or 67%) and represented 3948 clients in more extended matters, including everything from brief services to full representation in contested court cases.

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10 Programs are permitted to serve clients whose gross household income is at or below 125% of the Federal Poverty Guidelines, and in some circumstances up to 200%, if certain exceptions are met.
11 These numbers were provided by CALS and LAA through Case Service Reporting (CSR) Reports generated by their respective case management systems. Reports are on file with the Arkansas Access to Justice Commission.
1. Service Delivery

The primary point of entry for clients seeking civil legal aid is through a statewide telephone “HelpLine” that geo-routes calls based on the caller’s area code to the legal aid program that serves the area from which the call originates. Callers are directed to non-attorney intake staff who conduct screenings to determine whether callers are financially eligible for services.

Once a caller is determined to be eligible, he or she is transferred to an attorney, who then assesses whether the matter falls within the program’s case acceptance priorities and what level of service is most appropriate given the circumstances of the client and the program’s resource constraints. CALS clients speak with dedicated HelpLine attorneys, whose primary responsibility is handling calls from clients seeking legal assistance. LAA clients are placed in a queue based on the type of legal issue (economic justice, housing, domestic relations, and consumer law), and speak to an attorney who practices in the applicable area of law. All LAA staff attorneys rotate HelpLine duty.

For cases that are accepted for more extended services, CALS managing attorneys assign each case to a staff attorney based on geographic location. LAA has four workgroups—economic justice, domestic relations, consumer law, and housing—with a lead attorney managing each group and making case assignments. Each staff attorney is a member of a workgroup, and he or she handles those cases identified as falling within the scope of the workgroup’s expertise.

Both CALS and LAA also organize community events to reach out to more clients. CALS performs client outreach with an annual homeless event and organizes limited scope legal clinics in cooperation with community partners. LAA partners with several organizations that screen people with legal issues and refer them to an LAA office; among those partners are five medical-legal partnerships around the state. LAA also has a contract for representing petitioners of Orders of Protection in court in eastern Arkansas.

CALS and LAA together serve as the only organized and funded mechanism in the state for matching pro bono attorneys with clients. As such, resource limitations and LSC-imposed program restrictions significantly limit the ability of these programs to refer cases or clients that fall outside their case priorities. These programs refer pro bono cases to approximately 1500 volunteer attorneys each year.13

In addition to coordinating the provision of direct legal service to clients, CALS and LAA—through a joint coordinating unit called the Arkansas Legal Services Partnership (ALSP)—provide Arkansas-specific legal information and forms that address legal issues most

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12 In addition to accepting cases over the phone, LAA accepts walk-ins.
13 There are approximately 9,000 Arkansas-licensed attorneys, 5953 of whom are considered to be “resident and active.” American Bar Association, National Lawyer Population by State (2013), http://www.americanbar.org/content/dam/aba/administrative/market_research/2013_natl_lawyer_by_state.authcheck dam.pdf (last visited Aug. 20, 2014).
commonly encountered by low-income Arkansans through a statewide website: www.arlegalservices.org. This website annually receives an average of 958,777 page views and 50,468 document downloads, making it one of the most highly-trafficked legal websites in the state. Among the website’s public offerings are twenty-four interactive interview-based document assembly resources that generate personalized legal forms for self-help users. In 2013 alone, website users completed 30,205 interviews and generated a total of 16,546 documents.

2. Funding

CALS and LAA maintain program financial data as part of their accounting procedures. The Legal Services Corporation (LSC) provides about fifty-four percent of the total revenue to CALS and LAA. An additional twenty percent comes from additional federal grants and contracts such as the Violence Against Women Act (VAWA) the Older Americans Act, and AmeriCorps. Less than 5% is from private donations. Altogether, combined revenues for CALS and LAA for 2013 was $6,487,669—of which $4,038,213 came from federal sources.

The only funding that CALS and LAA receive from the state comes from an appropriation to the Public Legal Aid Fund through the state’s Administration of Justice Fund, which allocates a portion of the state’s total civil court fees filed to legal aid. In 2013, CALS received $396,132, while LAA received $324,106. Although the State of Arkansas contributed a total of $720,238 to legal aid in 2013 through the Administration of Justice Fund, none of this money came from general revenues generated by individual taxpayers.

On the expenditure side, expenses for CALS and LAA are divided into non-payroll expenses, attorney payroll expenses, non-attorney payroll expenses, benefits, and litigation fees. LAA’s operating expenses for 2013 were $2,729,102, including all attorney fees, non-attorney staff fees, litigation fees, and other operating expenses like rent on office space. CALS’s 2013 operating expenses were $3,247,304. Added together, the total financial cost of legal aid services in the state of Arkansas for 2013 was $5,976,406.

Despite these resources, the current demand for free civil legal services far outstrips existing capacity for legal aid providers to assist them. One in four Arkansans now lives at or

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14 These figures represent averages of 2010-2013 page views and event statistics, as measured by Google Analytics for www.arlegalservices.org.
15 These statistics were gathered from an annual technology report that ALSP compiles. Reports are on file with the Arkansas Access to Justice Commission.
16 2013 Annual Justice Partners Report, supra note 9. Program-specific information regarding expenses and revenues for CALS and LAA were gathered from their Forms D-1: Actual Expenses for 2013, which were submitted to LSC. Reports are on file with the Arkansas Access to Justice Commission.
18 The total amount received by CALS and LAA combined was lower than the $855,432 appropriation due to funding cuts occasioned by shortfalls in collections for the Administration of Justice Fund. See State Legal Aid Fund Faces Substantial Cuts, http://www.arkansasjustice.org/AOJ-funding-cuts (last visited Aug. 20, 2014).
19 This is described both nationally and in Arkansas. See generally Legal Services Corporation, 2012 Fact Book, http://www.lsc.gov/about/lsc-fact-books (last visited May 23, 2014); Amelia T. LaFont, Margaret E.C. Hobbs, J. Tyler Pearson, & Gregg F. Potter, Civil Legal Needs of Low-Income Arkansans: 2013 Needs Assessment Final
below the income threshold needed to qualify for civil legal aid.\textsuperscript{20} An additional 17\% of our state’s population lives between 125\% and 200\% of the federal poverty level, meaning that nearly half of Arkansans facing a civil legal problem would likely have to choose between paying for a basic necessity and paying an attorney.\textsuperscript{21} There is presently one lawyer in active practice for every 497 Arkansans, but only one legal aid attorney for every 17,568 legal aid-eligible Arkansans.\textsuperscript{22}

III. Economic Benefit Studies: Research from Other States

At least seventeen states have conducted studies that attempt to measure the economic benefits of civil legal aid services, including Alaska, Texas, Pennsylvania, and Virginia. A 2009 paper details some of these early efforts, which began in the early 2000s.\textsuperscript{23} Generally speaking, most of the studies attempt to measure the direct financial impact of civil legal aid on the clients who receive services, the benefits to local communities in the form of costs prevented by legal interventions, and the multiplier effect of outside dollars that enter the state’s economy. Most of these studies appear to focus on services that are extended in nature (e.g., representation in administrative appeals or court cases), although at least two studies specifically examine outcomes for cases handled as counsel and advice or brief services only.\textsuperscript{24}

A number of studies acknowledge the difficulties inherent in quantifying the economic benefits of civil legal aid. Legal aid cases often involve matters where one’s safety or access to education or family stability is at stake, as opposed to matters directly impacting finances, such as employment or access to federal or state benefits. In such instances, other states have often looked at costs avoided. In order to arrive at such calculations, these states have examined the costs of social services (e.g., homeless shelters and domestic violence shelters) as well as rates of success attributable to legal interventions.\textsuperscript{25}

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\item[22] Id.
\item[23] Laura K. Abel & Susan Vignola, \textit{Economic and Other Benefits Associated with the Provision of Civil Legal Aid} (2009).
\item[25] See, \textit{e.g.}, 2011 New York Study, \textit{supra} note 3.
\end{itemize}
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A. Direct Relief for Low-Income Families: Financial Benefits and Savings

While nonprofit civil legal aid providers benefit local and state economies by creating jobs and spending money to operate, their direct economic impact is most evident among clients, who may gain income and avoid financial liabilities as a result of the legal services they receive. These take the form of “recoveries”—which consist of lump-sum cash awards or newly acquired income-producing benefits, such as child support or Social Security Disability Income (SSDI)—and “avoidances,” which are financial liabilities that legal intervention succeeds in reducing or eliminating, as with a debt claim that is dismissed.27

B. Benefits to Taxpayers and Communities

1. Costs Avoided

Legal aid aims to solve problems before they become worse, and many legal interventions help avoid the need to access other social services. A number of studies have focused on how legal interventions can prevent homelessness, preserve home values by avoiding foreclosures, and avoid costs associated with domestic violence. Studies that examine impacts to society and to taxpayers necessarily include a variety of assumptions—and therefore offer somewhat imprecise, though helpful, insight into the benefits that legal aid can have outside of its immediate sphere of influence on clients.

For example, legal intervention in a foreclosure or a landlord-tenant dispute can prevent homelessness, and thus decrease the cost of state-funded homelessness services.28 In one study conducted in Virginia, researchers quantified the economic burden of homelessness services on the city as well as how legal representation reduced the cost of homelessness services.29

Studies that have examined the impact of housing foreclosures suggest that legal services aimed at preventing foreclosures not only help the affected client, but prevent declines in property values for entire neighborhoods. Foreclosure has two effects on neighborhood property values: the disamenity effect and the supply effect.30 The disamenity effect, which is a measure of how housing prices may fall due to poorly maintained or nuisance properties, is about one to two percent of neighboring home values within 300 feet (the average is 260 feet).31 The supply effect, which indicates how housing prices may fall due to a rise in the supply of available

31 Id.
homes, varies by housing market and affects neighboring homes up to 500 feet away by up to nine percent.\textsuperscript{32} Similarly, a rented property can also suffer from the disamenity effect, although not as severely because the foreclosure and resale process can be much longer than the time it takes a landlord to find new tenants.\textsuperscript{33}

Both the disamenity effect and the increase in housing supply that are caused by a single foreclosure serve as measures of the negative impact on the foreclosed homeowner and neighboring property owners. With a drop in housing value, the neighboring homeowner who has not been foreclosed upon is at risk for incurring negative equity, presenting a barrier for selling their home and for future borrowing options.\textsuperscript{34} Thus, a single foreclosure can have a domino effect within an entire community.

2. \textit{More Efficient Courts}

A 2009 study conducted in California attempted to quantify savings to courts resulting from the provision of services to self-represented litigants.\textsuperscript{35} Although the services that were the subject of the study were provided by the court and not legal aid, the findings suggest that the legal aid organizations that provide certain limited assistance to clients, such as directing them to applicable self-help resources and providing advice, may generate quantifiable savings to courts by decreasing the amount of time court staff spend assisting self-represented litigants, reduction in the number of hearings, and reduction in the number of documents returned to the filer to correct deficiencies.\textsuperscript{36}

Arkansas has also collected information from trial court judges in the past regarding their experiences with self-represented litigants; a 2011 study showed that 91\% of trial court judges indicated differences in how efficiently cases were handled in court depending on whether a party had legal representation.\textsuperscript{37} Sixty-three percent of participating judges reported that self-help resources available on www.arlegalservices.org are beneficial to courts and court operations.\textsuperscript{38} Neither the 2011 study nor the survey conducted as part of this research attempted to quantify those savings, as this was outside the scope of our project. However, we believe this to be an area worthy of further study.

3. \textit{Increased Household Consumption}

Studies in other states have demonstrated that recoveries bring money into the state and avoidances reduce debts to the state, lowering the tax burden for all residents and increasing

\textsuperscript{32} Id.
\textsuperscript{33} Id.
\textsuperscript{34} Zhenguo Lin, Eric Rosenblatt, & Vincent Yao, \textit{Spillover Effects of Foreclosures on Neighborhood Property Values}, 38 J. REAL EST. FIN. & ECON. 387 (2009).
\textsuperscript{36} Id.
\textsuperscript{38} Id. at 37.
consumption for those whose liabilities are reduced or eliminated.\textsuperscript{39}

Higher proportions of debt as a part of total income (DTI ratio) lowers total household consumption. According to a 2007 paper by Federal Reserve economists Kathleen Johnson and Li Geng, for the lowest one-third of households by income, a change in income with a DTI ratio around 40-60\% can result in a drop in household consumption of up to 15\%.\textsuperscript{40}

4. Economic Stimulus: The Multiplier Effect

Each dollar brought into a state has an immediate effect; a rise in household income results in a rise in household consumption. Additionally, each dollar continues to create economic activity as it circulates to other businesses and consumers. The term for this continued effect is an “economic multiplier” or “multiplier effect.”\textsuperscript{41} This effect is explained as how many times a single input—in this case, a dollar of benefit won by legal aid—circulates around the economy.\textsuperscript{42} Studies that have examined the multiplier effect have focused on the impact of out-of-state dollars—primarily from federal sources—that are procured by the legal aid organization for its own operation (e.g., Legal Services Corporation funding and other federal contracts) and that are procured for legal aid clients.\textsuperscript{43}

Multipliers can be measured using an input-output regional multiplier toolkit.\textsuperscript{44} A number of states that have examined the economic benefit of civil legal aid have used the widely accepted Bureau of Economic Analysis Regional Input-Output Multiplier System (RIMS II) in their studies.\textsuperscript{45} Multipliers are an important tool for understanding the impact that a rise in income can have on household consumption, and this is especially true of low-income households because low-income people tend to spend all of their income on goods and services instead of saving it.\textsuperscript{46} For example, a multiplier of four indicates that every dollar spent generates four dollars of continued economic activity.

Studies that utilize the RIMS II apply a multiplier of 1.65 for all funds that come into a state from federal sources. These sources generally consist of federal grants that support the provision of civil legal aid (e.g., LSC, VAWA, and others), as well as federal benefits recovered on behalf of legal aid clients.\textsuperscript{47}

\textsuperscript{39} See, e.g., 2013 Georgia Study, supra note 28.
\textsuperscript{41} 2011 Virginia Study, supra note 3.
\textsuperscript{42} Id.
\textsuperscript{43} See 2013 Iowa Study, supra note 26.
\textsuperscript{44} See U.S. Department of Commerce Bureau of Economic Analysis Regional Input-Output Modeling System (RIMS II), \url{http://www.bu.edu/esi/research-methodology/rims/} (last visited Aug. 20, 2014).
\textsuperscript{46} Laura K. Abel & Susan Vignola, Economic and Other Benefits Associated with the Provision of Civil Legal Aid (2009).
\textsuperscript{47} See, e.g., Kushner, supra note 27.
C. Beyond Economics: Qualitative Impact

At least a few studies on economic impact also delved into how legal interventions can have a positive qualitative impact that extends beyond economic considerations. For example, domestic violence survivors feel more secure and optimistic about their individual and family’s future after receiving legal help. The Iowa study suggests that there are many other direct impacts such as optimism, personal safety, and financial security that legal intervention can provide but that cannot be easily quantified.

IV. METHODOLOGY

Our study sought first to compare the costs of providing civil legal aid in Arkansas to the market rate for those services to determine the value that these services add. Second, we calculated the direct relief that civil legal aid provided to clients in 2013 based on the recoveries achieved and losses avoided. Third, we attempted to estimate secondary effects achieved in the form of savings to taxpayers occasioned by prevention of the costs associated with homelessness, foreclosures, and domestic violence. Finally, we sought to gather quantitative data on economic benefits by conducting electronic surveys of Arkansas trial court judges; interviews of CALS and LAA staff; and telephone surveys of CALS and LAA clients who had either received counsel and advice through the programs’ telephone HelpLines or received more in-depth services, such as negotiated settlements, administrative agency appeals, or representation in contested court cases.

Given the small number of clients who could be reached for the surveys, the information gathered provided mostly qualitative insights, rather than the quantitative data we originally sought to gather. A full survey of a sample size that could have yielded statistically significant results was outside the scope of this project, although additional research in this area would be beneficial in light of the substantial resources that CALS and LAA devote to providing these services as the primary point of entry and triage for poor persons with legal needs. A 2012 report prepared by the Resource for Great Programs, Inc., for the Pennsylvania IOLTA Board provides a thoughtful framework for further study in this area.

A. Calculations of Overall Value of Civil Legal Aid

We first looked at the value of the services provided by staff attorneys and pro bono volunteers for CALS and LAA by determining the market price of a private attorney who performs the same range of legal services. To determine actual cost, we reviewed each program’s Form D-1: Actual Expenses for 2013, which is a report that CALS and LAA submit each year to

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48 Abel & Vignola, supra note 46, at 9.

https://www.palegalaid.net/sites/default/files/AJA_Client%20Survey%20Report_FINAL_Attachments%20A_B_and_C_Revised%207-12-2012%20(1).pdf (last visited Aug. 20, 2014). Researchers in this study had difficulty garnering sufficient sample sizes for case types as a result of a low success rate in reaching clients.
LSC and provide to the Arkansas Access to Justice Foundation’s IOLTA Program. Those reports are attached as Appendix A.

To determine market value of legal representation provided, we viewed two sources: (1) a report from the National Consumer Law Center (NCLC) on average prices charged by consumer law firms by state and by size\textsuperscript{51} and (2) the United States Justice Department’s Laffey Matrix, an average billable rate for all attorneys from 2003-2014.\textsuperscript{52} Since the Laffey Matrix included all criminal and corporate law areas as well as civil law areas, we believed the NCLC report to be a more accurate approximation of the price a private attorney might charge for the same legal services that CALS, LAA, and pro bono volunteers provide.\textsuperscript{53} The NCLC report from 2011 indicated that the average fee per hour (also called the ‘billable rate’) for Arkansas was $190.\textsuperscript{54}

In addition to calculating the market value of direct legal representation, we estimated the value of the free self-help resources and information that ALSP provides through www.arlegalservices.org by determining the market value of services provided by private market outfits that offer consumers personalized legal documents for a fee. For example, LegalZoom is an online legal resource where an individual can prepare documents for civil legal areas such as a divorce for $299, a living will for $69, and a Power of Attorney for $35.\textsuperscript{55}

ALSP works to support statewide legal services provided by CALS and LAA, in part by providing legal information and forms to self-help users (similar to the documents found on LegalZoom) for free. In 2013, Arkansans identified their need for legal documents more than 30,000 times using automated self-help interviews created with A2J and HotDocs and hosted through the LawHelp Interactive Server. Of the 30,205 interviews completed, more than 16,500 documents were generated for users (referred to as “assemblies”). A complete listing of automated resources and usage statistics is attached as Appendix B. The documents utilized in our calculations are listed below.

Table 1: Selected ALSP Document Interviews and Assemblies, 2013\textsuperscript{56}

<table>
<thead>
<tr>
<th>Document</th>
<th>Interviews</th>
<th>Assemblies</th>
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<tbody>
<tr>
<td>Divorce*</td>
<td>17,471</td>
<td>11,272</td>
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<td>Power of Attorney (Minor)</td>
<td>3,407</td>
<td>1,139</td>
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<tr>
<td>Living Will**</td>
<td>1,124</td>
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<td><strong>Total</strong></td>
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<td><strong>13,309</strong></td>
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</tbody>
</table>


\textsuperscript{53} Burdge, \textit{supra} note 51. Indeed, CALS and LAA currently calculate the value of services provided by pro bono volunteers using an estimate of $200 per hour.

\textsuperscript{54} \textit{Id.} at 15.

\textsuperscript{55} See \url{www.legalzoom.com}, Divorce Pricing (2014).

\textsuperscript{56} Full table data included in Appendix B.
Includes both English and Spanish language documents for divorces with no expensive property, no children, and no child or spousal support.

**Includes both Do Not Resuscitate (DNR) and “all means possible” provisions for living wills.

B. Calculations of Recoveries and Avoidances

CALS and LAA each record information about every case in their own case management systems. These systems categorize all cases by (1) problem codes, which indicate the issue for which a client seeks legal aid (such as a landlord-tenant dispute or guardianship of a minor) and (2) the extent of services provided, ranging from counsel and advice to full representation in contested court cases. The case management system also contains fields that permit the attorney to record the outcome of each case, the amount of each recovery or avoidance where applicable; and the total amount of time attorneys put into all cases. CALS and LAA each generated reports covering calendar year 2013 that listed all closed cases by problem code, amount of any lump-sum recovery, monthly amount recovered (for monthly benefit payments, such as social security), amount of any loss avoided, and amount of any monthly payment obligation avoided. From here, we determined:

- total cases closed by problem code;
- total cases for which a recovery or avoidance was logged;
- total recoveries by problem code;\(^{58}\)
- total avoidances by problem code;\(^{59}\) and
- distribution of total avoidances and recoveries by level of service provided: counsel and advice, brief services/limited action, negotiated settlement (with and without litigation), administrative agency decision, uncontested and contested court decisions, appeals, and extensive services.

Tables showing comprehensive case data for LAA are attached as Appendix C.

At the time of this study, legal aid programs were not required to record data on recoveries and avoidances. We found that LAA had consistently recorded this information for 2013, but that CALS had only begun systematically recording it toward the end of 2013. The data obtained on CALS recoveries and avoidances underestimated the programs recoveries and avoidances for 2013. In addition, recovery and avoidance data were unavailable for the four counties in the CALS service area that are served by a Texas legal aid organization through an LSC subgrant.\(^{60}\) To adjust for this underestimation, we calculated the annualized amount of recoveries and avoidances for CALS based on the proportional number of cases that CALS handled in 2013 compared to the number of cases that LAA handled. Therefore, detailed data

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\(^{57}\) At the time of this study, both CALS and LAA used Kemps Case Works case management software.

\(^{58}\) To calculate total recoveries, we assumed a twelve-month duration for the monthly recoveries, and added those annualized totals to the lump-sum recoveries. Many of the studies we reviewed projected recoveries out for significantly longer periods of time, making our estimates considerably more conservative than those in similar analyses. See, e.g., Massachusetts Legal Assistance Corporation, *Civil Legal Aid Yields Economic Benefits to Clients and to the Commonwealth: Some Benefits from FY13 Advocacy*, [http://www.mlac.org/pdf/FY13_Economic_Benefits.pdf](http://www.mlac.org/pdf/FY13_Economic_Benefits.pdf) (last visited Aug. 20, 2014).

\(^{59}\) To calculate total recoveries, we assumed a twelve-month duration for avoided monthly obligations, and added those annualized totals to one-time avoidances.

\(^{60}\) Hempstead, Lafayette, Little River, and Miller counties receive services through Lone Star Legal Aid.
related to recoveries and avoidances were analyzed only for LAA, with projected amounts developed for CALS. For LAA, we calculated average recoveries and avoidances by case type:

Table 2: LAA Average Recoveries and Avoidances by Case Type

<table>
<thead>
<tr>
<th>Case Type</th>
<th>Total Cases Closed</th>
<th>Total Cases w/ Rec or Avoid</th>
<th>Average Recovery</th>
<th>Average Avoidance</th>
</tr>
</thead>
<tbody>
<tr>
<td>Consumer</td>
<td>696</td>
<td>119</td>
<td>$63.45</td>
<td>$5,837.60</td>
</tr>
<tr>
<td>Education</td>
<td>58</td>
<td>1</td>
<td>$0</td>
<td>$0</td>
</tr>
<tr>
<td>Employment</td>
<td>215</td>
<td>50</td>
<td>$555.46</td>
<td>$1409.18</td>
</tr>
<tr>
<td>Family</td>
<td>3510</td>
<td>89</td>
<td>$114.62</td>
<td>$5.45</td>
</tr>
<tr>
<td>Juvenile</td>
<td>421</td>
<td>2</td>
<td>$32.93</td>
<td>$0</td>
</tr>
<tr>
<td>Health</td>
<td>105</td>
<td>3</td>
<td>$68.57</td>
<td>$13.71</td>
</tr>
<tr>
<td>Housing</td>
<td>568</td>
<td>23</td>
<td>$44.59</td>
<td>$487.84</td>
</tr>
<tr>
<td>Income</td>
<td>434</td>
<td>40</td>
<td>$1059.84</td>
<td>$248.85</td>
</tr>
<tr>
<td>Maintenance</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Individual Rights</td>
<td>292</td>
<td>0</td>
<td>$0</td>
<td>$0</td>
</tr>
<tr>
<td>Misc</td>
<td>295</td>
<td>9</td>
<td>$73.00</td>
<td>$80.80</td>
</tr>
</tbody>
</table>

We then utilized these averages to project recoveries and avoidances for CALS based on the number of cases that CALS closed in each category.

D. Calculations of Benefits for Communities and Taxpayers

1. Foreclosure and Neighborhood Property Value (2013)

To calculate the likely disamenity effect resulting from housing foreclosures, we assumed a 1% decline in housing value. Similarly, we assumed a 9% decline in value attributable to the supply effect. \(^{61}\) We estimated housing values by averaging housing values found through Zillow and Trulia for Little Rock, Fort Smith, Batesville, Rogers, Magnolia, and Jonesboro. Our estimates are as follows:

**Estimated Savings Per Foreclosure** (with a housing price of $150,000 and 6 neighbors within 300 feet and 10 neighbors within 500 feet):

- disamenity effect: $9,000
- supply effect: $135,000

2. Costs to State and Local Social Services: Housing and Domestic Violence

To determine costs to local social service agencies, we contacted two Central Arkansas agencies that provide shelter and other supportive services to homeless individuals and families. Annually, it costs about $794,000 for the Union Rescue Mission of Arkansas to shelter 1798 individuals, about one-third of whom are in domestic violence shelters. \(^{62}\) Our House, a

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\(^{61}\) See supra text accompanying notes 31 & 32.  
transitional housing program that provides a wide range of support services for homeless families, serves 1400 individuals with an annual budget of $2,000,000. In examining how legal interventions prevent homelessness—particularly in matters involving landlord-tenant disputes—we had difficulty establishing a direct connection between legal intervention and avoidance of homelessness in significant part because Arkansas law offers minimal protection for tenants. Our study therefore did not attempt to measure the impact of civil legal aid in preventing homelessness.

As for domestic violence cases, the range of services that legal aid is able to provide is extensive, from document preparation assistance with orders of protection to extended representation over a number of court appearances. For this study, we determined the rate of domestic abuse prevention by multiplying the success rate of domestic abuse legal services times the cost of domestic abuse per victim times the number of domestic abuse cases that CALS and LAA handled in 2013. As for domestic violence cases, the national success rate for orders of protection is on average about sixty percent. The 2013 inflation-adjusted average cost per incident per victim of domestic abuse is measured as $8,987.9 for direct medical services costs and $1,133.13 for mental health costs, resulting in a total direct cost per incident per victim at $10,121.03.

C. Multiplier Effect Calculations

To determine the ripple effects of multiplier effect of the output of Arkansas civil legal aid providers, we first calculated the dollars that CALS and LAA bring into the state from (1) LSC and other federal grants, and (2) for clients in the form of federal benefits. Using the RIMS II model, we utilized an average multiplier of 1.65. The totals for both categories are as follows:

| Table 3: Program Revenues and Client Recoveries from Federal Sources (2013) |
|--------------------------------------------------|------------------|
| CALS Federal Program Revenues (LSC, VAWA)        | $2,263,009.00    |
| CALS Client Recoveries of Federal Benefits       | $752,232.36      |
| LAA Federal Program Revenues (LSC, VAWA, AmeriCorps, etc.) | $1,775,204.00 |
| LAA Client Recoveries of Federal Benefits        | $556,292.64      |
| TOTAL                                            | $5,346,738.00    |

63 Justin Sanders, personal communication (Mar. 2014).
65 We calculated the cost per incident by adding nationwide averages for emergency room visits, outpatient visits, hospital overnights, physician visits, dental visits, ambulance and paramedic visits, physical therapy visits, and average mental health costs. This is then inflation-adjusted to year 2013 USD using an inflation calculator from the Bureau of Labor Statistics found at http://www.bls.gov/data/inflation_calculator.htm.
67 Id.
68 This amount is based on the projections discussed in Section IV.B. Specific problem codes examined were 23, 24, 61, and 71-77. All projections for CALS recoveries and avoidances can be found in Appendix F.
D. Attorney Interviews

Interviews were conducted with CALS and LAA attorneys to gather information regarding their perceptions of the impact of their services on clients. First, we focused on attorney roles and responsibilities within the organization of each legal aid provider. Next, we asked the attorneys to describe their clients and narrate experiences with clients. Finally, we asked them to envision how they would allocate additional resources to their respective organizations.

Attorneys from both CALS and LAA were interviewed in person and by phone. All interviews were recorded and transcribed. Using the following criteria, ten legal aid attorneys were interviewed—five from CALS and five from LAA. We selected the ten attorneys based on their area of specialization and geographic location. Four of these attorneys work on the HelpLine at their respective organizations (two from CALS and two from LAA). Four CALS attorneys that were interviewed work in the Little Rock office, two were managing attorneys, two specialized in domestic relations, one specialized in consumer debt, and two were HelpLine attorneys. Of the LAA attorneys that were interviewed, two were managing attorneys, one was a HelpLine attorney, one specialized in housing, one specialized in domestic relations, one specialized in economic justice, and one specialized in consumer debt. Geographically, two were from Jonesboro, one was from Harrison, one was from Helena, and one was from Springdale.

E. Client Surveys

When surveying CALS and LAA clients, we focused on the type of legal services they received. Then, we asked if and how the process of receiving legal aid services had a personal financial impact. Next, we asked if and how the final result of their legal issue had a personal financial impact. Finally, we asked clients about their experience working with CALS and LAA attorneys. The survey instruments used for all clients surveyed is attached as Appendix D.

Client surveys consisted of 16 questions that were administered by phone and completed by the researchers on each client’s behalf. CALS and LAA each provided two contact lists (a total of four lists) for clients who had cases closed in 2013. The first list included all clients who received HelpLine services for consumer debt issues. The second list included all clients who received services ranging from Limited Action to Extensive Services that were coded as consumer debt, domestic relations, or housing matters.

First, clients were called who received only HelpLine services for consumer debt issues. CALS provided a list of 55 names, from which all 55 clients were called with 17 surveys completed. LAA provided a list of 150 names, of which all 150 clients were called with 11 surveys completed.

Next, clients were called who received services ranging from Limited Action to Extensive Services that were coded as consumer debt, domestic relations, or housing matters. For domestic relations, CALS provided a list of 450 names. A total of 67 clients were called with 12 surveys completed. LAA provided a list of 1080 names. A total of 160 clients were called with 12 surveys completed. For housing, CALS provided a list of 148 names. A total of 35 clients were called with five surveys completed. LAA provided 54 names. A total of 54 clients were
called with five surveys completed. For consumer debt, CALS provided a list of 98 names. A total of three clients were called with one survey completed. LAA provided a list of 34 names. A total of one client was called and one survey was completed.

F. Trial Court Judge Surveys

We surveyed Arkansas trial court judges to assess their experiences and perceptions regarding the impact of legal representation on the ability of litigants to navigate cases through the correct procedural steps for bringing a case forward to be heard on its merits and to properly present a case in court. We specifically asked about their perceptions related to the efficiency and efficacy of pro se litigants in the administrative process and in the courtroom proceedings. A copy of the survey instrument is attached as Appendix E.

The survey of circuit court judges consisted of 19 questions which were administered online via Survey Monkey. All 121 judges were sent surveys. Only judges presiding over civil cases were asked to respond to the survey. Of those judges, 40 judges responded.

V. FINDINGS AND DISCUSSION

A. Value of Legal Aid

In 2013, CALS and LAA staff attorneys provided 35,878 hours’ worth of services to legal aid clients, while pro bono volunteers contributed a total of 8333 hours of service. This resulted in legal aid clients receiving a combined total of about 44,211 hours of free legal for the year. Applying the NCLC billable rate of $190, the dollar value of legal services performed by and through CALS and LAA—if they were to charge the private market price for legal services—is $8,400,092. This exceeds the actual cost of delivering the services—$5,976,406—by an estimated $2,423,686.

Legal aid also adds substantial value through the free self-help resources available through [www.arlegalservices.org](http://www.arlegalservices.org). The automated self-help resources alone save pro se litigants an estimated minimum of $3,472,155 that likely would have gone to pay out-of-pocket for LegalZoom or other fee-based document services. Based on the fees LegalZoom charges, those amounts include $3,370,328 for divorces, $61,962 for living wills, and $39,865 for powers of attorney.

B. Direct Relief for Low-Income Families

In 2013, LAA recovered a total of $1,093,805 for its clients by helping clients realize tax savings and credits, obtain or retain federal benefits programs like SSDI and unemployment insurance to which they were legally entitled, and recover child and spousal support. LAA

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69 Based on attorney self reports submitted on a voluntary basis each year to the clerk of the Arkansas Supreme Court, pro bono attorneys likely provided at least an estimated 13,430 additional hours of pro bono work on their own, apart from CALS and LAA. Although some of these hours include non-representation services like activities that further administration of justice, many pro bono attorneys chose to represent indigent clients directly. The additional value of these services exceeds $2.5 million for 2013.
helped clients avoid $4,812,217 in financial liabilities attributable to debts, garnishments, and foreclosures. In all, the total recoveries and avoidances achieved for LAA clients in 2013 was $5,906,021.91—an amount that exceeds LAA’s 2013 operating costs of $2,729,102 by $3,176,919.91. Appendix C details LAA’s recoveries and avoidances by problem code, as well as avoidances and recoveries by level of service provided.

Based on the projections described in the Methodology section, CALS recovered an estimated $1,196,687.75 for its clients, and helped them avoid estimated losses in the amount of $4,647,062.99, for a total impact of $5,843,747.74. This amount exceeds CALS’s 2013 operating expenses of $3,247,304 by $2,596,443.74. A table showing projected recoveries by case type for CALS is attached as Appendix F.

Strikingly, the recoveries and avoidances quantified here account for a mere 5% of all the cases that CALS and LAA closed in 2013 based on our review of closed case data from CALS and LAA for 2013. A primary reason for this is that 67% of all case dispositions statewide happen after the provision of counsel and advice. Any outcomes that might result in any direct recovery or avoidance will almost always happen after the legal intervention and typically require that the client follow the advice given. Through the client surveys administered for this study, we attempted to determine whether such counsel and advice resulted in a measurable impact; however, collection of this information proved to be a challenge, as we were only able to reach 28 of the 205 former clients we attempted to call regarding the advice and counsel they received.

C. Benefits to Communities and Taxpayers

To determine how legal aid can benefit communities and taxpayers, we calculated opportunity costs by reviewing reports on the costs of services related to housing and domestic violence. These categories were chosen based on CALS and LAA attorney interview responses regarding the most impactful case types they work on. These are just two examples of cases that likely have broader positive societal effects.

1. Preserving Property Values

In 2013, Arkansas legal aid lawyers assisted 1279 clients in housing-related cases, including helping 687 clients resolve private landlord-tenant disputes and 102 address mortgage foreclosure issues. Legal aid helps clients prevent foreclosure, delay foreclosure, or negotiate payment plans for homeowners. These services help resolve the disamenity and supply effects. Of the 102 foreclosure cases handled by CALS and LAA, 15 were handled through services more extensive than advice and counsel or brief services. Interventions in these 15 matters likely prevented 13 foreclosures, saving Arkansas neighborhoods about:

- Estimated Savings (with a housing price of $150,000 and 6 neighbors within 300 feet and 10 neighbors within 500 feet):
  - disamenity effect: $117,000
  - supply effect: $2,025,000
  - TOTAL: $2,142,000
2. *Preventing Domestic Violence*

In 2013, CALS and LAA represented a combined total of 1880 domestic violence victims and helped complete 649 applications for Orders of Protection. Using the national averages, Orders of Protection saved an estimated $3,941,129 in direct medical costs and mental health costs to the victim, the victim’s family, and state social services.

D. Benefits to the Overall Economy: Multiplier Effect

In 2013, CALS and LAA brought a combined $4,038,213 in federal grants to support the delivery of civil legal aid in Arkansas. In addition, these programs recovered an estimated $1,308,525 in federal benefits for their clients. In total, legal aid brought a total of $5,346,738 in new dollars into the state. Applying the widely accepted RIMS II multiplier of 1.65, we determined that legal aid generates an additional $8,822,117.70 in additional economic activity within the state.

E. Totals

A table summarizing our calculations is listed below.

<table>
<thead>
<tr>
<th>Table 4: Total 203 Revenues and Savings Generated by CALS and LAA</th>
</tr>
</thead>
<tbody>
<tr>
<td>Difference in Value Between Market Rate and Actual Expenses</td>
</tr>
<tr>
<td>Savings to Clients to Pay for Document Preparation</td>
</tr>
<tr>
<td>Direct Recoveries for Clients</td>
</tr>
<tr>
<td>Avoidance of Direct Losses to Clients</td>
</tr>
<tr>
<td>Loss of Housing Values due to Foreclosure Prevention</td>
</tr>
<tr>
<td>Prevented Cost to Domestic Violence Survivors through Orders of Protection</td>
</tr>
<tr>
<td>Multiplier Effect of Out-of-State Income</td>
</tr>
<tr>
<td><strong>Total</strong></td>
</tr>
</tbody>
</table>

F. Qualitative Impact of Arkansas Civil Legal Aid

The third source of data came from surveys and interviews that we implemented to collect primary data regarding the economic impact of legal interventions. The Alaska study used a methodology where quantitative data was pulled from qualitative interviews and surveys, so we included interviews and surveys in our Arkansas study. Our goal was to capture firsthand experiences with legal aid organizations as well as hear more expansive narratives of economic impact. To gather this data, we interviewed CALS and LAA attorneys and surveyed clients and trial court judges.

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1. *Survey of Circuit Court Judges in Arkansas*

All 121 judges from circuit civil courts were surveyed about pro se litigants, legal aid attorneys, and document preparation services, as well as how these impacted success rates in civil cases. The full results are included in Appendix E.

In summary, most judges observe the impacts of both legal aid attorneys and legal aid-created self-help forms in their courtroom. The judges indicated that represented litigants (individuals with legal representation) are more successful because their pleadings are more likely to be correct.

Most judges indicated the two reasons why many pro se litigants are unprepared and have cases dismissed are because pro se litigants often lack proper legal documents or knowledge of court proceedings. This is especially true if the pro se litigant is a plaintiff, indicating a barrier to becoming a plaintiff.

A majority of judges surveyed indicated they are willing to work with pro se litigants, but prefer represented litigants because legal representation reduces the time spent explaining proper documents and court procedures as well as the likelihood of (and thus time spent) re-filing cases.

A majority of judges surveyed concluded that legal aid representation is more successful in the administration of justice than pro se self-representation. A majority of judges surveyed also concluded that legal aid representation is more successful in the administration of justice than only legal aid document assistance services, but that pro se litigants are more successful when they use legal forms and information provided by legal aid.

2. *CALS and LAA Attorney Interviews*

Ten attorneys from CALS and LAA, who work with clients on a number of issues and in different depths of relationships, were interviewed. In summary, the attorneys discussed consistent themes about their work and how it relates to clients, including the structure of the legal aid provider, the demographics and the economic issues that affect the average client, and the kind of additional resources they would use and the way in which they would allocate these resources.

Asking how CALS and LAA are structured helped us examine how the HelpLine works, the intake process of the clients, and the way in which the cases are assigned to the attorneys. Details about what we learned about service delivery are set out in II.B.1 above.

Both CALS and LAA attorneys described a similar average client. Their average client is female, aged 18 to 70 years old, usually separated, seeking divorce, and has children. Poverty is the major issue, with many either born poor or became poor during an economic downturn.

The average client has a high school diploma, and their lack of higher education prevents them from finding a good job and improving their situation. This brings them to a lack of faith in themselves, which can lead to substance abuse and violence inside and outside their families. Many are unemployed, living on Supplemental Nutrition Assistance Program (SNAP) and/or
Social Security Insurance (SSI). The majority of them rent a house or live with their parents. Their income and education level make them easier targets for abusers and batterers, and of predatory scams.

When asked what they would do if their organization was given more resources, the majority of the attorneys from both LAA and CALS indicated that they would hire more staff attorneys to work directly with clients. An LAA HelpLine attorney wishes to have attorneys in workgroups similar to CALS. An attorney of the CALS HelpLine would like to develop a “brief service unit” to fill in the gap that (in their opinion) currently exists in between the HelpLine and extended representation.

An attorney for CALS stated that they would hire social workers as staff members. This attorney acts as a social worker when helping a client, but sometimes this attorney does not know where and how to refer people. Also, this attorney has represented clients who have been survivors of domestic violence who had to deal with apathetic members of law enforcement, or with judges who do not understand the cycle of domestic violence. Thus, the attorney indicated that additional resources would help educate judges and law enforcement officials on how they can help with cases involving domestic violence.

A CALS HelpLine attorney would use additional resources to assess the program delivery of the HelpLine to ensure that current resources are being utilized efficiently. This attorney also wishes for a support structure to be created inside both LAA and CALS to help prevent emotional and mental burnouts of attorneys. Finally, both CALS and LAA attorneys would dedicate themselves to proactive litigation in order to create systemic change.

3. Former Client Surveys

Former clients were surveyed by telephone about the legal services they received from CALS and LAA through either the HelpLine or more extended services. Clients who received services that were more extensive than advice and counsel or brief services tended to report more positive outcomes and greater satisfaction with those services than did clients whose matters were closed upon disposition of advice and counsel. Greater levels of satisfaction and recollections of more positive outcomes were reported by clients who accessed services through the LAA HelpLine than through the CALS HelpLine. Because the two programs utilize different models—CALS, a “hotline” system and LAA, a queue-based system that tends to keep clients who receive more extensive services with the attorney who conducted the initial case assessment—further research in this area could offer insight into whether certain client intake models are more effective than others. We were unable to definitively attribute these differences to the intake model, nor were we able to exclude other factors.

Clients who reported positive outcomes also tended to report that their experiences made them feel more empowered to face their legal issues, felt less stress about their problems, and could recall more specifics about their case and the representation they received. One client described her experience as “life-changing”: 
• “Ms. Olivia” called the HelpLine needing advice on how to file bankruptcy. She received direct services from a legal aid attorney. She had to pay an initial set up fee of $250 to start her case over. However, she said she was glad the HelpLine was available.

• “Ms. Alice” disclosed she worked all of her life. She purchased supplemental insurance to cover her living expenses in the event that she fell ill. “Ms. Alice” did become very ill and notified her insurance company of her illness. The insurance company did not cover the credit card payments of $25,000. Recovering from her illness, still bedridden and deeply depressed, “Ms. Alice” contacted the HelpLine for advice. She disclosed that the attorney she spoke with was extremely helpful. The attorney told her to write down all the harassing calls and with the attorney’s help, “Ms. Alice” was able to negotiate from $25,000 down to $3,000. Now that most of the debt is gone, she feels stronger and less depressed. She hopes to go back to work soon. She said the help she received through the HelpLine made all the difference.

• On disability and unable to afford to hire an attorney, “Ms. Beverly” called the HelpLine because she was locked out of the property she was renting. She had paid her rent on time and had proof but her landlord was keeping her things anyway. She spoke with an attorney who helped her to navigate the law and get her priceless family heirlooms back. She said that he stopped the harassment and gave her enough time to find another home and get her things moved. She said that her attorney was a wonderful attorney and helped her deal with major stress.

• “Ms. Gertrude” was facing a difficult situation when she contacted LAA. She was pursuing a divorce and an Order of Protection from her abusive husband, who had left her homeless and with no money. Her attorney was very intelligent and helped her think about things she never thought about. Her ex husband had already been violent toward his ex-wife, and her attorney opened her eyes and helped her realize that her situation was not her fault. He had him go away. She estimated that she saved about $1500 and $2000, because she did not have to pay for an attorney, even though she still had to pay court fees.

• “Ms. Ivonne” went to seek help from CALS to get a restraining order from the father of her children, and to keep it in effect. She was also able to keep her home and to get child support, although this is not being paid. She was living a stressful situation where she was afraid for her life and for the life of her children. Her attorney helped “Ms. Ivonne” tremendously. She feels glad about the help received, especially about her safety. She stated that without her attorney’s help, she may have not been there at the moment of our call. Through the help of her attorney, her children are learning what happiness really is like, because they had never known it before. Her attorney helped her estimate that through the help received by legal aid, she had been able to save between $1000 and $1500, since she did not have to hire a private attorney.

Out of the 525 clients we attempted to reach for telephone surveys, we were only able to make contact with 64 clients. All 64 clients reached completed the telephone surveys. We found that the telephone numbers maintained by CALS and LAA for these clients in many cases no
longer worked, or that the client no longer resided in the household contacted. This experience was not unusual given that the circumstances often leading to the need for legal aid result in changes to clients’ living situations. We also noted that many of the clients we interviewed had no access to internet services at home, which could have limited their ability to follow through on any counsel and advice intended to connect those clients with online resources. Any future attempts to collect outcome-type data on legal aid clients receiving advice and counsel should take into account the transient nature of client living situations and potential lack of access to services that could facilitate resolution of a matter when designing any data collection mechanism.

VI. CONCLUSION

Without question, civil legal aid in Arkansas has a substantial measurable positive economic impact on low-income Arkansans and on the state of Arkansas. Legal aid also prevents costs to individual families and to society as a whole by providing effective legal interventions in such cases as domestic violence and housing foreclosures. CALS and LAA handle a high volume of client matters each year with limited resources, and do so at a substantially lower cost than the equivalent cost of such services in the private legal market. Remarkably, these services generated over $32 million in economic activity in 2013 alone.

CALS and LAA have been trusted providers of high-quality legal advocacy for low-income Arkansans for nearly fifty years. Their work improves the lives of thousands of Arkansans each year and protects what is perhaps the most fundamental value to American society, namely to ensure that the justice our Constitution’s framers sought to establish is available to all persons, regardless of social or economic circumstances.