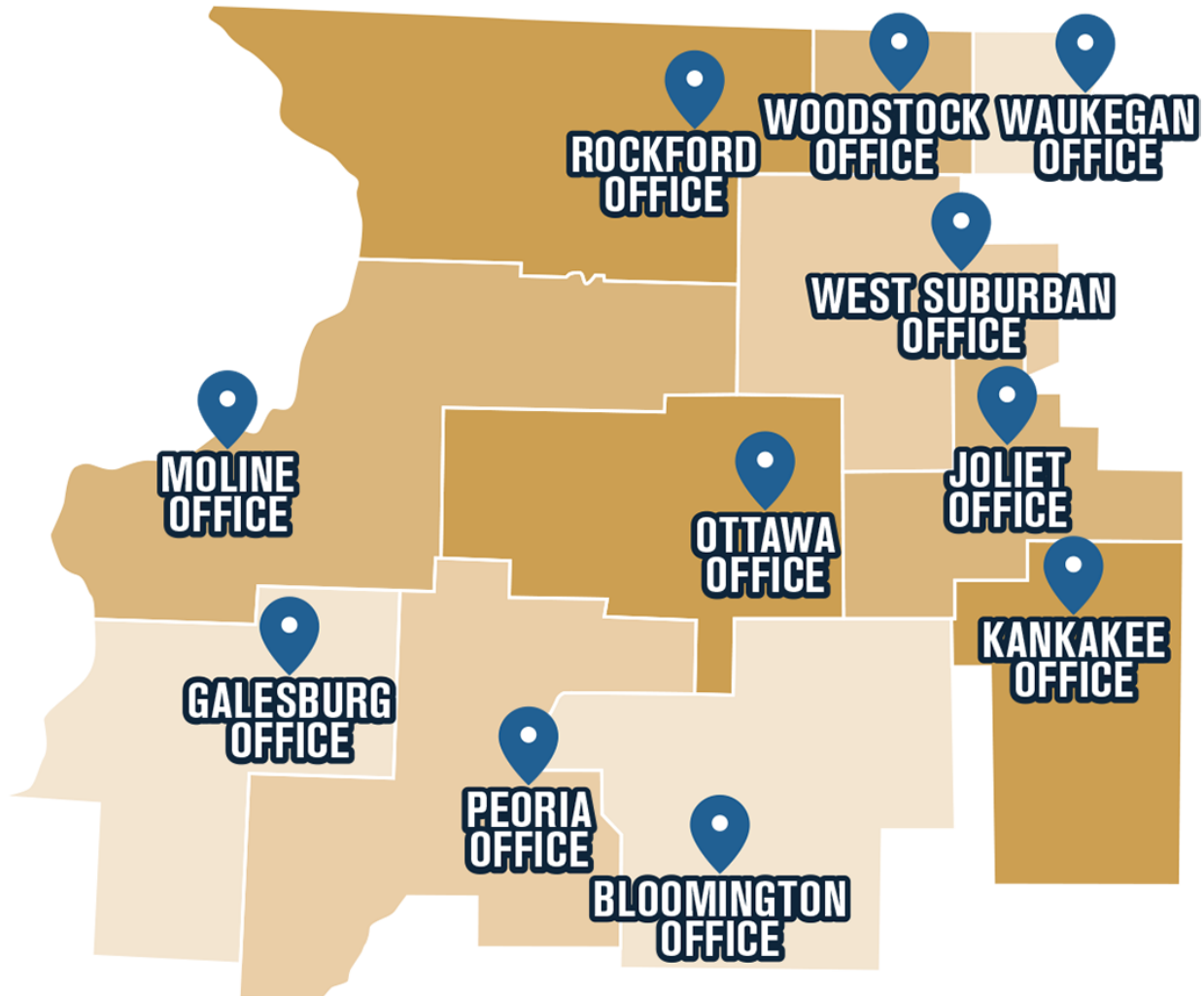


## PSLS 2021-2023 Priorities Study



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## Executive Summary

The Prairie State Legal Services (PSLS) 36 county service area is home to 5.2 million persons according to the 2019 U.S Census Community Survey, with 23%, or 1.2 million persons, having income under 200% of the federal poverty level. Approximately 13% of the population has an income under 125% of the federal poverty level, or over 600,000 persons. According to the Census, the average household size in Illinois is 2.63 persons. This would suggest that there are more than 228,000 households with incomes under 125% of the poverty level in the PSLS service area. Since the demand for legal assistance exceeds the staff and volunteer resources available, PSLS must prioritize some types of legal problems over others. This study collected data to help guide this priorities process.

The study included 383 surveys of low income persons from the PSLS 36 county region. Respondents were from 35 counties, with Stark county being the only county with no respondents. The survey inquired whether the respondents had experienced various legal problems in the last two years and then asked the respondents to rate the importance of various types of legal problems to receive extended legal representation or brief legal advice.

### **The five most frequently experienced legal issues among respondents were:**

- Utilities were shut off or threatened to be shut-off (29%)
- Debt/bad credit prevented you from getting housing or other necessities (25%)
- Threatened with legal action because of debts you could not pay (23%)
- Abuse or threats of abuse (22%)
- Lost or was at risk of losing rental housing due to eviction (18%)

### **The five areas listed as most important for *representation* by the community were:**

- Threats to housing stability (59%)
- Threats to personal safety (55%)
- Discrimination based on race, gender, disability, children or other reasons (47%)
- Denial or loss of government benefits (47%)
- Threats to health (37%)

**The five top rated areas (two were tied) listed as most important for *advice* by the community were:**

- Denial or loss of government benefits (40%)
- Issues involving debts (40%)
- Issues that affect children's education (39%)
- Threats to personal safety (39%)
- Threats to housing stability (37%)
- Issues affecting the livability of a neighborhood (37%)

PSLS staff interviewed 96 key informants from the communities served, including judges, lawyers, community advocates and other professionals. This was done to obtain perspectives from service providers and members of the legal community working with low-income persons unlikely to complete surveys themselves due to disability, advanced age, or language barriers.

**The most frequent needs identified by the key informants were:**

- Housing (59%, with 21% directly mentioning eviction)
- Difficulty getting benefits or benefits appeals (23%)
- Family law (excluding domestic violence) (22%)
- Domestic violence and Orders of Protection (21%)
- Employment (including barriers to employment and issues with wages or employer) (16%)

We also asked respondents to prioritize certain categories of legal problems. We have listed their responses based on the number of key informants that ranked the issue as high priority. This was not intended to create an exhaustive list but rather to gain some perspective on the relative importance of some classifications of legal problems.

**High Priority:**

- Services that address basic needs (income, housing, safety)
- Services that help improve financial stability for victims of abuse
- Services that address the needs of populations that may be unable to advocate for themselves
- Services that address racial disparities
- Services that address systemic issues affecting many low-income residents

The key informants were also asked for their recommendations to improve legal services and access to services.

They recommended that PSLS become more accessible within the low-income communities it serves. This may require new approaches in which staff are more highly involved in community-based organizations or meeting clients at locations where low income persons have built trust. Special approaches in rural areas may also be needed as low-income residents may not have access to reliable internet or cell phone services.

PSLS staff were asked to complete a survey to determine what legal problems they felt were the most important for legal services.

**The survey results showed as most important:**

- A need for a protective order after being assaulted (86)
- Abuse or threats by a spouse/partner or other family member (85)
- Utilities like heat, water, or electric were shut off (83)
- Denial or loss of housing voucher, public housing, or Section 8 housing (80)
- Loss of housing due to eviction (79)

The study overall reflects that legal problems affecting safety, adequate housing, and public benefits, particularly for populations who may be unable to advocate for themselves, are of key importance for representation. Issues of unlawful discrimination were similarly rated highly. These are matters in which more extensive legal representation by PSLS may be most important. There were other issues of importance related to employment, education and utilities.

The community survey noted the importance of legal services with regard to debt issues and parental responsibilities. These may be high frequency issues for which PSLS cannot provide the individual representation to every eligible applicant. There may be targeted strategies that PSLS can employ to address such issues using volunteer attorneys, clinics, and legal advice.

We are so appreciative of all the individuals who provided their perspectives to us via surveys and interviews. This feedback is invaluable to PSLS.

Survey	High Importance Top Five	Most Frequent Legal Needs
Community Survey	<ul style="list-style-type: none"> <li>• Threats to housing stability</li> <li>• Threats to personal safety</li> <li>• Discrimination based on race, gender, disability, children or other reasons</li> <li>• Denial or loss of government benefits</li> <li>• Threats to health</li> </ul>	<ul style="list-style-type: none"> <li>• Utilities were shut off or threatened to be shut off</li> <li>• Debt/bad credit prevented you from getting housing or other necessities</li> <li>• Threatened with legal action because of debts you could not pay</li> <li>• Abuse or threats of abuse</li> <li>• Lost or was at risk of losing rental housing due to eviction</li> </ul>
Key Informant Survey	<ul style="list-style-type: none"> <li>• Services that address basic needs (income, housing, safety)</li> <li>• Services that help improve financial stability for victims of abuse</li> <li>• Services that address the needs of populations that may be unable to advocate for themselves</li> <li>• Services that address racial disparities</li> <li>• Services that address systemic issues affecting many low income residents</li> </ul>	<ul style="list-style-type: none"> <li>• Housing</li> <li>• Difficulty getting benefits or benefits appeals</li> <li>• Family law (excluding domestic violence)</li> <li>• Domestic violence and Orders of Protection</li> <li>• Employment (including barriers to employment and issues with wages or employer)</li> </ul>
Staff Survey	<ul style="list-style-type: none"> <li>• A need for a protective order after being assaulted</li> <li>• Abuse or threats by a spouse/partner or other family member</li> <li>• Utilities like heat, water, or electric were shut off</li> <li>• Denial or loss of housing voucher, public housing, or Section 8 housing</li> <li>• Loss of housing due to eviction</li> </ul>	Not applicable

PSLS also conducted a supplemental limited Community Survey from July 25, 2023 through August 2, 2023. The purpose of this supplemental Community Survey was to survey the community post-pandemic and review any major discrepancies in findings as compared to the initial survey. While housing stability remained an issue of high importance in the supplemental Community Survey, the respondents of the 2023 supplemental Community Survey post-pandemic identified the need for legal representation for “Barriers to obtaining housing due to criminal record, disability” as the second highest importance, whereas the initial Community Survey rated “threats to personal safety” as the issue of second highest importance for representation.

Survey	High Importance Top 3	Most Frequent Legal Needs
2023 Supplemental Community Survey	<ul style="list-style-type: none"> <li>• Threats to Housing stability</li> <li>• Barriers to obtaining housing due to criminal record, disability</li> <li>• Threats to personal safety</li> </ul>	<ul style="list-style-type: none"> <li>• Utilities were shut off or threatened to be shut off</li> <li>• Lack of food resources in the community</li> <li>• Lack of jobs and transportation to jobs or grocery stores</li> </ul>

## Introduction

PSLS is a not-for-profit organization providing civil legal aid services at no charge to eligible persons in a 36 county area in northern and central Illinois. PSLS began operations in 1977 through the merger of several single county bar association-run legal aid programs. This consolidation sought to centralize administrative functions freeing the local staff to provide more legal services to people in need. PSLS is one of 132 legal aid programs in the nation funded by the Legal Services Corporation (LSC), which was created by the United States Congress in 1974 to fund civil legal aid services. Civil legal aid programs have never had the

resources necessary to provide legal services to every person seeking such help, so legal aid organizations must set priorities for their services.

LSC regulations require its grantees to engage in an assessment of priorities periodically.

*The procedures adopted must include an effective appraisal of the needs of eligible clients in the geographic area served by the recipient, and their relative importance, based on information received from potential or current eligible clients that is solicited in a manner reasonably calculated to obtain the views of all significant segments of the client population. The appraisal must also include and be based on information from the recipient's employees, governing body members, the private bar, and other interested persons.*

(45 CFR § 1620) PSLS has conducted numerous priorities studies over the years; the last one was conducted in 2015-2016. This current study was delayed for reasons related to the COVID-19 pandemic, but finally took place in 2021-2023.

## **Context in which PSLS Operates**

PSLS is the only civil legal aid program available in the vast majority of its service area. The Immigration Project operates in the portion of PSLS' service area south of Route 80 for immigration related legal work. Some Chicago based immigration focused legal aid programs help serve the northern portion of the service area. DuPage Legal Aid provides legal aid services within DuPage County focused on family law and bankruptcy. Administer Justice is a faith-based organization involving volunteer attorneys in some northern and Chicago collar counties. North Suburban Legal Aid Clinic based in Highland Park offers services in Lake County focused on immigration and domestic violence work. This differs from many larger cities in which an LSC funded program may operate among dozens of other legal aid programs. Since PSLS is the primary and often exclusive legal aid program in its region, it not only provides legal representation in identified high priority legal issues but offers legal advice to many more people in areas of less urgent need in order to help them avoid legal problems or solve some

problems on their own. It also works to provide legal education to the public and coordinates the involvement of community attorneys as volunteers.

There is a vast discrepancy between the ratio of attorneys to Illinois residents generally compared to the ratio of legal aid attorneys to low-income residents. PSLS had approximately 104 full-time equivalent attorneys handling cases in 2021. This comes to about 5,759 low-income persons per attorney or 1,625 low-income households in need of legal help per attorney. The Justice Gap 2022<sup>1</sup>, a study periodically published by LSC, most recently estimated that 74% of low-income households will experience at least one civil legal issue. Therefore, we can project that approximately 169,000 households will experience a civil legal issue in a given year in our service area. According to the Illinois Attorney Registration and Disciplinary Commission in 2021, there were 66,516 Illinois licensed attorneys with Illinois addresses. Thus, comparatively, while there are 190 Illinois residents per Illinois attorney, there are nearly 6,000 low-income persons per legal aid attorney in Illinois.<sup>2</sup>

Community attorneys volunteer their help. In 2021, 337 attorneys volunteered their time helping PSLS clients. Of these dedicated volunteer attorneys, only a small number of them will take time-consuming court cases. Most volunteer attorneys limit their time to short-term cases, such as uncontested court cases, preparation of legal documents and brief legal advice services. Since most volunteer attorneys are maintaining their own legal practice, they typically are not available to handle the cases that require immediate action. Nevertheless, they do provide vital legal services to many low-income residents and PSLS is working to expand their involvement.

PSLS does not charge fees to its clients. It relies on an extensive patchwork of grants and donations to support the costs of staffing the organization. While PSLS focuses on securing grants to support the services determined to be of highest priority, some such grants, including

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<sup>1</sup> The Justice Gap 2022 Report Release: The Unmet Civil Legal Needs of Low-Income Americans; <https://www.lsc.gov/events/justice-gap-2022-report-release-unmet-civil-legal-needs-low-income-americans>

<sup>2</sup> United States Census population estimate for 2021 for Illinois is 12.67 million persons



those that focus on priority areas such as domestic violence, broaden the financial eligibility criteria to far more persons than would ordinarily qualify for legal aid services. Other grants target defined disadvantaged populations, but broaden the scope of services available to such persons. Congress has also restricted the legal services that grantees of LSC funds may provide, even if the legal aid organization is using funding sources other than LSC to serve a particular client. For example, Congress prohibits funded legal aid organizations from serving persons who do not meet specific immigration statuses except in certain cases involving domestic violence, sexual assault or trafficking.

The priorities study guides PSLS' Board of Directors in setting priorities for the organization's legal services. These priorities then must be adjusted based on the resources supporting the legal services provided, the volunteer legal help available, the availability of alternative legal resources, and the potential for low-income residents to use legal self-help remedies. PSLS has developed its priorities system based on the potential impact a legal problem has on the client population. This general framework provides flexibility to respond to emerging issues and needs to better serve our communities. The need for such flexibility was highlighted during the COVID-19 pandemic when the organization had to respond quickly to emerging legal needs related to the pandemic.

## **I. Overall Need**

Periodically, LSC releases its Justice Gap report documenting the unmet demand for civil legal aid among low-income population nationally. The most recent report, released in 2022, found that about 3 in 4 (74%) of the 50 million low-income households nationwide experienced at least one civil legal problem in 2021. For 92% of these issues, people received either no help or not enough help, which LSC refers to as the Justice Gap. Despite the work of 132 LSC-funded organizations in the country, about half of the 2 million requests for legal help in 2021 had to be turned away due to limited resources.

In 2021, PSLS received more than 19,900 requests for civil legal aid. Of these, 16,233 persons received services. Those who did not receive services include persons whose income or assets exceed PSLS guidelines, those for whom PSLS had a conflict of interest such that PSLS could not ethically serve the applicant, persons who had legal issues that could not be resolved in the PSLS service area, or persons who did not complete the intake process. Applicants are rejected when they are not eligible for legal services. Persons who are eligible for legal services are offered legal advice or representation to the extent that resources permit, consistent with PSLS priorities.

PSLS closed 15,007 cases in 2021. Of these, 58% (8,697) were fully served. This means that PSLS was able to provide the full level of legal services needed for the entire case. For the 6,290 cases that were partially served, over half of them were limited to partial services because PSLS lacked staffing or volunteers to provide the more extensive legal help needed. In these cases, PSLS provided legal advice specific to the client's situation, which in some cases required extensive legal research and investigation.

Because the demand for legal services heavily outweighs the resources available, a set of priorities is crucial in order to determine the cases in which more extensive legal help should be provided. For cases opened in 2021 and completed with more extensive representation, 38% identified themselves as victims of domestic violence. In the remaining cases, 53% faced housing related legal issues and 27% of cases involved barriers to housing and employment caused by criminal records.

This report aims to assess PSLS' priorities by combining and analyzing input from community members, staff, and key informants who work daily to address the problems that low-income people in PSLS' service area face. It continues with a discussion of the demographics of the PSLS service area and a review of the types of cases PSLS handles (part II). This is followed by a methodology section (part III) and the results (part IV). It concludes (part V) with a discussion of the results and a model for assessing priorities.

## II. PSLS and its Service Area

Part of ensuring the organization is adequately serving the low-income population is to know the demographic composition of the low income population. The following table shows the racial and ethnic makeup of PSLS clients compared to the population living below the federal poverty level and compared to the total population.<sup>3</sup>

<b>2021 Data</b>	<b>White, non-Hispanic/Latino</b>	<b>Hispanic or Latino (any race)</b>	<b>Black or African American</b>	<b>Asian or Pacific Islander</b>
% of PSLS cases	50.9%	14.7%	27.6%	1.4%
% pop. living below the poverty line within the PSLS region	53.9%	21.7%	17.4%	4.0%
% pop. at all income levels living within the PSLS region	70.5%	15.3%	6.8%	5.2%

The White, non-Hispanic/Latino population is proportional among all three population groups, if slightly underrepresented. However, the Black or African American population is overrepresented as PSLS compared to the other groups, while the Hispanic/Latino and Asian or Pacific Islander populations are underrepresented. The over representation of Black/African American persons may reflect the disparate number of Black/African American persons facing rental housing issues and the racial disparity in evictions as documented in research.<sup>4</sup>

PSLS is able to handle cases that cover a wide variety of legal problems, although some problems are more typical than others. LSC categorizes legal problems into 10 categories: consumer, education, employment, family, juvenile, health, housing, income maintenance,

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<sup>3</sup> The income limit for PSLS' services is generally 125% of the poverty line, but it is compared with the amount of people at or below the poverty line. This data is constrained due to limited data by race and income for rural counties.

<sup>4</sup> Desmond, Matthew, *Poor Black Women Are Evicted at Alarming Rates, Setting Off a Chain of Hardship* 2014

individual rights, and miscellaneous. The most common types of legal problems that PSLS handled in 2021 fell into the following categories:

Housing	5,839
Family	5,489
Individual Rights	2,112
Income Maintenance	1,288
Consumer	975
Miscellaneous	937
Employment	411
Health	410
Juvenile	186
Education	89

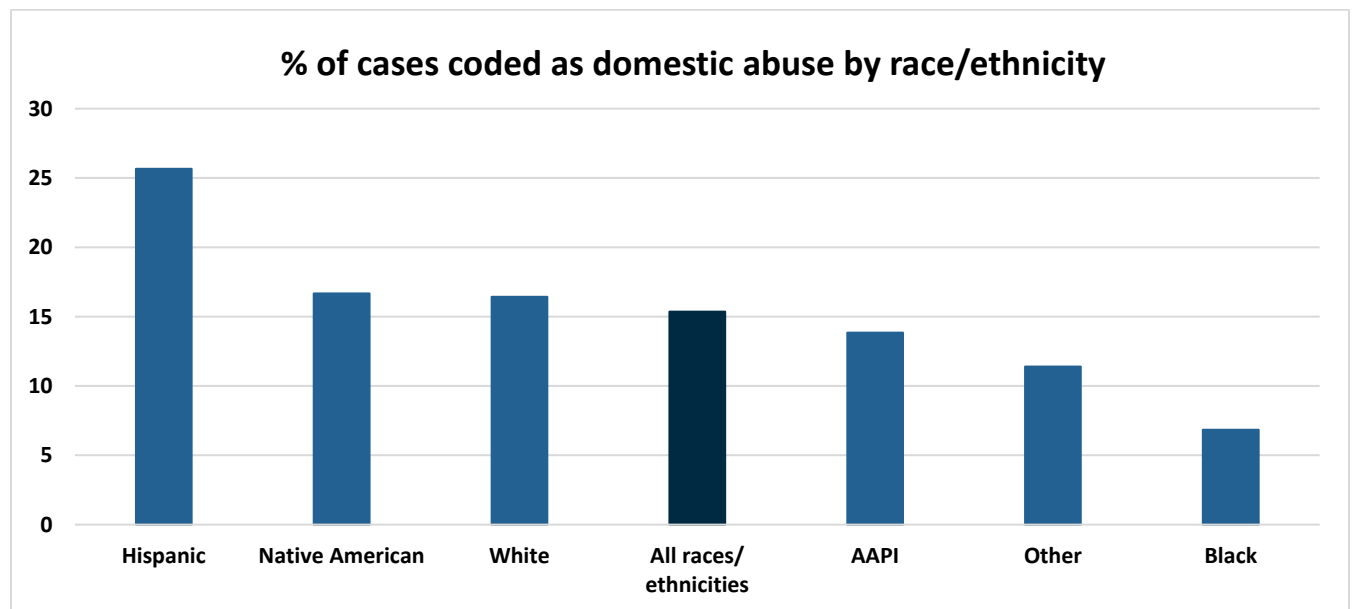
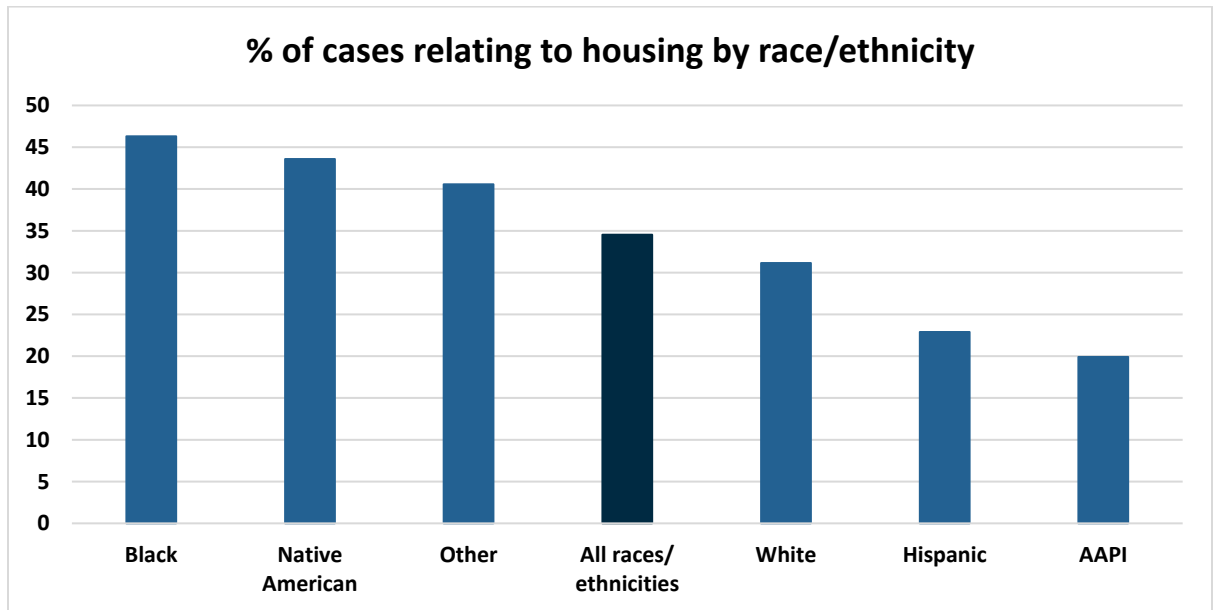
PSLS 2021 data allows PSLS to look at how common specific types of problems are within those categories. Private landlord/tenant issues made up 20.9% of all cases making them the most common of any other type of issue. The next most common types of problems were domestic abuse (14.9%) and criminal record expungements (10.5%). The high percentage of landlord-tenant cases in 2021 was in part due to the impact of COVID-19 and the end of the eviction moratorium in October 2021.

Race and ethnicity play a role in the types of legal issues for which people seek help. Overall, 32.9% of cases in 2021 were related to housing. Among Black clients, however, 46.3% of cases opened related to housing. On the other hand, Hispanic or Latino clients had a lower percentage of cases relating to housing issues, at 22.9%. The percentages reverse when considering cases relating to domestic abuse.<sup>5</sup> Overall, 14.8% of cases were coded as domestic abuse in 2021. Among Hispanic or Latino clients 25.7% of cases were coded as domestic abuse,

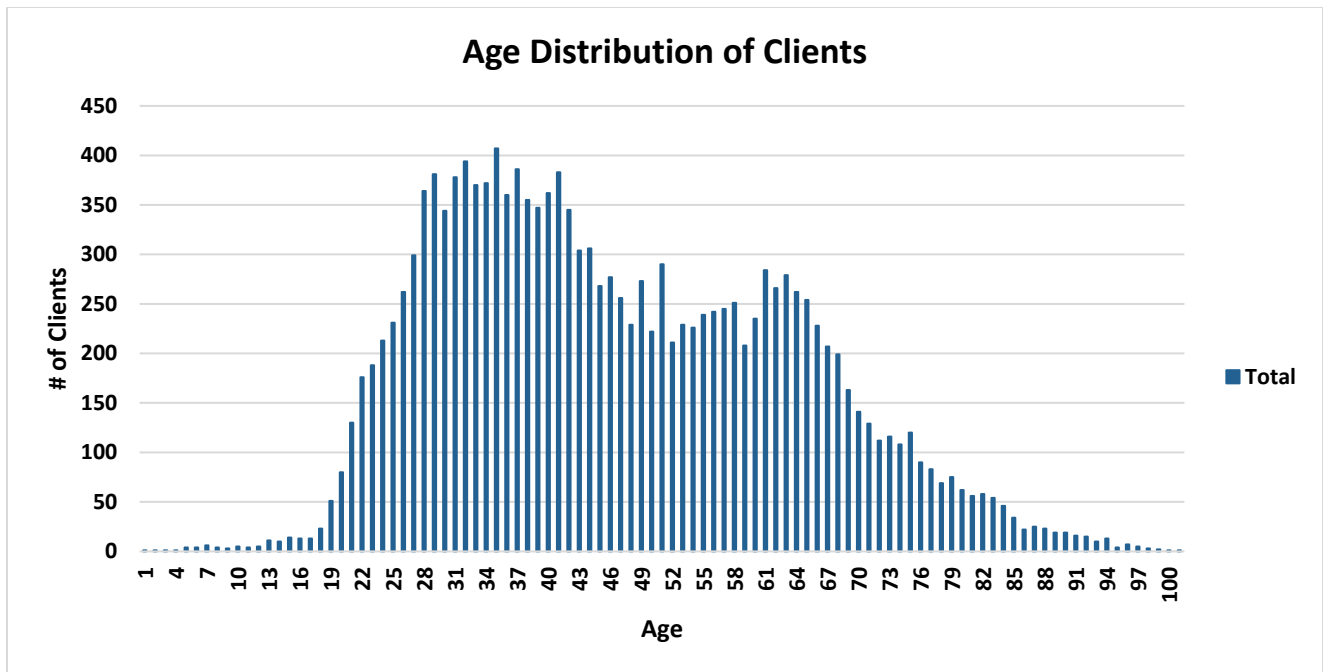
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<sup>5</sup> Cases coded as domestic violence reflect those cases primarily involving court protective orders. Victims may also have cases coded as divorce, custody, and other family law issues.

but for Black clients that number was only 6.8%. The full breakdown for each issue by race and ethnicity is shown below.



The median age of PSLS clients in 2021 was 44. There is a large spike in the number of clients at age 60 because PSLS receives Title III funding from the Older Americans Act, the age of eligibility for which is 60. In 2021, 25% of all clients were 60 or older.

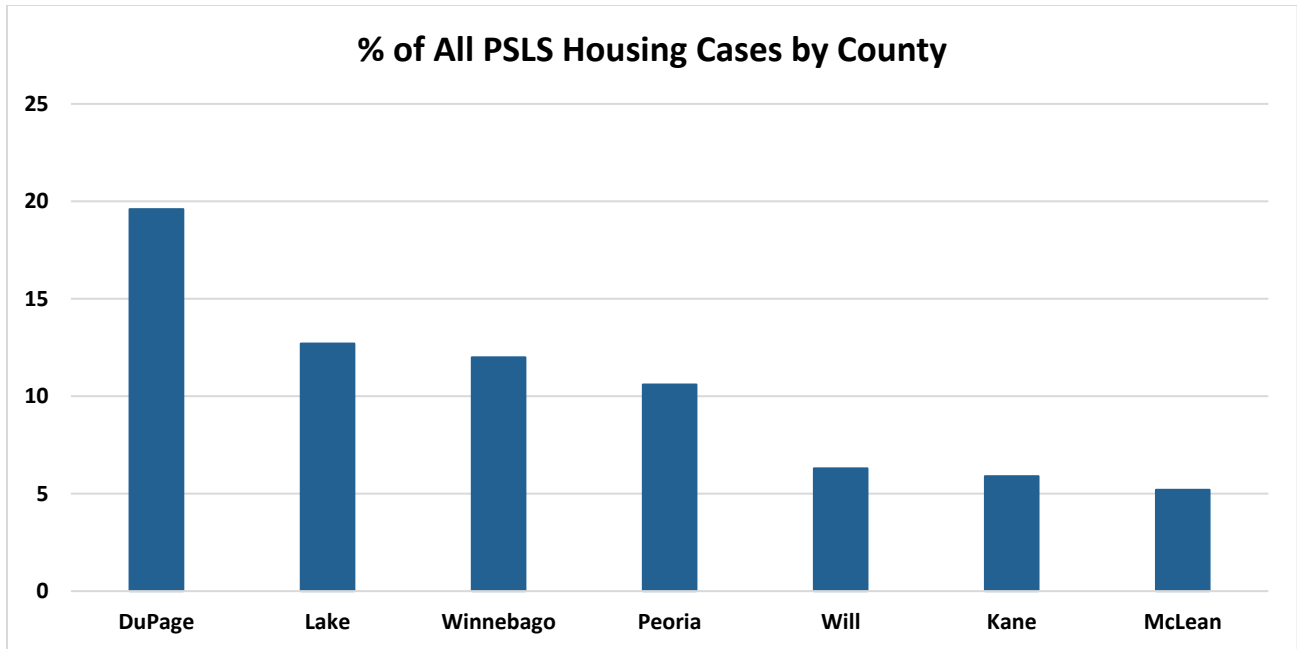


## Housing

In 2019, the rate of rent-burdened households (households that spend 30% or more of their income on rent) in the PSLS service area was 46.5%, compared to the national average of 48.4%.<sup>6</sup> The collar counties surrounding Chicago, plus Kendall County, have the highest 2-bedroom median rents, between \$1,100 and \$1,400/month. While rent is less expensive in rural areas, a lack of affordable rental housing is still a problem everywhere. More than 60% of all PSLS housing cases involved tenants living in just 5 counties (DuPage, Lake, Winnebago, Peoria and Will), where rents are considerably higher. Higher rental prices are a top predictor of eviction rates.<sup>7</sup>

<sup>6</sup> <https://nlihc.org/resource/census-bureau-releases-data-2019-acs>

<sup>7</sup> [https://smhttp-ssl-58547.nexcesscdn.net/nycss/images/uploads/pubs/Addressing\\_the\\_Eviction\\_Epidemic.pdf](https://smhttp-ssl-58547.nexcesscdn.net/nycss/images/uploads/pubs/Addressing_the_Eviction_Epidemic.pdf)



## Differences in Service Between Urban and Rural Areas

There are some differences between urban and rural areas that affect PSLS’ delivery of legal services.<sup>8</sup> In the PSLS services area, 20 counties are considered urban and 16 are considered rural. The urban population accounts for approximately 89% of the service area population. One of the clear differences between urban and rural counties is the poverty rate – in urban counties, 12.1% of the population is considered low-income (under 125% of the Federal Poverty Line), while 17.4% of people in rural counties are low-income.

### Rural areas also tend to be less diverse than urban areas:

	White	Hispanic	Black	Asian/Pacific Islander	Other
Urban	68.5%	16.3%	7.2%	5.8%	2.2%
Rural	87.1%	7.0%	3.5%	0.7%	1.7%

<sup>8</sup> The terms “urban” and “rural” are defined by the National Center for Health Statistics (*Vital and Health Statistics*, April 2014, Series 2, No. 166)

Residents in every county of the PSLS service area, including its rural areas, utilize the resources that PSLS offers. In 2021, by county (compared to the estimated number of households with incomes below 125% of the poverty level) found that PSLS served 6.6% of low-income households in urban counties and 5.5% of low income households in rural counties. The appendix provides data on the rates per county. Jo Daviess County had the lowest rates of service at 2.7% of all low-income households, which reflects the 1.5 hour distance between its county seat in Galena and Rockford, where the PSLS office is located. The PSLS telephone intake and advice service is designed to ease access to legal services regardless of location, so the lower rates of services in rural areas may reflect the need for additional outreach and the fact that many forms of outreach were limited in 2020 and 2021 due to the pandemic. A 2021 study of access to justice in rural areas cited the lack of broadband internet access and poor cell phone coverage as factors limiting legal resources in rural areas.<sup>9</sup> These findings suggest that efforts to use social media, websites, and telephone intake to increase access are less successful in rural communities.

From 2007 through 2012, PSLS helped to establish legal self-help centers around our service area, including many in rural libraries. This effort was funded by the Illinois Equal Justice Foundation and implemented by the Illinois Coalition for Equal Justice and Illinois Legal Aid Online. PSLS secured the funding for the equipment needed by local libraries and courthouses to serve as legal self-help centers. Given the time that has elapsed since this effort, this may be a strategy deserving reinvigoration.

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<sup>9</sup> “They Had Access, But They Didn’t Get Justice”: Why Prevailing Access To Justice Initiatives Fail Rural Americans Michele Statz,\* Hon. Robert Friday, Jon Bredeson; Georgetown Journal on Poverty Law and Policy Volume XXVIII, Number 3, Spring 2021



### III. Methodology

#### Community Survey

Social Impact Research of Heartland Alliance created the survey for our 2015-16 priorities study. For the current study, PSLS modified and shortened the survey to make it easier to use and administer. We created the survey as a link via Survey Monkey and as a Google Form in Spanish. We also created PDFs of the survey in English and Spanish, and printed a pamphlet version of the survey, as well. We asked over 50 organizations to assist by distributing the links to the surveys via email to their clients or distributing paper copies. We began contacting these agencies with the initial Community Survey in November and December 2021, and completed the supplemental limited Community Survey process in August 2023.

During the initial survey, PSLS received 149 responses from surveys distributed by other organizations. We also posted the links on social media in English and Spanish and obtained 50 additional responses. We then used PSLS' case management system to gather email addresses of former clients whose cases had been completed in 2018 or 2019, and we sent surveys to those clients. That resulted in 286 additional responses. Only one response was received using our Spanish version of the survey. While we received a total of 494 responses, we did not include data from persons living outside of our service area or with incomes above 200% of poverty level.

An anonymous survey was given to community members in order to gain understanding of the most frequent legal issues they experienced and gather perspectives on the most important legal needs that PSLS should provide.<sup>10</sup> The community survey was open between January and April 2022. Respondents were provided with scenarios relating to legal issues in the following 7 areas: housing; safety and security; children; other family law; income and benefits; debts and consumer issues; and healthcare. For each issue, respondents indicated whether they had experienced that legal problem in the past two years. At the end, respondents were asked to

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<sup>10</sup> The full survey instrument is provided in Appendix [X].

choose 4 areas for which PSLS should focus on giving legal advice, and 4 areas for which PSLS should provide legal representation. The purpose of this was to determine which legal issues people thought could be handled by themselves given the proper resources and what issues they felt required more extensive assistance by a lawyer.

Because PSLS, with some exceptions, requires clients to be under a certain income level to receive services, the survey was targeted to adults with a household income of less than 200% of the 2021 federal poverty level. Ideally, a survey like this would be carried out with a random selection of respondents in the area, but this was not possible due to cost and complexity. Instead, we set quotas for persons receiving the survey based on geography, race/ethnicity, and age to ensure that populations were represented proportionally in the survey responses. We initially set quotas for each individual PSLS service area based on county-level demographic data taken from the American Community Survey 5-year estimate (2015-2019).<sup>11</sup> Ultimately, however, we examined data for the 36 county service area as a whole rather than for each of the 11 office service areas. Based on the estimated 1.2 million adults living under 200% of the federal poverty level in the PSLS region, a sample size of 400 was needed for a 5% margin of error. The survey garnered 494 total responses, 111 of which were not included because their income exceeded 200% of poverty level, leaving a total of 383 responses. While we had 17 fewer responses than our goal, we believe that the number of responses was sufficient to draw general conclusions about the low-income population in the PSLS service area. The challenges of engaging in this survey process while the pandemic continued to impact in-person interaction certainly influenced the process. Accordingly, PSLS conducted a supplemental limited Community Survey in 2023. This supplemental Community Survey distributed surveys from July 25, 2023 through August 2, 2023. PSLS conducted 103 supplemental Community Surveys during that time period with responses from 17 counties in PSLS' service area. We believe future surveys could improve by: (1) drawing from a random selection of low income people; (2) involving more partner agencies in distributing surveys; and (3) targeting outreach

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<sup>11</sup> See Appendix for full quotas.

for populations that are hard to reach by standard means, such as seniors, people in rural areas, limited English speaking populations, and people experiencing homelessness.

### **Staff and Board Survey**

PSLS staff and Board were surveyed with the same scenarios that were included in the Community Survey but were asked to specify those situations that were more important for PSLs to serve. To do this, we created a survey through All Our Ideas ([allourideas.org](http://allourideas.org)), which presents the respondent with two randomly selected scenarios and asks the respondent to pick which one is more important to serve. There was no limit to the number of scenarios, so staff were encouraged to take the survey for at least 10 minutes. The scenarios were then rated from most to least important based on how often they were chosen. For the staff survey, 191 members from all offices and positions participated, casting a total of 10,149 votes. For the Board survey, 12 out of the 21 members participated, casting a total of 1,671 votes.

### **Key Informant Interviews**

In addition to survey input from the community and PSLs staff and Board, PSLs undertook interviews with 96 “key informants,” including service providers, advocates, judges, attorneys, and social workers in the PSLs service area. Interviews were carried out by PSLs staff members between May 1, 2022 and May 31, 2022. The 3-fold purpose of these interviews was: (1) to collect qualitative data on common problems of underserved populations; (2) to pursue more in-depth opinions on issues that PSLs should prioritize; and (3) to gather suggestions on how PSLs can improve its services. Interviewers were given a general guide (not shared with the interviewee) for conducting the interview. The interview included a section specific to the legal community that asked which types of civil cases a low-income person could realistically represent themselves in court. Due to the low sample size of respondents specific to the legal community, we do not report these results, but recognize that this could be a good avenue of further inquiry.

## IV. Results

### Community Survey

Reviewing the data from the initial Community Surveys, of the low-income respondents who took this survey, 97% reported having had a legal issue within the past two years. This survey was not intended to measure the overall incidence of legal problems for low-income people (for that, the Justice Gap's most recent number of 74% is the better estimate), but rather to capture information on what types of issues low income people are facing and what they find most important.

#### The 5 most frequently experienced legal issues among respondents were:

- Utilities were shut off or threatened to be shut off (29% of respondents chose this issue)
- Debt/bad credit prevented you from getting housing or other necessities (25%)
- Threatened with legal action because of debts you could not pay (23%)
- Abuse or threats of abuse (22%)
- Lost or was at risk of losing rental housing due to eviction (18%)

**Table X: Most common categories of legal problems: Justice Gap and community survey**

	PSLS Community Survey	Justice Gap 2022
Housing	60%	33%
Family and Safety	56%	26%
Consumer/debt	44%	50%
Income maintenance	43%	34%
Education <sup>12</sup>	47%	42%

<sup>12</sup> This is based on the percentage of respondents who have a child under 18 in their care. 53% of community survey respondents had a child in their care and 46% of Justice Gap respondents had a student in the household.

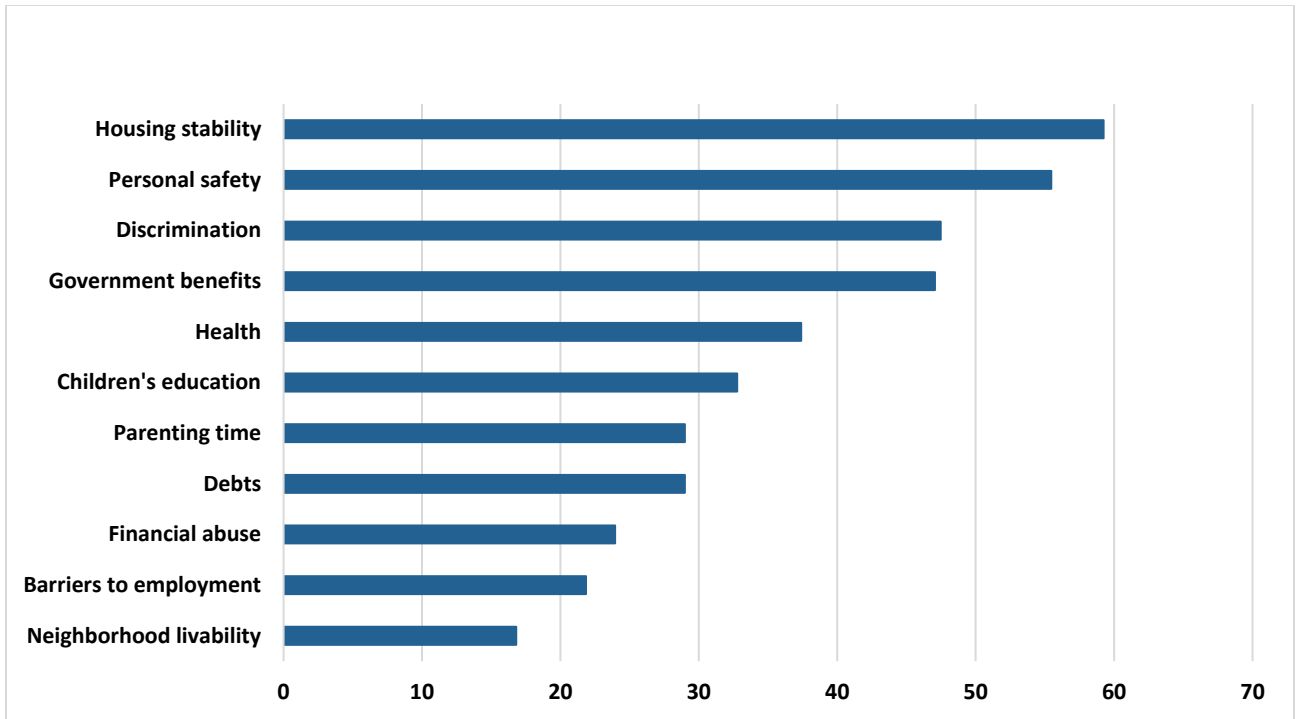
Overall, a greater percentage of respondents to PSLS' Community Survey experienced legal issues than the percentage of survey takers in the Justice Gap study. In addition, the data showed that the most common legal issues experienced differed between the two groups of respondents. For example, housing issues were the most common in the PSLS survey, but fourth most common in the Justice Gap survey. While this discrepancy may in part be due to non-random sampling in the PSLS community survey, it is undisputable that the lack of affordability in housing in the Chicago collar counties leads to more housing issues. There were several comments on this survey question citing the high cost of housing (including utilities) as a concern. When governments started lifting eviction moratoria, rent nationwide increased by an estimated 14.1% from the previous year, and mortgage payments increased by an estimated 21.6%.<sup>13</sup> Illinois does not have laws that cap rent increases in private housing, which exacerbates the problem.

Community Survey respondents were asked to choose 4 (out of 11) areas that they believed were most important for representation, and which were most important for advice. The data offers insights into the most important areas for legal advice and for more extensive legal representation.

For representation, threats to housing stability was the most commonly-chosen answer (59%), followed by threats to personal safety (56%); discrimination based on race, ethnicity, or other traits (48%); and denial or loss of government benefits (47%). The full listing is shown below.

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<sup>13</sup> <https://www.redfin.com/news/redfin-rental-report-december-2021/>



While issues with debts ranked in the top 5 most common types of legal problems, this was not considered as much of a priority for representation compared to housing security and personal safety. Discrimination and denial/loss of government benefits were two areas that did not rank as some of the most frequent issues, but the community said were important for representation.

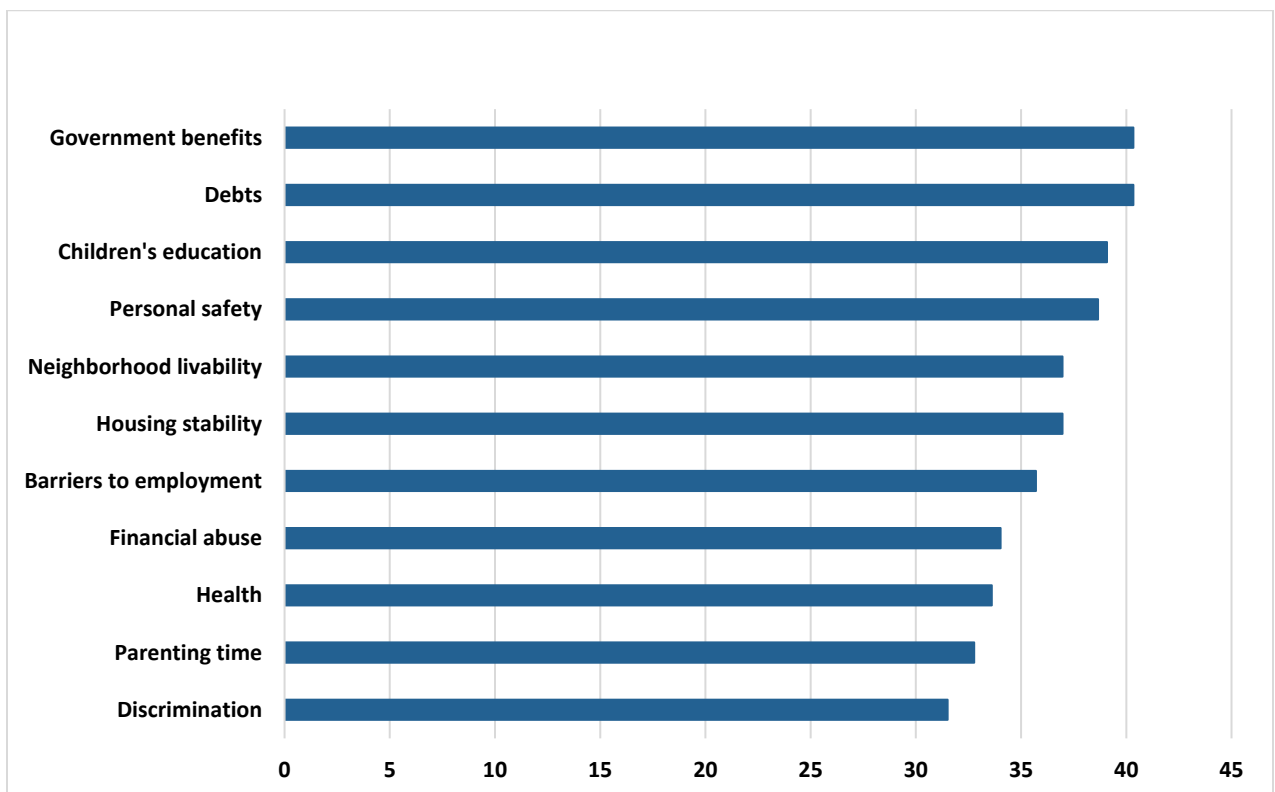
Currently, cases for which PSLS provides representation largely follow what the community identified as most important. A little over one-in-four (27%) of all PSLS cases in 2021 were provided representation. Of those, the most common issues were:

- Rental housing issues (23%)
- Domestic abuse (23%)
- Criminal record relief, such expungements or sealing records (22%)
- Divorces, separations and annulments (10%)

PSLS' criminal records relief work is directed to eliminate criminal records as a barrier to employment or housing. The survey asked respondents to rate the importance of legal services

to address barriers to employment. Although the survey did not specifically ask about criminal record expungements or sealing, we consider that work to be subsumed within this category.

For advice (rather than representation), denial/loss of government benefits was the most commonly chosen (40% of all respondents chose that category), followed by issues involving debts (40%); issues that affect children’s education (39%); and then threats to personal safety (39%). The full listing of the 11 topics for which respondents entered ratings is shown below.



Issues involving consumer debts are high-frequency, (the most common issue in the Justice Gap survey and third-most common issue in the community survey), but have lower percentages for cases in which PLS provided more extensive legal representation. It is, however, tied for the top priority in “most important for advice.” Debt is an indicator of multiple legal problems,<sup>14</sup> as it can lead to larger issues such as denial of housing. Only 3% of PLS cases in 2021 were

<sup>14</sup> 2016 PLS Priorities Report

directly related to consumer debt.<sup>15</sup> The Justice Gap 2022 report found that only 14% of people sought help for consumer issues, compared to 41% for wills and estates and 33% for family and safety (the two most common problems in which people sought out legal help). As the report put it, “[p]eople are more likely to seek legal help for problems that are more obviously ‘legal’ like those involving legal documents and court proceedings”.<sup>16</sup> The Justice Gap also found that fewer people saw debt as a “substantial” issue – only 42% considered it substantial, compared to housing (54%) and family and safety (52%).

It is also important to analyze a few sub-groups of respondents, such as older adults and persons with disabilities. Respondents 60 years or above (about one quarter of respondents) had more concerns about denial or loss of government benefits, than did younger groups. Indeed, 69% of the 60 and over population chose denial or loss of government benefits as the number one issue for representation, compared to 39% for people under 60. This makes sense, as people over 60 are more likely to be retired and a greater portion of their income comes from benefits instead of employment. The same effect is seen for people with disabilities – denial or loss of government benefits was the second most important issue for representation (54%). For people who did not identify as having a disability or were unsure, only 40% chose it as a priority for representation.

It is also worthwhile to look at the similarities and the differences between renters and homeowners. In this survey, 62% of respondents were renters or had mobile homes, and 25% owned a home. The remaining 14% classified their living situation as group living such as a shelter or nursing home, or other. Both renters and home owners had similar prevalence of listing housing issues as important (61% of renters and mobile homes, 60% of homeowners). The most common types of housing issues faced by owners were: utilities shut off/threatened (34%), lost/at risk of losing home from unpaid taxes/fees (24%). For renters the most common housing issues were: utilities shut off/threatened (28%), lost/at risk of losing housing due to

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<sup>15</sup> This is likely an undercount, as debt/consumer issues can be a source for cases involving housing, employment, etc.

<sup>16</sup> Justice Gap 2022, pg. 45



eviction (23%). From this data we can see that low-income renters and low-income homeowners face similar housing issues and experience them at similar rates. This deviates from the data in the Justice Gap 2022 report. They, instead, found that renters are more than twice as likely to experience housing issues compared to homeowners. Likewise, housing was the most common source of legal problems for PSLS community survey respondents, while being the fourth most common source of legal problems in the Justice Gap survey. This seems to point to the conclusion that housing issues are more prevalent in the PSLS service area than the nation on average.

### **Staff and Board Survey**

As previously mentioned, the staff and Board surveys were hosted on All Our Ideas. The platform randomly presented respondents with two scenarios and were asked “which legal issue is more important for Prairie State to serve?” Since the platform chose two random scenarios *ad infinitum*, staff and Board members were encouraged to answer as many as they could in a time period of at least 10 minutes. The platform then ranked each scenario by importance from 1 to 100 based on how likely it was to be chosen. For example, if a scenario has a score of 60, that means there is a 60% chance that it will be chosen when pitted against any other randomly selected scenario.<sup>17</sup> Therefore, a higher chance of being selected indicates that it is a higher priority to provide services for that issue.

Responses from staff were collected between March 31, 2022 and April 15, 2022. In that time, 10,149 votes were cast among 191 staff members. The 5 scenarios that were picked most often (along with their respective scores) are:

- A need for a protective order after being assaulted (86)
- Abuse or threats by a spouse/partner or other family member (85)
- Utilities like heat, water, or electric were shut off (83)
- Denial or loss of housing voucher, public housing, or Section 8 housing (80)

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<sup>17</sup> For a more technical explanation of the methodology and more info about the platform itself, see [allourideas.org](http://allourideas.org)

- Loss of housing due to eviction (79)

These generally align with the most common cases PSLS serves – the first two are related to family/domestic abuse, and the last three are related to housing. While not in the top 5 for representation, staff still listed denial of benefits like SNAP, medical insurance, home care, and SSI/disability as high priorities. Staff also listed discrimination based on disability, denial of special education services, and housing discrimination in general in the top 50% of issues that warrant representation.

Responses from the Board survey were gathered between June 24, 2022 and June 27, 2022. Twelve (12) Board members (of 21) cast a total of 1,672 votes during that time. Based on that survey, the 5 most important areas for PSLS to serve were:

- Divorce in cases of domestic violence (83)
- Abuse or threats from spouse/partner or other household member (81)
- A need for a protective order after being assaulted (79)
- A need for a protective order after being stalked (77)
- Lack of authority to make medical decisions for severely disabled or injured family member (76)

The top four scenarios are issues that deal with personal safety and domestic violence, echoing the sentiment from staff that they are a priority for PSLS to serve. Differing from the staff, however, are the results for housing issues. The highest scoring housing-related issue from the Board survey was removal from a nursing home against one's wishes with a score of 74. While denial of government housing benefits and loss of housing due to eviction were both in the top five of the staff survey with scores of 80 and 79, in the Board survey those received much lower scores of 67 and 55, respectively.

The results for the 12 members of the Board of Directors of PSLS is presented to offer the Board of Directors insight into how their perspectives may differ from that of the low income community, key informants and staff. The Board of Directors ultimately determines the priorities for the organization's legal services through formal action of the Board.

## Key Informant Interviews

For the key informant interview, the 96 interviewees were asked to identify the three most common issues that they came across (the number in parentheses is the percentage of interviewees who chose that issue as one of the most common).

### The five most common were:

- Housing (59%, with 21% directly mentioning eviction)
- Difficulty getting benefits or benefits appeals (23%)
- Family law (excluding domestic violence) (22%)
- Domestic violence and Orders of Protection (21%)
- Employment (including barriers to employment and issues with wages/employer) (16%)

Housing was the biggest issue identified by key informants, with an emphasis on eviction. This is in line with what the community and staff surveys indicated – housing issues were the most common type of civil legal problem that people faced according to the Community Survey, and staff also listed housing-related issues three times in their top five priorities. Difficulty getting benefits or help with benefit appeals were commonly identified by key informants. The key informants may be aware of the importance of needs based public benefits for low income persons and their responses highlighted this need.

Key informants were asked to rate the following as high, medium or low priority. We have listed their responses based on the number of key informants that ranked the issue as high priority.

1. Services that address basic needs (income, housing, safety).
2. Services that help improve financial stability for victims of abuse.
3. Services that address the needs of populations that may be unable to advocate for themselves.
4. Services that address racial disparities.
5. Services that address systemic issues affecting many low income residents.
6. Services that help keep children in school and ensure equal access to education.
7. Services that address neighborhood living and economic opportunity.
8. Services that help eliminate barriers to employment.
9. Services that address disputes between parents with regard to their children.

To identify any potentially underserved populations, key informants were asked what populations they felt were underserved.

**The most common answer was low-income people in general (24%) but, more specifically, the next five most common answers were:**

- People of color (mostly Black and Hispanic/Latino) (19%)
- People with disabilities (17%)
- Seniors or older adults (12%)
- Survivors of domestic or sexual violence (9%)
- Immigrants or undocumented people (8%)

Key informants were also asked to identify the main barriers that keep the needs of the low income population from being met.

**The most common answers were:**

- Unaware of available resources (22%)
- Lack of funding for service providers (17%)
- Low income (15%)
- Distrust of law enforcement/legal system (12%)
- Language barriers (11%)

The greatest barrier that key informants saw was a lack of awareness to resources available to low income people. Some of this has to do with people not knowing what types of issues lawyers can resolve. In the Justice Gap 2022 report, people responded that for 74% of issues they faced, they did not think, or were not sure if, a lawyer could help. This relates to one of the most common topics raised on how key informants thought PSLS could improve its services – to go out and be more directly involved in the community. As one interviewee put it: “find an audience and get [to] them where they are. Then, tell them how a lawyer can help.”

In 2021, PSLS provided 387 outreach presentations that reached over 8,000 persons. From the key informants’ suggestions, presentations could reach more people by going to places where potential clients already are, such as public housing developments, senior homes, or public recreation areas like libraries, schools and community centers. This outreach strategy could also address issues regarding the stigma of getting legal help and distrust of the legal system. By working with and building relationships with trusted community leaders, both awareness of possible resources and willingness to seek out help would increase.

## V. A Model for Assessing Legal Issues

The input gathered from the community, staff, Board and key informants can now help guide PSLS in determining priorities. To do this, the authors propose a model that sorts issues by their frequency and their impact on the client. We use a 2x2 matrix divided into high frequency/high impact, high frequency/low impact, low frequency/high impact and low frequency/low impact. For example:

Case Examples	High Frequency	Low Frequency
High Impact	Eviction, Domestic Violence, Criminal Records	Nursing Home Discharges
Low Impact	Security Deposit Returns, Debt Issues	Name Change

Issues of high impact may be the focus of legal services both for legal advice and representation. We will look at the numbers of high impact cases in which PSLS is forced to limit services to legal advice because of a lack of staff or volunteers. This focus could lead to targeted efforts to increase funding for case handlers for such issues. Expanding volunteer attorneys involvement in certain high impact cases, such the PSLS volunteer project in landlord-tenant eviction cases, can help in meeting the demand.

In 2021, PSLS limited its services to legal advice or brief services in 1,587 cases involving basic human needs because it lacked staff or volunteer resources to provide the more extensive legal services required. The majority of these cases involved rental housing issues for tenants (38%);

domestic violence protective orders (25%); and income benefits cases (15%). The largest portion of the income benefit cases that were so limited concerned Unemployment Insurance benefits. PSLS data shows that there were 100 cases involving issues with immediate impacts on safety or health in which staff had to limit services to advice because it lacked case handling capacity with 84% of these cases involving domestic violence. Further analysis via this framework should help PSLS target efforts to address the need for extended legal representation in these important matters.

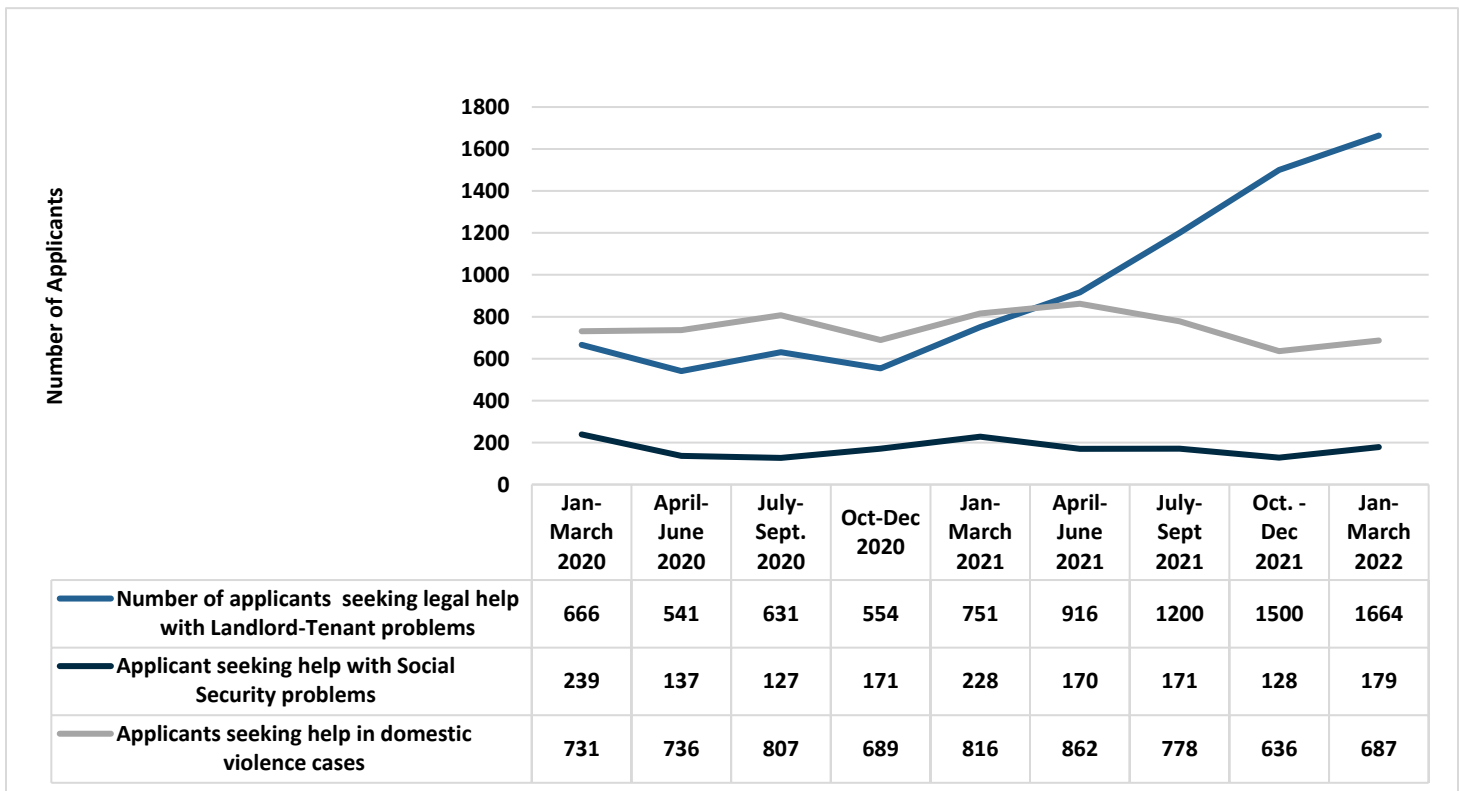
Cases that are high impact and low frequency may be areas in which designated staff may maintain the expertise to provide legal services or to guide the staff who are handling such cases. Lower frequency of cases may require program-wide experts to support such work. Expanding volunteer attorneys involvement in certain high impact cases, such as PSLS is doing with volunteers in landlord-tenant eviction cases, can help in meeting the demand.

Because PSLS is the only legal services provider in the vast majority of its service area, the organization may wish to be a community resource in some less urgent areas particularly those that low income residents frequently encounter. Issues of high frequency and low impact may be issues for which the organization could engage in targeted legal education and/or legal clinics to help people to represent themselves.

Issues of low frequency and low impact may be examined to determine if there are instances of higher impacts that volunteer attorneys may provide services. For example, a name change is generally of limited impact, but in some cases it may be important due to gender identity, fleeing abuse, or other factors. Such cases may be appropriate for targeted volunteer attorney efforts.

The time period of this study does have an impact on the results. From approximately March 2020 through much of 2022 – during which time the initial surveys for this study were completed - governments issued emergency rules including on evictions, government agency offices were closed to the public, families in crisis were forced to shelter-at-home, courts heard fewer cases, and there were limited terminations of some governmental public benefits. These

realities affected the frequency in which low income persons experienced civil legal problems, and consequently in the frequency of requests for legal services for such problems. An eviction moratorium was in effect in Illinois from March 2020 to October 2021. The chart below shows the level of demand in each quarter from January 2020 to March 2022 for: (1) landlord-tenant cases; (2) Social Security Administration cases; and (3) domestic violence protective order cases. This reflects the decrease in Social Security related issues beginning April 2020 and the general consistency in demand. For domestic violence protective order cases, PSLS experienced an increase during the pandemic but then a leveling of demand. For landlord-tenant cases, PSLS experienced a slight decrease at the start of the pandemic in 2020, relative stability during 2020, and then increasing demand during 2021 and into 2022.



The authors recommend conducting another legal needs and priorities study in 2025 because of the impact of the pandemic on the results of this study and data reviewed. The results of the 2021-2023 study however will help PSLS to continue its efforts to be responsive to changing legal needs and aid the organization in its review and modification of its current priorities.