
JUNE 1, 2023

A SURVEY OF CIVIL LEGAL AID SERVICE PROVIDERS IN ILLINOIS



ALYSSON GATENS, RESEARCH ANALYST
CENTER FOR VIOLENCE PREVENTION AND INTERVENTION RESEARCH
ILLINOIS CRIMINAL JUSTICE INFORMATION AUTHORITY

Abstract: While many civil legal issues are critical matters related to housing, health, and safety, the U.S. legal system does not guarantee access to civil legal assistance and representation. Civil legal aid organizations provide services to individuals who either cannot afford to pay for civil legal assistance or experience other barriers to access. This article summarizes the findings of a survey of civil legal aid service providers in Illinois regarding the operations of their organizations and challenges they face. Overall, respondents reported a great need for the services they provide and offered important context for barriers they experience in delivering those services.

Introduction

In the United States, agents of the state prosecute criminal matters where society has been harmed with the purpose of adjudicating guilt or innocence; in contrast, civil courts hear disputes between private individuals or organizations to determine liability. Persons are guaranteed the right to legal counsel in criminal court proceedings; however, there is no such right to counsel in civil court proceedings.¹ A national study reported that low-income households experience two to three civil legal issues per year on average but have attorney assistance less than 20% of the time.² Individuals who are not familiar with the legal system may not understand their problems as issues that can be resolved through the courts.³ Civil legal aid organizations aim to remedy that by providing free civil legal services to those who cannot afford legal assistance or who face other challenges to service access.⁴

Demand for civil legal aid often far outpaces providers' ability to serve all clients in need of assistance.⁵ Some service providers are limited in the clients they can serve based on eligibility criteria, such as geographic area of residence or membership in a certain population group (e.g. veterans, seniors). Individuals in rural areas or those with limited English language proficiency face additional barriers in accessing services.⁶ Civil legal aid organizations employ many methods of service delivery and supplemental resources to mitigate those challenges, including remote assistance, self-help materials, court navigation volunteers, and translator services. For more information, please see [Civil Legal Aid in Illinois](#).

Empirical research on the specific need for and processes of civil legal aid services in Illinois is limited. Further, much of the available national research focuses on a limited scope of outcomes in civil legal services (e.g., monetary cost-benefit) and lacks information about the context surrounding service delivery. The present study provides a more comprehensive understanding of the current landscape of civil legal aid and offers insight into the need for, and delivery of, civil legal aid in Illinois.

Researchers surveyed civil legal aid service providers in Illinois on the operations of their organizations and challenges they face. The survey aimed to answer the following research questions:

- To what extent are civil legal aid services available in Illinois?
- What services are provided?
- How are those services delivered?
- To whom are civil legal services provided?
- To what extent is there an unmet need for civil legal aid?
- What are the barriers to providing civil legal aid?

Methodology

Materials

ICJIA research staff developed the survey with feedback and review from members of the agency's internal research centers. Researchers sent the survey to subject matter experts at four

civil legal aid provider and funder organizations in Illinois for feedback on the content. The survey was revised to incorporate their suggestions. The final survey was approved by ICJIA's Institutional Review Board in December 2020.

The survey asked between 20 and 39 questions depending on the answers chosen by participants. The survey contained questions that were open-ended, multiple choice, and called for ranking items. The topics included funding sources, service areas, service delivery methods, potential barriers, and system improvements. Respondents could choose to skip any question. The estimated time to complete the survey was 16 minutes. Researchers created and managed the survey using the online survey platform Qualtrics.

Sample and Procedure

The survey sample was comprised of executive directors or designees of civil legal aid service organizations in Illinois. Researchers surveyed these individuals because of their firsthand knowledge of their organizations' civil legal aid work. The survey did not ask respondents to provide their names but asked them to provide the names of their organizations and their job titles. The study sought one survey response per organization.

Two civil legal service funding organizations in Illinois distributed the survey to the executive directors of their grantee organizations via their email listservs.⁷ Additionally, researchers distributed the survey to ICJIA grantee organizations that provide civil legal services.⁸ Survey completion was voluntary. The survey was open from January 11, 2021, to March 4, 2021. A reminder email was sent in February 2021.

Researchers received 62 survey engagements; however, nine of those did not provide responses to any substantive questions. Additionally, researchers excluded an additional nine due to duplicate responses from individuals at the same organization. Four respondents did not provide the names of their organizations, so it is possible these could have been duplicates of responses that did specify organization name. However, researchers chose to err on the side of inclusivity and utilized these four submissions in analyses. The exclusion of duplicate responses (nine) and blank responses (nine) resulted in a final sample size of 44.

Analysis

Researchers exported the dataset from Qualtrics to a CSV file and performed descriptive analyses using Microsoft Excel. Researchers conducted qualitative analyses of the open-ended responses using NVivo software and developed qualitative codes based on common themes within responses to each open-ended question.

Limitations

This survey's results are limited in their generalizability. The project employed a convenience sample; it did not include all organizations providing civil legal aid services in Illinois. Those who responded to the survey may be significantly different from those who did not respond or those who were not contacted to participate in the survey. Additionally, researchers only included one response from each organization. The individual who completed the survey may

have provided significantly different responses from others in the organization who did not complete the survey.

Findings

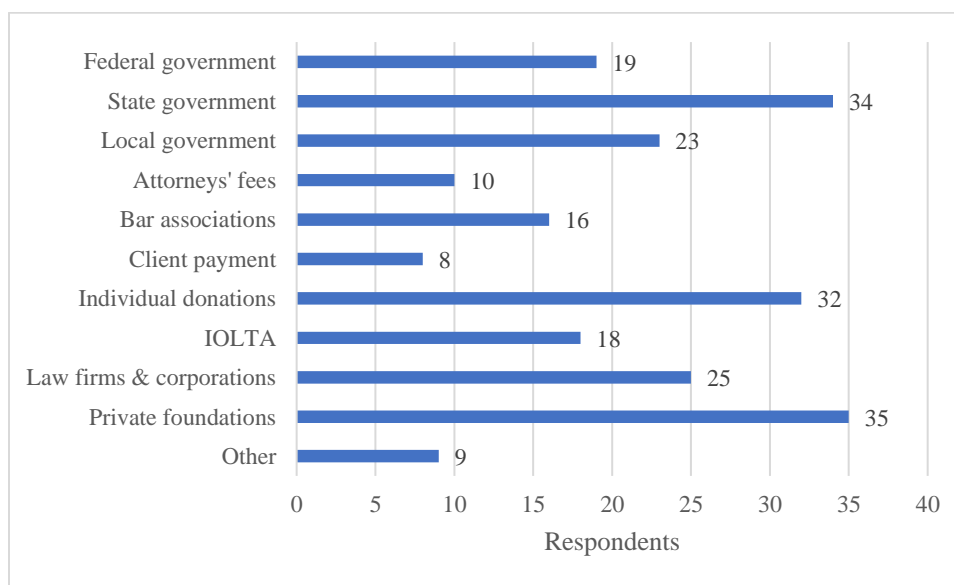
Civil Legal Aid Availability

The survey first asked respondents to provide the names of their organizations and their job titles/roles. Sixty-five percent of the organizations named were focused on a specific civil legal issue or population (n=26) and 35% were general civil legal service providers (n=14). Executive director was the most common job title reported (n=19), followed by department director or manager (n=17), and managing or staff attorney (n=4).

The next section asked respondents to select the funding sources supporting their work. The most commonly selected choice was private foundations (n=35), followed by state government (n=34) and individual donations (n=32) (*Figure 1*). On average, respondents selected six funding sources.

Figure 1

Survey Responses to *Which of the following funding sources currently provide any funding for your organization?*



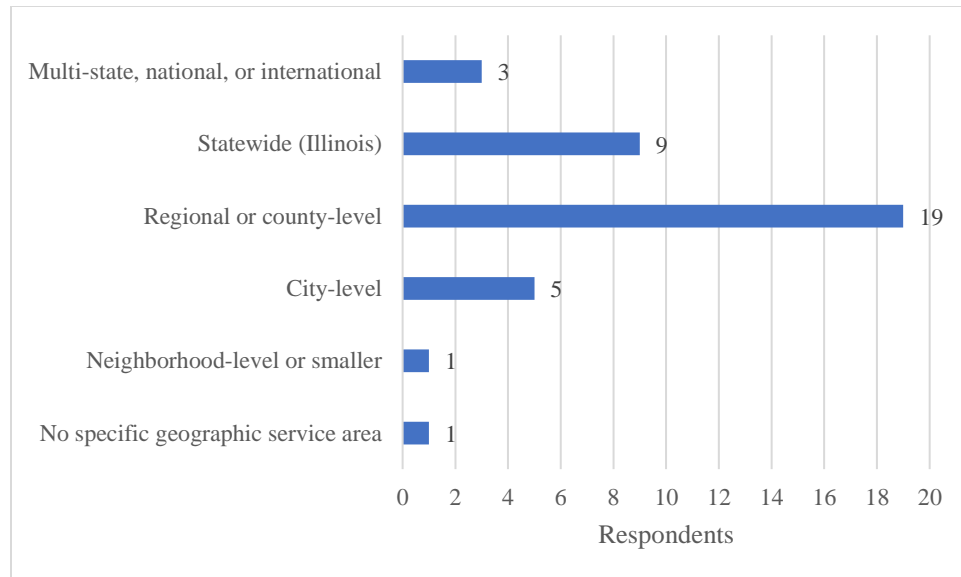
Note. n=39. Respondents were asked to select one or more answers. IOLTA is an acronym for interest on lawyers' trust accounts.

Twenty-four percent of respondents reported providing services statewide (n=9) (*Figure 2*). Half of respondents reported their organization's service areas were regional or within counties (n=19); all of those 19 respondents provided services in Cook County. Six of those 19 served both Lake and Cook County, and five of the 19 served DuPage and Cook County. Of the five

respondents who reported they served cities, three indicated they served Chicago, one indicated also serving Evanston and parts of southern Cook County in addition to Chicago, and one indicated serving Chicago and suburbs. One respondent reported serving neighborhoods on Chicago's South and Southwest Sides.

Figure 2

Survey Responses to *Which of the following best describes the service area/s of your organization in Illinois?*



Note. $n=38$. Respondents were asked to select one answer.

Twenty-four respondents (60%) said their organization provides services from a single site. Sixteen respondents (40%) reported that their organization operates multiple sites; 10 of them said each site provided different services and six said their services are the same across all sites.

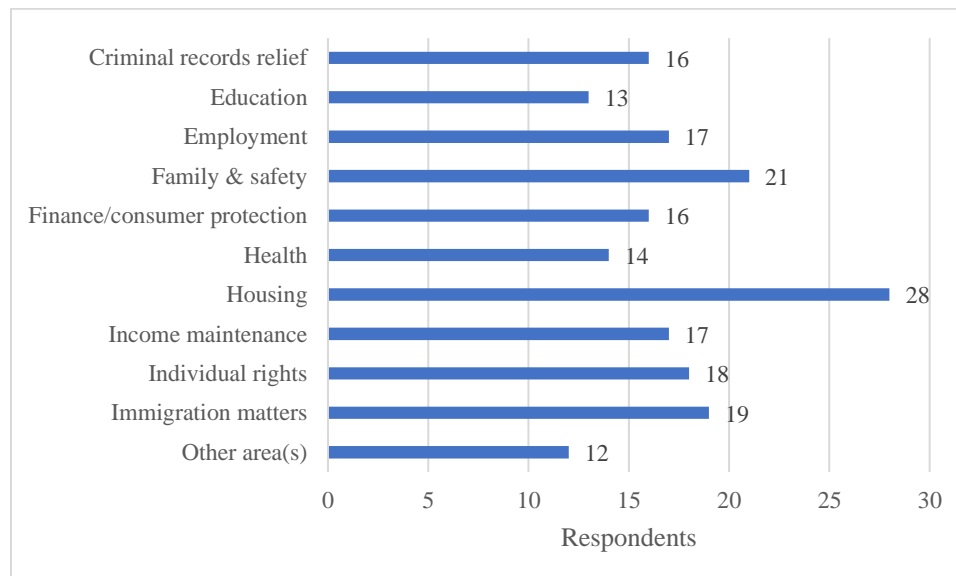
Researchers asked participants how many clients were provided legal help (i.e. advice or more) in calendar year 2019. Of the question's 35 responses, answers ranged from 0 to 100,000; the average was 6,694 and the median was 1,750.

Civil Legal Aid Service Delivery

The survey asked respondents to select the areas of law in which they offer services (*Figure 3*). The most common area selected was housing ($n=28$), followed by family and safety ($n=21$), and immigration matters ($n=19$). Other areas selected ($n=12$) included end of life planning, crime victims' rights enforcement, and intellectual property. Respondents reported providing an average of five service categories.

Figure 3

Survey Responses to *Does your organization offer services related to one or more of the following categories?*



Note. $n=37$. Respondents were asked to select one or more answers. Eight choices also included a parenthetical set of examples that fell under the category.

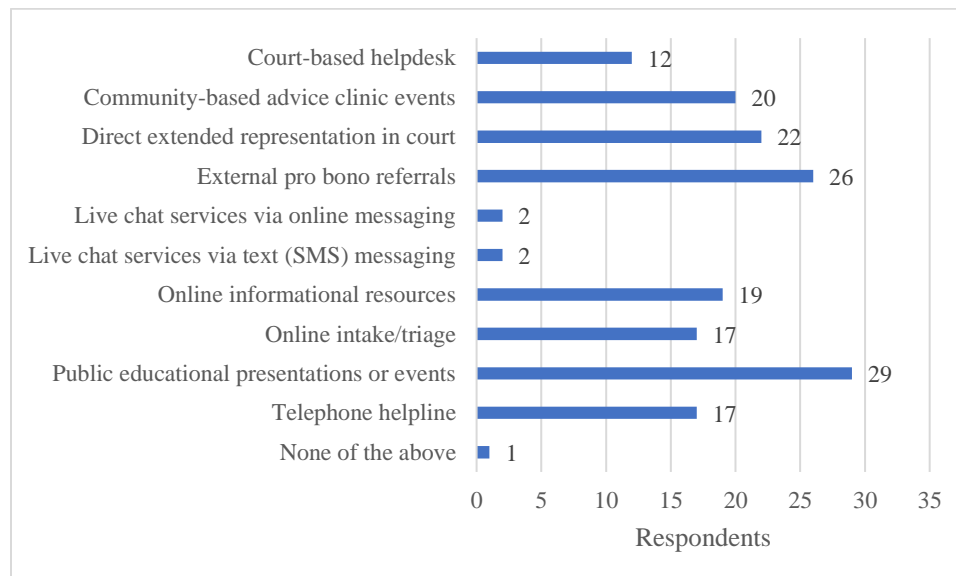
Seventy-four percent of respondents indicated their organization had dedicated departments or teams to serve specific client populations ($n=28$). Respondents' organizations most commonly served victims of crime ($n=10$), immigrants ($n=7$), and veterans ($n=7$).⁹ When asked what percent of their clients in the past year came from their organization's target population, of the 22 responses, answers ranged between 15% and 100% with an average of 79.6%.

Eighty percent of respondents reported their organizations receive grant funding designated for serving specific client populations ($n=32$). Respondents most commonly reported receiving specific funding to serve victims of crime ($n=9$), immigrants ($n=8$), and children ($n=7$).

The survey asked respondents to select service delivery methods employed by their organizations. Respondents most commonly selected public educational events and presentations ($n=29$), followed by external pro bono referrals ($n=26$) and direct extended representation in court proceedings ($n=22$) (*Figure 4*). Two respondents reported employing live chat services via online messaging or text messaging. Respondents selected an average of 4.7 service delivery methods.

Figure 4

Survey Responses to *Does your organization use any of the following methods of intake or service delivery to provide legal services?*



Note. $n=36$. Respondents were asked to select one or more answers.

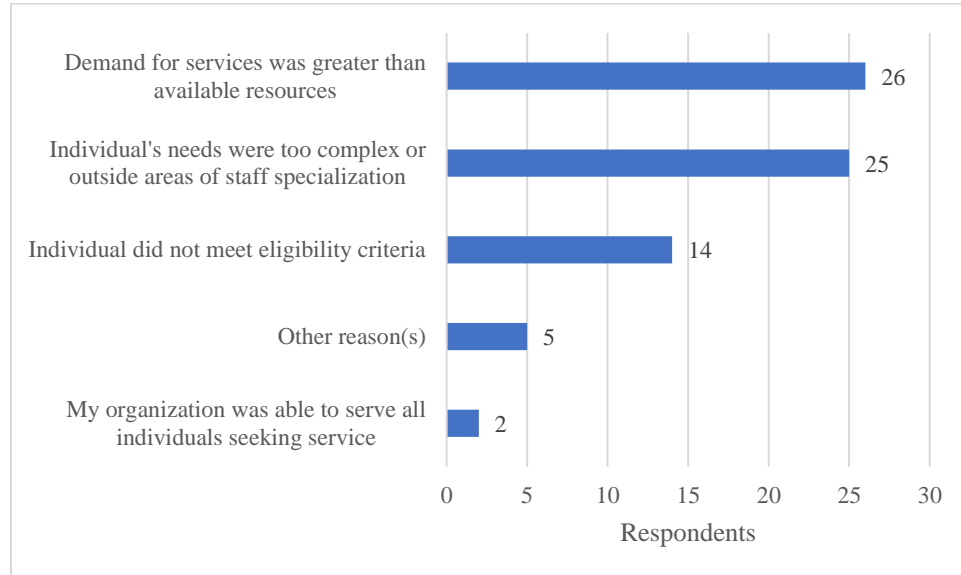
Ninety-four percent of respondents reported assisting clients who did not speak English ($n=34$) and 92% indicated their organizations employed staff to provide services in languages other than English ($n=33$), with Spanish being the language of service provision most commonly offered after English ($n=33$). Seventy-six percent of respondents said their organizations had access to interpreter services ($n=28$). Thirteen respondents indicated some interpreter services were provided through the court system or elsewhere, 12 respondents said none of their interpreter services were provided through the courts, and only two indicated all interpreter services were provided through the courts.

Unmet Need for Civil Legal Aid in Illinois

A survey question asked organizations whether barriers existed to serving all clients who sought services. Respondents most commonly reported that demand exceeded the available resources ($n=26$) followed closely by individuals having needs that were too complex or outside of the organization's topics of practice ($n=25$) (*Figure 5*). Only two respondents reported being able to serve all clients who sought services. Respondents who indicated they could not serve all clients selected an average of two reasons.

Figure 5

Survey Responses to *Some civil legal aid organizations cannot serve everyone who seeks services. Within the past year, was your organization unable to serve individuals due to any of the following reasons?*

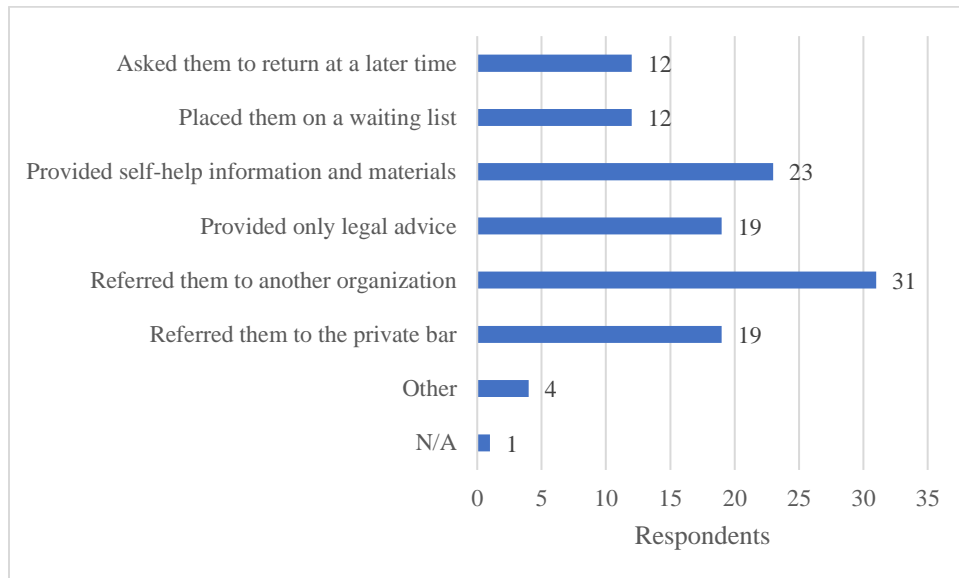


Note. $n=36$. Respondents were asked to select one or more answers.

Researchers asked respondents to share options they provided to individuals they could not serve. Of the choices provided, the most commonly selected course of action for clients who could not be served was to refer them to other organizations ($n=31$), followed by providing self-help information and materials ($n=23$) (*Figure 6*). Two of the respondents who specified “other” reported that their organizations close intake when capacity for service provision was reached. One respondent reported most of the client issues their organization works with are time-sensitive, so none of the listed options would be feasible and selected “N/A.”

Figure 6

Survey Responses to *Which of the following were offered to individuals your organization was unable to serve?*

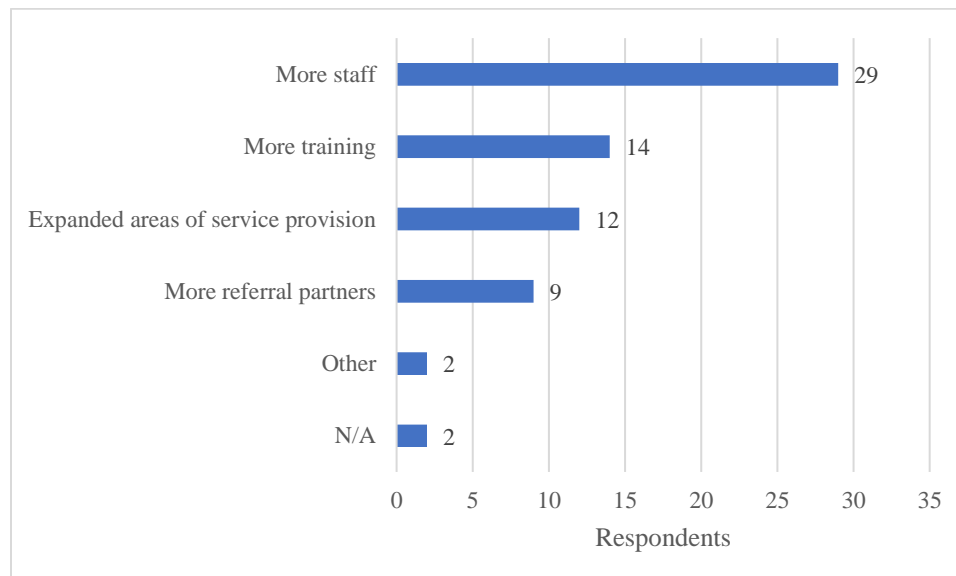


Note. $n=33$. Respondents were asked to select one or more answers.

Additionally, the survey asked respondents who indicated they were unable to serve all clients who sought services to select an option/s that would help them build capacity to serve more clients. The most commonly selected option was “More staff” ($n=29$), followed by “More training” ($n=14$) and “Expanded areas of service provision” ($n=12$) (*Figure 7*).

Figure 7

Survey Responses to *What would allow your organization to serve those clients that were turned away?*



Note. $n=32$. Respondents were asked to select one or more answers.

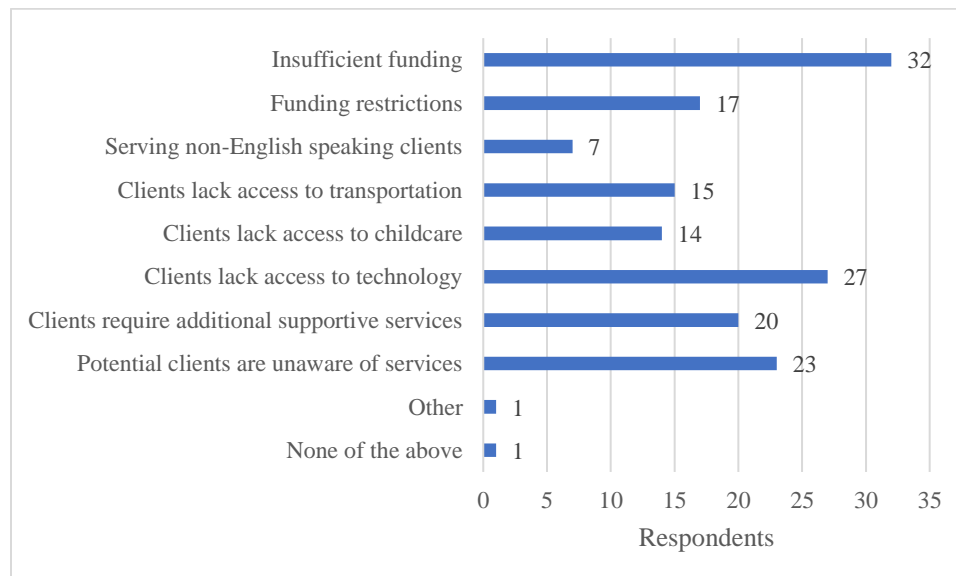
Ninety-two percent of respondents reported that there were populations underserved by civil legal services in their areas ($n=33$). When asked to identify which populations were underserved, respondents most commonly reported immigrants, especially those who were undocumented ($n=19$). Respondents also listed individuals who were homeless ($n=8$) and low-income individuals, particularly those just above common income limits for civil legal aid services ($n=6$). Seven respondents pointed out that all populations are underserved because the demand for services is much greater than current resource levels can meet.

Barriers to Providing Civil Legal Aid

The survey asked participants to select barriers their organizations faced while providing civil legal services in their communities. Respondents most commonly selected insufficient funding ($n=32$), followed by clients' lack of access to technology (particularly relevant for service provision during COVID-19) ($n=27$) and a lack of awareness of existing services ($n=23$) (*Figure 8*). One respondent reported experiencing none of the listed barriers. Respondents reported an average of 4.5 barriers.

Figure 8

Survey Responses to *Does your organization experience barriers providing civil legal aid related to:*



Note. $n=36$. Respondents were asked to select one or more answers.

When researchers solicited feedback on survey questions, subject matter experts proposed questions on funding restrictions and need for supportive services. Researchers developed two survey questions to gain specific insight into these areas. Eleven respondents reported facing barriers created by funding that restricted the populations allowed to be served, which particularly impacted undocumented immigrants and those with incomes slightly above the thresholds set by some funding streams. Eight respondents also noted challenges created by funding restrictions on allowable types of cases or types of service delivery. When asked what supportive services their clients need in conjunction with civil legal aid, respondents most frequently cited mental health services or counseling ($n=11$) followed by affordable housing assistance ($n=10$). Other needs reported by respondents included childcare, employment assistance, financial supports, and access to healthcare (all $n=6$).

Discussion and Conclusion

These results align with extant research showing civil legal aid providers cannot meet the level of demand for services. Survey respondents most commonly cited insufficient funding as a barrier to providing civil legal aid. Respondents reported that additional staff as the greatest need for increasing capacity to serve all eligible clients. The responses also suggested there is an unmet need for civil legal aid due to clients with highly complex cases or those with issues outside of staff's typical areas of practice. Survey respondents reported additional monetary resources were needed to facilitate access to providers with specialized knowledge and/or provide training for current staff to expand areas of service provision.

Many respondents represented organizations serving specific populations or organizations that receive funding to serve a specific population. Specialized service providers can develop expertise and streamline processes for the civil legal problems commonly seen within the field; however, some respondents reported funding that is restricted to certain populations or case types can create barriers to effective service delivery. Nearly all respondents indicated their awareness of populations that were being underserved by civil legal aid providers.

On average, respondents reported their organizations offered between four and five methods of service delivery; the providers aimed to make their services widely available to meet the varying needs of their target populations. Increased use of technology and remote service provision may enhance the capacity of civil legal assistance providers. Future research should examine if additional or new service delivery methods could aid organizational operations.

Conclusion

This survey gathered information about operations of civil legal aid providers in Illinois and revealed some of the barriers service providers experience. Many areas of service provision address crucial client needs, such as housing, health, and safety. The findings of this survey support prior research suggesting the demand for civil legal assistance far surpasses organizations' capacity to provide services. The gravity of issues addressed by civil legal services relative to the reported unmet need for services suggests a critical gap in the current landscape of civil legal aid provision.

Further research is needed to identify strategies that will increase civil legal aid capacity, streamline processes, and limit service barriers to underserved populations. Further, civil legal system user perspectives should be considered when seeking to improve experiences with service providers and the system as a whole.

This project was supported by legislative appropriation to the Illinois Criminal Justice Information Authority under the Illinois Cannabis Regulation and Tax Act, 410 ILCS 705. The opinions, findings, and conclusions or recommendations expressed in this publication are those of the author(s) and do not necessarily reflect the views of the Governor, members of the General Assembly, or the Illinois Criminal Justice Information Authority.

Suggested Citation: Gatens, A. (2023). *A Survey of Civil Legal Aid Service Providers in Illinois*. Illinois Criminal Justice Information Authority.

¹ Charn, J. (2012). Celebrating the null finding: Evidence-based strategies for improving access to legal services. *Yale Law Journal*, 122, 2206.

² Legal Services Corporation. (2009). *Documenting the justice gap in America: The current unmet civil legal needs of low-income Americans*. Washington, DC: Author. Retrieved from <https://bit.ly/2Oip5XC>.

³ Charn, J. (2012). Celebrating the null finding: Evidence-based strategies for improving access to legal services. *Yale Law Journal*, 122, 2206.; Sandefur, R. L. (2010). The impact of counsel: An analysis of empirical evidence. *Seattle Journal of Social Justice*, 9, 51.

⁴ Kushner, J. (2012). *Legal aid in Illinois: Selected social and economic benefits*. Chicago: Social IMPACT Research Center.

⁵ Illinois Supreme Court Commission on Access to Justice. (2017). *Advancing access to justice in Illinois: 2017 - 2020 Strategic plan*. Retrieved from <https://bit.ly/2OhaHz1>.

⁶ Charn, J., & Zorza, R. (2005). *Civil legal assistance for all Americans*. Cambridge, MA: Bellow-Sacks Access to Civil Legal Services Project. Retrieved from <https://bit.ly/2ALfJvv>.

⁷ One organization had 22 grantees at the time of survey distribution and the other included the survey link in an email sent to 34 organizations. Researchers asked five additional funding organizations to distribute the survey, but the author received no further communication from those contacts.

⁸ Contact information for the 10 grantees was provided by ICJIA's Federal and State Grants Unit.

⁹ Respondents could list multiple populations.