



Barriers to Justice

A 2018 STUDY MEASURING THE CIVIL LEGAL NEEDS
OF LOW-INCOME OREGONIANS



Legal Problems are Widespread

75% of survey participants live in a household that experienced a legal problem in the previous 12 months.



Legal Problems Multiply

5.4 legal problems were experienced by the typical low-income household in Oregon in the last 12 months.

*Fraud
Denial of Benefits
Unfair Eviction
Child
Restraining Order
Child Custody*

The Need for Legal Aid Outpaces Resources

84% of people with a legal problem did not receive legal help of any kind.



Methodology

This report is based on a survey conducted in partnership with the Portland State University (PSU) Survey Research Lab. There were 1,017 survey participants from a statewide, address-based sample of 15,000 residents of high-poverty census blocks distributed according to Oregon's population. Participants were initially contacted by mail and completed the survey by mail, phone, or internet. The paper survey was only available in English. The web and phone surveys were conducted in both English and Spanish. PSU collected surveys during the winter of 2017-2018. To participate in the survey, participants had to have a household income at or below 125% of the federal poverty line. This is the same household income limit used to determine eligibility for legal aid in Oregon. The demographic characteristics of survey participants were analyzed (race, age, gender, etc.). The data collected was sufficient to allow for analysis of civil legal needs specific to individual groups. Additionally, researchers conducted door-to-door, in-person surveying in areas of known farmworker concentration, collecting 111 migrant farmworker responses. These were analyzed separately from the rest of the survey. For more information or to view the full statistical report from PSU go to: olf.osbar.org/LNS

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Why Do We Need a Legal Needs Study?



Letter from Chief Justice Martha Walters

Every day in communities around our state, low-income Oregonians seek help from their local legal aid office. These potential clients might include a tenant facing eviction, a single mother needing to file a domestic violence protective order, or a senior citizen who cannot access his food stamps. Legal aid offices take as many cases as they can, but limited resources mean they must turn away most who seek help. This report summarizes the most recent findings about the unmet civil legal needs of low-income people in Oregon.

This is not the first time Oregon has assessed the civil legal needs of its low-income communities. The 2000 Civil Legal Needs Study was the first evaluation of the unmet civil legal needs of low-income people in Oregon since the 1970s. The 2000 study found that there was a high need for civil legal services for people with low and moderate incomes, and that the existing legal services delivery network was not adequately meeting that need. The 2000 study strengthened and spurred ongoing efforts to increase resources to address the critical legal needs of Oregon's most vulnerable citizens.

With the support of the Oregon Department of Justice, the 2018 Civil Legal Needs Study was commissioned by the Oregon Law Foundation, Oregon State Bar, Oregon Judicial Department, Campaign for Equal Justice, Legal Aid Services of Oregon, and the Oregon Law Center to assess the current ability of low-income individuals to access the civil justice system. The researchers endeavored to gather reliable and useful data to help policy makers, legislators, agencies, funders, and legal aid service providers inform their investment and service decisions. This report summarizes and highlights the key findings of the study.

The study findings are stark. Legal problems are widespread, and the impact they have on the lives of low-income individuals can be life altering. People of color, single parents, domestic violence and sexual assault survivors, people with disabilities, those with prior juvenile or criminal records, and youth experience civil legal emergencies at a higher rate than the general public. This report is both an assessment and a call to action. Despite concerted efforts over the past two decades, our state's civil justice system is not meeting the needs of Oregon's poor. When these needs go unmet, the health, safety, and resiliency of individuals, families, and entire communities are impacted.

We can and must do better.

Our justice system must help every Oregonian know what their rights are and understand where to find legal help.

Our justice system must help achieve justice for Oregon's low-income communities by addressing ongoing and large-scale injustices such as racial discrimination and the cumulative effects of poverty over time.

Every Oregonian deserves a justice system that is accessible and accountable. The legitimacy of our democracy depends on the premise that injustices can be addressed fairly within the bounds of the law, no matter who you are or where you live. Let us work together in Oregon, to ensure that justice is a right, not a privilege—for everyone.

A handwritten signature in black ink that reads "Martha Walters". The signature is fluid and cursive.

Chief Justice, Oregon Supreme Court

Civil Legal Aid

What is It?

Civil legal aid in Oregon ensures fairness for all in the justice system, regardless of how much money a person has. Legal aid provides essential services to low-income and vulnerable Oregonians who are faced with legal emergencies.

Civil legal aid connects Oregonians with a range of services—including legal assistance and representation; free legal clinics and pro bono assistance; and access to web-based information and forms—that help guide them through complicated legal proceedings. In doing so, civil legal aid helps Oregonians protect their livelihoods, their health and safety, and their families. Legal aid helps people know and defend their rights.

Civil legal aid helps Oregonians of all backgrounds to effectively navigate the justice system, including those who face the toughest legal challenges: children, veterans, seniors, persons with disabilities, and victims of domestic violence.

Who Does it Help?

Approximately one in five Oregonians (807,000 people) has a household income below 125% of the poverty level. For a family of four, 125% of the 2018 Federal Poverty Level was \$31,375 per year. Low-income households struggle to afford even basic living expenses of food, shelter, and clothing. Poverty is pervasive in both urban and rural communities. People of color, single women with children, persons with disabilities, and those who have not obtained a high school diploma are overrepresented in the poverty population.

General Study Findings

Legal problems are widespread and seriously affect the quality of life for low-income Oregonians. A vast majority of the low-income Oregonians surveyed experienced at least one legal issue in the last year. These legal problems most often relate to basic human needs: escaping abuse, finding adequate housing, maintaining income, living free from discrimination, and accessing healthcare. Even though their legal problems are serious, most people face them alone.

Problems are Widespread

The legal needs survey asked a series of questions in 18 categories intended to reveal the kind of problems people experienced in the previous year. Each question was designed to reveal an experience where it is likely that either legal help could ease a problem or legal advice could clarify rights and obligations. The goal was to determine the issues that low-income Oregonians experienced where civil legal aid could help. In this report, a yes to one of the issue-specific questions represents a civil legal problem.

75% of study participants reported experiencing at least one civil legal problem in the preceding 12 months.

Problems are Related

Low-income Oregonians rarely experience civil legal problems in isolation, with 61% of households experiencing more than one problem in the prior year. Loss of a job can lead to loss of a home, and experiencing a sexual assault or domestic violence can lead to a torrent of civil legal problems. One-quarter of those surveyed experienced eight or more problems in the last year.

The average low-income household experienced **5.4** civil legal problems over the last year.

Civil Legal Help is Needed

84% of people with a civil legal problem did not receive legal help of any kind.

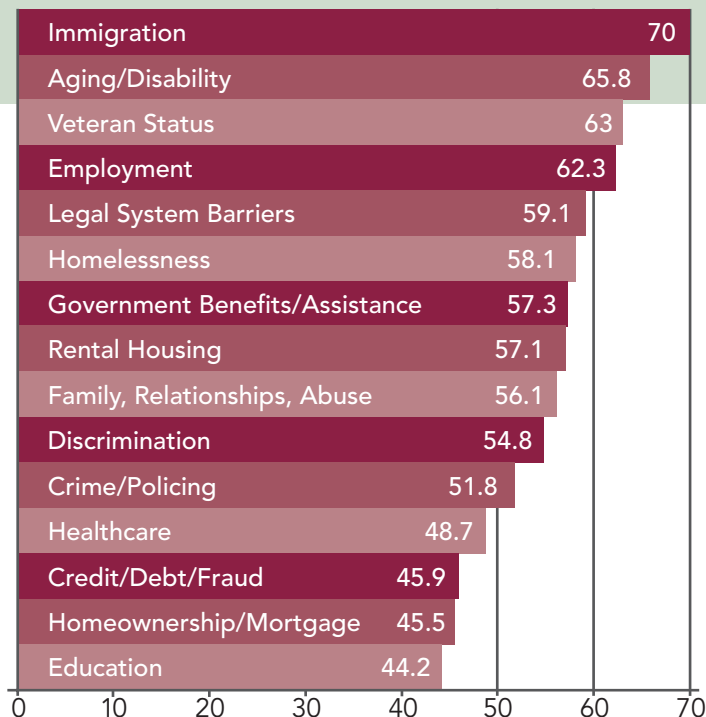
The U.S. Constitution guarantees the right to legal representation in criminal cases. This right does not extend to people with civil legal problems. This leaves the majority of low-income Oregonians to face their legal problems alone, without the help of a lawyer, regardless of how complicated or serious the case is.

The Most Harmful and Most Common Problem Areas

Civil Legal Problems Affect People's Lives

Many of the legal problems that low-income Oregonians face relate to essential life needs: maintaining housing, protecting children, or managing a health issue. For low-income Oregonians, these are not *legal issues*. Rather, they are critical *life issues*. What is certain is that poverty absolutely has an effect on the legal problems people face, as well as how those individuals experience the justice system.

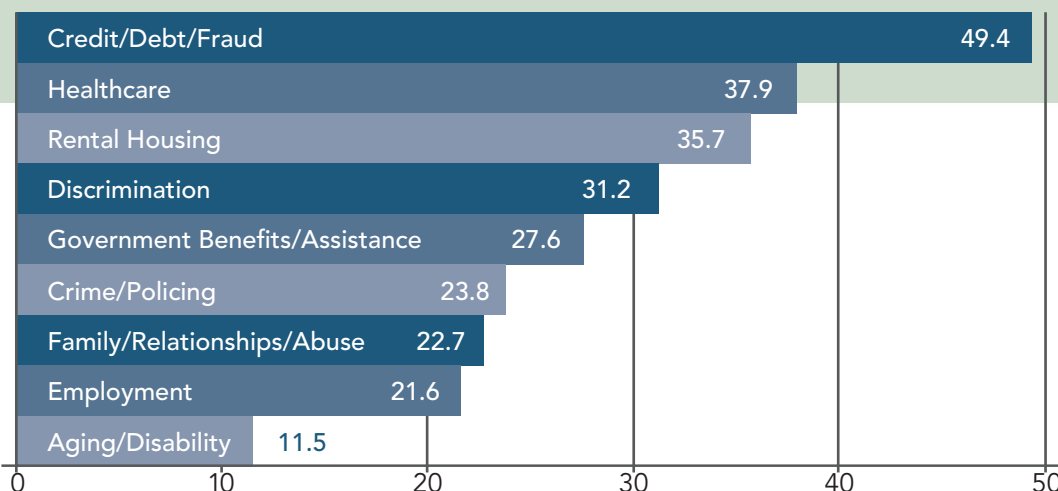
Most Harmful Issues



Percent of participants who experienced a civil legal problem in a given subject area, and who rated the effects of that civil legal problem as either very or extremely negative.

In order to determine which legal problems had the greatest direct impact on people's lives, participants were asked to rate how negatively an issue in a specific legal category affected them or their household. A five-level scale was used: not at all, slightly, moderately, very, or extremely negatively.

Most Common Problems



Percent of households that experienced at least one issue in a problem area in the last year.

Below we highlight some, but not all, of the most critical issues reported in the study. These are issues that are top priorities for legal aid, given the frequency that they occur and the severity of the impact these types of legal problems have on people's lives.

Housing and Homelessness

At the time of this legal needs study, Oregon experienced a housing and homelessness crisis. The fact that this study occurred in the middle of the housing crisis gives us the chance to see the housing-related problems people continue to experience in connection with the crisis. The study shows that in Oregon, many struggle to find affordable housing, many struggle to continue to afford the housing they are in, and nearly 1 in 10 households has experienced homelessness in the last 12 months. For low-income Oregonians, obtaining and maintaining affordable housing is a serious issue no matter what kind of housing is involved.

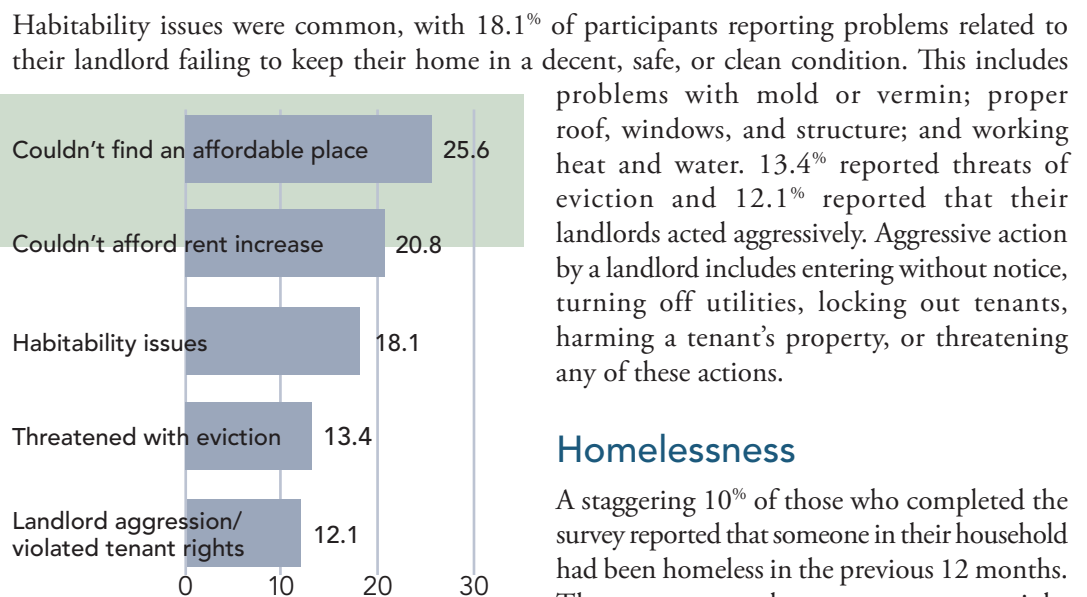
Rental Housing

The study showed that 65% of all participants were renters. Within that category, 81% of African Americans were renters, and 71% of single parents were renters. The two most common rental housing issues are related to the unaffordability of housing: 26% of participants had trouble finding an affordable place to live and 21% reported that they could not afford a rent increase.

53% of renters experienced at least one housing-related issue.

Most Highly Reported Rental Housing Problems

Percent of households that rent that experienced each rental housing problem.



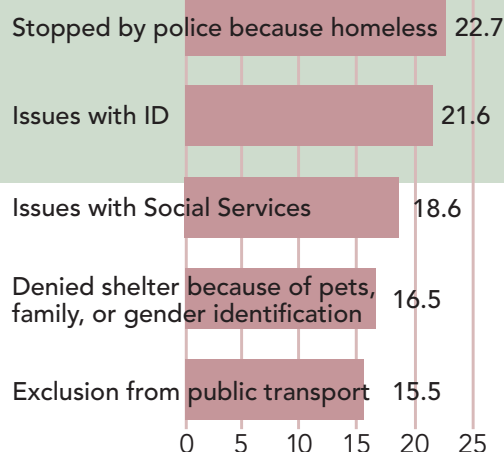
Homelessness

A staggering 10% of those who completed the survey reported that someone in their household had been homeless in the previous 12 months. That percentage bears even more weight considering that the survey was mailed to those currently residing at a physical address. These are individuals who lost their housing and regained it. Those who lost their housing and were unable to find new housing remain uncounted by this survey. Additionally, those experiencing long-term, chronic homelessness were not counted by this survey's methodology. The fact that so many experienced intermittent homelessness speaks to the depth of the housing crisis in Oregon.

Three subgroups stand out as disparately affected by homelessness. First, survivors of domestic violence and sexual assault were 6.2 times more likely to be in a household affected

Most Common Civil Legal Problems Reported by Homeless Individuals

Percent of households that reported having someone who was homeless within the prior 12 months that experienced each homelessness-related problem.



10% of survey participants reported a household member had been homeless in the last 12 months.

by homelessness than the rest of the population. Second, those with criminal and juvenile records were 4.4 times more likely to be in a household affected by homelessness than the rest of the population. Third, single parents were over 2.5 times more likely to be in a household affected by homelessness than the rest of the population.

Although homelessness is often considered an urban problem, households in the most rural counties reported being affected by homelessness at a rate more than 3 times higher than that reported in the most urban counties.

Domestic Violence and Sexual Assault

Survivors of domestic violence and sexual assault (DV/SA) suffer civil legal problems at significantly higher rates compared to the general population. Their legal problems go beyond family law and abuse issues. They experience a greater rate of legal problems in nearly all of the legal subject areas in the survey: rental housing, homelessness, financial, age and disability, veterans', tribal, employment, farm work, education, government assistance, policing, healthcare, and discrimination. Violence is pervasive, causing ripples that disrupt housing, jobs, and children's educations.

Just under 10% of survey participants reported suffering DV/SA in the previous 12 months. African Americans experienced DV/SA at 2.2 times and single parents experienced DV/SA at 2.4 times the rate of those not in these groups.

Households with DV/SA survivors were:

- 6.2 times more likely to experience the effects of homelessness
- 3.7 times more likely to have an education-related issue
- 3.0 times more likely to have an employment issue
- 2.1 times more likely to have a rental housing problem

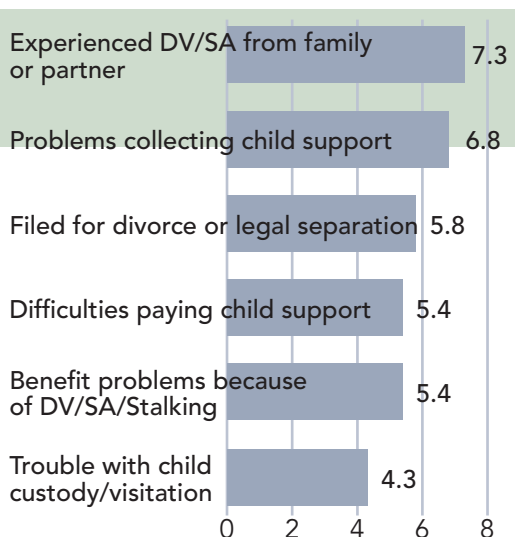


Family

Most Highly Reported Family Law Problems

Family law problems were ranked highly in both severity and frequency by survey participants. Problems related to safety and financial stability were the most critical family law issues. DV/SA at the hands of a family member or partner was the most highly-reported issue, and difficulty collecting child support was the second-most reported family law problem. Single parents and people of color disproportionately experience family law problems; single parents who were surveyed were 2.8 times more likely to have a family law problem, and African Americans were 1.5 times more likely to have a family law problem.

Percent of all participating households that experienced each family or abuse-related problem.

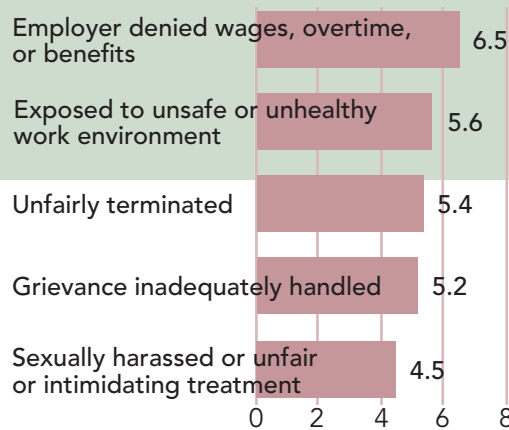


Employment

For 62.3% of survey participants with an employment issue, the problem was very or extremely likely to negatively affect their life. Parenthood and involvement with the criminal justice system increased the likelihood that a survey participant would have an employment legal problem. The more children a participant had, the more likely they were to have an employment law problem.

Most Highly Reported Employment Law Problems

Percent of participating households that experienced each employment problem.



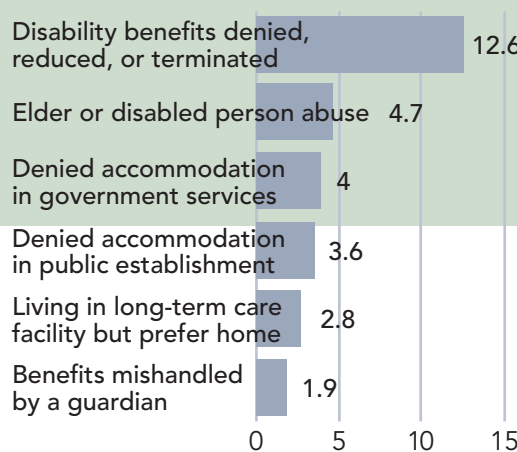
Single parents were 1.4 times more likely to have an issue with employment. People with criminal or juvenile records were 1.5 times more likely to have an issue. Frequency of employment issues was also a problem, as 9% of survey participants reported more than one employment issue.

Aging & Disability

Oregon's community of people with disabilities disproportionately experiences legal problems and is disproportionately low income. Over 44% of the households surveyed included someone with a disability. The survey also highlighted the intersectionality of race and disability, with Native Americans and Asian Pacific Islander participants being 1.9 times more likely to be

Most Highly Reported Aging and Disability-Related Legal Problems

Percent of households that reported having someone over 65 or having someone with a disability that experienced each aging or disability-related problem.



affected by aging and disability-related legal problems. Single parents were 1.7 times more likely to have an issue in this area.

Immigration

As the survey was being conducted, US immigration policy was undergoing significant changes, with an impact on thousands of Oregonians. The immigration section of the survey was designed to determine the need for formal immigration help and the need for legal information to reduce fear experienced by foreign-born individuals.

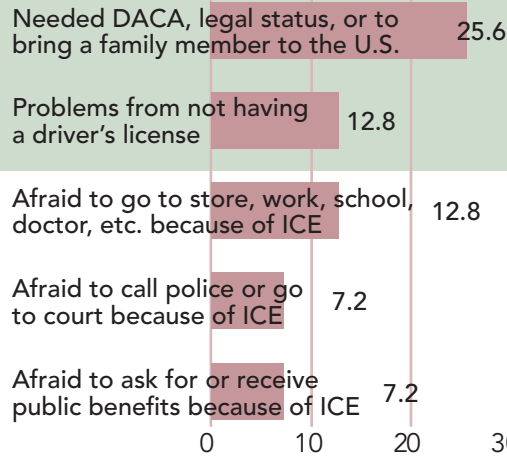
Although only 4% of all survey participants directly experienced an immigration-related legal issue, immigration problems were the most harmful of any legal problem to participants' lives. 13% of households had at least one person born outside of the US, and immigration legal issues were common in these households. For foreign-born households, immigration legal problems

12.8% of foreign-born households feared participating in the activities of daily life—work, shopping, school, seeking medical help—because of Immigration and Customs Enforcement.

were as common as rental housing problems were to the overall low-income population. It is also worth noting that there is a likelihood that under-reporting may be taking place as a result of fear of being identified as an immigrant.

Most Highly Reported Immigration Law Problems

Percent of households that reported having a foreign-born individual that experienced each immigration-related problem.



One in three foreign-born study participants had at least one immigration legal problem in their household.

50% of foreign-born/Latinx and foreign-born/Spanish-speaking participants had at least one immigration legal problem in their household.

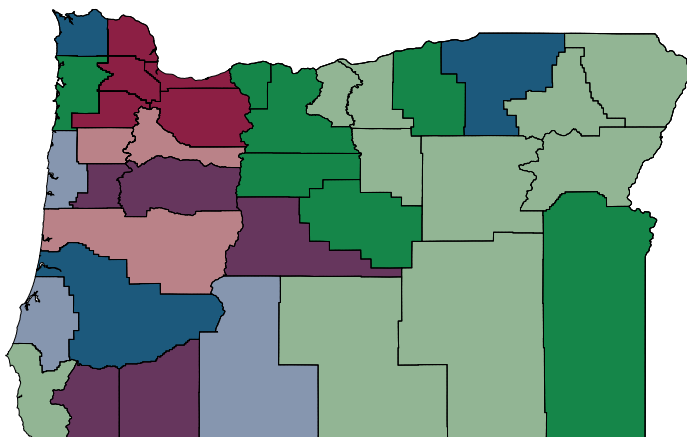
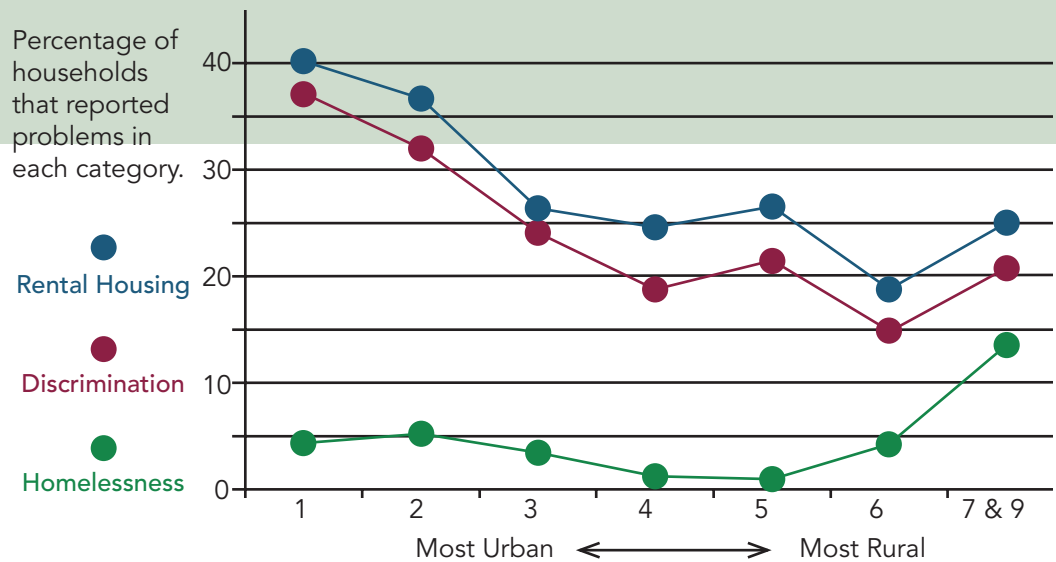
Four in five households with a foreign-born individual of African descent (from anywhere in the world) had at least one immigration legal problem in their household.

25.6% of foreign-born households needed help improving their immigration status: DACA, visa/citizenship, refugee status, etc.

Where You Live Makes a Difference

To highlight geographic differences, responses were categorized and compared based on the urbanization of the county they came from. Problems with rental housing and discrimination become more prevalent the more urban a county is. Homelessness strongly increased in prevalence as counties became more rural.

Effects of Geography on Legal Problems



Population Categories

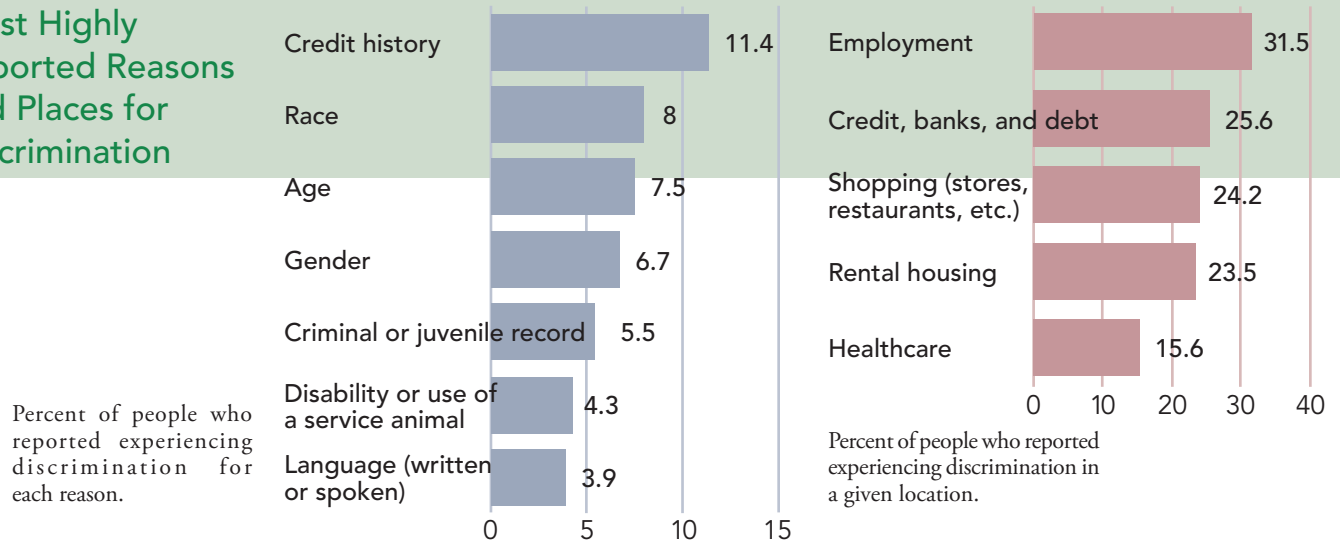
- 1 Metropolitan county with urban population > 1 million
- 2 Metropolitan county with urban population 250k to 1M
- 3 Metropolitan county with urban population under 250k
- 4 Urban population of 20,000 or more and adjacent to a metropolitan county
- 5 Urban population of 20,000 or more and not adjacent to a metropolitan county
- 6 Urban population 2,500 to 20,000 adjacent to a metropolitan county
- 7&9 < 20,000 Urban population not adjacent to an urban area

Discrimination

The survey asked participants if they experienced discrimination in the prior 12 months and where and how that discrimination was experienced.

Although the type of discrimination asked about extended far beyond race and ethnicity, racial and ethnic minorities reported significantly more discrimination:

Most Highly Reported Reasons and Places for Discrimination



Thirty percent of all survey participants experienced at least one form of discrimination. Forty percent of Latinx individuals, 48% of Native Americans, and 51% of African Americans experienced discrimination. People with particular backgrounds also experience discrimination at elevated rates, including 38% of single parents and 51% of people with a criminal or juvenile record.

Systemic Discrimination

African Americans

Oregon's low-income racial and ethnic minorities disparately experience legal problems. The survey shows that in every legal area except one, African Americans experience higher rates of civil legal issues than non-African Americans. Additionally, African Americans reported stronger negative effects than non-African Americans from the civil legal problems stemming from rental housing, tribal membership, education, policing, discrimination, and family and abuse.

African Americans were:

- 2.3 times more likely to experience homelessness
- 2.1 times more likely to experience an education issue
- 1.8 times more likely to experience an issue with policing
- 1.6 times more likely to experience a rental housing issue

Homeownership was the only area where African Americans suffered legal problems at a lower rate than the general population. Explanations for this may include systemic racism and the historic prevention of homeownership by people of color in Oregon. Only 5.9% of African-American participants and 15.7% of Latinx participants own homes, compared to 24% of all participants.

Native Americans

Similar to African Americans, Native Americans experience many more civil legal problems. In 14 of the 17 categories surveyed, Native Americans experience problems at higher rates than non-Native Americans. Native Americans also experience more negative effects from problems connected to rental housing, aging and disability, health care, and family and abuse.

Native Americans were:

- 2.7 times more likely to experience a veteran status issue than non-Native Americans
- 1.9 times more likely to experience an elderly or disability-related issue
- 1.9 times more likely to experience a mobile home issue
- 1.5 times more likely to experience homelessness
- 1.5 times more likely to experience a health care issue

Latinx participants were:

- 15 times more likely to experience immigration issues than non-Latinx Oregonians
- 1.8 times more likely to experience homelessness
- 1.7 times more likely to experience an education issue
- 1.3 times more likely to experience rental issues

Asian Americans were:

- 2.6 times more likely to experience a homeownership issue than non-Asian Americans
- 2.4 times more likely to experience a veterans' issue
- 2.1 times more likely to experience an immigration issue

Latinx

Latinx participants did not experience issues as disparately as African Americans and Native Americans, but did experience higher rates of civil legal issues than non-Latinx individuals in 9 of 17 categories. With only 59% reporting a primary language of English, language can present a significant issue for Latinx individuals trying to find solutions in a legal system that operates in English. 53% of Latinx participants reported being foreign born, and of those who were foreign born, 48% reported an immigration issue in their household. Issues related to rental housing, healthcare, immigration, and discrimination had stronger negative effects for Latinx people.

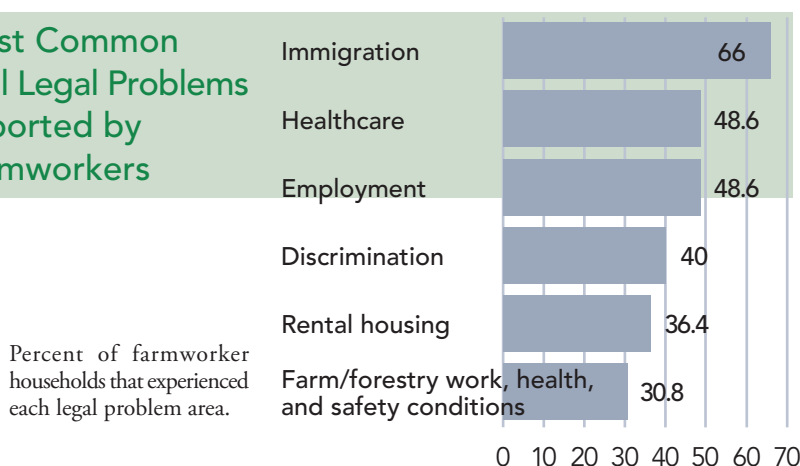
Asian American

Asian American participants experienced legal problems at lower rates across most issue areas. Asian Americans did have some issue areas that stood out, including homeownership, veterans' issues, and immigration issues. However, the most significant barrier to justice was not speaking English. Only 59% of low-income Asian Americans reported English as their primary language.

The Farmworker Experience

Farmworkers stated serious concerns about working conditions, including exposure to pesticides, unsanitary conditions, and substandard wages. A substantial number of workers reported not receiving overtime pay when due or rest breaks. With no access to affordable healthcare, the physical and psychological effects of these conditions worsened. Many workers feared retaliation from their supervisors and authorities for reporting failure to provide basic, safe working conditions.

Most Common Civil Legal Problems Reported by Farmworkers



One of the most powerful themes from the survey was the high level of fear based on immigration status. These findings show an extremely vulnerable population who, for good reason, sees itself as isolated and separate from mainstream society.

Barriers to Justice

84.2% of people who needed a lawyer were unable to obtain one.

People Do Not Know Where to Go For Help

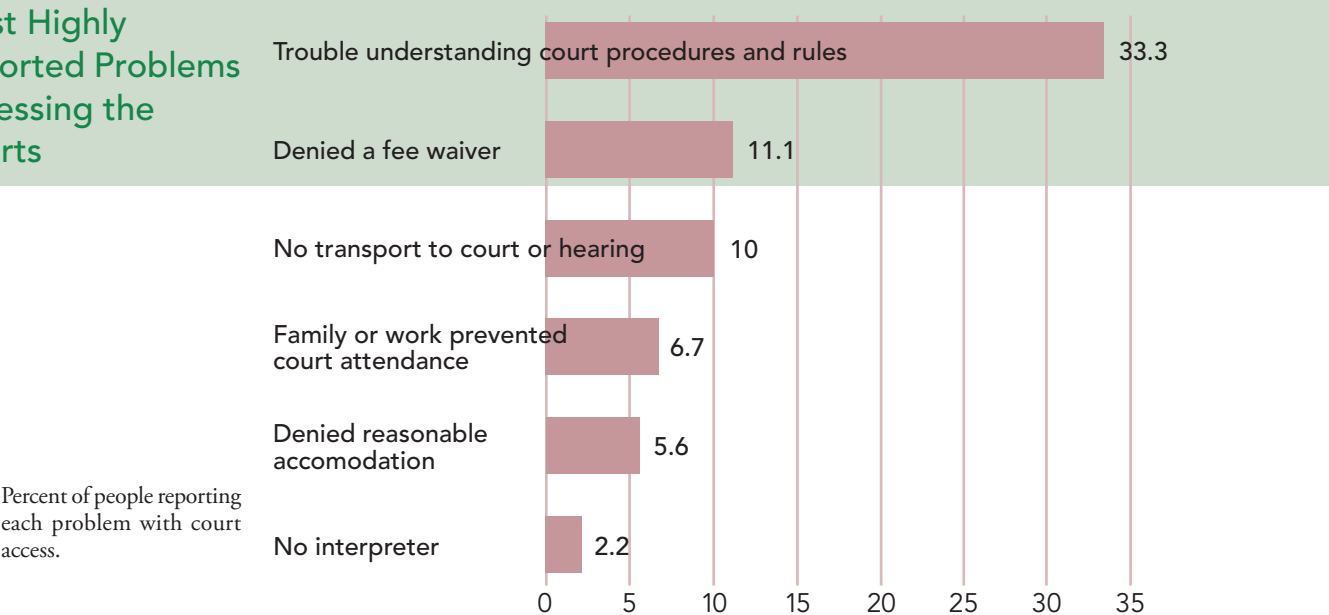
More than half of the survey participants (52.8%) who experienced a legal problem looked for legal help. Only about half of participants (49%) had heard of legal aid. Just under a quarter of participants (23.9%) tried to get a lawyer to help them. Even fewer (15.8%) were successful in obtaining any kind of help from a lawyer, including simple legal advice. For participants who were able to obtain a lawyer, help came from three main sources: private attorneys, either paid or pro bono (49.5%); legal aid lawyers (26.7%); and other nonprofit lawyers (23.8%).

Key findings from survey participants who attempted to address their own legal problems found that: 1) white Caucasians researched legal issues at 1.5 times the rate of people of color; 2) those with internet access researched issues at 1.4 times the rate of those without the internet; and, 3) people with a bachelor’s degree researched at 1.2 times the rate of those with less education. Participants who were the least likely to look for help, and arguably the least likely to know that help exists, were members of the Latinx community, particularly Spanish speakers. Latinx participants researched legal issues at 66% the rate of others, and Spanish speakers researched at 33% the rate of others.

People with Court Hearings Have Trouble Accessing the Legal System

Approximately 10% of participants had a civil or family court hearing in the previous year. Low-income participants reported several barriers to meaningfully participating in the hearing process. The largest barrier was understanding the rules and procedures in court, with more than one in three people reporting this problem. It is hard for court participants to feel a sense of just treatment when they are struggling to simply understand what is going on.

Most Highly Reported Problems Accessing the Courts



When People are Denied Access to Justice, Their Faith in the Legal System Erodes

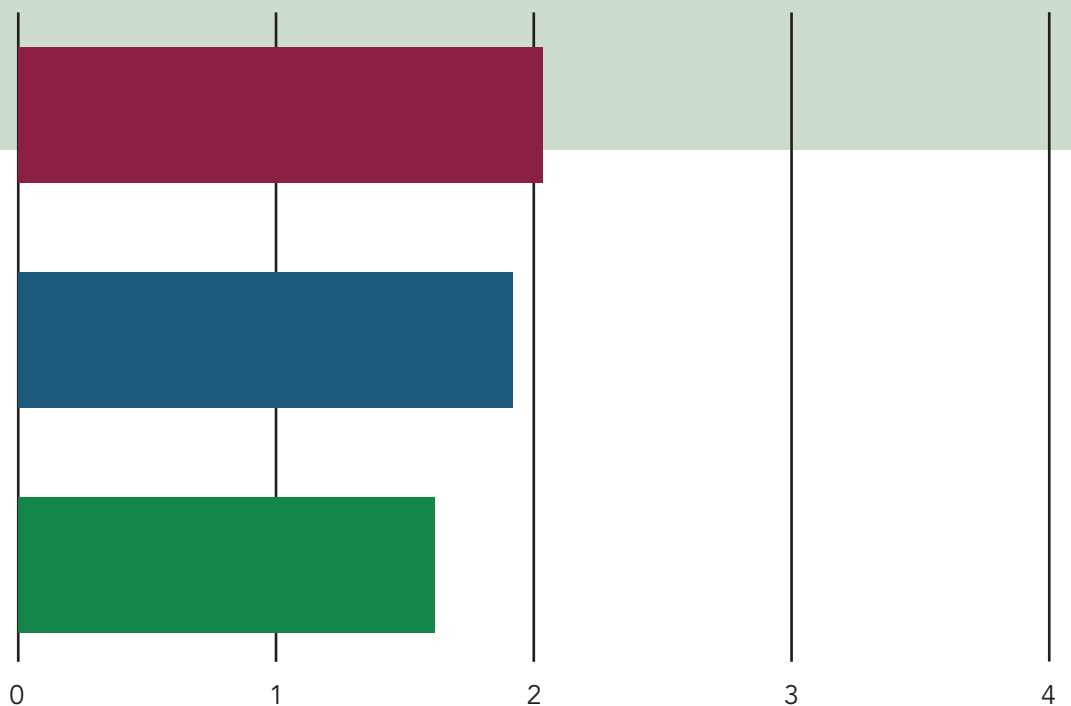
There are costs and consequences to administering a system of justice that denies large segments of the population the ability to assert and defend their core legal rights. When someone needs an attorney and cannot obtain one, they are forced to navigate a complicated civil justice system on their own. The results are most often detrimental to the people involved. This leads to cynicism and distrust of the system, as well as a likelihood that even those with a strong chance of successfully resolving their issue will choose not to engage with the system.

To get a sense of how well the civil legal system provides low-income Oregonians with a feeling of justice, participants were asked in three different ways to rank how often the courts and the civil legal system provide fair results. In the rankings, zero represented the lowest frequency of providing justice and four represented the highest.

On average, participants felt that the civil legal system treated people fairly “some of the time,” and that the civil legal system could help solve problems slightly less than “some of the time.” Participants were least likely to feel the courts could help protect them and their rights, agreeing that only “rarely” to “some of the time” was this true.

Perceived Fairness of the Civil Legal System

- 0 = “Not at all”
1 = “Rarely”
2 = “Some of the time”
3 = “Most of the time”
4 = “All of the time”



- How often do you think you or your family, friends, or neighbors are treated fairly by the civil legal system?
- How often do you think the civil legal system can help you, your family, friends, or neighbors solve the problems identified in the survey?
- How often do you think you or your family, friends, or neighbors can use the courts to protect yourself/themselves and your/their rights?

The Solution

Increased Access to Legal Aid is the Best Way to Meet the Legal Needs of Low-Income Oregonians

When Oregonians who are struggling to make ends meet lack legal representation, they are effectively shut out of the justice system. To the average person, our legal system is a maze.

Legal aid provides:

- Free civil legal representation to low-income people
- Brochures, court forms, and self-help materials to help people navigate the justice system
- A website with accessible legal information available to all Oregonians
- Legal help and representation that helps stabilize families and prevent a further slide into poverty

That is why lawyers are trained to guide their clients through the system. Civil legal aid is a lifeline—it is there to protect people with nowhere else to turn.

We must do better than meeting 15% of the civil legal needs of the poor. The biggest obstacle to legal aid playing a greater role in the community's solutions to systemic poverty is legal aid having the financial resources to reach more families when they need legal help. Oregon's legal aid programs increase fairness in the justice system, empower individuals,

and eliminate many of the barriers that block families living in poverty from gaining financial stability. Legal aid is deeply connected to the communities it serves, with established programs and diverse community partnerships to reach people in need.

Oregon's legal aid programs help more than 28,500 low-income and elderly Oregonians each year. Legal aid offices are located in 17 communities and they serve all 36 Oregon counties. Simply put, when legal aid gets involved, the lives of clients and the welfare of communities improve.

Breaking Through Barriers to Justice

According to national standards set by the American Bar Association, the “minimally adequate” level of staffing for legal aid is two legal aid lawyers for every 10,000 poor people. In Oregon we have two legal aid lawyers for every 14,000 poor people. We must recommit ourselves to

Justice Protects



Clara and Diego

Clara found legal aid after being severely injured by Rafe, her partner of 25 years. He came home drunk and started destroying the walls. He flew into a rage when Clara finally said “enough is enough.” Concerned neighbors called 911 and watched as Clara was transported to the hospital with internal bleeding, a broken arm, and irreversible back and neck injuries. Despite years of horror, Clara only sought help when she saw how Rafe's abuse was affecting her adult daughter and her young son, Diego. Legal aid helped Clara gain full custody of Diego and resolve over \$15,000 of misdirected medical bills. They also helped her assume the mortgage that Rafe refused to pay after he moved out, collecting evidence to show that Clara had been contributing all along, although Rafe's was the only name on the loan documents. After suffering at Rafe's hands for decades, Clara credits her legal aid lawyer's patience and skill for giving her the confidence she needed to overcome fear, stand up for her rights, and regain safety. She explained that her lawyer would say, “You can do this. Don't panic. Just come along when you can.” Clara and her son Diego are an inspiration, as is the legal aid lawyer who is helping her navigate this long journey.

the reasonable and necessary goal of providing “minimum access to justice.” The 2014 Oregon Taskforce on Legal Aid Funding, which included elected officials and leaders in the legal community, concluded that we need to double the resources for Oregon’s legal aid programs in order to have minimally adequate access to justice.

What Can I Do? What Can Oregon Leaders do to Address the Civil Legal Needs of Vulnerable Oregonians? Take Action!

When we say the Pledge of Allegiance, we close with “justice for all.” We need programs like civil legal aid to ensure that the very principle our country’s founders envisioned remains alive: justice for all, not just for the few who can afford it.

Educate

Talk about the importance of access to justice. Let people know that civil legal aid is there for those who need help. Share this report. The information in this report is not widely known and it is hard to solve problems that no one is talking about. Let’s amplify the conversation.

Speak Up

Oregon has broad bipartisan support for legal aid at the local, state, and federal levels. As a community, let’s continue our sustained focus on a fair and accessible legal system—a system where our neighbors can know their rights and get the help they need.

Fund Legal Aid

Legal aid is a state, federal, and private partnership. Legal aid receives funding from the State of Oregon, the federal government (Legal Services Corporation), private foundations, Interest on Lawyer Trust Accounts (Oregon Law Foundation), and private donations (Campaign for Equal Justice). The single best way to increase access to justice is to help us create more legal aid attorney positions.

Justice Heals



Noelle and Poppy

Noelle’s daughter Poppy was born with Apert’s Syndrome, a rare and complex condition that caused her fingers to be fused together. For Poppy to have full use of her hands, she needed very specialized reconstructive surgery. Noelle connected with a surgeon in Boston who specializes in this type of surgery and who was confident that he could give Poppy ten working fingers. But Noelle’s health plan provider denied the request to use this specialist, citing the cost, and insisted that Noelle use a local surgeon. None of the experienced hand surgeons in Oregon felt confident that they could give Poppy ten fingers. The cycle of requests, denials, and appeals for Poppy’s essential surgery went on for three years, despite the Boston specialist waiving his fees to make the surgery less expensive. Noelle desperately wanted Poppy to have ten working fingers before she began kindergarten, and time was running out. Luckily, Noelle found legal aid, and they began working on the next appeal together. Having an attorney step in to ask questions, request documents, and review processes made all the difference. Just before the appeal hearing, the health plan changed course and gave full permission for the surgery on the East Coast. Now Poppy is thriving with ten fully functional fingers, just in time to start school. To celebrate the one-year anniversary of the surgery, Noelle and Poppy threw a “birthday party” for Poppy’s hands and invited their legal aid lawyer to join the celebration.

Justice Unifies



A Vulnerable Community

Legal aid received a call from two community partners about the same problem: a housing complex where the tenants were suffering because the apartments were unsanitary and unsafe. Legal aid met the clients at their homes, and found that there were 8 units in this complex that all had similar problems suggesting that the landlord had not kept up on repairs: extensive mold around exterior walls of most rooms; water damage from leaking toilets; rusted heaters and ovens; leaking fridges; filthy old carpets; and extensive cockroach and spider infestation.

The families did not ask for help or complain to their landlord because they didn't know that they had a right to live in a safe home with a basic standard of livable repair. They were all refugees—an ethnic minority that was persecuted in their own country that fled to the United States for safety. For most of these clients, their only experience with anything like a landlord-tenant relationship was being in a refugee camp. Some feared that they would be attacked or killed if they complained to the landlord, and none felt they could afford to live anywhere else. Legal aid tried to work with the landlord. However, the landlord's disregard for the tenants seemed deliberate—they did not step up and do the right thing, even when they were advised of their responsibilities. Legal aid then filed suit against the landlord and reached a settlement prior to court. The families immediately got some relief from these unacceptable conditions. There is still a long road ahead for them to acclimate and to feel safe, but positive steps have started—with legal aid's help, their voices were heard and their rights respected.



The Justice Gap

Executive Summary

Low-income Americans do not get any or enough legal help for 92% of their substantial civil legal problems.



Low-income America

About 50 million Americans have household incomes below 125% of the poverty threshold – including more than 15 million children and nearly 8 million seniors.*



Civil legal needs

Civil legal needs typically involve securing and protecting basic needs, such as housing, education, health care, income, and safety.



The justice gap

The justice gap is the difference between the civil legal needs of low-income Americans and the resources available to meet those needs.

*Data source: U.S. Census Bureau's Current Population Survey, 2021 Annual Social and Economic (ASEC) Supplement

The 2022 Justice Gap Study

The Legal Services Corporation (LSC) is pleased to share findings from its 2022 Justice Gap Study. This study provides a fresh assessment of low-income Americans' civil legal needs and the extent to which their legal needs are met. Additionally, its timing allows an examination of the justice gap in the context of the COVID-19 pandemic, which has had disproportionate effects on this population. The study leverages LSC's "intake census" conducted among LSC-funded legal aid organizations as well as a nationally representative survey of more than 5,000 adults conducted by NORC at the University of Chicago using its AmeriSpeak® Panel.



The Prevalence of Civil Legal Problems

Most low-income households have dealt with at least one civil legal problem in the past year – and many of these problems have had substantial impacts on people’s lives.

3 in 4 (74%) low-income households experienced 1+ civil legal problems in the past year.

2 in 5 (39%) experienced 5+ problems and 1 in 5 (20%) experienced 10+ problems.

Most common types of problems: consumer issues, health care, housing, income maintenance.

1 in 2 (55%) low-income Americans who personally experienced a problem say these problems substantially impacted their lives – with the consequences affecting their finances, mental health, physical health and safety, and relationships.

Data source: 2021 Justice Gap Measurement Survey



Seeking and Receiving Legal Help

Most low-income Americans do not get any or enough legal help for their civil legal problems – and the cost of legal help stands out as an important barrier.

1 in 4 problems: They seek legal help for only 1 out of every 4 (25%) civil legal problems that impact them substantially.

1 in 2 (46%) of those who did not seek legal help for one or more problems cite concerns about cost as a reason why.

1 in 2 (53%) does not know if they could find and afford a lawyer if they needed one.

92% = survey-based justice gap: They do not get any or enough legal help for 92% of the problems that have had a substantial impact on them.

Data source: 2021 Justice Gap Measurement Survey



Comparing Income Groups

People with higher incomes have fewer barriers to getting legal help.*

They seek help more often: People with higher incomes are more likely to seek legal help for problems with substantial impact (32% vs. 25% of problems).

Their justice gap is smaller: They are less likely to go without any or enough legal help for problems with substantial impact

They have better access: They are more likely to be confident that they could find and afford a lawyer if they needed one (73% vs. 45%).

They believe in the system: They are more likely to believe that they can use the civil legal system to protect and enforce their rights (59%

vs. 39%).

*These statements compare people at or above 400% of FPL with people at or below 125% of FPL.
Data source: 2021 Justice Gap Measurement Survey



Reports from the Field

LSC-funded organizations do not have enough resources to meet the current demand for civil legal aid in the communities they serve.*

1.9 million requests for help: Low-income individuals approach LSC-funded organizations for help with an estimated 1.9 million civil legal problems in a year.

1 in 2 requests turned away: These organizations must turn away 1 out of every 2 (49%) requests they receive due to limited resources.

1 in 2 problems fully resolved: Even when they can provide some assistance, these organizations have the resources to fully resolve only 1 out of every 2 (56%) problems.

1.4 million problems = intake-based justice gap. All in all, LSC-funded organizations are unable to provide any or enough legal help for an estimated 1.4 million civil legal problems (or 71% of problems) that are brought to their doors in a year.

*These statements are only about problems that are eligible for legal assistance from LSC-funded organizations.

Data source: LSC's 2021 Intake Census

Geographic Focus



West

11.1 million people below 125% of FPL

72% of households had 1+ civil legal problems in the past year.



Midwest

9.2 million people below 125% of FPL

75% of households had 1+ civil legal problems in the past year.



Northeast

7.4 million people below 125% of FPL

74% of households had 1+ civil legal problems in the past year.

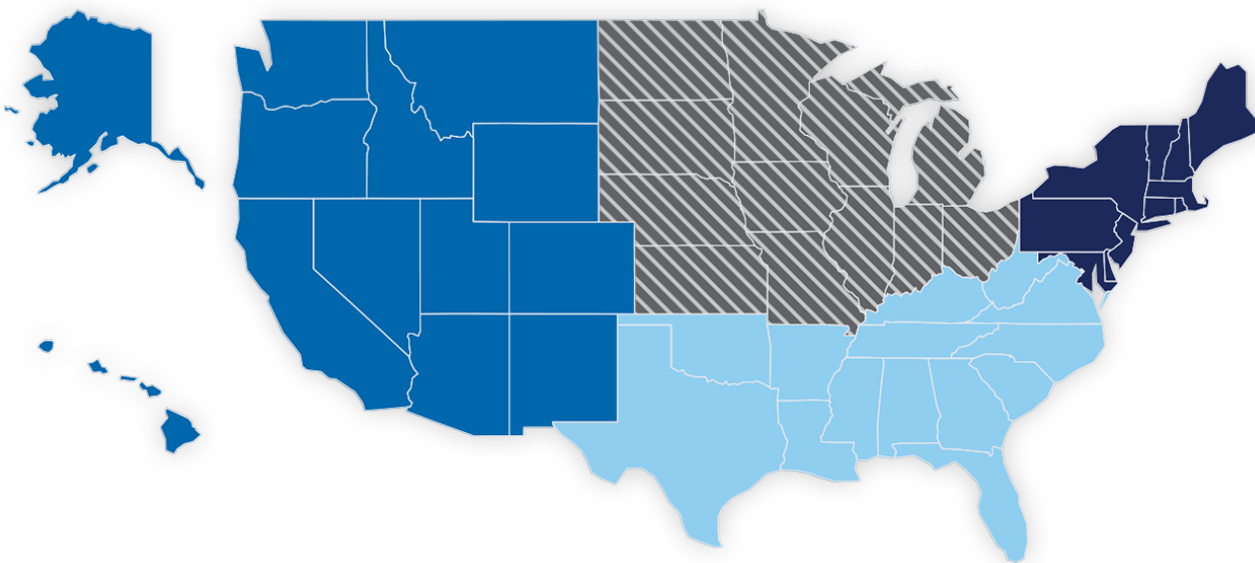


South

22.2 million people below 125% of FPL

75% of households had 1+ civil legal problems in the past year.

Data sources: 2021 Justice Gap Measurement Survey and the U.S. Census Bureau's Current Population Survey, 2021 Annual Social and Economic (ASEC) Supplement



Special Focus

65+ Seniors

7.6 million seniors below 125% of poverty.

70% of senior households had 1+ problems in the past year.

People in Rural Areas

8 million people below 125% of poverty in rural areas.

77% of rural households had 1+ problems in the past year.

Veterans

1.6 million veterans below 125% of poverty.

76% of veteran households had 1+ problems in the past year.

People with High Housing Costs

15 million households with high housing costs have annual incomes <\$25,000.

84% of households with high housing costs had 1+ problems in the past year.

Children (<18 yrs)

15.2 million children below 125% of poverty.

83% of households with children < 18 yrs had 1+ problems in the past year.



Survivors of Domestic Violence

98% of households with recent domestic violence had 1+ problems in the past year (excluding problems involving domestic violence).

Data sources: 2021 Justice Gap Measurement Survey and various other sources (see [Section Two](#)).

Impact of the COVID-19 Pandemic

33% of low-income Americans experienced at least one civil legal problem linked to the COVID-19 pandemic in the past year.

The types of civil legal problems most likely to be attributed to the COVID-19 pandemic are those involving income maintenance, education, and housing.



Income maintenance

32% of income maintenance problems are pandemic-related.

Examples: difficulty accessing unemployment insurance or receiving COVID stimulus payments.



Education

31% of education problems are pandemic-related.

Examples: difficulty attending school or accessing technology to participate in virtual learning.



Housing

27% of housing problems are pandemic-related.

Examples: problems involving foreclosure, eviction, and safe living environments.

Additionally, the data suggest that income disparities in the justice gap between low- and higher-income Americans are exacerbated for pandemic-related civil legal problems. [See Section Five](#) for a fuller discussion of this noteworthy finding.

Data sources: 2021 Justice Gap Measurement Survey.

Section 1: Introduction >

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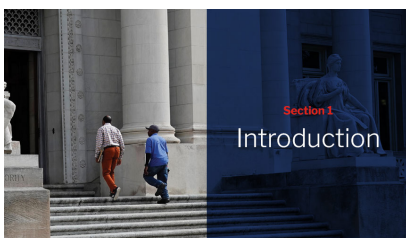


LinkedIn



Email

Related Information





Pro Bono Attorneys,

Please contact me to get started. We'd greatly appreciate it.

Jean

Senior Law Service

Lane County



Jean Beachdel

Lane County Legal Aid

101 East Broadway, Suite 200

Eugene, OR 97401

458-234-4261



Jean Beachdel

Senior Law Service Director

458-234-4261

jbeachdel@oregonlawcenter.org

CONFIDENTIALITY

The information provided to the Intake Worker and the Program Director will remain confidential. It will be shared with the attorney to whom the case is assigned.

WHO IS MY ATTORNEY?

When you see an attorney at the senior center or confer with a private, volunteer attorney by phone, that person is your attorney. The Senior Law Service staff attorney is employed by the Oregon Law Center.

SENIOR LAW SERVICE SATURDAY MORNING OUTREACH LOCATIONS

-Campbell Center, 155 High Street, Eugene (541)
342-5091 and Willamalane Adult Activity Center, 215
W. C Street, Springfield (541) 736-4444

*When the pandemic began, in-person consultations at the senior centers were suspended in favor of consultations by phone. Plans are underway to resume work at the senior centers when the pandemic subsides. Please feel free to check in with the senior center or the number below for updates.

To request legal assistance:

Please call (458) 234-4261

Senior Law Service

**A Program of Lane County Legal Aid/
Oregon Law Center for people 60 and over**

**101 East Broadway, #200
Eugene, Oregon 97401
(458) 234-4261**

Funding for Senior Law Service is through Lane Council of Governments Area Agency on Aging, Older Americans Act

[If you are under 60 and need legal assistance, please call (541)
485-1017.]

Senior Law Service is a program of Oregon Law Center (legal aid). It provides civil legal assistance to people 60 and over who live in Lane County. It focuses on serving those in the greatest economic or social need.

A Senior Law Service staff attorney is assigned cases that fall within Oregon Law Center Priority Case Type Guidelines. Assistance for other types of cases is provided through volunteer attorneys—it may be advice only or a full range of additional work, which may be pro bono, reduced fee, or regular fee.

Senior Law Service was established in 1975 by Senator Ron Wyden when he was a law student. He recruited attorneys to volunteer their time on Saturday mornings at a local senior center. The program expanded over the years and an attorney has been on duty every Saturday at Campbell Center in Eugene and at Willamalane Adult Activity Center in Springfield for consultations.*

*When the pandemic began, in-person consultations were suspended in favor of consultations by phone. Plans are underway to resume work at the senior centers when the pandemic subsides.

IT'S EASY TO ACCESS SERVICES

The first step is to call 458-234-4261.

Leave your name and number. If you are facing a deadline, please mention that.

Your name and number will be given to a volunteer Intake Worker, who will call you within a day or two. That person, who is eager to assist you, will indicate that the call is from Senior Law Service.

The Intake Worker will forward the information to the Program Director, who will evaluate and assign the case to an attorney as soon as possible.

Efforts are made to match the client with an attorney who is knowledgeable about the case type at hand.

If you have documents related to your case, please have them available so that they can be sent to us upon request:

Fax number: (541) 342-5091

**Mail & delivery: 101 E. Broadway, #200
Eugene, OR 97401**



Legal Aid Services of Oregon

Volunteer Lawyers Project Pro Bono Project Descriptions

Thank you for your interest in Volunteer Lawyer Project (VLP) opportunities with Legal Aid Services of Oregon (LASO). This is a list of statewide and area-specific opportunities.

Training materials are available on legal aid's pro bono website at: www.probonooregon.org
Mentorship and support are provided by legal aid and private attorneys.

Bankruptcy Clinic

The Oregon State Bar Debtor-Creditor Section and LASO sponsor the Bankruptcy Clinic. The project consists of two components, a bankruptcy class and a legal clinic. A recorded class is available on www.oregonlawhelp.org. Volunteer attorneys help low-income individuals assess their options and provide ongoing representation in a Chapter 7 when bankruptcy would be appropriate. This is currently a virtual clinic and cases are directly referred to volunteers.

Domestic Violence Project

Oregon has seen a rise in domestic violence cases during the pandemic. Organizations that assist survivors have also seen an increased need for services. This project provides critical legal assistance to survivors of abuse and stalking. Attorneys represent survivors in contested restraining order hearings in Clackamas, Multnomah and Washington Counties. These cases tend to have short timelines, limited issues and require a court appearance. DVP is an excellent opportunity for lawyers seeking courtroom experience and attorneys who cannot commit to long-term cases. Most volunteers are not family law lawyers and are not expected to assist clients with family law issues. Training and materials are available.

Expungement Clinic

Over 1.4 million people in Oregon have a criminal record. Expungement helps reduce barriers to safe housing, employment and education caused by criminal records. Attorneys assess whether clients are eligible for an expungement and complete all necessary court paperwork for those who qualify. We offer 2 clinics - Virtual Expungement Clinic in partnership with Intel, and an in-person Expungement Clinic in partnership with the Clackamas County Bar Association and Clackamas County Law Library. Training and materials are available.

Family Law Forms Project

In Oregon, 67 to 86 percent of family law cases involve at least one person representing themselves; the majority of whom cannot afford a lawyer. Attorneys with little (or no) family law experience can assist clients in completing their forms. Experienced family law attorneys can provide limited assistance to clients requiring discrete legal advice or document review. Attorneys are NOT expected to provide ongoing representation and clients sign a retainer agreement detailing the limited scope of the attorney-client relationship. Training and materials are available. This is a virtual project with in-person opportunities coming soon.

Housing Notice Clinic

Oregon is in the midst of an affordable housing crisis. In eviction cases, the vast majority of landlords are represented by an attorney or agent while very few tenants have any representation. While Legal Aid represents thousands of tenants a year, demand for assistance exceeds our limited resources. Your help is needed to preserve stable housing for members of our community. Through the clinic, pro bono attorneys provide critical legal assistance to low-income tenants. Attorneys review notices of termination, advise tenants on the validity of the notice, draft demand letters and negotiate settlements when defenses are present. Trainings and materials are available. This is a virtual clinic.

Senior Law Project

Seniors account for 18% of the population in Multnomah County and are one of the fastest-growing populations. The Senior Law Project consists of twenty monthly legal clinics scheduled through eight senior centers in Multnomah County. Attorneys provide a 30-minute consultation on a variety of civil legal issues to clients 60 or older (or who are married to someone 60 or older), regardless of their income. SLP volunteers provide continuing pro bono services for clients who meet LASO's financial eligibility. Training and materials are available. In-person and remote opportunity.

UI Benefits Panel

Unemployment insurance (UI) is the sole means of temporary wage replacement for workers and is critical in preventing individuals and families from spiraling into poverty. Help LASO expand its pro bono attorney panel for low-income Oregonians with controversies involving UI benefits. Attorneys provide legal advice and possible representation at an administrative hearing. This is an excellent opportunity for those seeking hearing experience and introduction to administrative law. Training and materials are available. Most hearings are conducted by phone.

Legal Aid Night Clinic

Attorneys from Stoel Rives LLP and Dunn Carney LLP staff the Night Clinic in a partnership with LASO. Volunteer attorneys screen the cases and provide legal representation to clients on a range of civil legal issues, including: consumer law, small claims advice, landlord/tenant, and estate planning.

ProBonoOregon

Legal aid offices around the state post pro bono opportunities on our website. Listings include the area of law, type of case, assistance expected and a brief description of the issue. To view current opportunities, visit: www.probonooregon.org

Disaster Assistance Panel

The Oregon wildfires have been described by Oregon authorities and experts as unprecedented; more than 1 million acres of land burned, hundreds of homes lost, and entire communities destroyed. The Disaster Assistance Panel assists wildfire survivors with FEMA disaster benefit appeals and disaster related legal issues. Trainings and materials are available on <https://oregondisasterlegalservices.org>. This is a statewide virtual opportunity.

NAPOLS Project

The 2018 Barriers to Justice noted that Native Americans are 1.9 times more likely to experience an elder law or disability-related issue, such as homelessness. In 14 of the 17 categories surveyed, Native Americans experience problems at higher rates than non-Native people. Native American Program Legal Aid Services (NAPOLS) represents Native clients in tribal, state, and federal courts, as well as in administrative proceedings, on issues specific to an individual's Native status. Pro bono attorneys provide assistance to Native clients around the state on a diverse range of matters, including consumer law and fair debt collection issues, family law, landlord/tenant, public benefits, elder law, and estate planning for clients with assets involving federal or tribal jurisdiction. Please contact Fabio Apolito at Fabio.Apolito@lasoregon.org

Statewide Tax Clinic

This clinic provides advice and representation to low-income clients who have a tax controversy with the IRS and related cases with Oregon Department of Revenue. Cases cover a range of state and federal personal income tax issues including collections, examinations (audits), innocent spouse claims, and tax court cases. Please contact Shannon Garcia at shannongarcia@lasoregon.org.

OHLA Project

The Oregon Homeowner Legal Assistance (OHLA) project provides legal services to low- and moderate-income Oregonians who are at risk of foreclosure. Some eligible homeowners who meet specific income guidelines are referred to volunteer pro bono attorneys for a free initial consultation and possibly representation on a reduced-fee basis at an amount acceptable to both attorney and client. If you are interested in finding out more about the OHLA pro bono project or are interested in volunteering, please contact Faye Weisler at faye@elemental.law.

For more information or to volunteer, please contact:

Brett Cattani, Pro Bono Coordinator: brett.cattani@lasoregon.org

Shelby Smith, Pro Bono Coordinator: shelby.smith@lasoregon.org

Jill Mallery, Statewide Pro Bono Coordinator: jill.mallery@lasoregon.org

Thank you to the Multnomah Bar Association for their continued support of the VLP.



What is the Senior Law Project?

The Senior Law Project (SLP) is a volunteer lawyer program that is funded by Multnomah County Aging, Disabled, and Veteran Services, and operated by Legal Aid Services of Oregon.

Volunteer attorneys provide free 30-minute appointments to seniors at seven different senior centers in Multnomah County.

Can a Senior Law Project Lawyer Help Me?

SLP attorneys help clients with civil legal issues such as estate planning, consumer matters, and housing problems. If you want to know if an SLP attorney can help you, call your local senior center and ask.

You qualify for a free 30-minute appointment with a volunteer attorney if you are:

- 60 years or older, or married to someone 60 years or older;
- a resident of Multnomah County or have a legal issue in Multnomah County; and
- a U.S. citizen or a legal resident. Certain exceptions for domestic violence victims apply.

Contact LASO

Legal Aid Services of Oregon

Portland Regional Office
520 SW 6th Ave., Suite 700
Portland, OR 97204

Phone: 503-224-4086

Fax: 503-295-9496

More About LASO

LASO handles civil (non-criminal) cases only. LASO attorneys assist with housing, eviction, foreclosure, elder abuse, care giving, family law, bankruptcy and protective orders. To qualify for our free legal services, most clients must be eligible under federal poverty income guidelines.

LASO is able to provide free legal assistance due in part to federal and state grants. We also partner with local attorneys who accept a limited number of cases *pro bono*, or free of charge. Due to limited resources, we are unable to provide legal assistance to all eligible individuals. We accept cases based upon the availability of staff, the strength of your case, and whether or not your case aligns with our office's current list of priorities.



Senior Law Project

Attorneys providing free legal services for seniors



Need assistance with a civil legal matter?

If you are 60 or older and live in Multnomah County or have a legal issue in Multnomah County you can meet with a volunteer

What Does the 30-Minute Appointment Cost?

There is no charge for a 30-minute appointment with a volunteer attorney.

What if I Need Continuing Legal Help?

If the volunteer attorney agrees to take your case, services will be free if you meet the Legal Aid financial standards.

If you are not eligible for continuing free services and you would like to hire the volunteer attorney, you can speak with the attorney about his/her fees.

If you would like to hire another attorney, you can call the Oregon State Bar Lawyer Referral Service at 1-800-452-7636. They can provide you with the name of an attorney who can help you with your particular legal issue.

Can Legal Aid Take My Case?

Legal Aid Services of Oregon (LASO) is a nonprofit law firm that provides legal services to low-income people. There is no charge for legal services at LASO, but resources are limited and not all cases are accepted.

LASO has staff attorneys that specialize in elder law and assist with nursing homes, adult foster homes, assisted living facilities, Residential, In

Home Care Medicaid, Medicare, elder abuse, and guardianships. If you need help with one of these issues, call LASO at 503-224-4086.

What Should I Bring to My Appointment?

Please bring any written documentation you have that relates to the legal issue you are having. Documentation may include letters, photos, legal documents, or emails.



How Do I Make an Appointment?

The SLP legal clinic schedule is listed below. To make an appointment, call the center that is most convenient for you.

YWCA/ East County

600 NE 8th St, Room 100
Gresham, OR 97030
(503) 721.6771
2nd & 4th Fridays 1 - 4 pm

IRCO

740 SE 106th
Portland, OR 97216
(503) 484.6371
Thursdays 1 - 4 pm

Impact NW SE Portland

4610 SE Belmont
Portland, OR 97215
(503) 721.6760
Wednesdays 10 am - 1 pm

Friendly House

1737 NW 26th Ave
Portland, OR 97209
(503) 224-2640
1st & 3rd Thursdays 9 am - noon

Neighborhood House

7688 SW Capitol Hwy
Portland, OR 97219
(503) 244-5204
2nd & 4th Tuesdays 9 am - noon

Urban League Multi-Cultural Senior Center

5325 NE MLK Blvd
Portland, OR 97211
(503) 280-2600
2nd, 3rd 4th Tuesdays 1-4 pm

Hollywood Senior Center

1820 NE 40th
Portland, OR 97212
(503) 288-8303
Fridays 9 am - noon

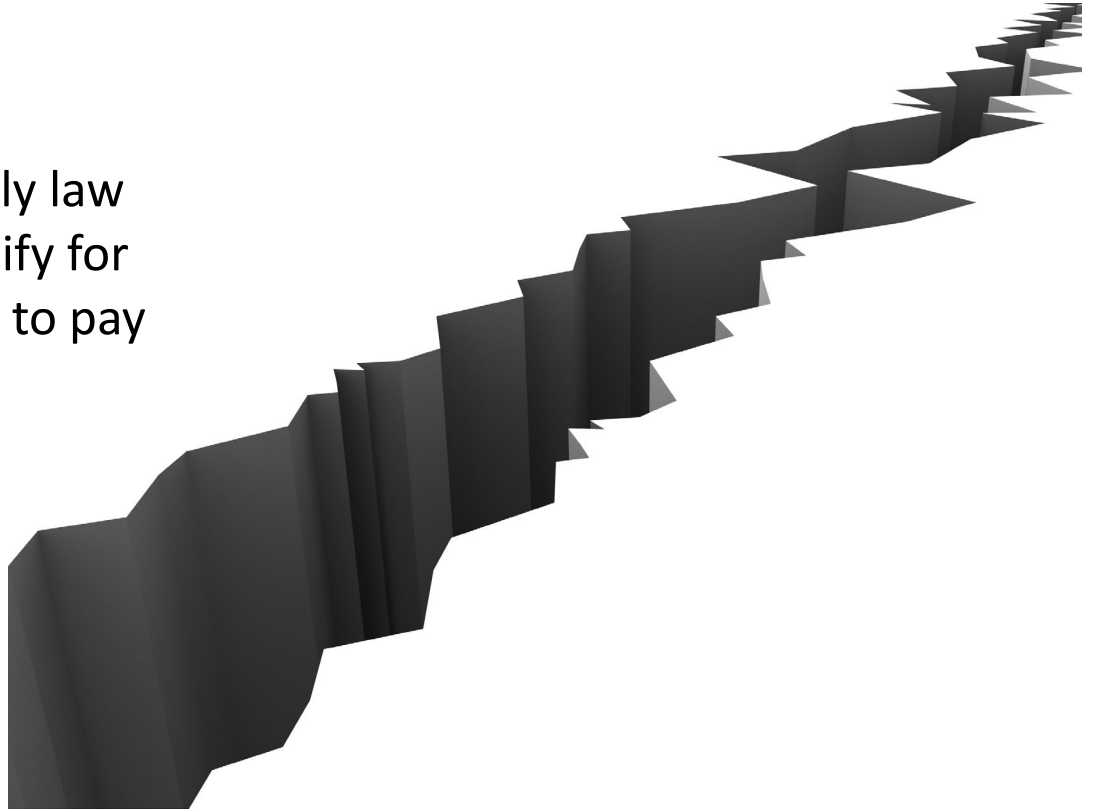


Family Law Clinics

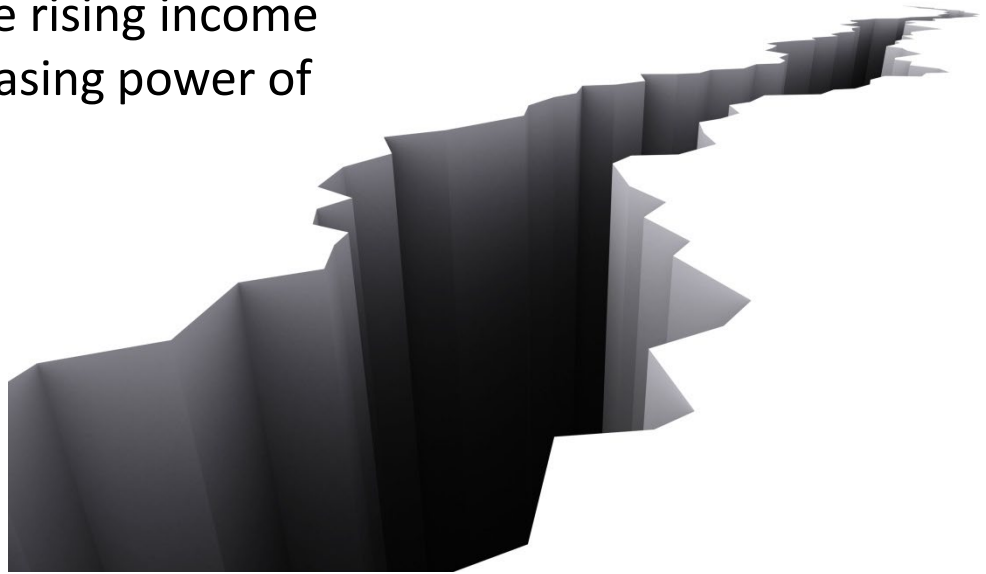
A way to bridge the gap
between low-income families
and the legal system

The “justice gap”

Most people involved in family law cases make too much to qualify for free legal aid but not enough to pay even a fraction of a private attorney’s fee.



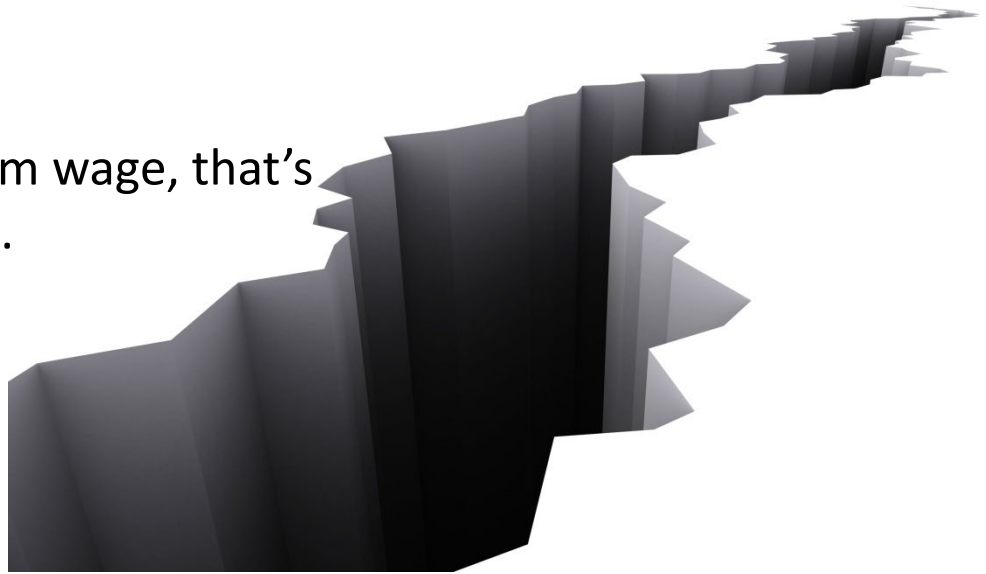
The gap is widening in both directions:
cutbacks in federal funding make legal aid
more difficult to obtain, while rising income
inequality reduces the purchasing power of
low-income clients.



In Oregon, a divorce case involving child custody costs an average of \$16,100 in attorney's fees.

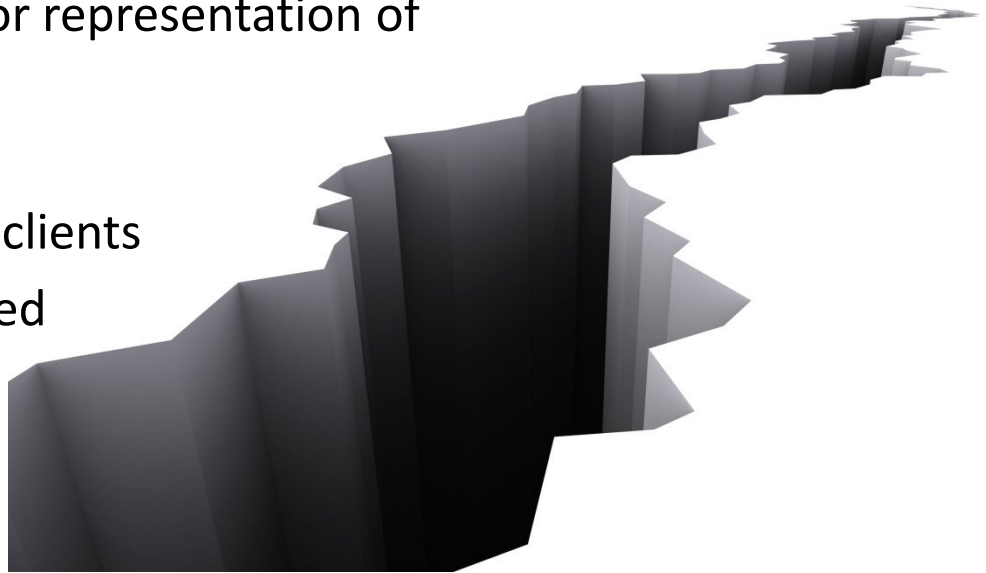
For a person earning minimum wage, that's take-home pay for **a full year**.

As a result, more than 80 percent of litigants in Oregon family law cases go without an attorney.



According to a PSU study published this year, 84 percent of Oregonians with legal problems received no legal assistance or representation of any kind

More than 56 percent of the clients with family law issues reported “very or extremely negative” effects on their families



What's at stake?



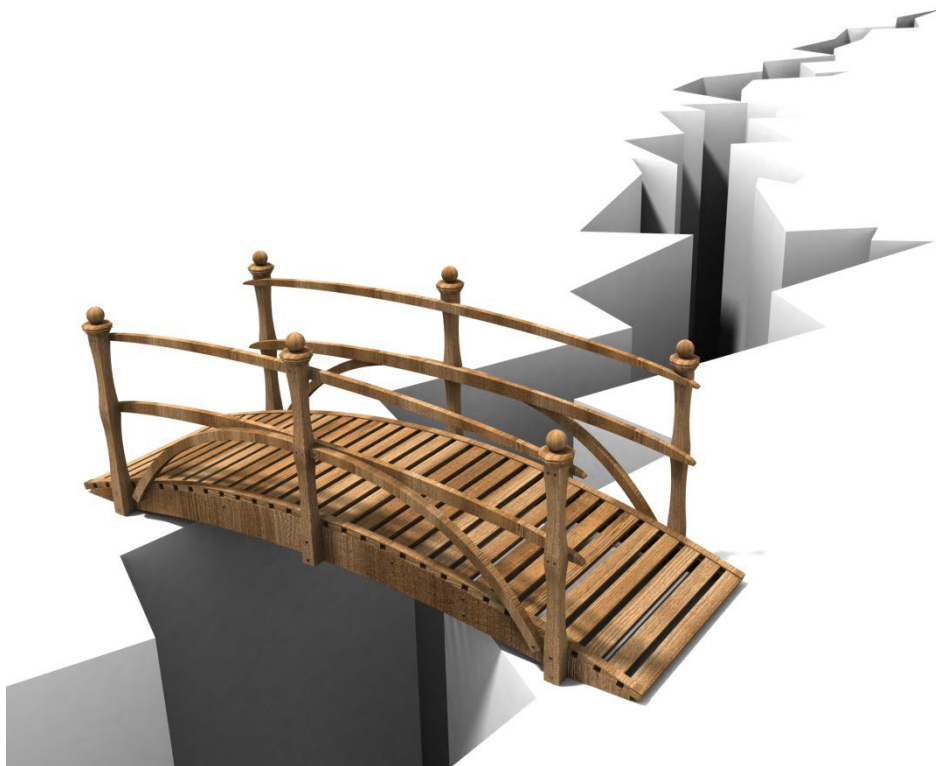
- **Safety.** In 2003, economists conducted an exhaustive study of programs designed to reduce domestic violence (such as shelters, counseling, and other services). The only variable that correlated with a significant reduction in domestic violence was increasing the availability of legal representation.
- **Financial stability.** The average woman experiences a 30 percent reduction in her standard of living after a divorce, often due to a lack of effective legal advice about spousal support, child support, debts, retirement assets and other financial issues.
- **Parent-child relationships.** Research demonstrates that regular contact with both parents after a divorce is vital to children's physical, mental and emotional health. Family law attorneys keep the parties focused on developing a parenting plan that serves the children's interests.

Bridging the “justice gap”

St. Andrew Legal Clinic exists to “bridge the gap,” giving working families a viable path to legal services.

SALC’s model is based on three key elements:

- Client buy-in
- Special assistance for highly vulnerable clients
- Broad-based support from the legal community



What is the goal of Night Clinic?

- **G**ather information
- **A**nswer substantive and procedural questions
- **P**rovide initial assessment of the case
- **S**elect appropriate legal services

What types of cases will SALC handle?

- Dissolution (divorce) – includes child custody, parenting time, child support, spousal support, property division
- Separation
- Child custody/parenting time (including unmarried parents)
- Custody/parenting time modifications
- Domestic violence (including FAPA orders)
- Step-parent adoptions
- Guardianship (only if uncontested)
- Filiation (also known as paternity or parentage)

What types of services does SALC offer?

- Full representation (requires initial retainer)
- Limited services (reviewing documents or helping client prepare documents to file pro se; can change to retainer)
- Referrals
- Staff and volunteers are available to interpret for Spanish-speaking clients; clients speaking other languages may request an interpreter.

Background questions to ask

- Where have the parties/children been living? (at least one parent or child must have resided in Oregon for six months prior to filing)
- Are any other related cases pending in Oregon or other states (including child support administrative proceedings)?
- Has either party filed any papers with the court?
- Is the other party represented by an attorney?
- What is the gross monthly income (before taxes) for both parties?

Dissolution/separation

- Separation essentially the same as dissolution, usually not advisable. Either party can seek to convert to dissolution within two years.
- If the parties have joint children, case must address custody, parenting time and child support (more about these issues later). Both parents must attend parenting class and participate in mediation before judgment.
- If spousal support is not addressed in judgment, it cannot be added later.
- The law requires a just and equitable division of all property and debts acquired during the marriage, even if it's held in one spouse's name.
- Absent fraud, division of property and debts is final.
- Oregon is a “no fault” state, meaning that a party's bad conduct is generally irrelevant.

Custody, parenting time and child support

- “Custody” only means authority to make major decisions (residence, education, health care and religion).
- Parties may agree to joint custody. If parties cannot agree, court awards sole custody to one parent, based on which parent has better ability to be primary caregiver and decision-maker. Courts look at which parent has handled school issues, doctor visits, etc. in the past.
- “Parenting time” is separate from custody. It is common for one parent to have sole custody while sharing equal parenting time. Oregon law strongly favors frequent contact with both parents.
- Unmarried parents have same right to seek custody and parenting time. Step-parents may seek “psychological parent” status to receive custody and parenting time. (ORS 109.119)
- Oregon has a formula for child support based on actual or potential income.
- One party will often seek a Temporary Protective Order of Restraint (“status quo order”) to maintain usual routine until judgment.
- Parties may seek to modify existing judgments on child custody, parenting time and child support based on “substantial” change in circumstances.

Spousal support

- Also called “alimony”
- No formula for spousal support. Court considers relative earning capacity of each party, the length of the marriage and the individual circumstances (age, health, education, etc.) in deciding amount and duration of spousal support.
- If spousal support is not included in original judgment, it can never be added. Once awarded, spousal support may be modified based on “substantial” change in circumstances.
- Spousal support terminates on the death of either party and is often secured by life insurance.

Domestic violence

- FAPA (Family Abuse Prevention Act) provides for restraining orders
- Within 180 days of incident (physical violence, threats of harm)
- May seek temporary custody and parenting time order
- Different from “immediate danger” custody order, which involves threat of direct harm to children

Timeline

- Varies with each case
- Response due within 30 days, may seek default after that
- Initial trial date typically within 6 months but may be extended
- Parties are required to exchange large amounts of financial information prior to trial
- Parties must engage in alternative dispute resolution (mediation, settlement conference, etc.)

Filing fees (as of 2019)

- First appearance for dissolution, separation or filiation: \$301
- Child custody or parenting time (unmarried): \$301
- Modification request or response: \$167
- Adoption: \$263
- “Psychological parent” petition: \$281
- Contempt: \$56
- Parenting class: \$70
- Service fee: \$35
- May request fee deferral based on income

Interview guidelines

- Control the time. Family law issues are inherently emotional, and parties will often focus on past events that are important but not legally relevant.
- Be sympathetic to the emotional difficulties but keep focus on the legal process.
- Help the person identify concrete next steps.
- Consider different legal representation options.
- Consult staff attorney with any unusual issues or circumstances
- Give staff attorney information necessary for sliding scale fee quote

Do I need PLF coverage?

- No. Because SALC is a Certified Pro Bono Provider, PLF covers all of our volunteer attorneys free of charge.

Do I earn CLE for volunteering?

- Yes. Volunteering for a Certified Pro Bono Provider qualifies for one hour of CLE credit for every two hours of volunteering, up to a total of six hours per reporting period. Each Night Clinic involves 2-3 hours of volunteering.

Do I need to run a conflict check?

- No. ORPC 6.5 specifically exempts nonprofit legal services such as Night Clinic from the conflict of interest rules, except when an attorney has actual knowledge of a conflict.
- If you encounter a prospective client who does create a potential conflict of interest, simply notify the Staff Attorney, who will reassign the prospective client.



Legal Help for Sexual Assault Survivors: Victim Rights Law Center's Pro Bono Program

Malia Bennett (she/her)
Senior Attorney
mbennett@victimrights.org
Victim Rights Law Center

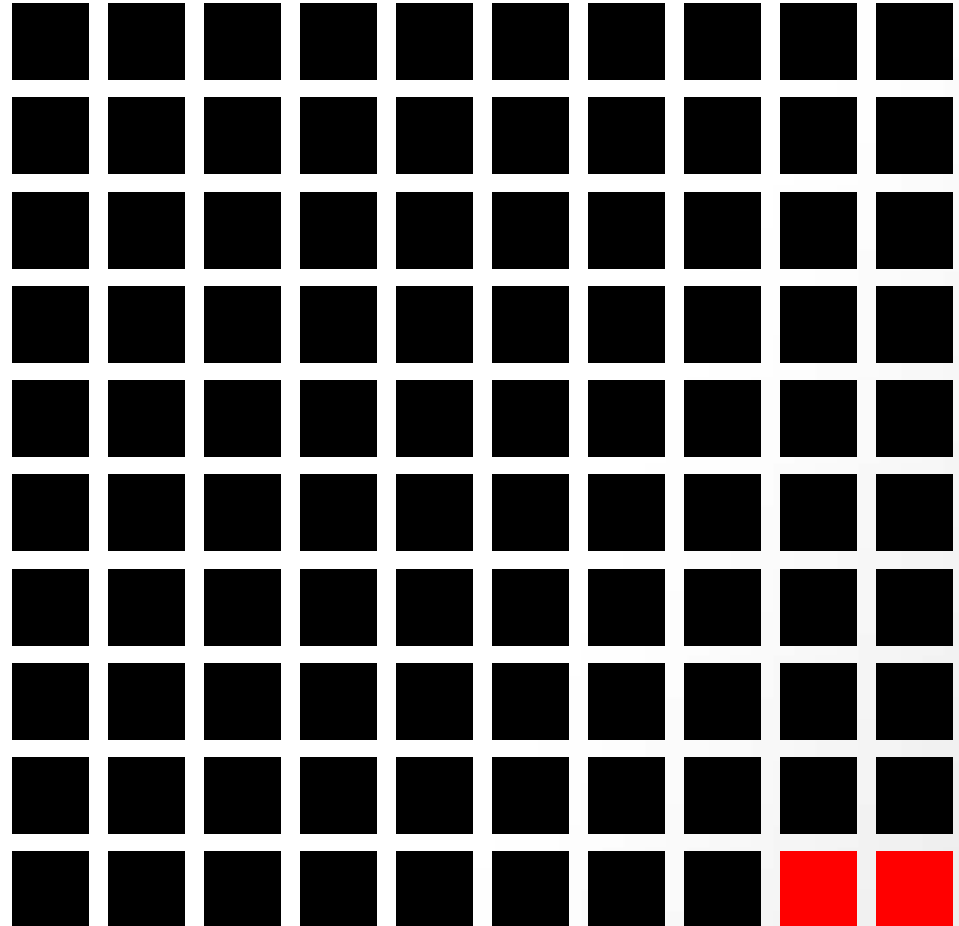
The VRLC: Our Mission

Our mission is to provide free, holistic legal representation to victims of rape and sexual assault and to promote a national movement committed to seeking justice for every rape and sexual assault victim.

In 98% of cases, the perpetrator is not sentenced to jail time.

For every 100 rapes committed:

- 19 are reported to police
- 7 result in prosecution
- 3 result in conviction
- 2 result in incarceration



The VRLC: Our Clients

Only victims of sexual assault (unwanted touching of an intimate body part)



Based on self-identification (criminal charges NOT required)

Only in legal matters related to the sexual assault

VRLC Services: Safety and Privacy

- Individual safety planning
- Civil protective orders
- Address protection
- Name changes



VRLC Services: Victim Advocacy

- Represent the victims' interests with the DA
- Educate and advocate for the victims' rights



VRLC Services: Benefits and Financial Stability

- Help with Crime Victim Compensation
- Restitution
- Public benefits and appeals



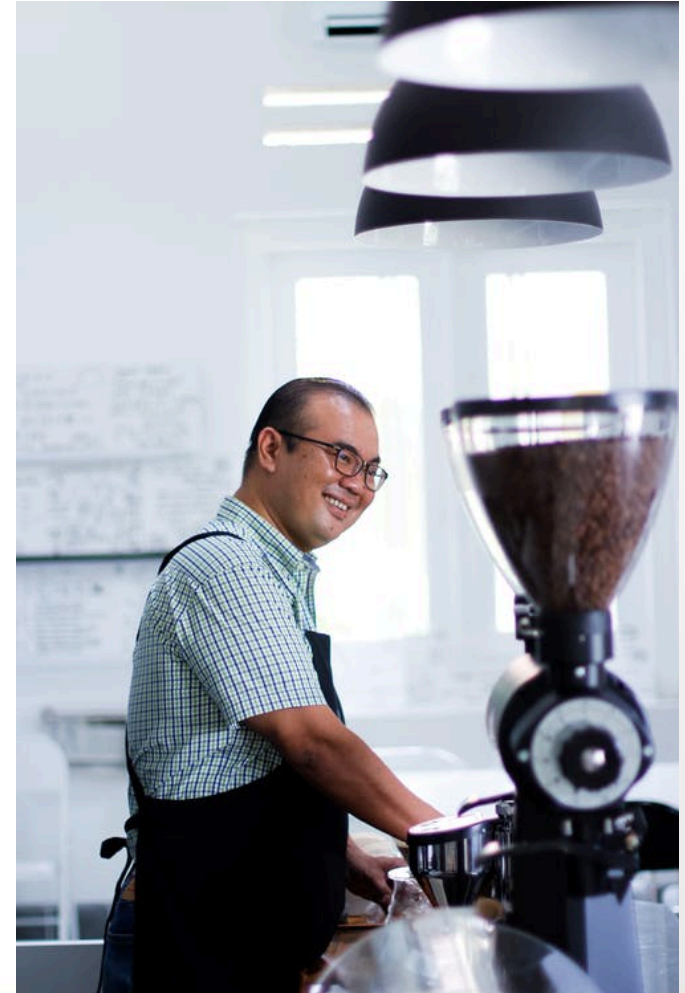
VRLC Services: Housing

- Negotiate for safety measures (e.g., locks, lights, parking)
- Breaking leases
- Housing transfers



VRLC Services: Employment

- Educate employers about employees' safety and leave rights
- Negotiate safety and leave accommodations
- File complaints with federal and state officials (EEOC and BOLI)



VRLC Services: Education

- Educate schools about students' legal rights
- Negotiate accommodations
- Represent students in investigations and disciplinary hearings
- File complaints with federal and state officials



VRLC Services: Immigration

- Help victims maintain their immigration status
- File immigration applications for noncitizens without legal immigration status
- Defend noncitizens in immigration court removal proceedings



VRLC Services:

Identity Document Changes

- Help trans survivors with gender marker and name changes on identity documents
- Court petitions, birth certificates, passports, driver's licenses, social security cards, etc.
- We can even pay filing fees!



The VRLC: Our Services

TRI COUNTY AREA

- Safety and privacy
- Victim advocacy
- Benefits and financial stability
- Housing
- Employment



STATEWIDE

- Education
- Immigration
- Identity document changes

Join VRLC's Pro Bono Program!

- Attend a Pro Bono Attorney Training
- Submit application and confidentiality agreement
- Complete background check *only if representing minors*
- Receive Listserv messages
- Take a case or project
- Get support: Co-counsel/mentor/backup

Why Join?

“When we support the VRLC,
we are supporting survivors.” –
VRLC pro bono attorney



“The Victim Rights Law Center changed the course of
my life. . . You gave me back control of my life. You
helped me go from victim to victor.” –VRLC Client

VRLC's Upcoming Pro Bono Training:

November 9th, 2022
1:00-2:30 PM

Email Malia for registration information at:
mbennett@victimrights.org

Thank you for the work you do!

תודה
Dankie Gracias
Спасибо شُكراً
Merci Takk
Köszönjük Terima kasih
Grazie Dziękujemy Děkojame
Ďakujeme Vielen Dank Paldies
Kiitos Tänname teid 谢谢
Thank You Tak
感謝您 Obrigado Teşekkür Ederiz
Σας Ευχαριστούμ 감사합니다
ບອບດຸນ
Bedankt Děkujeme vám
ありがとうございます
Tack

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VOLUNTEER LAWYERS PROJECT

PRO BONO ATTORNEY INFORMATION FORM

LEGAL AID SERVICES OF OREGON

Name		Pronouns	
Email		Phone	
Preferred Address			
I am a member of the Oregon State Bar in good standing. My bar number is:			
I will inform LASO if my OSB status changes or if I am convicted of any crime.			
I am fluent in the following languages			
I will need professional liability insurance coverage through legal aid		Yes	No

If you do not have professional liability coverage for your pro bono work referred through our office, LASO will provide.

I would like to volunteer for the following project(s):

Bankruptcy Clinic - Portland		Statewide Tax Clinic	
Bankruptcy Clinic – Central OR		Native American Program Legal Aid Services (NAPOLS)	
Bankruptcy Clinic - Pendleton		Albany Pro Bono	
Bankruptcy Clinic - Salem		Bend Pro Bono	
Domestic Violence Project		Douglas Pro Bono	
Expungement Clinic - Portland		Klamath Falls Pro Bono	
Expungement Clinic - Douglas		Lincoln Co. Pro Bono	
Family Law Forms Project		Pendleton Pro Bono	
Housing Notice Clinic		Salem Pro Bono	
Senior Law Project – Multnomah County		Stoel Rives/Dunn Carney Night Clinic	
Unemployment Income Benefits Panel		Miller Nash Graham & Nash Virtual Clinic	
		Tonkon Torp Legal Clinic	

	I am willing to work statewide <i>if virtual</i>
	I am willing to do home visits for disabled clients who cannot travel
List counties willing to travel to	

Date		Signature	
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Please return this form to:

Volunteer Lawyers Project, Legal Aid Services of Oregon
Email: ProBono@lasoregon.org Fax: 503-295-9496

If you have any questions, email: ProBono@lasoregon.org

Thank you for your generous support of our pro bono programs!