



WASHINGTON
COURTS

Interpreter Commission

Friday, December 4, 2015, 8:45 a.m. – 11:45 a.m.

AOC SeaTac Facility, Lower Plaza Level Conference Room, LP-16

18000 International Blvd., Suite 1106, SeaTac, WA 98188

AGENDA

1. Call to Order	Justice Steven González	
2. Approval of October 2, 2015 Minutes	Justice Steven González	
3. Chair's Report <ul style="list-style-type: none"> ➤ DOJ Meeting Update re: LAPs 	Justice Steven González Robert Lichtenberg	
4. Committee Reports <ul style="list-style-type: none"> • Issues Committee Report <ul style="list-style-type: none"> ➤ Conflict of Laws Guidance for LAPs <ul style="list-style-type: none"> • Review of Survey ➤ Commission and AOC Role re: ASL interpreters 	Judge Andrea Beall Kristi Cruz Judge Beall/AOC Staff Lynne Lumsden/Group Discussion	
5. Court Interpreter Program Issues <ul style="list-style-type: none"> • Member Motion: Permanent Oath • Program Reports: <ul style="list-style-type: none"> ➤ LAP Workgroup Update ➤ Court ADA Contact Directory ➤ Workshop Evaluation Results <ul style="list-style-type: none"> • WSRID • INCE 	Sam Mattix FonaSugg/Kristi Cruz AOC Staff	
6. Business for the Good of the Order <ul style="list-style-type: none"> • ATJ Plan Letter and Civil Legal Aid Needs Report: Group Discussion 	Justice Steven González	
7. Adjourn	Justice Steven González	

Next Meeting: Friday, March 4, 2016, 8:45 a.m. – 11:45 am. SeaTac Office Building, Room TBD



Interpreter Commission
Friday, October 2, 2015 (8:45 a.m. – 11:45 a.m.)
AOC SeaTac Facility, Large Conference Room
18000 International Blvd., Suite 1106, SeaTac, WA 98188

MEETING MINUTES

Members Present:

Justice Steven González
Fona Sugg
Dirk Marler
Eileen Farley
Sam Mattix
Thea Jennings
Judge Andrea Beall

Members Absent:

Alma Zuniga
Judge Theresa Doyle

AOC Staff

Robert Lichtenberg
James Wells

Members Attending by Telephone

Kristi Cruz
Linda Noble

Guests:

Berle Ross
Lynne Lumsden

CALL TO ORDER AND WELCOME

The meeting was called to order by Justice Steven González. Members and staff introduced themselves.

APPROVAL OF MAY 29, 2015 MEETING MINUTES

It was noted that one of the interpreters' last names on the minutes was misspelled and should be Hankinson. With that correction, the minutes were deemed approved by the Commission

CHAIR'S REPORT

Introduction of New Commission Member

Justice González asked Mr. Lichtenberg to discuss the nomination of an ASL representative for the Commission. Mr. Lichtenberg explained that after the Commission votes on changes to GR 11.1 to be proposed by the Issues Committee during the meeting, those changes will be submitted to the Supreme Court for approval. When approved, the position for an ASL interpreter representative will be open and Lynne Lumsden will be officially nominated by the Washington State Registry of Interpreters for the Deaf to the Chief Justice. Since the Commission would be discussing important matters relating to ASL interpreters, Lynne Lumsden was invited to attend this meeting.

was discussed. Any follow up letter could address how the requirements laid out in the ADA are different from requirements for spoken language interpreters. Also, ADA coordinators work with a lot of issues besides working with ASL interpreters. Ms. Cruz felt that the new LAP template should make sure not to conflate the ADA requirements with the requirements involving spoken language interpreters. The LAP should also be clear that following the plan would not make the court completely ADA compliant since there are other issues, such as large print and braille, which the LAP won't cover.

Mr. Lichtenberg explained that the follow up letter Ms. Cruz referred to hasn't been drafted yet and that he had been working with the Office of Deaf and Hard of Hearing (ODHH) to see what their role is in providing ADA technical assistance to the courts. Ms. Ross explained that she receives phone calls from court customers about who to contact at courts to get language access. ODHH often follows up with the courts to find the appropriate person. It can be difficult to find the person responsible in the court for coordinating access. It would be helpful if courts clearly provided a specific contact person. Mr. Lichtenberg said that the relationship between the AOC and the ODHH is new and may need to be clarified regarding what kind of support the AOC can provide. He explained that he has had experience with the ADA and could provide some support, however, that could result in a duplication of work. When he receives a question about the language access requirements of the ADA, he tends to answer the question himself rather than direct them to ODHH to avoid bumping people around to different agencies. But he informs ODHH of the inquiry and response given.

Justice Gonzalez suggested that the topic be referred to the Issues Committee. The Issues Committee can discuss how the Interpreter Program can work with the ODHH to avoid duplication or tension when providing technical assistance about the ADA. A referral process should be developed if something comes in that is beyond what the AOC can provide.

Mr. Marler mentioned that the AOC maintains a court directory. One suggestion would be to have courts also provide information about who the ADA coordinator is in each jurisdiction in addition to the other information that is regularly updated.

Justice González asked if there was any follow up by members of the public on any of the specific issues brought up during the forum. Mr. Lichtenberg said he was aware that Howard Gorel had contacted the courts in Yakima. Ms. Ross explained that she had been contacted about the matter and that she had difficulty in finding the correct person to reach out to at the court. She mentioned it can be very difficult and can require many phone calls to find the correct person. Judge Beall mentioned that in many smaller courts, the court administrator would be the one responsible for ADA compliance. Justice González suggested that Mr. Lichtenberg draft a letter from the Commission to the Yakima court to identify who would be the ADA contact there.

Ms. Sugg mentioned that she had contacted Snohomish Superior court to let them know that she had heard of some ADA issues there. She didn't request any follow up and was simply relaying information to him.

someone requesting a recording of a proceeding would have an interpretation of the recording available from the court. It was thought this would be more like a public information request and an interpreter would probably not be made available by the court.

The Commission discussed how the Supreme Court draft LAP was a public document and would be available as an example plan. However, it was noted that the Commission workgroup was in the midst of creating a new LAP template for trial courts. The template could, at the earliest, be completed by November, but would more likely be done in December. Judge David Estudillo of Grant County recently joined the work group to serve as co-chair along with Fona Sugg.

2016 Commission Meeting Dates

The Commission reviewed the proposed dates in the schedule for Interpreter Commission meetings in 2016. They discussed potential sites for hosting a public forum in May of 2016. Mr. Lichtenberg suggested looking at data from the court reimbursement program to help locate a region where courts are having trouble meeting their interpreting needs locally. The Commission discussed counties on the Olympic Peninsula, counties north of King County, and counties eastern Washington.

The Commission also discussed language access issues involving police in areas around the state. It was suggested that, although the Commission's work was focused on language access in the courts, issues in other related areas such as law enforcement could be addressed if those issues are tied to how they impact the courts.

The Commission decided to explore Skagit County as the location for the next public forum. The Commission cited that its location in relation to other counties and the particular issues facing the courts there make it a good spot to hear about important issues from the public. Ms. Farley offered to help locate people or groups in the area that would be interested in attending the forum.

The Commission also discussed how 6 months before the end of a Commission member's term, the process to find a replacement for the Commission member should be started to help have a smooth transition. Two members will come to their 6-year term limit (two terms) in September of 2016.

COMMITTEE REPORTS

Issues Committee Report

Proposed CEU Requirements

Judge Beall began her report on the recent activities of the Issues Committee with a discussion of conflicts between Title VI of the Civil Rights Act and RCW 2.43. She

Municipal and the difference is of five dollars. AOC staff reported that the same has been seen in King County Superior courts.

Ms. Jennings mentioned that she was impressed with a letter from an interpreter who is also a lawyer who mentioned it is a 62% difference in number credit hours required. However, for administrative purposes, having uniformity in the number of credits would be better.

A few members of the Commission pointed out that by creating the additional education track category, the scope for what qualifies as an approved course is broadened and so by expanding what would qualify for credit mitigates some of the concern about there not being enough courses in each education category. But there were still concerns about the change causing people to leave the profession.

In regards to the availability of classes and cost, Mr. Mattix gave the example of the upcoming Washington State Coalition for Language Access (WASCLA) conference. This annual conference would qualify for almost half a reporting cycle's worth of credits for an affordable amount of money and time. Mr. Lichtenberg mentioned that some of the registered interpreters that had responded were also attorneys. The Commission discussed how courses that count towards fulfilling an attorney's Continuing Legal Education (CLE) requirements can also count towards their interpreter continuing education requirements if appropriate. Ms. Jennings mentioned that many CLEs are open to non-attorneys and that many of them may qualify for credit under the new changes to CEU categories.

Decision: The Commission agreed that the number of credits required for registered interpreters should be raised to 16. The new policy will go into effect for the 2016-2017 cycle.

Members of the Commission suggested that when announcing the policy, it should be mentioned that the Commission discussed different sources of CEUs and how more classes will now qualify under the new categories. Webinars, including some done in previous years, are also available for credit. Study groups are also options that wouldn't require much money. AOC staff mentioned that classes that have been approved for credit appear on the Court Interpreter Program website.

A member of the Commission mentioned that one concern that was brought up from an interpreter is that ethics classes given in other states may not be available for credit in Washington since they don't address the Washington Code of Conduct in particular. However, the discussion revealed that there have been non-Code ethics classes and webinars that have been approved for credit by the AOC. Webinars that are available indefinitely are available on the website, however, the providers must make the AOC aware that their webinars are still available.

Ms. Jennings brought up the topic of possible redundancy in policy between certified and registered interpreters now that they have the same CEU requirements. Judge

qualifying party. Given the discussed complications, the Issues Committee brought the topic back to the Commission for further discussion. Judge Beall recommended that the Commission grant the ODHH request for the Commission to handle the discipline process for ASL interpreters.

The Commission discussed the likelihood of the pay for ASL interpreter being reduced. Some members didn't see a reason for courts to reduce pay. Ms. Ross mentioned that some courts already pay ASL interpreters the same amount as spoken language interpreters while others pay the rates pursuant to the state master ASL contract managed by ODHH. There is a concern that the Commission's decision could influence the Interpreters Union pay negotiations with the State in the future. The Health Care Authority (HCA) has tried to pay ASL interpreter the same as spoken language and, as a result, had difficulty obtaining ASL interpreters. It was felt that small courts don't have the same ability to negotiate as larger courts and often pay what they have to in order to provide an interpreter at all. It was reiterated that Commission doesn't have authority to tell courts what they must pay and can only make suggestions.

Ms. Sugg asked for clarification about what courts in the AOC's reimbursement program pay interpreters. AOC staff stated that courts in the program receive 50% of what they pay for an interpreting assignment, up to a maximum reimbursement of \$25 per hour.

Ms. Ross mentioned that since only 14 interpreters in Washington have passed Specialist Certificate: Legal (SC:L) certification, the group that would qualify for reimbursement was expanded to include interpreters who passed the written section of the SC:L. There was a concern that interpreters with generalist certification might claim that they are certified. To mitigate this risk, interpreters who do qualify under ODHH's program rules receive a court interpreter identification badge.

Mr. Lichtenberg pointed out that RCW 2.42 says that courts shall appoint an interpreter on an ODHH list. Up until now, that list hasn't existed.

It was pointed out that courts currently have choice of 365 ASL interpreters that they can use. But if the Commission deems the ODHH interpreters as certified, they will be cutting down the number of ASL interpreters drastically. If none of those interpreters on the list are available, however, the court can qualify another interpreter not on the list. Courts would more likely get a better qualified interpreter when one is available if they have the list. But courts still have the option of qualifying an interpreter not on the list if needed. The hope is to focus courts on using the ODHH list and possibly drive more ASL interpreters to get certified.

One concern that was brought up was that the RID has suspended the performance portion of all of their tests. So the 9 ASL interpreters who have passed only the written portion of the SC:L will not be able to take the performance portion of the test for the indefinite future.

Mr. Mattix went on to discuss a request brought to them throughout the state for training for people responsible for scheduling interpreter. The Education Committee approved of this training as well as having a presentation at the Spring Conference for the 2016 District and Municipal Court Judges' Association.

COURT INTERPRETER PROGRAM UPDATE

Language Access Plan Workgroup

Ms. Sugg described the current status of the LAP workgroup. Currently the work group is divided into two groups: One group is working on the template and another group is working on other material that accompanies the current template. The workgroup has had one large meeting will have a second subcommittee meeting following the Interpreter Commission meeting. Another meeting is planned for the following week to introduce the new co-chair, Judge Estudillo.

Commissions Manager Update

AOC staff updated the Commission on the current search for the Supreme Courts Commissions Manager. Cynthia Delostrinos has been acting as a lead for the group while the search for a manager continued. The next round of interviews was expected to happen soon and Justice González will be taking part in those interviews.

Budget and Workplan for Interpreter Program

The Commission reviewed the materials in the packet relating to the budget and work plan for the Interpreter Program in 2016. AOC staff noted that one of the differences from recent years is a greater investment in training and preparation for the interpreter written and oral exams. These activities will be more of a focus for the Program in 2016 than they have in the past. Another focus for the upcoming year will be training the court staff who work directly with interpreters. AOC staff also asked the Commission for any further ideas, in particular topics relating to judicial training that haven't been covered in the past. The Commission also reviewed a sample agenda for a proposed Court Interpreter Coordinator conference that was created by the Commission a few years ago.

Justice González suggested that more sophisticated training be provided to judicial officers regarding sign language interpreters and other kinds of interpreters for the Deaf and Hard of Hearing. This would include the kinds of technology that can be used.

Judge Beall mentioned that she had recently been contacted by a member of the Rules Committee for the DMCJA. They are looking at court rules involving interpreters including difficulties in acquiring them and also about how video remote interpreting may be addressed in court rules.

Appendix

FULL TEXT OF INACTIVE STATUS POLICY AMENDMENT

Inactive Status

- A. Interpreters may ask the AOC Interpreter Program to place them on "Inactive Status" without losing their certification or registration after the completion of no less than one two-year compliance cycle, during which period they shall not work as AOC-credentialed interpreters in Washington State courts. The period of inactivity is limited to five years. Interpreters who do not return to active status within five years will automatically lose their certification or registration credential. Requests for inactive status must be submitted in writing to the AOC Interpreter Program. The AOC Interpreter Program will provide written confirmation of requested status to the interpreter within 10 business days.
- B. Only interpreters in good standing with the AOC Interpreter Program are eligible for inactive status. An interpreter is considered in good standing if s/he (1) has not had his or her certification or registration revoked; (2) has satisfied all continuing education, certification/registration, and/or certification/registration renewal requirements for the previous compliance period; and (3) has satisfied all other AOC Interpreter Program requirements.
- C. The Master List will reflect that the interpreter is on inactive status.
- D. An interpreter who wishes to return to active status must submit a written request to the AOC Interpreter Program. The interpreter must also complete compliance requirements for continuing education and courtroom interpreting assignment hours for the period of inactive status.



Interpreter Commission- Issues Committee
Thursday, October 22, 2015 (12:00 p.m. – 1:00 p.m)
Teleconference

MEETING MINUTES

Members Present:

Judge Beall
Thea Jennings
Kristi Cruz

AOC Staff:

Robert Lichtenberg
James Wells

Members Absent:

Alma Zuniga
Linda Nobel

I Call to Order

- Meeting is called to order at: 12:08

II Old Business

Conflict between GR 34 and RCW 2.43

The Commission reviewed memo that Ms. Cruz wrote and circulated during the summer. Judge Beall referenced parallel issues that have come up at judicial conferences where the Department of Licensing presents meeting federal requirements and the potential consequences of not doing so. Often the potential loss of federal funding motivates action to meet federal standards. This could be one way to help get courts to comply with federal requirements regarding providing interpreters at no cost.

In May of 2015, the AOC sent a letter to courts to notify and remind courts of their obligations under federal law. The Committee discussed what other action might be necessary. The Committee felt that it was difficult to identify the size of the problem with information about how many courts are already following federal requirements, particularly in rural areas. If the practice is already not to use indigency waivers, then approach to make changes to RCW 2.43 would be different.

To gather information the Committee suggested doing a survey of state courts to get an idea of whether not courts are requiring LEP parties to fill out indigency waivers in civil cases. A previous survey had been sent out to superior courts earlier in the year by an outside agency and about half of the superior courts responded with a mix of approaches. It was felt that a survey directly from the AOC might get more responses

Judge Beall had been contacted by members on the District and Municipal Court Judges Association DMCJA regarding amending GR 11 to address Video Remote Interpreting (VRI). The Rules Committee was looking to update the rules regarding the new technology. The pool of interpreters could be increased if VRI was used more widely. It was suggested the GR 11.3 may be a good place to start revising as it currently discusses telephonic interpreting. One concern of the Issues Committee was that any update to the rules should be general enough to continue to be relevant in the future as the technology develops.

Mr. Lichtenberg brought up current discussion in the courts about using video in mental competency evaluation. Judge Beall explained that the person being evaluated isn't always required in the court, but that it would depend on the circumstance and court level.

It was pointed out that telephonic interpreting is not allowed in evidentiary hearings. Some additional issues from Committee members felt should be considered when writing court rules involving VRI included:

- the use of credentialed court interpreters
- having sufficient technical infrastructure requirements,
- staff training in using VRI
- an opt-out procedure so that the courts would have options other than VRI when necessary
- providing a way to allow for privileged communication between the litigant and their attorney

The Issue Committee discussed whether or not the Commission should be out in front of the issue propose changes to GR11 themselves. It was felt that at this point providing a memo rather than suggesting actual for the rule changes would be appropriate.

III Next Meeting

- Teleconference on November 10, 12:00 p.m. to 1:00 p.m.

Action Item Summary	
<i>Judge Beall</i> – Provide her contacts at the DMCJA with suggestions of the Issues Committee	<i>Completed</i>
<i>AOC Staff</i> – Create a survey for courts regarding the use of indigency waivers and language access issues for persons with hearing or speech disabilities	<i>Completed</i>
<i>AOC Staff</i> – Provide the Committee with draft grievance forms	<i>Completed</i>



Interpreter Commission- Issues Committee
Thursday, November 19, 2015 (12:00 p.m. – 1:00 p.m)
Teleconference

MEETING MINUTES

Members Present:

Judge Beall
Thea Jennings
Kristi Cruz
Alma Zuniga

AOC Staff:

Robert Lichtenberg
James Wells

Members Absent:

Linda Nobel

I Call to Order

- Meeting is called to order at: 12:05
- Previous meeting minutes approved with modifications

II Old Business

Conflict between GR 34 and RCW 2.43

The Committee reviewed the results from a survey that was sent out to courts regarding their use of in forma pauperis (IFP) and questions regarding the American with Disabilities Act (ADA). Most of the courts reporting not using IFPs when providing interpreters. Four to five courts had some confusing responses, potentially indicating that they do use IFPs. One court's response indicated that they provide a list of interpreters to litigants for litigants to obtain the interpreter rather than the court appointing an interpreter.

To get more complete picture, the Committee asked AOC staff to recirculate the survey to some of the courts that did not reply and attempt to get additional responses.

The Role of the Interpreter Commission in Providing Access for Speech and Hearing Disabilities.

The Committee discussed the survey results regarding the ADA. It appeared that many courts did have some process in place for working with ADA requests and that someone at the court was responsible for them.

The Committee discussed the scope of the Commission regarding that ADA. The Commission can provide input on American Sign Language (ASL) interpreters. Outside of ASL interpreters, it was felt that the Commission had little authority beyond an education and advisory role. The Committee discussed where that authority might lie and what entity could be responsible: the AOC, Access to Justice Board, Minority and Justice Commission, etc. Not having someone that can advise courts on ADA issues could be a gap that should be addressed.

Grievance Process

AOC staff went over the background of creating the two grievance forms and the cover sheet from New Mexico that was sent to the Committee. The Committee clarified that complaints received by the Interpreter Commission first go to the Issues Committee and the Discipline Committee if appropriate.

The Committee reviewed the cover sheet and agreed that it was a good idea to encourage people to try to handle issues at the court first so the court is aware of the problem with the interpreter. The court would have the opportunity to address the issue without the need of the form needing to be filled out. The Committee felt some instructions on the forms may be difficult to follow and that it should be written in plain English.

The Committee discussed how grievances made about an interpreter would need to involve a violation to the GR11.2 and that should be indicated on the grievance form. The form should also make clear that grievances should apply only to in-court proceedings where GR11.2 is applicable. The Committee remarked on the New Mexico complaint form references violations to the Registry of Interpreters of the Deaf (RID) and they discussed how they might handle those violations. It was felt this could be related to the ongoing Interpreter Commission discussion on whether or not the Commission should be responsible for the discipline of ASL interpreters. This is a topic that would be discussed at the next Commission meeting.

The Commission felt there should be an introduction, coversheet or some kind of document that should accompany the grievance forms. It should encourage the person filling out the form to try to resolve the conflict before submitting the form if possible. It should include information about what a person can expect as a result. It should say what the Commission and Interpreter Program's role is, what they have the authority to do, and what they cannot do. It could include language about what the overall goal of the form is.

There was some concern that developing these forms should not preclude other avenues that people have to bring their concerns to the Commission, such as directly calling in or emailing the Program. The forms wouldn't change the way that grievances are processed and they are adding an additional way for people to communicate their

concerns to the Commission and gather the information that the Program needs to investigate.

One specific issue that was brought up about the draft grievance form was the check box stating, "The court did not provide timely translation of documents that were vital, time-sensitive, or that required a response." It was felt that this might imply the court is responsible for translating more documents than it is, and that given the large number of documents that are generated during a court proceeding, this would not be possible. The Committee discussed the kinds of documents that should be translated or sight-translated. The form could have more general language about not being able to participate in the proceeding because of not being able to understand the documents or forms used in court. This topic could be discussed at a Commission meeting to gather more input.

III Next Meeting

- Teleconference on November 30, 12:00 p.m. to 1:00 p.m.

Action Item Summary	
AOC staff - Recirculate survey among the courts that did not respond and follow up with a phone call if necessary.	<i>Ongoing</i>
AOC staff – Include survey results in meeting packet for Interpreter Commission meeting.	<i>Future Action</i>
AOC staff – Contact New Mexico and see how they handle violations of the RID code of ethics.	<i>Future Action</i>
AOC staff – Make a draft of a cover sheet or introductory paragraph that would accompany the grievance forms.	<i>Future Action</i>
AOC staff – Share the grievance forms with the Discipline Committee	<i>Future Action</i>



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César E. Torres
Executive Director

MEMO

To: Interpreter Commission Issues Committee
From: Kristi Cruz
Date: July 24, 2015
Re: Overview of Title VI and Court Access

Title VI of the Civil Rights Act of 1964 prohibits discrimination on the basis of race, color, or national origin in federally assisted programs. In understanding how the statutory language applies to the context of court services and access to free interpreter services, it is necessary to walk through a series of applicable doctrine - statutes, regulations, U.S. Supreme Court decision, Executive Order, and Agency Guidance - to apply the general statutory language to the specific governmental service provided by courts. Title VI itself was written for all federally funded programs and as such does not directly address language access in courts.

1) General Statutory Language

42 U.S.C. §2000d.

"No person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance."

42 U.S.C. §2000d-1.

Each Federal department and agency which is empowered to extend Federal financial assistance to any program or activity, by way of grant, loan, or contract other than a contract of insurance or guaranty, is authorized and directed to effectuate the provisions of section 2000d of this title with respect to such program or activity by issuing rules, regulations, or orders of general applicability which shall be consistent with achievement of the objectives of the statute authorizing the financial assistance in connection with which the action is taken.

2) DOJ Implementing Regulations

28 C.F.R. § 42.101(2):

A recipient, in determining the type of disposition, services, financial aid, benefits, or facilities which will be provided under any such program, or the class of individuals to whom, or the

In 2010, the Department of Justice issued a letter to all state courts regarding meaningful access to courts. In this letter, DOJ states clearly that, "Title VI and its regulations prohibit practices that have the effect of charging parties, impairing their participation in proceedings, or limiting presentation of witnesses based upon national origin. As such, the DOJ Guidance makes clear that court proceedings are among the most important activities conducted by recipients of federal funds, and emphasizes the need to provide interpretation free of cost. Courts that charge interpreter costs to the parties may be arranging for an interpreter's presence, but they are not "providing" the interpreter. DOJ expects that, when meaningful access requires interpretation, courts will provide interpreters at no cost to the persons involved."

This is an abbreviated summary of the steps that guide the discussion around language access services as it relates specifically to state courts. Ultimately, the DOJ letter to state courts may be the best resource to clarify the obligation of courts to provide free interpreter services in all legal proceedings because it comes from the agency responsible for ensuring meaningful access in all programs receiving federal financial assistance from DOJ and because DOJ is the entity that would investigate complaints of non-compliance with Title VI in these settings. The letter therefore provides insight into, if there was a complaint filed against a court, how DOJ would approach such an investigation and the vulnerability of the court to a finding of non-compliance where the court is charging some litigants for the cost of interpreter services. That letter is at: http://www.lep.gov/final_courts_ltr_081610.pdf

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County	Court	Q1	Q2	Q3	Q3b
Column1	Column2	Column5	Column6	Column7	Column8
Question Summary		Use IFPs?	Non-indigent parties charged? How?	How are services provided for a party to the case for auxiliary aids and services needed for effective communication?	Who coordinates the services? Does it go to an ADA coordinator responsible for coordinating services or does it get handled by the person(s) responsible for the interpreter coordinator function.
Complete Question		Does any court in your jurisdiction conduct in forma pauperis (aka GR 34)/ indigency reviews when the litigant is seeking the services of a language interpreter for a civil case proceeding?	Whether the court ever charges interpreter costs to parties that are determined to be non-indigent by the court and if so, how and when are those costs collected	How are services provided in each court when the request from a party to the case is for auxiliary aids and services needed for effective communication, such as the provision of CART (real-time text translation) or assistive listening devices such as FM loops and Pocket Talkers?	
Adams	Superior	No	No	We have no real time in any of our Courts, We have assistive listening device if requested. For days that are non-docket days for our court the attorneys or pro se's are require to contact our Court Administrator when they note something up. Our closest Interpreter is 50 miles away. Sometimes we use an interpreter by phone for that very reason. Our interpreter expenses for Adams County are one of the highest of our Court costs.	
Asotin	Superior	Yes	Have not found anyone non-indigent in interpreter request in the last 12 years.	We have some hearing devices and have used CART. We struggled getting services and having them available. Arrangements have to be made way in advance. No services are available at our front desks, either language or ADA.	Court Administrator who ADA and interpreter coordinator.
Benton	District	No	No	We have assisted listening devices in our courtroom the request would be made to our courtroom clerk.	

Question Summary	Use IFPs?	Non-indigent parties charged? How?	How are services provided for a party to the case for auxiliary aids and services needed for effective communication?	Who coordinates the services?
Chelan	No	No	<p>We have some sort of assistive listening device available in all courtrooms that is at the ready. We also have court reporters who can set up real-time reporting when requested. Most often people just let us know an accommodation will be required, but we do have a request form available and recently an attorney actually filed a formal motion for accommodation (which we had never seen before). Those requests are handed by the judicial assistant most often (who also schedules our foreign language interpreters), but referred to me (as the ADA Coordinator) when necessary. Additionally, we have a place on the face page of our note for motion where litigants/attorneys check a box to indicate an interpreter is needed. The Clerk or litigant/attorney then forwards the form to the JA</p>	Judicial Assistant or ADA coordinator
Chelan	No	No	<p>ADA services are provided when requested. The two courtrooms are equipped with listening devices and notices posted to inform the public of this. We have only used CART one time during a court session.</p>	Interpreter Coordinator and/or the administrator if needed
Clallam	No	No	<p>Have never had a request for CART. The courtroom clerk has access to an assistive listening device if requested by an individual in the courtroom. We do not have an individual interpreter coordinator. This is an additional duty to current staff.</p>	Court Staff Court Administrator's
Clallam	No	No	<p>Listening devices include infra-red hearing devices and Pocket Talkers, or use of a sign interpreter.</p>	Court Staff Court Administrator's

Question Summary	Use IFPs?	Non-indigent parties charged? How?	How are services provided for a party to the case for auxiliary aids and services needed for effective communication?	Who coordinates the services?
Superior, District, Muni - Washougal and Camas	No	No	Clark County District Court utilizes one interpreter coordinator to manage the interpreter needs of persons with voice or hearing disabilities and persons with limited English speaking skills for District Court, Superior Court, Juvenile Court and Camas/Washougal Municipal Court. Auxiliary aids such as amplifiers and headphones are available for any participant or observer as requested and provided by the court for persons who are hard of hearing to comply with ADA. Other devices such as amplifiers and headphones used for simultaneous translation are made available by our interpreter coordinator and staff interpreter, and are checked out as needed by assigned interpreters for trials and longer hearings. Real time captioning for persons requesting assistance related to ADA are also provided through the interpreter coordinator	Interpreter Coordinator
Superior	No	No in past 5 to 10 years	We provide all of the above as needed. Interpreter Coordinator takes requests and (for both courts) pays for captioning reporters and signers, etc.	ADA Coordinator Interpreter coordinator and the administrators Interpreter coordinator and the administrators
Superior	No	No	No Interpreter Coordinator. For Non-evidentiary hearings, use interpreters by phone through Language Line. For evidentiary hearings, use certified in-person interpreter. We do have assistive listening devices in the courtrooms for the hearing impaired and will hire a real time court reporter if needed.	?
Superior	No	No		
District	No	No		

Office Staff Member

Question Summary	Non-indigent parties charged? How?	How are services provided for a party to the case for auxiliary aids and services needed for effective communication?	Who coordinates the services?
Franklin	[Redacted]	[Redacted]	Clerk/Bailiff
Municipal - Pasco	[Redacted]	[Redacted]	Clerk/Bailiff
Grant	<p>Each courtroom has indigency forms that are filled out and reviewed at the time of the hearing. If the language needed is Spanish, we usually have an interpreter on site every day. If full or partial indigency is granted, we have the interpreter step in to handle the hearing. If a language other than Spanish is needed, we reset the hearing when an interpreter is available.</p>	<p>If a party needs an assisted listening device, someone from the courtroom lets our office know and we provide the equipment. If an ASL interpreter is needed, the request is made to our contract interpreter to make arrangements for an interpreter. Our office is ADA coordinator for the court. At this time, we do not have the CART system. If the person requesting CART wanted to pursue this further, then I would refer them to our HR department. This would probably result in a meeting with our judges, HR and the requesting party. This hasn't come up in our courts yet. Superior Court has assisted listening devices for parties and jurors. Interpreter requests, GR33 requests or any other requests for assistance are directed to the same administrative support staff. Often times the response will be real-time reporting, in-person interpreting, ALS or other creative avenues that assist individuals.</p> <p>The Clerk's Office will typically facilitate the use of assistive listening devices, the Court Administrators Office maintains the hearing devices and coordinates with any of the parties needs regarding text translation.</p> <p>All language-related questions generally are referred to the interpreter coordinator including questions regarding assisted listening devices</p>	Court Administrator/ADA Coordinator (same)
Island	[Redacted]	[Redacted]	Administrative support staff
Jefferson	[Redacted]	[Redacted]	Court Administrator / Clerk's Office
King	[Redacted]	[Redacted]	Interpreter Coordinator

Question Summary	Use IFPs?	Non-indigent parties charged? How?	How are services provided for a party to the case for auxiliary aids and services needed for effective communication? Who coordinates the services?
King	Superior	No	<p>ALD Devices are coordinated via Interpreter Services; ADA coordinator receives logs from that office monthly regarding use. The assistive listening equipment is kept in the Interpreter Services offices. CART services are arranged via Court Operations central staff—most requests for these services are initially received by the ADA coordinator and forwarded to Court Operations for scheduling of the reporter. There are also a few court reporters who are CART certified and who can fill in.</p> <p>The Court Administrator has in the past contracted for CART (real time text translation) for one case. We also provide FM Loops in each of our court rooms.</p>
King	Municipal - Federal Way	No	<p>The interpreter coordinator informs the court administrator. We have assistive listening devices only.</p>
King	Municipal - Tukwila	No	<p>Court Administrator interpreter coordinator informs the court administrator</p>
King	Municipal - Pacific	Does not have civil proceedings	<p>If a continuance is requested by the defendant and they agree to pay interpreter costs, they are imposed for the following hearing. If the city requests a continuance, we do not impose those costs. These are usually for infractions - proof of insurance or a license usually. Not on criminal cases. We have used the earphone/headsets with interpreters and hard of hearing persons in court. Court staff are responsible to make item available.</p> <p>Court Staff</p>

Question Summary	Use IFPs?	Non-indigent parties charged? How?	How are services provided for a party to the case for auxiliary aids and services needed for effective communication?	Who coordinates the services?
King Municipal - Enumclaw	No	This court charges the actual interpreter costs when someone FTA's and the interpreter was here only for them. If the interpreter has other cases, the defendant is not charged.	As of November 3, 2015, this court has not had to provide any aids to any persons. Our court does not have an actual "ADA Coordinator". I believe I, as court administrator, would be responsible for providing any necessary devices.	Court Administrator
King Municipal - Seattle	No	[REDACTED]	If a Cart interpreter is requested, we provide one	Multiple Interpreter Scheduler or court administrator
Kitsap Superior	No	[REDACTED]	it depends. If the person is seeking an ASL interpreter, the Court's calendar/interpreter coordinator facilitates the accommodation. For any other accommodation, the Court Administrator typically facilitates the accommodation and integrates others on staff to assist (e.g., the lead court reporter might assist in finding a resource to provide CART). The Court Administrator for the Kitsap Superior Court is the designated ADA coordinator under GR 33.	Multiple Interpreter Scheduler or court administrator
Kitsap District	No	[REDACTED]	It all goes through our scheduler. If there is an ADA question needing clarification, the court administrator would get involved.	Multiple Interpreter Scheduler or court administrator
Kitsap Municipal - Port Orchard	No	[REDACTED]	Our court does not have an interpreter coordinator or an ADA coordinator so the Court Administrator or Lead Clerk will find the equipment or interpreters necessary for the hearings. My court is a small to medium size court. Caseload requires .80 judge time but the current judge is a .60.	Court Administrator or Lead Clerk

Question Summary	Use IFPs?	Non-indigent parties charged? How?	How are services provided for a party to the case for auxiliary aids and services needed for effective communication?	Who coordinates the services?
Municipal - Poulisbo	No	No	The court administrator currently takes of all requests for an interpreter and ADA accommodation -- and would be the ADA coordinator for the court.	Court Administrator/ADA Coordinator
Superior	No	No	Superior Court has an ADA Coordinator and forms available for accommodation requests. These are used when the accommodation being requested may take some time setting up or coordinating. Each of our courtrooms are equipped with assisted listening devices and available at request.	ADA Coordinator / Court Staff
Superior	No	No	Request for listening devices or for a sign interpreter are made to the Court Administrator's Office.	Court Administrator's Office
Superior	No	No	If requested (rarely) we provide real time. We do have hearing assist devices avail in each courtroom and they are used on a regular basis.	Court Administrator
Municipal - Chehalis	No	No	When a party requests auxiliary aids, the request is forwarded to the court administrator who is the designated ADA contact person. In a court our size, the court administrator is also the person who schedules interpreters as needed.	Court Administrator/ADA Coordinator (same person)
Juvenile	No	No	We do not have an ADA coordinator in our County. If a person submits a request for CART to be set up before a hearing takes place the Court Administrator, that would be me, sets up that service. We do have Pocket Talkers that are provided upon request too.	The person(s) responsible for obtaining interpreters.
District	No	No		No Answer

Question Summary	Use IFPs?	Non-indigent parties charged? How?	How are services provided for a party to the case for auxiliary aids and services needed for effective communication?	Who coordinates the services?
Mason	No	No	<p>Superior Court has an ADA Coordinator and forms available for accommodation requests. These are used when the accommodation being requested may take some time setting up or coordinating. Each of our courtrooms are equipped with assisted listening devices and available at request.</p> <p>This court has FM loop devices in the Courtroom which are easily accessible for anyone needing that service. Beyond that, the request would go to ADA coordinator, which is the same person responsible for the more complex interpreter coordinator functions.</p>	ADA Coordinator
Mason	No	No	<p>Okanogan County has an ADA Coordinator and is available for accommodation requests. Assisted listening devices are available at request by court staff.</p>	Interpreter Coordinator
Municipal - Shelton	No	No		ADA Coordinator or court staff
Okanogan	No	No		

Question
Summary

Non-indigent parties
charged? How?

How are services provided for a party to the case for auxiliary
aids and services needed for effective communication? Who coordinates
the services?

Use IFP's?

Our office does not charge for the interpreter on civil cases. We do not have a charge sheet for criminal cases that require an interpreter. One time \$50 in interpreter reimbursement case. The amount is taken out of the court fee that is assessed to the defendant. It is not an additional cost. FOIA law. We do not charge a fee and that requires an interpreter and more than a person that does not require an interpreter. We were using the fee portion by \$50.00 and then for bookkeeping purposes we were listing that \$50 under interpreter services. Guess it would give the impression that we were billing additional for the use of an interpreter, but that was not our intention. So, just want to assure you that we have discontinued that practice and that \$50 fee will be put back towards the assessment as it comes with a non-indigent cases. I hope this makes sense. This was a past practice that my current colleagues were unaware of until recently.

We only have the assistive listening devices available at this time. A neck loop is used for persons with hearing aids and some of the cochlear implants that have T settings. Though we have recently determined that some of the newer cochlear implants do not have a T setting – we are still trying to determine how to assist those persons. We also have used sign interpreters on occasion (at no cost to the defendant or party in the case). The interpreter needs are handled by our court interpreter and he is responsible for coordinating anything having to do with interpreter services.

Okanogan District

Court Interpreter

Question Summary	Use IFPs?	Non-indigent parties charged? How?	How are services provided for a party to the case for auxiliary aids and services needed for effective communication? Who coordinates the services?
Okanogan	Clerks Office	No Answer	No Answer
Pacific	District	[REDACTED]	We do not have an ADA coordinator in our County. If a person submits a request for CART to be set up before a hearing takes place the Court Administrator, that would be me, sets up that service. We do have Pocket Talkers that are provided upon request too.
Pend Oreille	Superior	We have never had a litigant who needed a language interpreter in a civil case since I have been here for the last nine years.	Both our Superior and District Court Clerks are trained with our listening devices (FM loops) and can set it up and assist the person immediately in the courtroom. If a real-time text translator is needed either myself or the District Court Administrator, Rachel Johnson are notified and we make the arrangements.
Pend Oreille	District	[REDACTED]	Pend Oreille County has the assistive listening device with the FM loop and the pocket talkers. If someone needs assistance, they are able to ask anyone with the court for assistance.
Pierce	Superior	[REDACTED]	Auxiliary aids and CART services are handle by the Interpreter's Office

Question Summary	Use IFPs?	Non-indigent parties charged? How?	How are services provided for a party to the case for auxiliary aids and services needed for effective communication?	Who coordinates the services?
Pierce District	No	No	<p>Auxiliary aids and CART services are handle by the Interpreter's Office</p> <p>The court provides assistive listening devices, allows for service animals, provides wheelchair access, etc. The Court Administrator coordinates accommodations for special ADA requests.</p> <p>We have listening devices that we give out by Court Staff. Real time translation would inquire an interpreter.</p>	Interpreter's Office
Pierce Municipal - Gig Harbor	No	No	<p>Puyallup Municipal Court has contacted individuals to provide such services as CART as needed (rare). We also have an assisted listening devices which are integrated into the court's PA/recording system. Typically, the clerks or court administrator is designated to research special needs or services available. It would be nice to have a state coordinator of services and/or state designated vendors for special pricing on various ADA devices.</p>	Court Administrator
Pierce Municipal - Lakewood	No	No	<p>San Juan County Superior Court provides T-coil hearing loops (neckloops) or personal PA FM transmitters for hearing assistance. We use certified interpreters wherever possible and qualified interpreters when necessary. We do not charge for use of interpreters in judicial proceedings whether civil or criminal, whether the party is plaintiff, defendant, petitioner, respondent, or witness. We have not yet had to but would not seek reimbursement for providing an interpreter for witnesses. We have pocket talkers and the clerk provides them to individuals that need them. Parties requesting other types of assistance are provided the Request for Accommodation form and I process their request (I am not responsible for interpreter coordination).</p>	Superior Court Administrator (who also handles interpreter requests)
Pierce Municipal - Puyallup	No	No	<p>San Juan County Superior Court provides T-coil hearing loops (neckloops) or personal PA FM transmitters for hearing assistance. We use certified interpreters wherever possible and qualified interpreters when necessary. We do not charge for use of interpreters in judicial proceedings whether civil or criminal, whether the party is plaintiff, defendant, petitioner, respondent, or witness. We have not yet had to but would not seek reimbursement for providing an interpreter for witnesses. We have pocket talkers and the clerk provides them to individuals that need them. Parties requesting other types of assistance are provided the Request for Accommodation form and I process their request (I am not responsible for interpreter coordination).</p>	Court Administrator

Question Summary	Use IFPs?	Non-indigent parties charged? How?	How are services provided for a party to the case for auxiliary aids and services needed for effective communication?	Who coordinates the services?
Skagit Superior	No	No	<p>ADA Coordinator and forms available for accommodation requests. These are used when the requested accommodation may take some time setting up or coordinating. Each courtroom equipped with assisted listening devices and available at request.</p> <p>The individual needing assistance is put in touch with the correct Division Supervisor. District Court has pocket talkers and a FM transmitter with a headset. ASL interpreters are obtained via our interpreter coordinator should one be required.</p>	<p>ADA Coordinator/court staff</p>
Snohomish District	No	<p>No previously we required litigants to find and bring their own interpreter.</p>	<p>The Court treats ADA requests the same as interpreters. Our interpreter coordinator handles these responsibilities. It is still very expensive for the court to have interpreters for all these hearing. It is frustrating when we hire interpreters and the defendants do not appear and we have to start over. It would be helpful if we can assess fees to the parties if the Court found that the FTA was not for a good cause. It might make them more interested in appearing.</p> <p>We offer Pocket Talkers upon request. Number of requests are minimal and are handled by court staff or the administrator.</p>	<p>Interpreter Coordinator</p>
Municipal - Everett	No	No	<p>The court provides the list of certified interpreters to litigants who is responsible for scheduling and for arranging payment directly with the interpreter.</p>	<p>Interpreter Coordinator</p>
Municipal - Lynnwood	No	No	<p>When auxiliary aids and services are requested, all Snohomish County administrative staff are able to immediately provide those aids which are readily available. Only ADA accommodation requests that are not readily available are sent to the ADA coordinator.</p>	<p>Court Staff or Court Administrator</p>
Snohomish Superior	No	No	<p>IFPs are used when litigants are seeking services of a language interpreter for a civil case proceeding.</p>	<p>Administrative staff</p>

Question Summary	Use IFPs?	Non-indigent parties charged? How?	How are services provided for a party to the case for auxiliary aids and services needed for effective communication?	Who coordinates the services?
Spokane	No	No	<p>Superior Court has an ADA Coordinator and forms available for accommodation requests. These are used when the accommodation being requested may take some time setting up or coordinating. Each of our courtrooms are equipped with assisted listening devices and available at request.</p>	ADA Coordinator
Municipal - Cheney	No	No	<p>This court has never had a request for CART accommodations. The court owns an FM loop and pocket system with four units. The court administrator coordinates services, the same person is responsible for interpreters. For foreign language we use language line for most needs except for trials. Cheney just contracted with Universal Language to provide real-time video foreign and sign-language services.</p>	Court Administrator
Municipal - Spokane	<p>The only civil matters the court adjudicates involve civil traffic infractions, parking code violations and vehicle impounds.</p>	<p>If a litigant seeks an interpreter in these matters, the Court provides one, regardless of indigency. Since the City is the entity that initiated the proceeding, the City pays for the interpreter.</p>	<p>W/ the exception of CART, which we do not currently have, Spokane Municipal Court has FM loops and Pocket Talkers that are provided to anyone who requests them for a court proceeding. The initial request is usually made to/the need observed by the clerk assigned to the courtroom. The clerk then coordinates with securing the needed device(s), which are housed in the Judicial Assistance office. While the staff who's responsible for interpreter coordination is assigned to that office and often offers assistance, it is not that position's responsibility.</p>	Clerk / Interpreter Coordinator
Stevens	No	No	<p>For Non-evidentiary hearings, use interpreters by phone through Language Line. For evidentiary hearings, use certified in-person interpreter. We do have assistive listening devices in the courtrooms for the hearing impaired and will hire a real time court reporter if needed.</p>	Court has no Interpreter Coordinator

Question Summary	Use IFPs?	Non-indigent parties charged? How?	How are services provided for a party to the case for auxiliary aids and services needed for effective communication?	Who coordinates the services?
Thurston Superior	No	No	Real time reporting is obtained by completing a written ADA request. When the request is received it is forwarded to an ADA coordinator. Pocket talkers are obtained upon request and provided by the interpreter coordinator. If a request is made reference an ADA accommodation, the person taking the request will work with the calendaring coordinator to ensure the need is met. We have not yet had a request for CART, so I am not sure how we would accommodate this.	ADA Coordinator
Thurston District	No	No	The court reporters arrange those accommodations.	Court Staff and Calendaring Coordinator
Walla Walla Superior	No	No	Most requests for language interpreters are forwarded to the Court Administrator. We have assisted listening devices in our courtrooms. If an individual requests an assisted listening device, the clerk provides one. We arrange CART services through the Eastern Washington Center for the Deaf and Hard of Hearing in Spokane, Washington	Court Reporters
Whitman District	No	No	Superior Court has an ADA Coordinator and forms available for accommodation requests. These are used when the accommodation being requested may take some time setting up or coordinating. Each of our courtrooms are equipped with assisted listening devices and available at request. This court's experience relating to ADA needs have been when a citizen requests excusal from jury duty because they cannot hear well.	Court Administrator
Yakima Superior	No	No		ADA Coordinator
Yakima Municipal - Toppenish	No	No		

November 20, 2015

To the Commission respectfully,

I have been studying for the past few months and have been in contact with Bob regularly on how I can contribute to the group.

That did halt abruptly two weeks ago, and I thank you for your patience as Spokane has just been through a natural disaster. I lost power for four days and had internet restored just a day ago. It has been hard...I run through my neighborhood only to see upturned pine trees into houses and cars. I was fortunate in that I only lost parts of my roof. Sustained winds during the storm were in the 70's MPH and gusts in the 80's and beyond that. A snow storm followed, so it was paramount to check on the Community, especially those whose health is compromised, and I am so honored to have supported them by offering space and heat to friends and interpreting services for the Deaf Community.

Which meant my work for the Commission has been on hold for a period of time though, like I said earlier, I have been spending the past few months studying and taking my new appointment quite seriously. My intention was to write more fully about my thoughts and the feedback from my respected SC:L colleagues.

I shall outline my thoughts below.

*~Educational credits

~Interpreters holding the RID's SC:L are required to take 2 of 8 CEUs specifically in Legal Training.

~None of the CEUs are required in ethics as are the spoken language interpreters

~Two CEUs (as of 2015, Registry of Interpreters for the Deaf, New Orleans) required in hearing privilege training, though no plans are made to offer this to interpreters

~Two CEUs are required for legal interpreting, no specific requirement in terms of ethics

~RID has suspended certification application and testing for an undetermined time (which for SC:L candidates, puts their potential award of certification on hold...and for how long, we do not know)

*~Interpreter discipline

patience and flexibility with me. I think this is a great group of people whose goal is to improve services for all involved in the legal system.

Respectfully submitted,

Lynne Lumsden, CI, CT, SC:L, QMHI-S
509-768-9105
lynne.lumsden@gmail.com

PREVAIL

WA Supreme Court Interpreter Commission

Motion

Motion made by: Samuel Mattix, Interpreter Representative

Seconded by:

Motion: Propose to the legislature to amend RCW 2.43.050: Oath so that court certified and registered interpreters are permanently sworn upon receiving their credential instead of taking an oath again every two years. The amendment, with proposed deletions in bold, may/shall read as follows:

(1) Upon certification or registration ~~and every two years thereafter,~~ certified or registered interpreters shall take an oath, affirming that the interpreter will make a true interpretation to the person being examined of all the proceedings in a language which the person understands, and that the interpreter will repeat the statements of the person being examined to the court or agency conducting the proceedings, in the English language, to the best of the interpreter's skill and judgment. The administrative office of the courts shall maintain a record of the oath in the same manner that the list of certified and registered interpreters is maintained.

(2) Before any person serving as an interpreter for the court or agency begins to interpret, the appointing authority shall require the interpreter to state the person's name on the record and whether the person is a certified or registered interpreter. If the interpreter is not a certified or registered interpreter, the interpreter must submit the interpreter's qualifications on the record.

(3) Before beginning to interpret, every interpreter appointed under this chapter shall take an oath unless the interpreter is a certified or registered interpreter who has taken the oath ~~within the last two years~~ as required in subsection (1) of this section. The oath must affirm that the interpreter will make a true interpretation to the person being examined of all the proceedings in a language which the person understands, and that the interpreter will repeat the statements of the person being examined to the court or agency conducting the proceedings, in the English language, to the best of the interpreter's skill and judgment.

Argument:

- (1) Other professionals serving in the court are permanently sworn either when they take office, receive their commission or become a member of the bar. Therefore professional interpreters who retain their credentials in good standing with AOC should also be permanently sworn.

Institute for New Court Employees

October 19 – 21, 2015

40	40
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Audience Evaluations

SESSION EVALUATION

Session:	Court Interpreters
Faculty:	Ms. Kristi Cruz and Mr. Robert Lichtenberg

Please include narrative comments, as well as numeric rating on a **5-point scale**.
 (5 = Excellent; 4 = Good; 3 = Average; 2 = Below Average; 1 = Poor; N/A = Not Applicable)

EFFECTIVENESS	5	4	3	2	1	
1. The objectives of the course were clear.	5	4	3	2	1	4.9
2. The objectives of the course were achieved.	5	4	3	2	1	4.7
3. The faculty engaged me in meaningful activities.	5	4	3	2	1	4.6
4. I gained important information or skills.	5	4	3	2	1	4.6
5. The faculty made a clear connection between the course and the work place.	5	4	3	2	1	4.7

Average: 4.7

COMMENTS:

- Too much information for introduction course.
- Due to focus on deafness, perhaps incorporate some basics of interactions with the deaf (importance of eye contact and its link to respect).
- This was great! I liked doing the memory exercises!
- It would have been nice if it were a little more interactive but very useful information!
- Maybe not use acronyms as much.

COMMUNICATION SKILLS	5	4	3	2	1	
1. The faculty was well prepared.	5	4	3	2	1	4.8
2. The presentation was organized.	5	4	3	2	1	4.8
3. Written materials enhanced the presentation.	5	4	3	2	1	4.6
4. Audiovisual aids were used effectively.	5	4	3	2	1	4.5
5. The presentation kept my interest throughout.	5	4	3	2	1	4.3

Average: 4.6

WSRID CONFERENCE

Workshop title: Panel

Date: 10/10/15

16 people attended

My instructor(s) was very knowledgeable about the subject.
I learned a lot at this workshop; the information was easy to understand.
The visual aids and handouts were beneficial.
I will apply what I learned from this workshop into my work.
This workshop will motivate me to seek further continuing education.

strongly disagree	disagree	agree	strongly agree
		2	18
		5	11
	1	4	11
	1	4	11
	1	3	12

Written Feedback

A very good presentation at the end of a long day! ☺ Presenters were very well informed and fielded very specific questions! Good info!!

PowerPoint too small of print.

Impressive collective knowledge of the panel! It would be hard to get so much info elsewhere in so short of time.

Very informative

Awesome info! Helps me understand clearer what has happened in WA state.

Would like a moment to really glance at a slide before presenters started talking.

Good clear information and presenters connected with the audience well!

Essential information!



November 30, 2015

Dear Justice Partners,

"Will people in my position, or worse off than I, get any sort of meaningful help?"
In October, the Washington State Supreme Court released the 2015 Civil Legal Needs Study; the most rigorous study to date of the legal problems that low-income families face. The study yielded many disturbing findings, including **low-income households in Washington experience an average of nine legal problems each year** and the vast majority, face them alone.

Washington's Alliance for Equal Justice is still far from delivering on our vision that poverty not be an impediment to justice. With just one legal aid attorney for every 11,000 potential clients in Washington State, we don't have the resources to provide the help that's needed. **We need your help to create new plan for the effective delivery of legal services in Washington State.**

Our State Plan for the Delivery of Civil Legal Aid will be developed over the next year and will guide the collective efforts of the Alliance for Equal Justice for the next three years in order to expand access to the justice system and identify and eliminate barriers that perpetuate poverty and deny justice. The plan will identify our goals, written in terms of the needs of the client community we seek to serve, and strategies to bring us closer to our shared vision for how the Alliance might work together to achieve greater impact.

Your work is of critical importance and is closely related to ours. We hope that you and the community you represent can take the time to participate in this process. Looking at the results of the Civil Legal Needs Study Update, we know the stakes for families are as high as ever. **We must find ways to ensure meaningful equity and justice for the most vulnerable and marginalized people in our state - with or without new resources.**

If you have questions about the State Plan, the Alliance for Equal Justice, or the Access to Justice Board, please contact Terra Nevitt, Access to Justice Board Manager at (206) 727-8282 or TerraN@wsba.org.

Sincerely,

Ishbel Dickens
Access to Justice Board Chair

Enclosures: State Plan One Pager
2015 Civil Legal Needs Study Update
Washington State Alliance for Equal Justice Hallmarks

- MEMBERS
- Hon. Lisa L. Atkinson
 - Breean L. Beggs
 - Hon. Laura Bradley
 - Hon. Anita Crawford-Willis
 - Ishbel Dickens, Chair
 - Nicholas P. Gellert
 - Lynn Greiner
 - Mirya Muñoz-Roach
 - Geoffrey G. Revelle, Chair-Elect
 - Andrew N. Sachs

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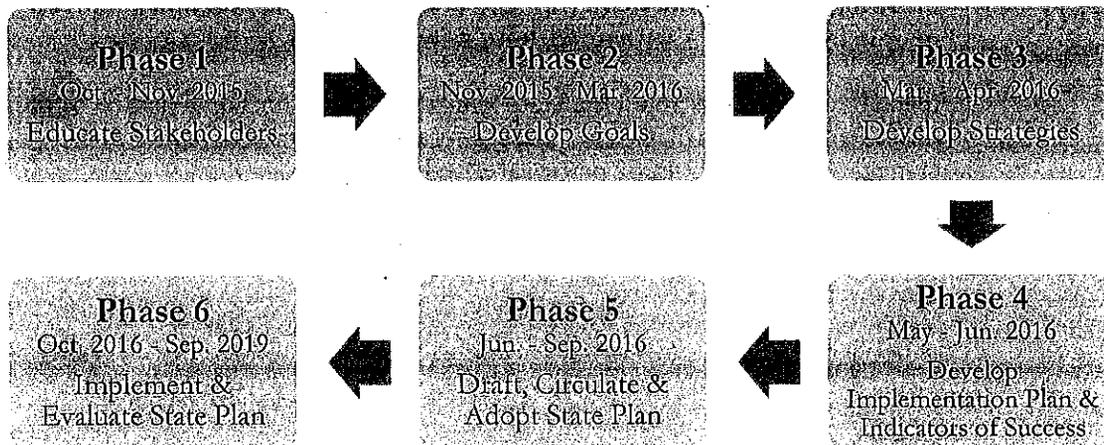


Developing a Plan for the Coordinated Delivery of Civil Legal Services in Washington State

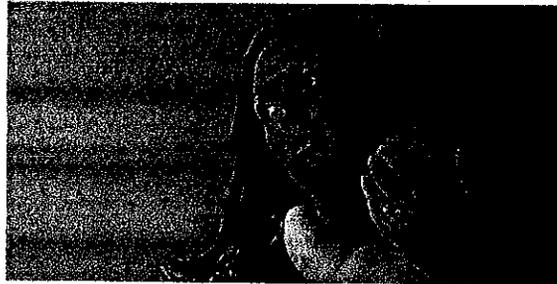
The Access to Justice Board is facilitating an update of our state plan for the coordinated delivery of civil legal services in Washington State. This three-year plan will **guide the collective efforts of the Alliance for Equal Justice in order to expand access to the civil justice system and identify and eliminate barriers that perpetuate poverty and deny justice.** This will be the fourth state plan for the State of Washington. The first plan, the **1995 State Plan**, completely reconfigured our system for delivery legal services in an effort to ensure no one was written out of the justice system. This plan was revised in **1999** and **2006**.

Key Stakeholders	
Low-income people, including but not limited to legal services clients	Local and statewide court support staff and administrators
Legal aid program staff	Funding partners
Legal aid program board members	The Supreme Court
Legal aid providers not included in the Consensus Group	Legal services volunteers
Social service and community health providers	The judiciary
Law schools	Elected officials
Law Libraries	Other law-related entities
Criminal and juvenile justice system partners	WSBA leadership
Local, specialty and minority bar associations	Law enforcement

Road Map & Timeline



For more information, follow the process on [Facebook](#) or contact Terra Nevitt at TerraN@wsba.org or 206-727-8282.



CIVIL LEGAL NEEDS STUDY UPDATE





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WASHINGTON'S CIVIL JUSTICE SYSTEM MUST SERVE ALL OF US

This Report summarizes the findings of the 2015 Washington Civil Legal Needs Study Update (CLNS Update). Conducted in late 2014, the Report updates a similar study published by a task force appointed by the Washington State Supreme Court in 2003. Like its predecessor, this Report was commissioned by a special committee of the Washington State Supreme Court.

The 2003 Civil Legal Needs Study was the first rigorous assessment of the unmet civil legal needs of low-income families in Washington State. The 2003 study found that three of every four households experienced at least one civil legal problem, and that nearly nine in ten of those who had a problem did not get the help they needed. The 2003 study galvanized a decade-long effort to increase capacity to address the civil legal problems of low-income Washingtonians and secure the resources to achieve this goal.

Unfortunately, in the years that followed, the economy fell into recession, throwing greater numbers of Washingtonians into poverty, the most since the Great Depression. The face of poverty changed, as members of racial and ethnic minority groups experienced disproportionate consequences of both this recession and its aftermath. Changing government policies and private sector practices also contributed to new and ever more complex legal problems for those living in poverty.

By 2014, the Washington Supreme Court had become increasingly aware that the

2003 Study was outdated and no longer the most relevant or reliable source of information upon which policy makers could make investment decisions and legal aid providers could make strategic decisions about where, when and how to target their limited services. The Court appointed a 12-member Civil Legal Needs Study Update Committee to conduct a fresh assessment of the prevalence and substance of civil legal problems experienced by low-income individuals and families. The Committee engaged Washington State University's Social and Economic Sciences Research Center (WSU-SESRC) to conduct the study. Beginning in June 2015, WSU-SESRC published a series of reports outlining in detail the results of the study. These can be found at: <http://ocla.wa.gov/reports>.

This Report synthesizes and presents the core highlights of that research. The findings are sobering. Low-income Washingtonians routinely face multiple civil legal problems that significantly affect their everyday lives. These problems are experienced to greater degrees by low-income persons of color, victims of domestic violence or sexual assault, persons with disabilities and youth. The compound effect of these problems on individuals and families today is even more acute than it was a decade ago, with the average number of civil legal problems per low-income household having nearly tripled since 2003.

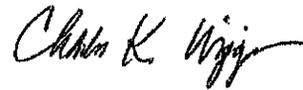
At the same time, and despite much work over the last decade, our state's civil justice system does not serve Washington's poorest residents the way that it should. Most

low-income people do not get the help they need to solve their legal problems, and significant majorities of low-income people do not believe they or others like them will receive fair treatment by our civil justice system.

This Report challenges us to do better:

- It challenges us to ensure that low-income residents understand their legal rights and know where to look for legal help when they need it.
- It challenges us to squarely address not only the scope of problems presented, but the systems that result in disparate experiences depending on one's race, ethnicity, victim status or other identifying characteristics.
- It challenges us to be aware of the costs and consequences of administering a system of justice that denies large segments of the population the ability to assert and effectively defend core legal rights.

Ultimately, it challenges us to work all the harder to secure the investments needed to deliver on the promise embedded in our constitutional history and our nation's creed – that liberty and justice be made available “to all.”



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

EXECUTIVE SUMMARY

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



Many Do Not Believe They'll Receive Fair Treatment From the State's Civil Justice System

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

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

Those who face one such problem, often have other serious and related problems at the same time. One struggling mom says she feels as though one problem simply leads to another:

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

Many see their problems compounded by race, ethnicity, age, disability, immigration status or status as a victim of domestic violence or sexual assault.

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

Indeed, the Justice Gap¹ in Washington is real and it is growing. This calls out for a thoughtful, significant and coordinated response.

This Report spotlights the key findings of the 2015 Civil Legal Needs Study Update – a rigorous and methodologically sound inquiry into the type and prevalence of civil legal problems low-income families and individuals face today.

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

Some of the key findings:

- **Civil legal issues are common.** Seven in ten low-income households in Washington State face at least one significant civil legal problem each year. The average number of problems per household increased from 3.3 in 2003 to 9.3 in the latest, 2014 survey.
- **The most common problems have changed.** Health care, consumer/finance and employment now represent the three areas with the highest percentage of problems.
- **Race, ethnicity and other personal characteristics affect the number and type of problems people have.** These personal characteristics also affect the degree to which people experience discrimination or unfair treatment and the degree to which legal help is secured.
- **Victims of domestic violence and/or sexual assault experience the highest number of problems per capita of any group.**
- **Many are adversely affected by data tracking.** In addition to discrimination and unfair treatment of legally protected classes of people (for example, race), significant percentages of low-income households experience unfair treatment on the basis of their credit histories, prior involvement with the juvenile or adult criminal justice system and/or their status as a victim of domestic violence or sexual assault.
- **There is a significant legal literacy problem.** A majority of low-income people do not understand that the problems they experience have a legal dimension and that they would benefit from getting legal help.
- **The vast majority of people face their problems alone.** More than three-quarters (76%) of those who have a legal problem do not get the help they need.
- **Most low-income people have limited confidence in the state's civil justice system.** Also, perceptions about the fairness and effectiveness of the system to help solve problems experienced by "people like me" differ significantly on the basis of race, ethnicity and other characteristics.

INTRODUCTION:

FACING COMPLEX PROBLEMS ON THEIR OWN



“I HAD NO IDEA WHAT I WAS DOING,”

ANNA CONFESSED

Desperate to stop her abusive ex-spouse from gaining custody of their daughter but unable to afford a lawyer, Anna spent hours in the local library with court documents spread on the counter and plugging quarters into the copy machine.

She didn't understand how the judicial system worked and admitted to making “a lot of mistakes.” She missed so many days of work to be in court that she lost her job at a Skookum shipyard.

Every year Washington's lowest income residents experience an onslaught of civil legal problems. A mother and her kids are evicted from their apartment following a domestic violence dispute. A family drowning in medical bills sees no other choice but bankruptcy. Low-wage workers do not get paid or they have wages improperly withheld. Families are harassed by debt collection companies, often for non-existent debts. Children do not get the special educational services that they need and fall

behind in school. Couples divorce and fight over child custody and family matters.

Low-income individuals and families face these and other significant life-changing issues without legal help and with little understanding of how to navigate the justice system on their own.

The Washington Civil Legal Needs Study Update assesses the type and complexity of civil legal problems low-income individuals and families face. The quotes and personal stories contained within this Report portray the real-life experiences of many whose voices are not often heard.

The updated data is drawn from a statewide survey of more than 1,600 low-income Washingtonians conducted by WSU-SESRC in late 2014. (See Appendix A for detailed survey methodology). It reveals substantive changes both in the number and nature of problems confronting those living in poverty since the 2003 Washington Civil Legal Needs Study was published.

This Report outlines the nature of the civil legal problems low-income Washingtonians are grappling with today. The intent is to inform discussions about how these issues are addressed by the public, state leaders, legal aid providers and the civil justice system.

More than 400 people who participated in the survey offered additional, largely anonymous comments when asked at the end of the questionnaire if they had anything more to add. Some of those comments are reflected within without their names or other identifying information.

This Report also contains stories of people who did not participate in the survey but agreed to share their stories so that justice system leaders, policy makers and the public would understand the very real human experience behind the numbers. Their names have been changed and their stories are italicized.

**SEVEN IN TEN LOW-INCOME HOUSEHOLDS FACE
AT LEAST ONE CIVIL LEGAL PROBLEM EACH YEAR...
AND THEY LIKELY HAVE MORE THAN ONE**



**“MY HOMELESSNESS WAS THE RESULT OF JOB LOSS, DUE
TO AN EXTENDED ILLNESS AND HOSPITALIZATION.”**

2014 SURVEY RESPONDENT

The Civil Legal Needs Study Update underscores what many people know all too well: One problem often leads to another, and then another. Some people find themselves caught in a spiral of legal problems that causes them to lose a job and then, in succession, their housing and whatever financial resources they had.

The 2003 Civil Legal Needs Study found low-income households in the state faced an average of 3.3 legal problems within the previous 12 months. The 2014 survey reveals the number of legal problems confronting Washington low-income residents jumped to an average of 9.3 problems within a year's time.

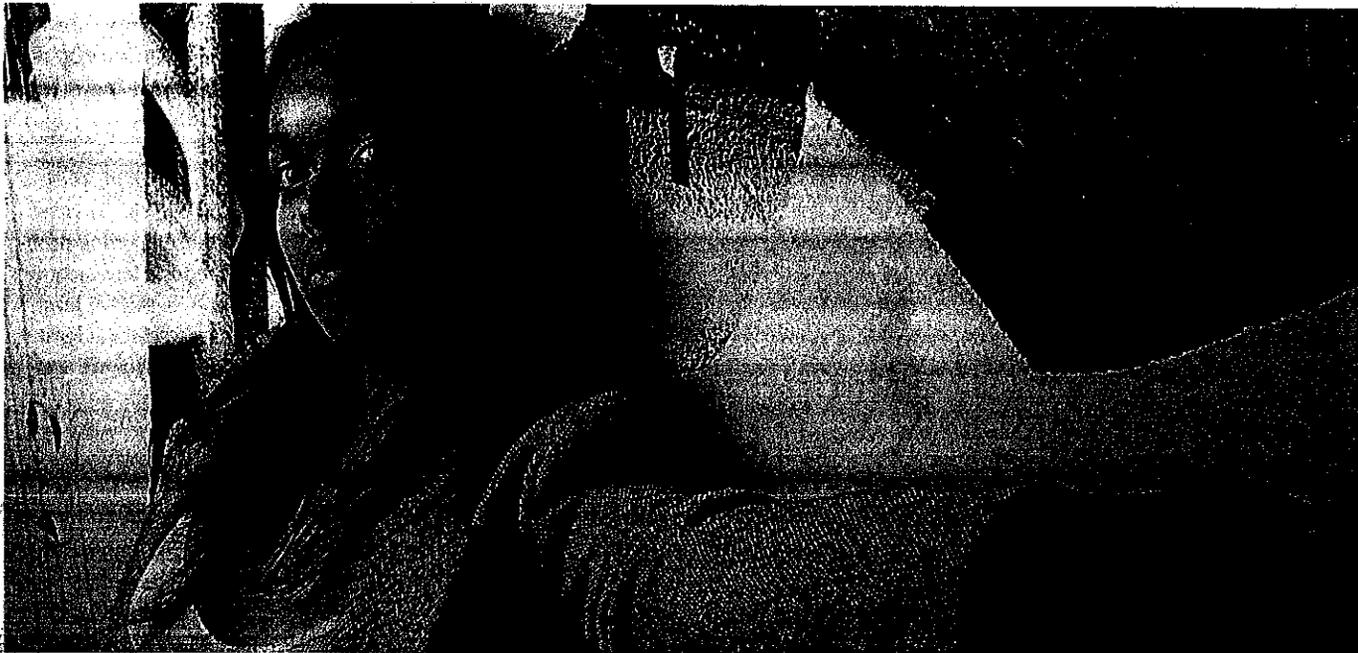
Average number of legal problems per household	
2003	2014
3.3	9.3

More than 70% of the low-income households in Washington face at least one civil legal problem during a 12-month period. This finding remains relatively unchanged between the 2003 Civil Legal Needs Study and this 2015 Report.

However, there is a critical difference between 2003 and today: The average number of civil legal problems per household tripled over the past decade.

Survey results compared	2003	2014
Households experienced at least one legal problem	75-79%	71.1%
Average number of legal problems per household	3.3	9.3
Households with four or more legal problems	38-54%	46.3%

**TODAY'S MOST COMMON PROBLEMS
INVOLVE ISSUES RELATING TO HEALTH CARE,
CONSUMER/FINANCIAL SERVICES AND EMPLOYMENT**



Despite expanded access to public and private health insurance under the federal Affordable Care Act, health care soared to the top of the list of the most prevalent problems facing low-income Washingtonians. More than 43.4% of all 2014 survey respondents identified at least one problem related to health care, a huge increase from 18.8% in the 2003 survey when housing issues were the No. 1 concern.

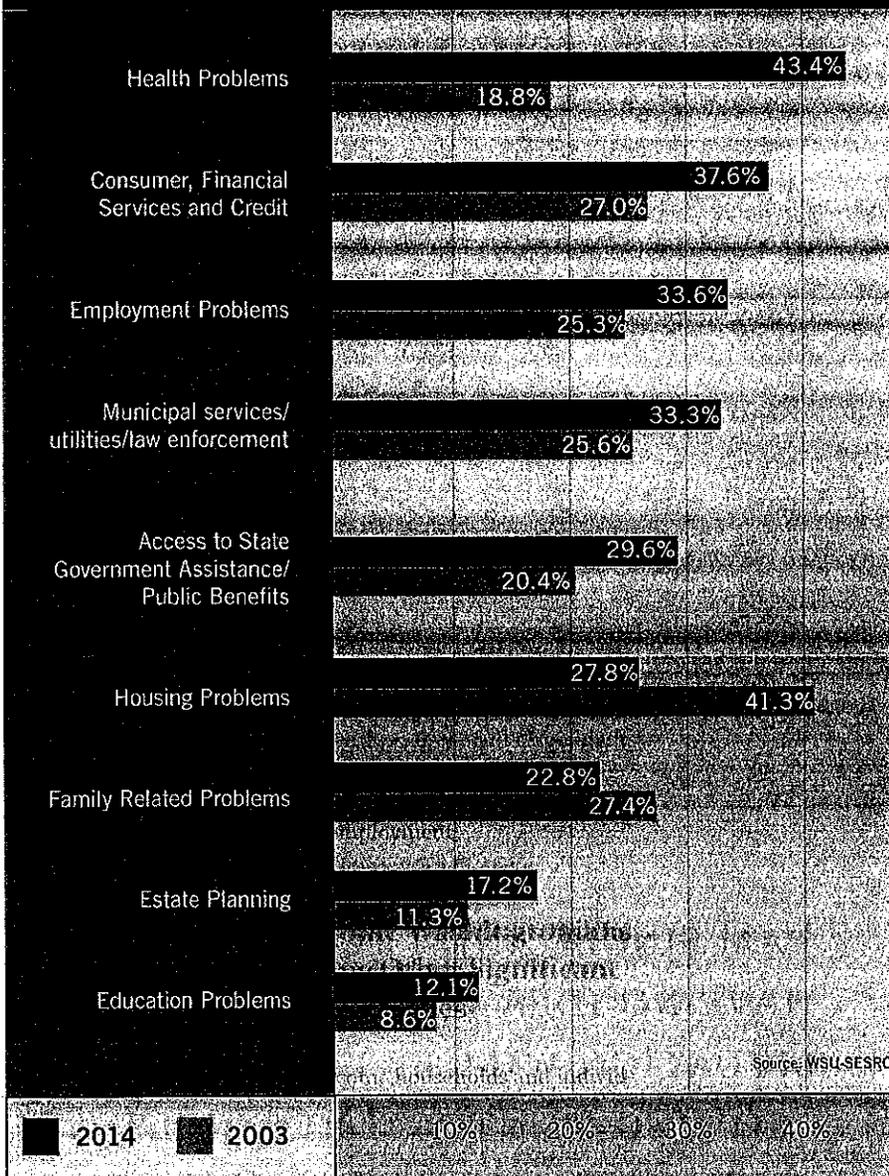
There were other significant changes in the types of problems experienced by low-income Washingtonians between 2003 and 2014.

For example, in 2003 low-income people reported the highest prevalence of problems in the areas of housing, family relations and employment. More than 10 years later, health care and consumer/finance represent the most frequent areas where people experience the greatest number of problems, with employment closing out the top three.

**“I AM SINGLE AND PREGNANT AND
HAVE NO IDEA WHAT MY LIVING
SITUATION WILL BE LIKE IN THE
COMING MONTHS. I RECENTLY
SUSTAINED AN INJURY WITH NO
DISABILITY INSURANCE, USED ALL MY
PAID TIME OFF THAT I WAS SAVING
FOR THE BIRTH OF MY BABY AND AM
CURRENTLY WORRIED ABOUT HOW I
AM GOING TO PAY THE BILLS.”**

2014 SURVEY RESPONDENT

CHANGES IN PREVALENCE OF LEGAL PROBLEMS (2003 VS. 2014)



While access to necessary and appropriate health care services is an important problem, issues relating to medical care cost recovery -- medical bills and medical debt and related debt collection -- pose even more common problems. And low-income Washingtonians do not realize there are legal remedies to those problems. For example, people are not told, nor do they realize, they are entitled to charity care at a non-profit hospital. As a result, they do not assert those legal rights or ask a lawyer to help them solve such problems.

Problems involving consumer, debt collection, access to credit and financial services rank No. 2 in the list of most common problems reported by Washington's low-income households. Of those who identify at least one civil legal problem, 37.6% face at least one problem in the consumer/finance area.

Reflecting the transition from reliance on governmental support to the low-wage economy that is prevalent today, nearly half (45%) of all survey respondents reported that they were employed at least part-time. Fully one third (33.6%) of all respondents (those actively employed and those not working) reported at least one problem related to employment

Low-Income Washingtonians Face Many Other Significant Civil Legal Issues

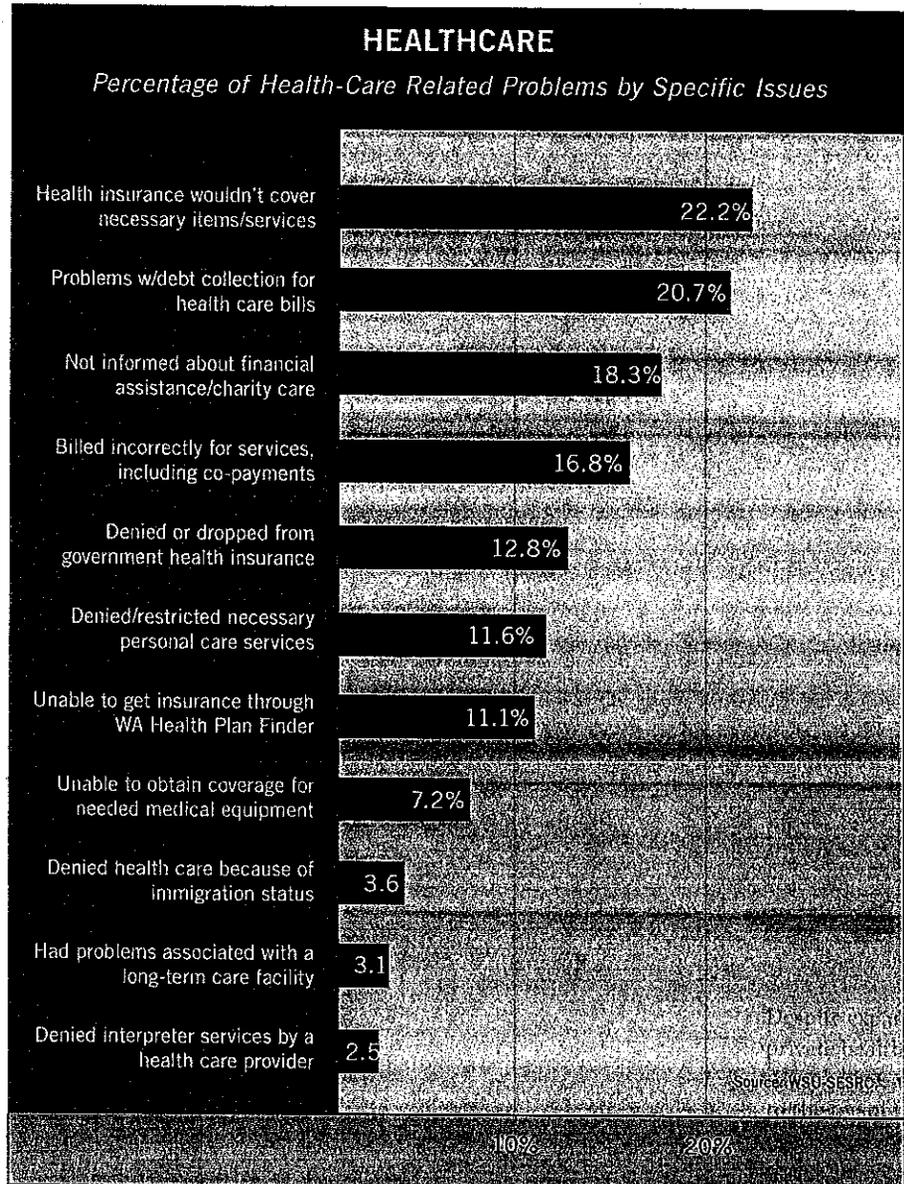
The low-income households and individuals who responded to the 2014 survey reported a total of 7,460 separate civil legal problems, not including those related to discrimination and unfair treatment.

"I HAVE OVER \$80,000 IN MEDICAL DEBT FROM WHEN I DIDN'T HAVE HEALTH INSURANCE AND AM ALSO UNABLE TO AFFORD TO FILE FOR BANKRUPTCY."

2014 SURVEY RESPONDENT

In addition to health care, consumer/finance and employment, other substantive issues include:

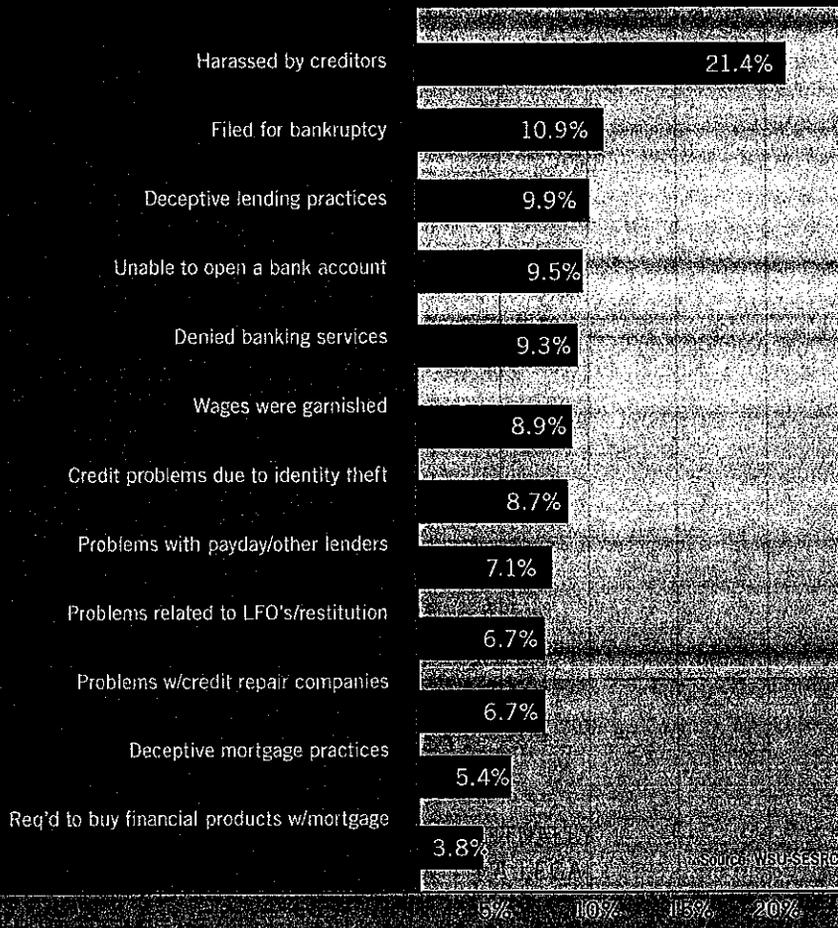
- **Municipal services and utilities.** Low-income households experience significant problems with law enforcement, and have substantial difficulties getting and keeping essential utility services.
- **Access to government assistance.** Individuals and families often have state government-provided benefits denied, terminated or reduced. People experience problems related to the Earned Income Tax Credit or are denied or terminated from federal Supplemental Security Income (SSI) or Social Security Disability Insurance (SSDI) benefits.
- **Rental housing.** The most common problems include landlord disputes, unsafe housing conditions and problems related to eviction or termination of a lease.
- **Family-related problems.** Principal problems involve issues arising from family conflict, including child custody and support and problems associated with being a victim of domestic violence or sexual assault.
- **Estate planning and guardianship.** Individuals or families need help with a will or estate plan or inheritance problem. Some have difficulty administering an estate, trust or will.



“IT WOULD BE VERY HELPFUL IF THERE WERE MORE ACCESS TO LOW-INCOME LEGAL RESOURCES FOR DISABLED PEOPLE, ESPECIALLY BECAUSE MY ROOMMATE AND I ARE IN DANGER OF BEING EVICTED AFTER OUR APARTMENT COMPLEX WAS FORECLOSED AND THE NEW MANAGEMENT DOES NOT WANT LOW-INCOME PEOPLE IN THE COMPLEX.”

2014 SURVEY RESPONDENT

CONSUMER, FINANCIAL SERVICES AND CREDIT PROBLEMS BY SPECIFIC ISSUE



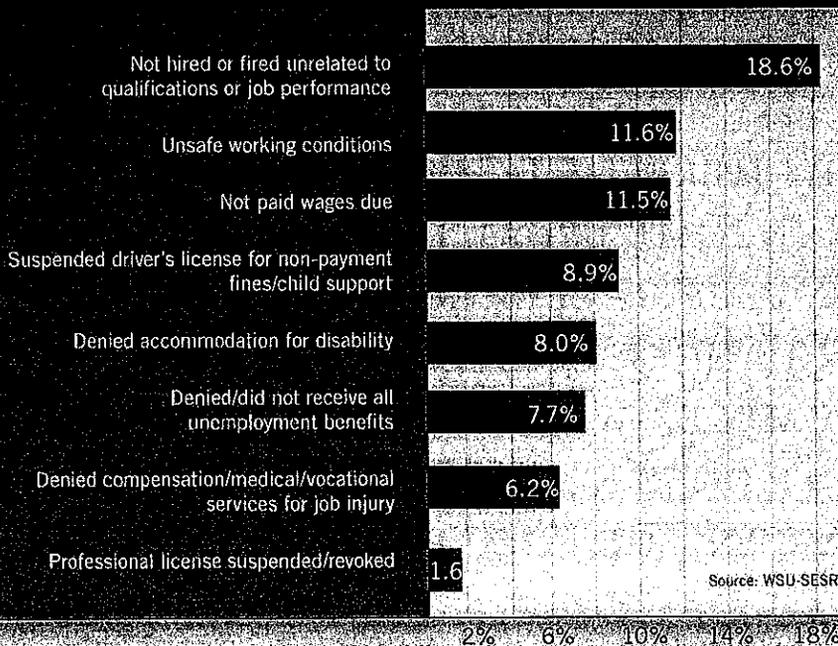
• **Education.** The most common problems include issues relating to unsafe schools, school discipline including suspension and expulsion, and the inability to complete school because of multiple moves and homelessness.

Sixteen-year-old Molly finally worked up the courage to tell her parents she had been sexually assaulted by her brother from the time she was 6 until age 12. She also hinted that she is a lesbian. Her family not only refused to believe her, they threatened to pull her out of high school and keep her at home.

“ONE DAY I WAS AT SCHOOL AND I JUST DIDN’T GO HOME. I DIDN’T HAVE A JOB OR MONEY,”

SAID MOLLY, WHO EVENTUALLY FOUND HOUSING WITH A LEGAL ASSISTANT’S HELP.

EMPLOYMENT PROBLEMS BY SPECIFIC ISSUE



WHO YOU ARE MATTERS

The 2014 survey was designed to measure whether people experience different problems or are treated differently because of legally protected characteristics such as race, ethnicity, age, gender, sexual orientation or disability.²

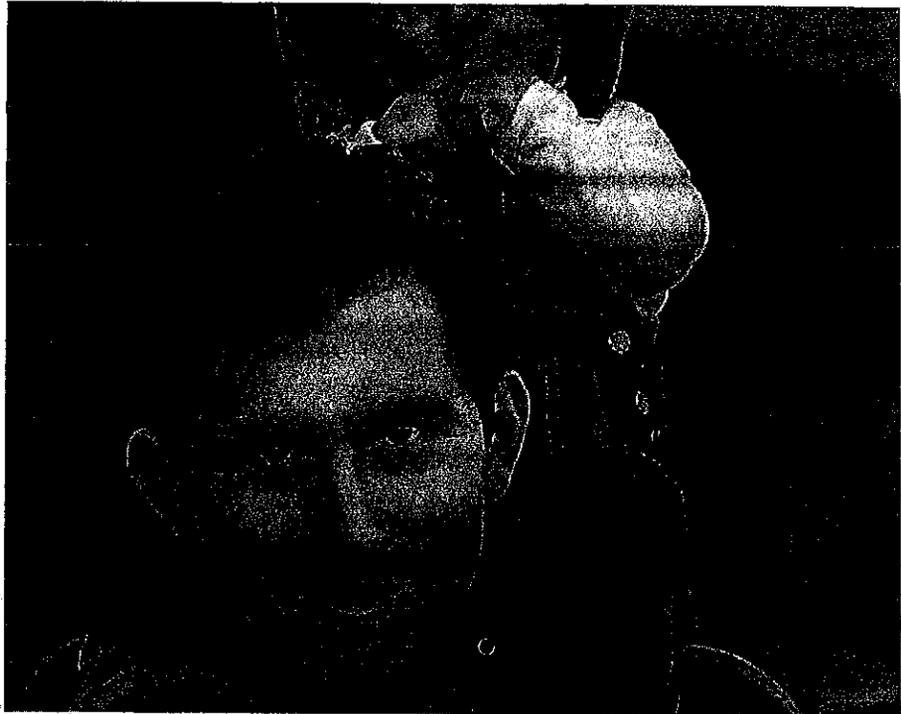
The survey also probed whether low-income people are treated differently or unfairly because of their credit history and a prior juvenile or adult criminal record or whether low-income people are treated differently or experience different legal problems because of their status as an immigrant, military service member or veteran, or because they or someone in their household is involved with the child welfare system, a victim of domestic violence or sexual assault, or incarcerated in a juvenile or adult correction facility.

The findings show that who you are, indeed, matters.

Native Americans, African-Americans, people who identify as Hispanic or Latino, victims of sexual assault, young adults and families that include military members or veterans experience substantially greater numbers of problems and different types of problems than the low-income population as a whole. Often these problems adversely affect their ability to get or keep a job, secure stable housing and access necessary consumer credit. They also lead to greater difficulties with debt collection and their ability to secure government benefits to which they are entitled by law.

Native Americans and African-Americans Experience Higher Rates of Legal Problems Than Other Low-Income Washingtonians

"The justice system is unfair to black people and not willing to help us." 2014 survey respondent



"AT WORKSITES, BECAUSE I AM SPANISH, I AM TREATED VERY BAD."

2014 SURVEY RESPONDENT

Native Americans and African-Americans not only represent a disproportionately larger share of Washington's low-income population, they also face disproportionately more problems in areas that affect the quality of their daily lives as well as limit future opportunities.

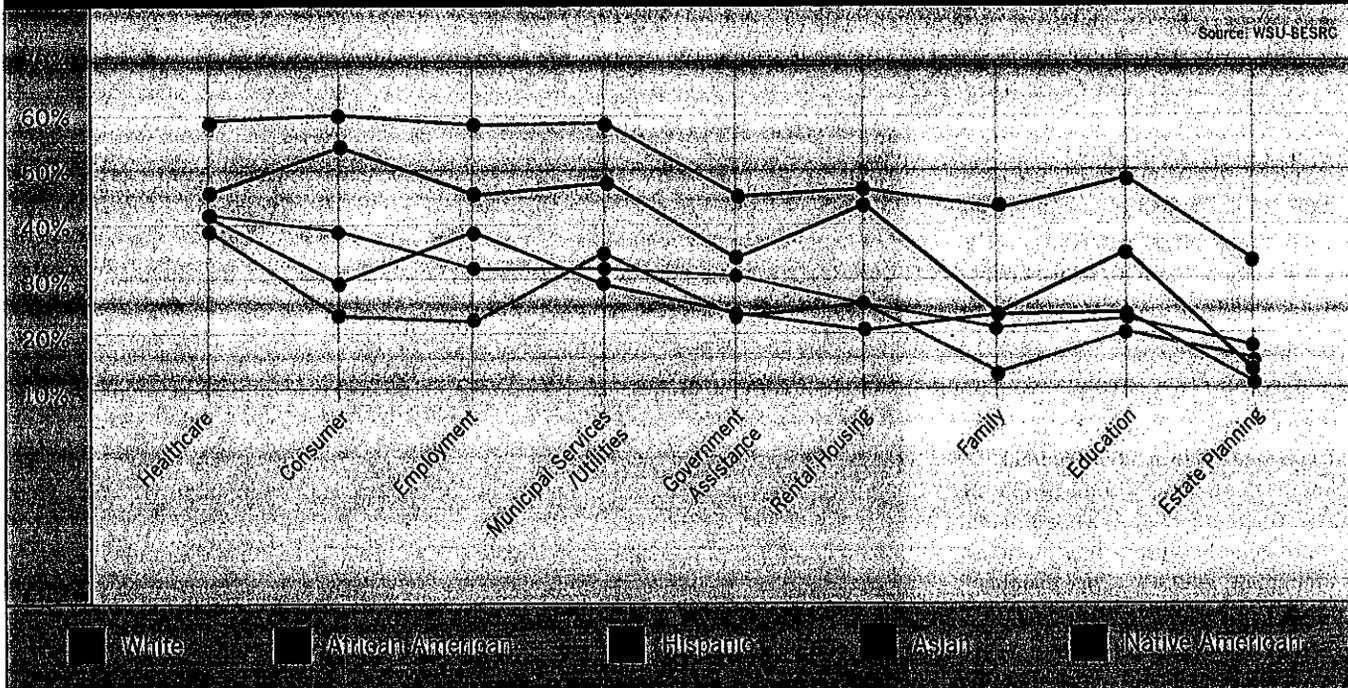
For example, while one-third (33%) of the general population with at least one civil legal problem has an issue related to employment, well over half (56.7%) of low-income Native American households have an employment problem and close to half (44.7%) of low-income African-American households face an employment issue.

While fewer than one-third (27.8%) of all low-income households suffer at least one problem with rental housing, 42.9% of Native American households, 41.5% of African-American households, and 37.8% of households that include a person with a disability have rental housing problems.

² The CINS Update Committee intended to include low-income persons who identify as lesbian, gay, bisexual, transgender or who were questioning their sexual orientation or gender identity or expression as one of the target groups. Questions relating to this group inadvertently did not get incorporated into the survey instrument. The CINS Update Committee is now updating its survey data to ensure fair representation of members of this target group.

PREVALENCE OF LEGAL PROBLEMS BY RACE

Source: WSU-BESRC



Group members experience common problems

The Civil Legal Needs Study Update also sought to determine what problems specific groups have in common because of their status or history. Below are the top substantive problem areas among the groups identified within the survey:

- **Persons with disabilities.** Denial or termination of government disability assistance; denial or limited access to government services because of failure to make reasonable accommodation for their disability; denial or limited access to services from a private business because of lack of accommodation or other factor.
- **Immigrants.** Problems with immigration status, including the inability to secure legal authorization to live or work in the U.S.; denial of housing, employment, health care, etc. because of immigration status; job-related harassment because of immigration status.
- **Native Americans.** Denial of services from an Indian tribe or community-based organization that serves Native Americans; denial of services from the Bureau of Indian Affairs or Indian Health Services;

problems with estate planning and protection of inherited trust property; discriminated against or terminated from a job by a tribe or tribally owned business.

- **Military service members and veterans.** Denial of veteran's (VA) disability, educational or other benefits and services; problems related to discharge status; inability to access necessary care for service-related physical or mental health conditions.
- **Youth and young adults (Ages 15 to 21).** Discrimination and unfair treatment by law enforcement; problems getting housing, a job or education due to present or prior involvement in the juvenile justice

system; problems related to involvement in the child welfare or foster care system.

- **Persons involved in the child welfare system.** Investigated by Child Protective Services (CPS); coerced or attempted coercion into giving up custody of child; involuntarily given psychotropic medication to manage behavior.
- **Persons in juvenile and adult correction facilities.** Problems with visitation or communication with family members and friends; lack of access to legal help or law-related materials; lack of planning or support for re-entry after detention or incarceration.

“DISCOURAGED. AS A SENIOR CITIZEN WITH DISABILITIES, I FEEL AS THOUGH I AM OVERLOOKED BY THE SYSTEM.”

2014 SURVEY RESPONDENT

MANY SUFFER HIGHER DEGREES OF DISCRIMINATION AND UNFAIR TREATMENT BECAUSE OF RACE, ETHNICITY AND OTHER STATUS-BASED CHARACTERISTICS

Even though she'd paid both her rent and utility bills, Tiffany's landlord tried to have her lights and water shut off and persuaded a police officer to post a three-day eviction notice on her door.

The officer approached Tiffany's 11-year-old son while she was away, telling him he didn't want to "make it harder for folks like you to live here." Tiffany, who is African-American, was convinced "folks like you" referred to her race, especially because the landlord made it clear he wanted to move a white family into the house.

Tiffany found a volunteer lawyer who helped get the three-day eviction dropped. However, Tiffany decided to move her family anyway because she feared her experience with the landlord would not get any better.

The 2013 Civil Legal Needs Study found that more than a quarter (27%) of all respondents reported one or more problems involving one or more forms of discrimination. In designing the 2014 survey, researchers built in questions that would look more deeply at these issues in order to better understand the types of discriminatory and unfair treatment low-income people experienced.

To this end, the 2014 survey asked not only whether and to what degree low-income people experience discrimination and unfair treatment on the basis of legally protected classifications (e.g., race, ethnicity, national origin, gender, age, disability, sexual orientation), it asked whether and to what degree people experience discrimination and unfair treatment on the basis of other characteristics including their credit history, prior involvement in the juvenile or criminal justice system, immigration status, status as a military service member or veteran, status as a victim of domestic violence or sexual

assault and status as a youth between the ages of 15 and 21.

The findings make it clear that, as a whole, low-income people in Washington are profoundly affected by discrimination and other forms of unfair treatment. Across the entire spectrum of low-income respondents with at least one civil legal problem, 44.1% experienced a problem that involves discrimination or unfair treatment.

These problems are compounded if a person is of color, has a disability, is a victim of

**TIFFANY DECIDED
TO MOVE HER
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domestic violence or is between the ages of 15 and 21.

Nearly four in ten low-income African-Americans (36.9%) and nearly three of ten low-income Native Americans (27.6%) experience at least one problem involving discrimination or unfair treatment based on race or color. Two in ten people who identify as Hispanic or Latino (19.6%) have a problem involving discrimination or unfair treatment and related to their race or color.

Jorge was current on his rent and in compliance with his lease, but his landlord claimed he was intimidating and threatening people in the landlord's office. These allegations were racially tinged and never proven, but Jorge was still evicted.

These are not just problems that crop up once in a while. They are struggles individuals and families encounter every day.

More than four in ten low-income African-Americans experience discrimination or unfair treatment related to employment (40.5%) or rental housing (44.6%). Nearly four in ten low-income Native Americans (38.2%) experience discrimination or unfair treatment when it comes to accessing financial services or dealing with consumer issues.

Persons with disabilities who are also low-income report higher rates of discrimination or unfair treatment in areas related to their employment (35.4%), rental housing (32.4%), consumer/financial issues (32.7%) and health care (32.4%).

Low-income young people between the ages of 15 and 21 experience a 43% higher rate of discrimination and unfair treatment than the state's low-income population as a whole.

The survey found more than four of ten (41.3%) low-income young people struggle with discrimination or unfair treatment related to employment. In addition, 10.1% of respondents ages 15 to 21 suffer discrimination or unfair treatment related to their sexual orientation, more than three times the rate (2.9%) experienced by the state's general low-income population.

VICTIMS OF DOMESTIC VIOLENCE OR SEXUAL ASSAULT EXPERIENCE THE MOST PROBLEMS OF ALL

Maria's boyfriend was extremely angry when she ended their relationship. His reaction quickly escalated to physical assault and someone called the police. Afterwards, the landlord told the apartment manager to evict Maria and her three young daughters because "if the police have to come, she is somebody we don't want in the building."

The landlord relented only after Maria begged to stay. Her family kept their home but she faced a frightening choice when she was physically assaulted a second time.

"I didn't call the police because I didn't want to get evicted," she said. "I knew if the police came one more time, I thought the landlord would really push me out."

While 71% of all low-income Washington residents experience at least one civil legal problem, fully 100% of those who have been a victim of domestic violence and/or sexual assault (DV/SA victims) will experience important civil legal problems.

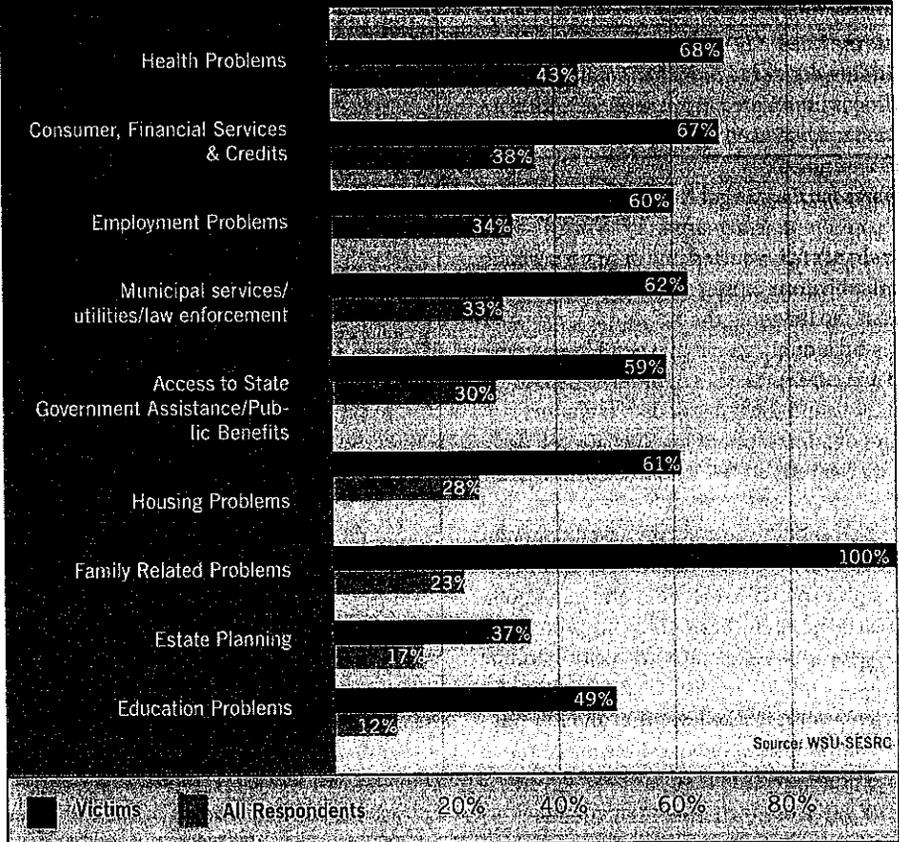
Low-income Washingtonians who have suffered domestic violence or been a victim of sexual assault experience an average of 19.7 legal problems per household, twice the average experienced by the general low-income population. They experience legal problems at substantially higher rates than the general low-income population across the entire spectrum of legal problem areas, including family relations, health care, consumer-finance, municipal services, rental housing and employment.

The majority of the domestic violence/sexual assault victims responding to the survey were female (83.5%), more than half (53.5%) were between the ages of 18 and 39 and 62.5% lived in a household with children.

Here, too, the survey results demonstrate the disproportionate impact that race, ethnicity and certain other characteristics have on the degree to which people experience important civil legal problems.



DOMESTIC VIOLENCE/SEXUAL ASSAULT VICTIMS EXPERIENCE MUCH HIGHER RATES OF LEGAL PROBLEMS



Low-income people who have been a victim of domestic violence and/or sexual assault and who identify as African-American, Native American, Hispanic/Latino, LGBTQ,

have a disability or who are young are more than twice as likely to experience discrimination and unfair treatment than members of the overall low-income population.

DATA TRACKING ENABLES DISCRIMINATION AGAINST THOSE WITH PAST JUSTICE SYSTEM INVOLVEMENT AND CREDIT PROBLEMS

“I’M OVER 70. I’M OF MIXED RACE. I’M GAY. I HAVE A PAST FELONY (FROM 35+YEARS AGO) AND I’M ON SSI. ...IT ISN’T EASY TO EVEN LOCATE WHAT SERVICES THERE ARE, AND THEN IF THERE IS A SERVICE TO BE FOUND, TO BE INFORMED THAT I’M NOT ELIGIBLE TO RECEIVE THAT SERVICE FOR ONE OR MORE OF THE ABOVE LISTED REASONS.”

2014 SURVEY RESPONDENT

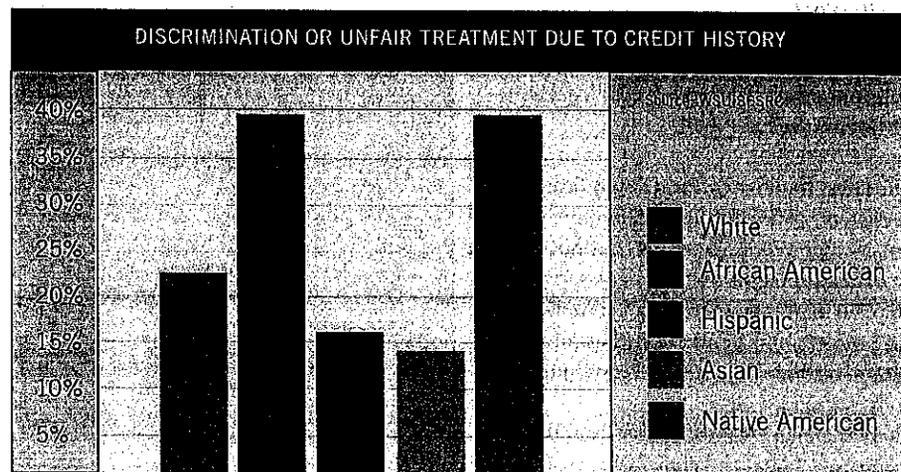
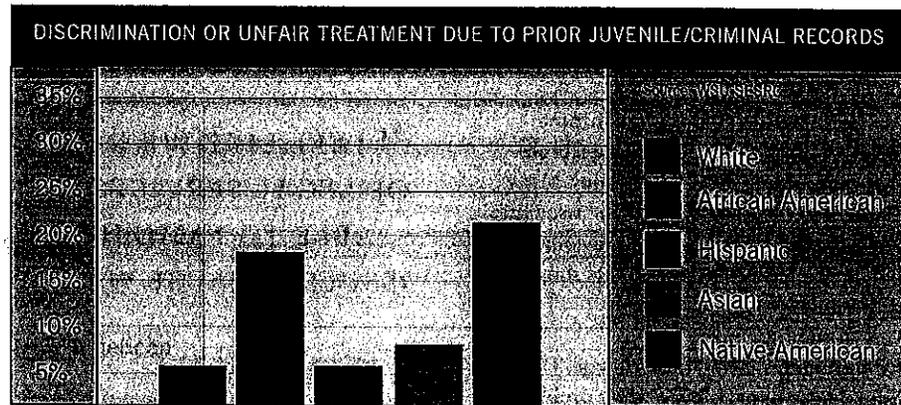
The widespread commercial use of databases and data mining practices makes it easier, today for a landlord or prospective employer to check on an applicant’s credit history or court records. For many, that means past mistakes adversely affect a person’s current and future ability to secure housing, get a job, or take care of their financial needs.

Although Washington was among the first states in the nation to limit the circumstances in which employers can rely upon credit history in making hiring decisions³, nearly one in four of the 2014 survey respondents (23%) said they have been discriminated against or treated unfairly because of their credit history.

Not surprisingly, given the higher level of poverty experienced by members of these groups, African-Americans (38.8%), Native Americans (38.8%), people with disabilities (30.8%) and victims of domestic violence or sexual assault (44.1%) experience substantially higher levels of discrimination and unfair treatment due to their credit history than the general low-income population.

People with juvenile or criminal records also find it hard to get that second chance.

Nearly one in ten (9%) experience discrimination or unfair treatment because they



had a prior juvenile or adult criminal record. Reflecting their disproportionate involvement in the criminal and juvenile justice systems, low-income African-Americans and

Native Americans experience significantly greater levels of these problems than the general low-income population.

3 RCW 19.182.020

THE MAJORITY OF LOW-INCOME WASHINGTONIANS FACE THEIR CIVIL LEGAL PROBLEMS ALONE



In 2003, more than 85% of low-income people in the state faced their legal problems without help from an attorney. Many people didn't understand that the issue they faced – be it financial or family or something else – had a legal solution. Others simply did not know where to find help.

“I FEEL LIKE WE DON'T UNDERSTAND THE TYPES OF LEGAL SERVICES OUT THERE THAT ARE AVAILABLE TO FAMILIES LIKE US. WE AVOID LEGAL ISSUES BECAUSE WE CAN'T PAY THE COURT FEES.”

2014 SURVEY RESPONDENT

The 2014 survey found little change. The vast majority of people face their problems alone. Of those who experienced a civil legal problem, at least 76% do not get the help they need to solve their problems. Sixty-five percent of those who have a civil legal issue do not pursue help at all.

The latest findings confirm a significant and persistent Justice Gap in Washington, where low-income Washingtonians continue to face their problems without necessary legal help, no matter how serious or complex the problem may be and regardless of the potential short- or long-term consequences.

There is one notable difference from the 2003 study, however. While just 12% of the state's low-income who had a civil legal problem got at least some assistance in 2003; 24% of the households that had one or more legal problems received some kind of assistance in 2014, whether it was from the toll-free legal aid hotline (CLEAR), a non-profit legal aid program or a private attorney.

MOST PREVALENT PROBLEMS PEOPLE EXPERIENCE
Source: WSU-SESRC

1	49.4%	Health Care
2	37.6%	Consumer, Financial Services, Credit
3	33.6%	Employment
4	33.3%	Municipal Services/Utilities
5	29.6%	Access to Government Assistance

PROBLEMS PEOPLE MOST OFTEN SEEK LEGAL HELP
Source: WSU-SESRC

1	28%	Housing
2	22%	Family & Domestic Problems
3	20%	Consumer, Financial Services, Credit
4	19%	Healthcare
5	16%	Disability-Related Problems

Nearly a third (30%) of those who sought help but could not get it said they could not afford to pay for it. Others reported they were unable to get through on busy phone lines or that nobody returned their calls. Some said they were confused by the information they had received.

While low-income people experience the greatest number of problems in the areas of health care, consumer/finance and employment, these are not the problems for which low-income people most often get legal help. Instead, low-income people seek and get help most often when faced with problems involving rental housing, family relations and consumer/finance.

These appear to be problem areas where, from the perspective of the low-income person, there is a clearer understanding

that their problem is legal in nature or that resolution of the problem requires court involvement, such as eviction, divorce, custody, debt collection or bankruptcy.

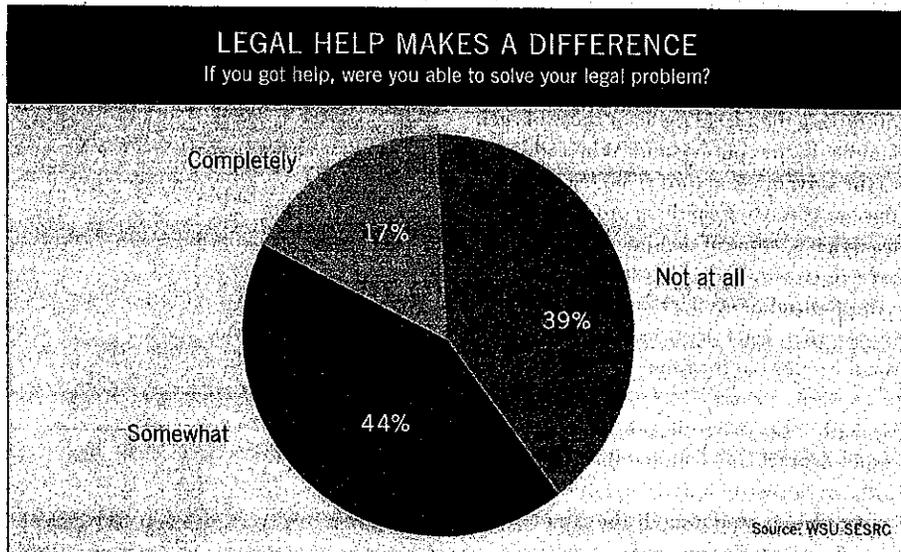
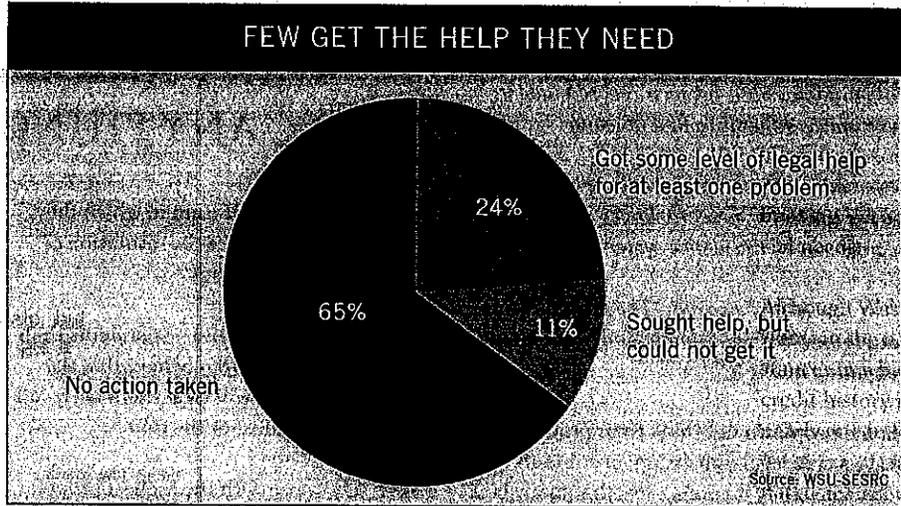
With other issues, such as denial of service, discrimination and unfair treatment or employment, people may not understand that these problems have a legal solution. Or, even if they recognize the legal component, they are not sure whether or how to seek legal assistance.

Even Limited Legal Assistance Helps People Solve Problems

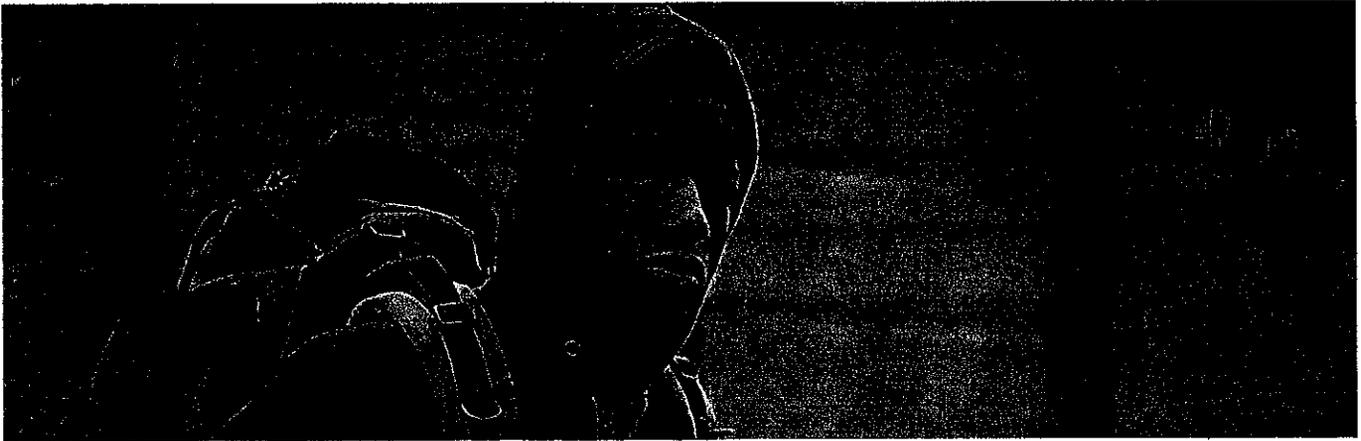
John is deaf. He had a dispute with Section 8 housing inspectors and received an eviction notice.

"A woman came once with an interpreter. She didn't show up the next time. I tried to write notes but the communication was not good," he said. "Eventually, I did find a lawyer who could sign. A lot of deaf people don't know what to do and they don't know how to find a lawyer."

As the 2003 Study found, and results from the 2014 survey confirm, those who get legal help – even limited legal advice or assistance – are able to solve their problems. Nearly two-thirds (61%) of those who sought and received some level of legal assistance were able to solve some portion of their legal problem. Of these, nearly 30% were able to resolve their problems completely.



MOST LOW-INCOME PEOPLE DO NOT HAVE CONFIDENCE IN WASHINGTON'S CIVIL JUSTICE SYSTEM



Roger was a teenager when he was convicted back in the 1980s for possession of a small amount of cocaine. He had no other felonies but his past record made it extremely difficult to find housing.

Even after a legal aid lawyer convinced a judge to clear the record, Roger had little confidence in the justice system.

"No, not really," he said. "They can do anything they want and nobody can do anything about it."

Some people do not think their problems have a civil legal dimension, or solution. The 2014 study demonstrates that many lack confidence that the civil justice system can or is even willing to help people like them. More than forty percent (41.2%) of respondents felt that they had little chance of protecting their legal rights or those of their families in the court system. When added to the percentage of those who felt that the courts might help them protect their legal rights "some of the time," the number exceeds two-thirds of all respondents. Only 25% of respondents felt that they could protect their legal rights in court "all of the time" or "most of the time."

Similarly, nearly sixty percent (58.4%) of respondents do not feel that they are treated fairly on a consistent basis within the civil justice system. And roughly the same percentage (58.6%) do not feel that the

"THEY CAN DO ANYTHING THEY WANT AND NOBODY CAN DO ANYTHING ABOUT IT."

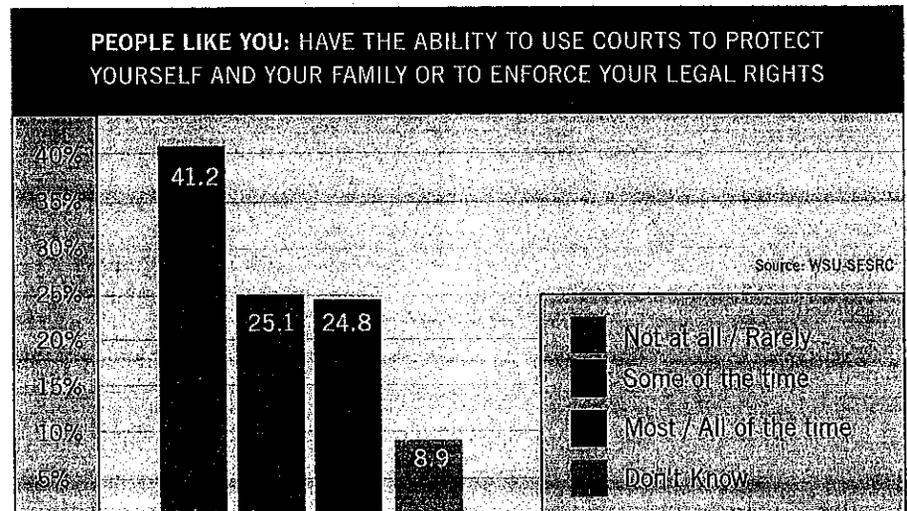
civil legal system is a forum to which they can confidently turn for the resolution of important legal problems:

Higher numbers of white respondents than non-white (35% vs. 25%) believe that the civil justice system will treat them fairly "all of the time" or "most of the time."

Conversely, those with the highest proportion of legal issues have the least confidence

that the legal system can solve their important problems.

More than one in four (28.5%) of low-income African-Americans, nearly one-third (31.5%) of low-income Hispanic households and more than a third (34%) of those who have been victims of domestic violence or sexual assault believe the legal system solves their problems "rarely" or "not at all."



THE CHALLENGE



TURNING FINDINGS INTO ACTION

More than 400 Washingtonians volunteered additional comments after they had completed the survey questions. Many recognized the impact the survey findings and this Report could have for them and for their neighbors.

Some shared deeply personal stories indicating how desperate they are for change. They don't understand their options and even if they do, they cannot get the help they need.

A veteran wrote:

"I moved here one year ago from Portland after my service to this country and I have had to sell my truck, all my tools and constantly fight to stay afloat. If it were not for my wife and child, I do not believe I would even fight to stay alive. People are struggling and it's getting worse. Thank you for trying to do something."

The discouraged veteran joined dozens of others who said they appreciated being able to play a role in making things better.

One person wrote:

"Muchas gracias por hacerme parte de esta encuesta.
(Thank you for making me part of this survey)"

Another shared:

"With my recent battles in state court as well as tribal court, I know how important a survey like this is. Best of luck to you in obtaining the information you need and thank you for allowing me to participate!"

Finally, others challenged the state to turn the findings into action:

"Will anything constructive get done about the legal problems mentioned in this survey?"

One person asked:

"Will people in my position, or worse off than I, get any sort of meaningful help?"

The answer to these questions, and so many others, is up to all of us.

ABOUT THIS UPDATE:

WHY, WHO, WHEN, WHERE & HOW

Preparations for this Washington State Civil Legal Needs Study Update began in the summer of 2012, when the Washington State Office of Civil Legal Aid, in consultation with the Washington Supreme Court's Access to Justice Board, convened 16 Washington community leaders for a Civil Legal Needs Scoping Group. Members were asked to assess the continuing relevancy of the landmark 2003 Civil Legal Needs Study and make recommendations regarding the need to update that study.

In December 2012, the group issued its recommendations. It determined that an update of the 2003 Study was necessary to ensure effective and relevant understandings of the civil legal problems experienced by low-income Washingtonians. The Scoping Group recommended that any such update be designed to:

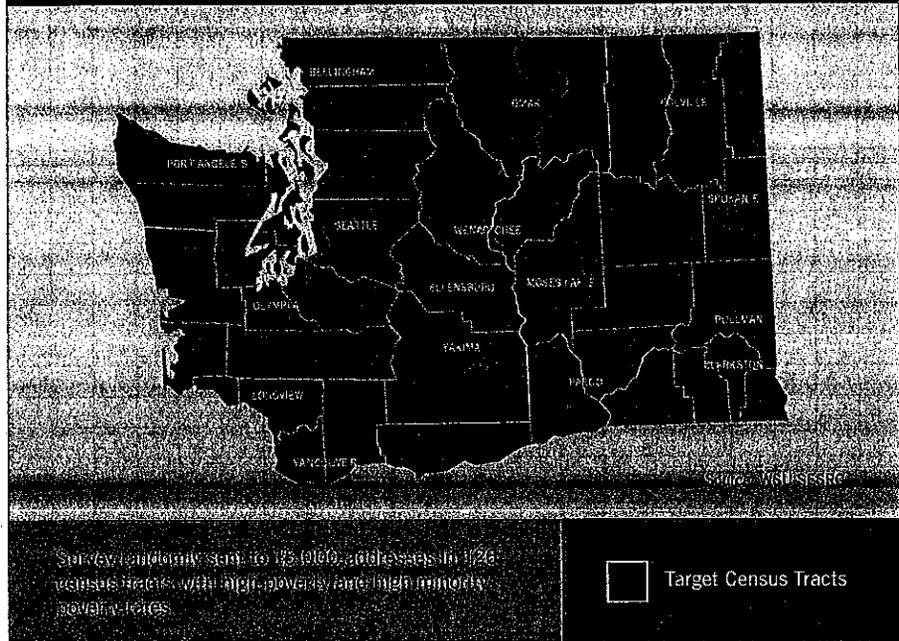
- Understand the nature, gravity and consequences of legal problems that low-income people face in Washington State.
- Identify new civil legal problems that have emerged since the 2003 study.
- Assess the impact those problems have on low-income individuals and families.

The group also recommended that any such update generate a more informed understanding of:

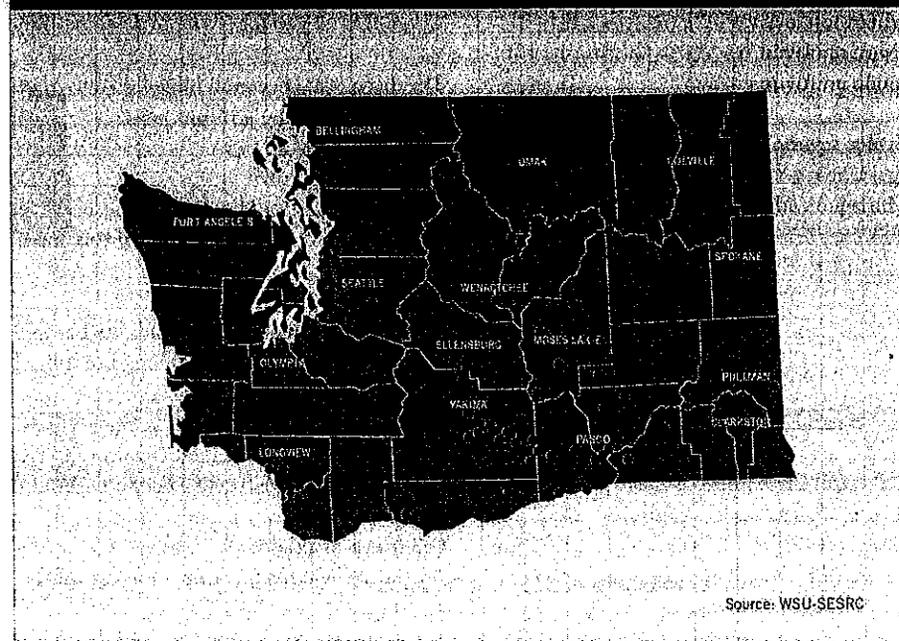
- How race, gender, age, disability and other factors affect the depth and type of civil legal problems people experience.
- Who gets help and who does not and whether those who do get legal help are able to achieve long-term solutions.

Finally, the group recommended that a blue ribbon panel led by a justice of the Washington State Supreme Court guide the effort. Acting upon that recommendation, the Washington State Supreme Court established a 12-member Civil Legal Needs Study Update Committee. Justice Charles K. Wiggins was appointed to lead it.

HIGH POVERTY CENSUS TRACTS SURVEYED



SURVEYS COMPLETED BY HOUSEHOLDS ACROSS THE STATE



With the objectives set, Washington State University's Social and Economic Sciences Research Center (WSU-SESRC) was engaged to conduct the comprehensive update of the civil legal problems experienced by Washington's low- and lowest-income residents.

Researchers identified 126 high poverty and high minority poverty census tracts throughout the state. They designed a 77-question survey instrument that inquired into more than 130 specific legal problems that might be experienced by low-income people within 18 potential problem areas including employment, health care, consumer, education, family relations

and access to government assistance. The survey also asked questions focused on the experience of those who tried to get legal help to resolve their problems and probed the experiences of members of certain demographic groups who might be expected to have different types of problems or different justice system experiences.

WSU-SESRC distributed and conducted the survey via regular mail, the internet and phone, including cell phones. A sample of 15,000 households was initially invited to participate.

To be eligible, individuals needed to have

a household income at or below 200% of the federal poverty guidelines set by the U.S. government. That means no more than \$23,340 for an individual living alone; \$31,460 for a two-person household; \$39,580 for a family of three; \$47,700 for a four-person household and no more than \$55,820 for five persons.

The survey was administered from October to December 2014. A total of 1,375 low-income respondents completed surveys, ensuring that the results would achieve the target of 95% confidence (+/- 3%). (See the appendices for more details on survey methodology.)

SURVEY REFLECTS WASHINGTON'S LOW-INCOME DEMOGRAPHICS

Race	Total	Poverty	Percent of Each Race in Poverty	Percent of Poverty Population	2014 CLNS Percentage Participation
White	5,343,321	668,475	12.5%	69.1%	57.6%
Black or African American	248,640	66,402	26.7%	6.9%	9.2%
American Indian and Alaska Native	92,760	23,815	25.7%	2.5%	6.3%
Asian	529,174	67,765	12.8%	7.0%	7.6%
Native Hawaiian and other Pacific Islander	41,111	6,972	17.0%	0.7%	1.4%
Some other race	251,012	71,425	28.5%	7.4%	3.1%
Two or more races	330,244	62,428	18.9%	6.5%	3.6%
Total Poverty (including two or more races)	6,836,262	967,282	14.1%		
Hispanic or Latino origin					
Hispanic or Latino origin (of any race)	815,416	216,692	26.6%	22.4%	20.4%
White alone, not Hispanic or Latino	4,854,186	543,367	11.2%		

The survey participants mirror the racial and demographic groups represented at the same level or above their presence in the state's overall low-income population. Poverty data comes from the 2013 American Community Survey, United States Census Bureau.

ECONOMIC SNAPSHOT:

MORE WASHINGTONIANS LIVE IN POVERTY THAN EVER BEFORE



The worst economic downturn since the 1930s, dealt a blow to every household in Washington State. Wages declined or stagnated. Many families lost their homes while others were caught in the net of high-interest predatory lending. The state's economy has slowly improved for some. The unemployment rate has dropped. However, Washington's most vulnerable residents were struggling prior to the latest recession, and they are not benefiting from the recovery.

According to the U.S. Census, the number and percentage of Washington residents living in poverty rose dramatically between 2000 and 2013. In 2013 Washington ranked among the top three states with the fastest rising poverty rate.

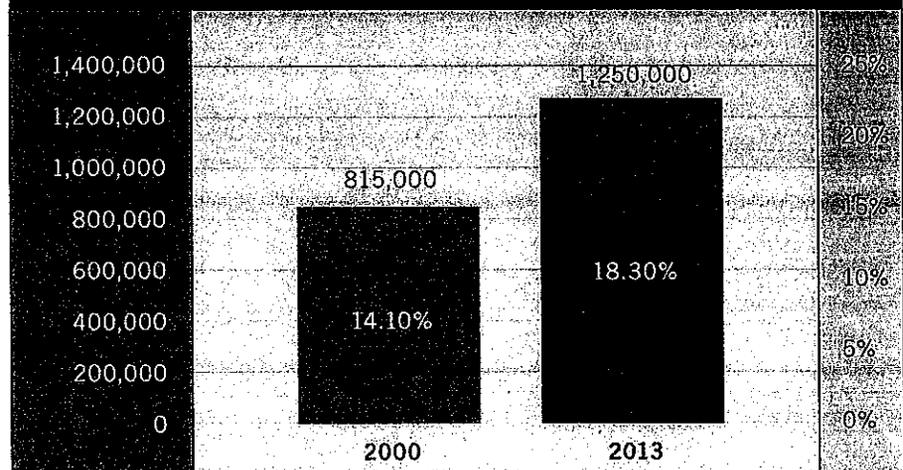
Poverty's grip is also stronger for members of minority and ethnic groups. The latest census figures show Blacks/African Americans who comprise just 4% of Washington's total population and Hispanic/Latinos who account for about 12% of the total population were twice as likely as non-Hispanic whites to have incomes at or below the poverty level. According to the U.S. Census Bureau's 2013 American Community Survey, more than a quarter of all Blacks or African-Americans (26.7%), Native Americans (25.7%) and Hispanic/Latinos (26.6%) living in Washington State had incomes below the federal poverty level. The corresponding level of non-Hispanic Whites is 12.5%

“WHEN YOU’VE WORKED ALL YOUR LIFE AND FIND YOURSELF, AT ALMOST 60, WITH NOTHING, IT’S QUITE A SHOCK.”

2014 SURVEY RESPONDENT

POVERTY RATE CHANGE FOR PERSONS LIVING AT OR BELOW 125% OF POVERTY (2000-2013)

Source: U.S. Census



*A person must have an income at or below 125% of the Federal Poverty Level to be eligible for legal aid.

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The 2014 Civil Legal Needs Study Update Committee would like to thank those who dedicated resources and time to make this update possible:

- WASHINGTON STATE OFFICE OF CIVIL LEGAL AID
- LEGAL FOUNDATION OF WASHINGTON
- WASHINGTON STATE SUPREME COURT GENDER AND JUSTICE COMMISSION
- WASHINGTON STATE SUPREME COURT MINORITY AND JUSTICE COMMISSION
- WASHINGTON STATE SUPREME COURT ACCESS TO JUSTICE BOARD
- WASHINGTON STATE OFFICE OF THE ATTORNEY GENERAL
- KING COUNTY DEPARTMENT OF PUBLIC DEFENSE
- WASHINGTON STATE BAR ASSOCIATION
- KING COUNTY BAR ASSOCIATION
- WASHINGTON STATE ASSOCIATION FOR JUSTICE

The Update Committee also extends its appreciation to Washington State University's Social and Economic Sciences Research Center (SESRC) researchers Danna Moore and Arina Gertseva for providing expert guidance concerning project implementation, to other SESRC staff and students at Washington State University for support in the conduct of the survey and data analysis, to the staff of the Office of Civil Legal Aid for coordinating and staffing this effort, to the Washington State Center for Court Research, to members of the CLNS Update Technical Advisory Work Group, and to the thousands of low-income residents throughout Washington State who took the time to participate in this survey.

Committee Members/Staff

Washington State Supreme Court 2014 Civil Legal Needs Study Update Committee

- JUSTICE CHARLES WIGGINS, CHAIR, WASHINGTON STATE SUPREME COURT
- JUSTICE STEVEN GONZÁLEZ, WASHINGTON STATE SUPREME COURT, REPRESENTING THE WASHINGTON SUPREME COURT ACCESS TO JUSTICE BOARD
- ROBERT FERGUSON, WASHINGTON STATE ATTORNEY GENERAL
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- RUTH GORDON, JEFFERSON COUNTY CLERK, REPRESENTING THE WASHINGTON SUPREME COURT GENDER AND JUSTICE COMMISSION
- HON. ANITA DUPRIS, CHIEF JUDGE, COLVILLE TRIBAL COURT OF APPEALS
- NINFA QUIRÓZ, REPRESENTING SEA MAR COMMUNITY HEALTH CENTERS
- SALLY PRITCHARD, REPRESENTING UNITED WAY OF SPOKANE COUNTY
- VIRLA SPENCER, REPRESENTING THE CENTER FOR JUSTICE IN SPOKANE

- JAMES A. BAMBERGER, DIRECTOR, WASHINGTON STATE OFFICE OF CIVIL LEGAL AID, PROJECT COORDINATOR



REPRODUCED FROM THE
OFFICIAL RECORDS OF THE
LEGISLATIVE COMMITTEE ON
GOVERNMENT OPERATIONS

APPENDICES

Appendix A: Methodology

In collaboration with OCLA, the CNLS Update Committee and a Technical Advisory Group convened by OCLA, SESRC developed a detailed strategy to employ multiple modes of data collection which effectively address the research agenda of the study. The study consisted on two components. The first component, the Probability Survey (PS), included a random probability based statewide (mail, web, and telephone) survey of adults in low- and lowest-income households.

To be eligible for the survey individuals must have a household income that falls at or below 200% of the federal poverty guidelines as established by the U.S. Department of Health and Human Services. In 2014, the average US poverty threshold for an individual living alone was \$11,670; for a two-person family, \$15,730; for a three-person family, \$19,790 and for a family of four, \$23,850. The federal poverty threshold was used to determine the eligibility of a household for participation in the survey.

In particular, the eligibility income for an individual living alone was \$23,340 or below; for a two-person household, \$31,460 or below; for a three-person household, \$39,580 or below; for a four-person household, \$47,700 or below; and for a five-person household \$55,820 or below.

To efficiently and effectively reach low-income individuals and households, 126 census tracts having more than 25% of individuals at or below 125% of poverty were selected for sampling.

The study used an Address Based Sample (ABS)—the sampling of addresses from a near universal database listing of addresses. An ABS frame is comprised of all residential addresses within a pre-defined geographic area and, thus, allows targeting the areas with the hard-to-reach demographic groups (e.g., lower income families, people with less education, those with disabilities, Blacks, Hispanics, rural residents, cell phone only households and households without phone service, etc.).

Another advantage of ABS frame is that it can be augmented with an array of socio-economic variables including household size, or neighborhood-level characteristics, such as mean income or education levels, predominant language spoken, and proportion of various racial or ethnic groups. This information can ensure the sample is more representative, particularly if the study wants to target and gain cooperation among the hard-to-reach demographic groups (i.e., people with disabilities, people of color, low-income individuals, new immigrants/English language learners, unemployed/displaced workers, and elders).

Finally, the residential addresses in the ABS frame can be matched against a database of telephone owners. Approximately 40 percent of the addressees in the sample had telephone numbers matched to

the location. This allowed for a mixed mode data collection (mail, internet, and phone), the best approach in resident surveying to maximize response rates. Mixing modes allowed us to ensure most members of the target population are given a chance to respond to a survey using a mode particularly appealing to them or using a mode that was only available to them.

Prior to conducting a large-scale probability survey, SESRC conducted a Pilot Study. The Pilot Study was designed to test the effect of prepaid cash incentives as well as promise of a \$20 payment upon completion of the survey on the response rate. The Pilot Study was initially fielded on August 8, 2014 and it continued through mid-September 2014.

Screening for the survey involved verifying that the respondent met the criteria of: 1) Being the most knowledgeable about family legal matters; and 2) Providing income information that allowed them to be classified by family income; and 3) Having family income below 200 percent of the Federal Poverty Level (FPL).

For the Pilot Study, a representative address based sample (ABS) of 2,000 households was selected from the 126 census tracts having more than 28% of individuals living at or below 125% of Federal Poverty Level (FPL). All 2,000 sample units were randomly allocated to one of the four experimental groups: 1) \$1 prepaid incentive and \$20 payment upon completion; 2) \$2 prepaid incentive and \$20 payment upon completion; 3) \$0 incentive but \$20 payment upon completion; and 4) \$0 prepaid incentive and \$0 payment upon completion. Members of all four groups were promised to be entered into a lottery drawing of one of three \$50 grocery certificates and one tablet computer upon completing the survey.

All four groups were recruited using a mail-based letter-invitation that asked the head of household or a person the most knowledgeable about family legal matters to complete the online survey. The incentives were mailed along with this invitation to members of the incentive groups.

Twelve days later after the initial recruitment mailing, the portion of the sample with mailing addresses only was sent a mail-based invitation to complete the survey in three possible ways: 1) complete an enclosed paper-based version of the survey and return it via mail in the enclosed return envelope; 2) complete the survey via web (URL and unique access code were provided); and 3) complete the survey via phone (a toll-free number to call was provided).

The portion of the sample with known phone numbers was contacted via phone fifteen days later after the initial recruitment mailing and respondents were given the option to complete the survey over the phone at the time of the contact or at the time scheduled by the respondent. If a respondent indicated he/she was unable to complete the survey by phone, he/she was offered the survey URL and unique access code as an alternative way to

complete the survey. An email message with the URL and access code were sent at the time of the phone call to those respondents opting for the internet. The phoning has continued throughout the data collection period.

Five days after the second contact, those with mail addresses only (no corresponding phone number tied to the location) received a postcard-reminder with the URL, username and password that allowed respondents to go to a web survey to complete the survey. Those with known phone numbers are being contacted via phone.

Finally, a week after the third contact the portion of the sample with mailing addresses was sent another mail-based invitation to complete the survey in three possible ways: 1) complete a replacement paper-based survey and return it via mail in the enclosed return envelope; 2) complete the survey via web (URL and unique access code were provided); and 3) complete the survey via phone (a toll-free number to call was provided). Those with known phone numbers are being contacted via phone and were given the option to complete the survey over the phone at the time of the contact or at the time scheduled by the respondent.

The pilot study showed that the \$2 prepaid incentive and \$20 payment upon completion is generating a substantially higher completion rate than the \$1 prepaid incentive and \$20 payment, and that both are exceeding the zero incentive. This combination of incentives (group 2 in the experiment) was chosen for the larger study because it yielded the highest proportion of responses.

The state-wide survey that was launched in October 2014 used the same data collection used in the pilot study. A sample of 15,000

households within 126 pre-selected census tracts with high concentration of poverty was invited to participate in the survey.

A total of 3,125 households distributed throughout the state participated in screening for eligibility for the study. 1,375 eligible low and lowest income households completed the probability survey. In addition, 224 low-income respondents participated in the non-probability survey.

A total of 1,375 completed questionnaires from eligible respondents is large enough to ensure a sample error of no larger than +/-3% sample error (SE) at the 95% confidence level. Thus, it is possible to draw conclusions about the low-income population as a whole that can be accepted with a high degree of confidence from observations about the survey respondents.

While conclusions about the entire sampling frame can be drawn with confidence, the word of caution is in order. The universe from which the sample was drawn—residential households—is only an approximation of the universe that the study seeks to measure. High degree of residential instability that was reflected in approximately 15% mailings returned to sender from the total number of surveys sent out indicates that some low and lowest income households were not reached. Further, some households may have limitations of language that prevented them from participating in the survey. Finally, some kinds of sensitive legal problems are difficult, under the best of conditions, to discuss with strangers. A telephone survey is less amenable to building the personal trust and confidence to induce the survey respondent to speak freely about sensitive matters like abuse, immigration problems, or a wide range of family issues.

Appendix B: Master Tables

Master Table 1A: Relative Percentage of Legal Problems Shown as a Percentage of Total Number of Legal Problems by Substantive Problem Area and Demographic Group

	11.8%	10.2%	12.3%	11.7%	15.1%	9.5%	10.8%	7.4%	10.4%	10.5%	11.1%	11.8%	10.8%	11.5%	14.1%	10.6%	12.9%
	15.4%	15.7%	14.9%	17.4%	11.9%	15.9%	14.4%	11.3%	15.9%	15.6%	15.1%	13.9%	16.9%	12.0%	14.4%	15.7%	13.9%
	0.5%	0.4%	0.6%	0.0%	0.6%	1.7%	1.1%	1.1%	0.6%	0.5%	0.7%	0.5%	0.9%	0.9%	0.5%	0.3%	1.0%
	10.7%	10.2%	10.9%	12.1%	9.4%	11.7%	11.3%	9.5%	11.0%	10.2%	8.8%	11.1%	9.2%	10.8%	11.9%	10.6%	10.8%
	17.1%	17.6%	17.1%	21.5%	15.3%	15.9%	15.8%	14.0%	15.4%	16.6%	19.4%	16.4%	15.2%	15.6%	13.9%	16.6%	18.7%
	8.0%	8.7%	7.5%	6.2%	7.2%	8.0%	7.6%	7.2%	9.1%	9.1%	7.8%	8.0%	7.3%	7.7%	9.1%	8.2%	8.0%
	20.5%	21.2%	20.4%	16.2%	21.9%	21.4%	18.5%	28.8%	20.8%	22.1%	19.4%	18.7%	15.8%	25.1%	19.9%	20.9%	20.6%
	7.4%	7.5%	7.4%	7.4%	8.9%	7.0%	8.0%	4.4%	7.0%	6.8%	6.8%	9.9%	14.7%	6.5%	6.8%	8.2%	6.0%
	3.6%	2.6%	4.3%	4.5%	5.6%	3.1%	4.9%	1.1%	3.0%	3.2%	3.9%	5.9%	4.2%	5.2%	5.7%	3.7%	3.1%
	5.1%	6.0%	4.5%	3.0%	4.0%	5.8%	7.6%	15.5%	6.0%	5.4%	7.1%	3.8%	4.9%	4.7%	3.9%	5.2%	5.0%
Number of Legal Problems	7,466	3,234	4,010	381	1,213	515	842	665	3,998	3,921	1,255	3,654	1,770	1,590	1,087	4,800	2,502
Number of Respondents	1,210	634	585	113	251	93	78	224	650	466	203	522	99	326	151	736	468
Mean number of Problems per capita	6.05	5.10	6.85	3.40	5.10	5.54	10.79	2.97	6.15	8.41	6.18	7.00	17.88	4.88	7.20	6.25	5.35

Note: DV/SA abbreviation stands for Victims of Domestic Violence and Victims of Sexual Assault

Master Table 2: Prevalence of Discrimination and Unfair Treatment Based on Demographic Identity by Substantive Problem Area and Demographic Group

	White	Black	Hispanic	Asian	Other	Female	Male	Age 18-29	Age 30-49	Age 50-64	Age 65+	Married	Single	Divorced	Widowed	Never Married	Other
Financial	35.5%	35.9%	35.5%	40.5%	36.6%	34.2%	35.3%	26.3%	35.1%	35.4%	31.1%	39.1%	50.0%	36.4%	41.3%	34.2%	38.7%
Health Insurance	26.9%	27.3%	27.1%	44.6%	17.0%	18.4%	27.9%	15.0%	26.4%	32.4%	20.6%	29.7%	50.0%	17.5%	26.7%	32.1%	18.1%
Home Ownership	7.8%	6.0%	10.0%	13.5%	6.3%	2.6%	17.6%	2.5%	8.0%	8.4%	8.7%	11.3%	20.8%	7.7%	6.7%	9.7%	5.4%
Utility Services	7.2%	5.0%	8.4%	5.5%	8.0%	5.3%	17.6%	2.5%	8.0%	9.2%	4.9%	8.2%	18.1%	7.0%	10.7%	6.7%	6.3%
Government Services/Programs	3.5%	2.6%	4.0%	1.4%	3.6%	0.0%	13.2%	5.0%	3.7%	4.9%	1.0%	2.3%	6.9%	4.2%	2.7%	3.5%	3.2%
Family Involvement	18.7%	16.9%	21.1%	21.6%	19.6%	15.8%	33.8%	7.5%	17.0%	23.5%	21.4%	20.2%	31.9%	17.5%	24.0%	16.1%	23.4%
Employment	28.2%	30.9%	27.4%	33.8%	21.4%	26.3%	38.2%	18.8%	28.6%	32.7%	31.1%	30.0%	37.5%	18.9%	26.7%	28.6%	30.2%
Health Care	22.3%	23.3%	21.5%	16.2%	19.8%	21.1%	32.4%	16.5%	26.3%	32.4%	22.5%	19.5%	29.2%	23.1%	21.3%	23.5%	20.8%
Government Assistance	17.7%	16.7%	19.7%	14.9%	16.1%	15.8%	29.4%	13.8%	20.9%	25.7%	24.3%	19.6%	33.3%	16.2%	18.9%	19.2%	15.8%
Education	10.7%	9.0%	13.0%	8.1%	13.4%	10.5%	23.5%	8.8%	11.2%	11.2%	9.7%	12.1%	15.7%	11.9%	18.7%	11.6%	10.4%
Government Programs	5.2%	2.6%	7.7%	5.4%	5.4%	7.9%	13.2%	5.0%	6.2%	7.4%	7.8%	4.7%	15.3%	4.9%	9.3%	5.1%	5.0%
Access to private business	6.6%	6.6%	6.4%	9.5%	2.7%	2.6%	11.8%	6.3%	7.1%	8.1%	7.8%	5.8%	9.7%	4.9%	12.0%	6.7%	6.8%
Number of respondents	1,234	634	585	113	251	93	78	224	650	466	203	522	99	426	151	736	469

Note: DV/SA abbreviation stands for Victims of Domestic Violence and Victims of Sexual Assault

Note: Percentages include reported problems involving discrimination and unfair treatment on the basis of credit history, juvenile and criminal justice system involvement, immigration status, veteran status and status of a victim of domestic violence or sexual assault

Master Table 2A: Relative Percentage of Legal Problems Involving Discrimination Based on Demographic Identity Shown as a Percentage of Total Number of Discrimination Problems by Substantive Problem Area and Demographic Group

	White	Black	Hispanic	Asian	Other	Female	Male	Age 18-29	Age 30-49	Age 50-64	Age 65+	Married	Single	Divorced	Widowed	Never Married	Other
Financial	18.7%	19.6%	17.6%	18.9%	21.6%	21.3%	11.6%	20.6%	17.7%	15.3%	16.3%	19.3%	15.7%	21.4%	18.9%	17.4%	21.1%
Health Insurance	14.1%	14.9%	13.4%	20.8%	10.0%	11.5%	9.2%	11.8%	13.3%	14.0%	10.7%	14.6%	15.7%	10.3%	12.2%	16.3%	9.8%
Home Ownership	4.1%	3.3%	5.0%	6.3%	3.7%	1.6%	6.4%	2.0%	4.1%	3.6%	4.6%	5.6%	6.5%	4.5%	3.0%	4.9%	2.9%
Utility Services	3.8%	2.7%	4.1%	2.5%	4.7%	3.3%	6.9%	2.0%	4.1%	4.0%	2.6%	4.0%	5.7%	4.1%	4.9%	3.4%	3.4%
Government Services/Programs	1.8%	1.5%	2.0%	0.6%	2.1%	0.0%	4.6%	3.9%	1.9%	2.1%	0.5%	1.2%	2.2%	2.5%	1.2%	1.8%	1.7%
Family Involvement	9.8%	9.3%	10.4%	10.1%	11.6%	9.8%	12.1%	5.9%	8.6%	10.2%	11.2%	10.0%	10.0%	10.3%	11.0%	8.2%	12.7%
Employment	14.8%	16.9%	13.6%	15.7%	12.6%	16.4%	12.1%	14.7%	14.4%	14.1%	16.3%	14.8%	11.7%	11.1%	12.2%	14.5%	16.4%
Health Care	11.7%	12.7%	10.6%	7.5%	11.6%	13.1%	11.0%	12.7%	13.3%	14.0%	11.7%	9.6%	9.1%	13.6%	9.8%	11.9%	11.3%
Government Assistance	9.3%	9.1%	9.8%	6.9%	9.5%	9.8%	9.2%	10.8%	10.5%	11.1%	12.8%	9.6%	10.4%	9.5%	8.5%	9.7%	8.6%
Education	5.6%	4.9%	6.5%	3.8%	7.9%	6.6%	7.5%	6.9%	5.6%	4.9%	5.1%	6.0%	5.2%	7.0%	8.5%	5.9%	5.6%
Government Programs	2.7%	1.5%	3.8%	2.5%	3.2%	4.9%	5.2%	3.9%	3.1%	3.2%	4.1%	2.3%	4.8%	2.9%	4.3%	2.6%	2.7%
Access to private business	3.5%	3.8%	3.2%	4.4%	1.6%	1.6%	4.0%	4.9%	3.6%	3.5%	4.1%	2.9%	15.7%	2.9%	5.5%	3.4%	3.7%
Number of Legal Problems	1,209	551	603	159	490	61	173	102	640	658	196	519	230	243	164	721	606
Number of respondents	1,234	634	585	113	251	93	78	224	650	466	203	522	99	426	151	736	469
Mean number of problems per capita	0.98	0.87	1.03	1.41	0.76	0.66	2.22	0.46	0.98	1.41	0.97	0.99	2.32	0.75	1.09	0.99	0.87

Note: DV/SA abbreviation stands for Victims of Domestic Violence and Victims of Sexual Assault.

Note: Percentages include reported problems involving discrimination and unfair treatment on the basis of credit history, juvenile and criminal justice system involvement, immigration status, veteran status and status of a victim of domestic violence or sexual assault

Master Table 3: Prevalence of Discrimination and Unfair Treatment by Category of Differential Treatment and Demographic Group

	13.7%	6.5%	21.8%	36.9%	19.6%	9.4%	27.6%	6.4%	12.8%	18.2%	9.6%	16.8%	30.3%	15.1%	19.6%	14.9%	12.6%
	6.9%	4.3%	10.0%	9.5%	11.9%	8.3%	10.6%	1.0%	6.0%	8.0%	4.8%	8.0%	14.9%	15.3%	8.0%	6.6%	7.9%
	4.5%	3.1%	6.5%	7.3%	4.5%	3.5%	15.5%	4.5%	5.4%	7.0%	6.9%	4.4%	11.8%	4.1%	7.9%	4.8%	4.8%
	3.1%	0.9%	5.6%	2.1%	2.2%	3.5%	27.6%	2.5%	4.1%	5.0%	3.7%	2.1%	9.1%	2.1%	3.6%	2.9%	3.3%
	10.6%	10.7%	11.3%	13.7%	5.8%	10.8%	23.5%	7.5%	10.9%	14.4%	11.0%	10.7%	20.9%	5.9%	17.3%	13.5%	6.5%
	5.6%	4.9%	6.6%	4.2%	5.5%	3.6%	10.6%	2.0%	5.9%	8.1%	4.8%	6.3%	20.9%	3.8%	8.0%	6.8%	3.6%
	4.0%	2.9%	5.4%	8.4%	1.3%	3.5%	10.5%	0.5%	4.2%	5.6%	4.2%	8.2%	15.1%	3.1%	5.1%	5.4%	1.9%
	2.9%	2.6%	3.3%	7.3%	1.8%	3.5%	7.4%	2.0%	3.3%	3.9%	3.7%	2.3%	10.5%	1.4%	10.1%	2.3%	3.6%
	14.1%	13.7%	14.9%	19.0%	8.4%	11.5%	24.7%	17.6%	16.1%	20.9%	17.4%	12.0%	31.0%	9.5%	22.0%	14.4%	14.0%
	1.8%	1.7%	1.9%	2.1%	0.0%	2.4%	4.2%	2.1%	2.1%	3.8%	8.4%	0.8%	6.8%	0.7%	1.4%	0.9%	3.3%
	12.3%	13.5%	11.1%	12.4%	6.7%	7.1%	25.8%	7.0%	17.7%	29.5%	15.9%	8.2%	28.2%	5.1%	11.6%	13.5%	10.5%
	1.1%	0.7%	1.7%	2.1%	0.5%	1.2%	0.0%	0.0%	1.2%	2.2%	1.6%	1.5%	3.4%	0.7%	0.0%	1.2%	1.2%
	8.9%	8.0%	10.0%	18.4%	5.4%	7.1%	20.8%	2.0%	8.2%	13.3%	7.3%	9.5%	24.2%	4.5%	6.5%	8.7%	9.0%
	23.0%	23.6%	23.2%	38.8%	15.0%	14.1%	38.8%	12.5%	23.8%	30.8%	23.6%	26.0%	44.1%	14.6%	20.7%	24.9%	21.3%
	4.5%	0.9%	8.9%	4.3%	12.8%	7.1%	7.4%	0.0%	4.5%	4.4%	2.1%	8.4%	14.9%	15.4%	8.8%	4.2%	5.3%
	5.4%	5.0%	5.8%	7.4%	4.5%	5.8%	10.5%	3.6%	5.5%	8.7%	4.3%	6.3%	36.0%	3.7%	5.0%	7.1%	2.4%
Number of respondents	1,224	634	568	1,113	251	93	76	143	773	466	203	622	99	326	151	718	468

Note: DV/SA abbreviation stands for Victims of Domestic Violence and Victims of Sexual Assault

Master Table 3A: Relative Percentage of Legal Problems Involving Discrimination Shown as a Percentage of Total Number of Discrimination Problems by Category of Differential Treatment and Demographic Group

	11.4%	6.3%	15.2%	19.8%	19.2%	9.2%	10.5%	9.1%	9.8%	10.0%	7.3%	13.0%	9.5%	14.6%	12.9%	11.4%	11.5%
	5.6%	4.2%	6.7%	4.7%	11.3%	8.0%	4.4%	1.4%	4.5%	4.3%	3.7%	6.0%	4.6%	14.6%	5.1%	5.0%	7.0%
	3.7%	3.0%	4.4%	3.6%	4.2%	3.4%	5.3%	6.3%	4.0%	3.8%	5.3%	3.3%	3.5%	3.9%	5.1%	3.6%	4.3%
	2.5%	0.8%	3.7%	1.0%	2.1%	3.4%	11.4%	3.5%	3.1%	2.7%	2.8%	1.6%	2.8%	1.9%	2.3%	2.1%	3.0%
	8.6%	10.3%	7.6%	6.8%	5.4%	10.3%	8.8%	10.5%	8.3%	7.8%	8.5%	8.1%	6.4%	5.5%	11.1%	10.2%	5.7%
	4.5%	4.7%	4.4%	2.1%	5.0%	3.4%	3.9%	2.8%	4.4%	4.3%	3.7%	4.8%	6.4%	3.6%	5.1%	5.1%	3.2%
	3.2%	2.8%	3.6%	4.2%	1.3%	3.4%	3.9%	0.7%	3.1%	3.0%	3.3%	6.2%	4.6%	2.9%	3.2%	4.1%	1.7%
	2.3%	2.5%	2.2%	3.6%	1.7%	3.4%	3.1%	2.8%	2.5%	2.1%	2.8%	1.7%	3.2%	1.3%	6.5%	1.7%	3.2%
	11.6%	13.3%	10.2%	9.9%	7.9%	11.5%	9.2%	25.2%	12.3%	11.4%	13.4%	9.2%	9.2%	9.1%	14.3%	10.9%	12.8%
	1.4%	1.7%	1.3%	1.0%	0.0%	2.3%	1.3%	2.8%	1.6%	2.1%	6.5%	0.6%	2.1%	0.6%	0.9%	0.7%	3.0%
	10.1%	13.1%	7.5%	6.3%	6.3%	6.9%	10.1%	9.8%	13.5%	16.2%	12.2%	6.2%	8.5%	4.9%	7.4%	10.3%	9.4%
	0.9%	0.7%	1.2%	1.0%	0.4%	1.1%	0.0%	0.0%	0.9%	1.2%	1.2%	1.1%	1.1%	0.6%	0.0%	0.9%	1.1%
	7.2%	7.8%	6.7%	9.4%	5.0%	6.9%	7.5%	2.8%	6.2%	7.3%	5.7%	7.1%	7.8%	4.2%	4.1%	6.5%	8.1%
	18.9%	23.1%	15.8%	20.8%	14.2%	13.8%	14.0%	17.5%	18.4%	17.1%	18.7%	20.0%	14.5%	14.0%	13.4%	19.1%	19.4%
	3.7%	0.8%	5.9%	2.1%	12.1%	6.9%	3.1%	0.0%	3.4%	2.3%	1.6%	6.3%	4.6%	14.6%	5.5%	3.2%	4.7%
	4.3%	4.8%	3.9%	3.6%	4.2%	5.7%	3.5%	4.9%	4.1%	4.7%	3.3%	4.8%	11.3%	3.6%	3.2%	5.3%	2.1%
Number of legal problems	1,152	601	778	192	240	87	225	143	773	772	246	631	283	308	217	895	478
Number of respondents	1,224	634	568	1,113	251	93	76	143	773	466	203	622	99	326	151	718	468

Note: DV/SA abbreviation stands for Victims of Domestic Violence and Victims of Sexual Assault

Master Table 4: Relative Percentage of Legal Problems by Substantive Area and Region.

	Region 1	Region 2	Region 3	Region 4	Region 5	Region 6	Region 7	Region 8	Region 9
Family Dispute	12%	9%	10%	12%	12%	15%	8%	14%	12%
Child Abuse	16%	17%	15%	17%	13%	14%	19%	15%	15%
Domestic Violence	0%	0%	0%	1%	1%	0%	0%	2%	1%
Welfare and Child Support	11%	11%	14%	9%	11%	8%	11%	11%	11%
Consumer Protection	16%	20%	18%	17%	16%	15%	19%	18%	17%
Business and Contract	7%	9%	10%	8%	8%	9%	7%	8%	8%
Real Estate	21%	21%	21%	23%	22%	19%	18%	18%	21%
Healthcare	6%	7%	5%	6%	8%	10%	8%	9%	7%
Government and Public Policy	4%	3%	2%	3%	5%	4%	3%	2%	4%
Other	5%	4%	5%	6%	5%	6%	8%	4%	5%
Total	100%	100%	100%	100%	100%	100%	100%	100%	100%
Number of Legal Problems	2,166	1,167	294	531	1,486	871	242	703	7,460
Number of Respondents	374	151	59	116	242	260	28	145	1,975

Master Table 5: Extent to Which the Civil Legal System Can Solve Important Problems by Demographic Group as Reported by Survey Participants

	Age 18-24	Age 25-34	Age 35-44	Age 45-54	Age 55-64	Age 65+	Gender Male	Gender Female	Ethnicity White	Ethnicity Black	Ethnicity Hispanic	Ethnicity Asian	Ethnicity Other	Income < \$10k	Income \$10k-\$20k	Income \$20k-\$30k	Income \$30k-\$40k	Income \$40k-\$50k	Income \$50k+
Can solve	10.2%	8.1%	12.0%	8.0%	17.2%	7.5%	3.9%	10.0%	9.8%	8.1%	9.5%	13.1%	13.8%	10.8%	8.8%	10.1%	9.9%	15.8%	
Can't solve	16.5%	16.1%	17.5%	20.5%	14.3%	19.4%	18.2%	10.0%	16.2%	17.8%	11.4%	16.4%	20.2%	14.9%	16.3%	17.1%	15.8%	31.5%	
Don't know	31.9%	34.2%	30.9%	35.7%	27.9%	25.8%	39.0%	24.9%	30.9%	36.3%	38.3%	29.0%	31.9%	24.1%	36.7%	32.2%	31.5%	23.1%	
Not a problem	21.2%	22.1%	19.4%	14.3%	19.7%	24.7%	24.7%	26.7%	20.7%	19.4%	21.9%	20.4%	16.0%	22.5%	22.4%	20.2%	23.1%	12.6%	
Other	7.6%	6.1%	9.5%	8.9%	12.7%	4.3%	7.8%	11.8%	8.7%	5.9%	9.0%	8.8%	12.8%	11.4%	6.1%	6.9%	8.2%	12.6%	
Total	12.6%	13.3%	10.6%	12.5%	8.2%	18.3%	6.5%	16.7%	13.6%	12.3%	10.0%	12.3%	5.3%	16.2%	9.5%	13.5%	11.4%	12.6%	
Number of Legal Problems																			
Number of respondents	1,234	634	585	113	251	93	78	224	650	466	203	522	99	326	151	756	469	1,234	

Note: DV/SA abbreviation stands for Victims of Domestic Violence and Victims of Sexual Assault

Appendix C: Target Survey Groups

- **White.** Persons who identify as white or Caucasian.
- **African-American.** Persons identifying as black or African-American
- **Hispanic/Latino.** Persons identifying as of Hispanic or Latino origin, regardless of racial identity.
- **Asian.** Persons identifying as of Asian origin or descent
- **Pacific Islander.** Persons who identify as of Pacific Island origin or descent.
- **Native American/Indian, Alaska Native or Hawai'ian.** Persons who identify as Native American, American Indian, Alaska Native or Hawai'ian regardless of tribal membership.
- **Mixed Race.** Persons who identify as being of more than one race.
- **Seniors.** Persons age 65 or over.
- **Youth.** Persons between the ages of 15 and 21.
- **Immigrants.** Persons not born in the United States, regardless of legal status or authorization to be present or remain in the country.
- **DV/SA Victims.** Persons who affirmatively responded that they have been or are a victim of domestic violence or sexual abuse.
- **Military Service Members and Veterans.** Persons who are currently active or who have separated from the military, regardless of the reasons for separation
- **Persons with Disabilities.** Persons who identify as having a physical, mental health, sensory (vision, hearing, etc.) or developmental disability.
- **Detained or Incarcerated Persons.** Persons who, in the past 12 months, were involuntarily confined in a juvenile detention center, adult corrections facility or an immigration detention facility.
- **LGBTQ.** Persons who identify as lesbian, gay, bisexual, transgender or questioning of their sexual orientation or identity.¹
- **Homeless Persons.** Persons who answered affirmatively to the question "Are you homeless?"

¹ Unintentionally omitted from the probability survey, this group is the focus of a supplemental non-probability survey that will be completed in late 2015

Appendix D: Substantive Problem Areas

Employment (including hiring, terms and conditions of employment, firing/termination, disability accommodation, unsafe working conditions, licensing, unemployment insurance and compensation for job-related injury)

Rental Housing (including the ability to apply for rental housing, terms and conditions of a lease, conditions of unit, termination of a lease or eviction, relocation assistance, return of security deposit, and housing safety and privacy)

Mobile or Manufactured Housing (including problems with purchase, financing, warranties and fees, mobile home park services rules and practices, eviction or relocation, and closure of mobile home parks)

Utility and Municipal Services (including access to or termination of essential utility services, billing and service disputes, land use and zoning, and issues relating to law enforcement)

Consumer, Financial Services and Credit (including access to mortgage, consumer credit and banking services, payday lending, unfair and deceptive lending practices, debt collection, garnishment, bankruptcy, car purchase and repossession, and legal financial obligations resulting from prior involvement in juvenile or criminal justice systems)

Access to Government Assistance (including ability to obtain and retain income, food, disability, housing or other state government assistance, SSI and SSDI benefits, crime victim compensation, Earned Income Tax Credit)

Health Care (including ability to secure private or government managed health insurance, insurance coverage issues, access to necessary medical, mental health and personal care services, medical services cost recovery, discrimination, and problems associated with long-term care providers)

Family Related Problems (including domestic violence and sexual assault, divorce/legal separation, custody and visitation, child support guardianship, paternity and exploitation of a vulnerable adult)

Education (including school discipline, suspension and removal, school safety, special educational services, educational services for homeless children, and bilingual education)

Child Welfare and Foster Care (including CPS investigation and intervention, foster parent licensing and services, quality of foster care, consequences of multiple foster care placements, involuntary administration of psychotropic medication, and extended foster care services)

Estate Planning, Guardianship and Related Issues (including wills, estate planning, powers of attorney, inheritance, probate or administration of trusts or wills, and guardianships)

Discrimination and Unfair Treatment (including discrimination based on legally protected characteristics or status as well as discrimination and unfair treatment based on credit history, prior involvement in the juvenile or criminal justice system, status as a victim of domestic violence or sexual assault, status as an active military member or veteran)

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HALLMARKS

Washington State Alliance for Equal Justice (adopted March 28, 2014)

I. The Alliance for Equal Justice

We are lawyers, judges, legal workers, volunteers and community leaders committed to the fair, effective, and inclusive administration of civil justice in Washington State. In partnership with clients and communities of low-income and vulnerable people, we work to expand meaningful access to the civil justice system and to identify and eliminate barriers that deny justice and perpetuate poverty.

II. Our Vision

Poverty will not be an impediment to justice. Legal barriers that perpetuate poverty and inequality will be dismantled. Laws and legal systems will be open and equally effective for all who need their protection; especially those who experience unfair and disproportionately unjust treatment due to personal or community characteristics that place them on the margins of society.

III. Our Common Values and Commitments

Inherent Right to Justice. Justice and meaningful access to the civil justice system are inherent rights of all persons. We will work individually and collectively to ensure that the civil justice system is open, accessible, and available to protect and promote the rights of low-income, marginalized and vulnerable people to secure justice under the law.

Access to Our Services. Our statewide civil legal aid system will be equitably available to all who need our services, regardless of legal status or other defining characteristics. We will affirmatively reach out to those who experience obstacles to securing our help, and will adapt our delivery systems to meet their needs.

Full Range of Legal Services. We will use all legal tools at our disposal to secure just and lasting results for the low-income and marginalized individuals, families, and communities we serve.

Duty to Identify and Eliminate Barriers. We will use our legal skills to identify and eliminate systems—within our own community, the justice system, and greater society—that operate to deny justice to low-income members of racial, national, ethnic and social minorities and other low-income persons who experience barriers

due to explicit or implicit bias and other marginalizing dynamics. We appreciate the cultural, language and other differences among our clients, client communities and ourselves. We will take affirmative steps to develop and implement personal and organizational competencies and systems to bridge these differences without placing additional undue burdens on our clients.

Duty to Identify and Serve the Most Vulnerable. We will focus our limited resources on meeting the civil justice needs of those who are most vulnerable and/or in need.

Meaningful and Authentic Client Engagement. Meaningful and authentic engagement with the communities and clients we serve is essential to our work. We will learn and take direction from our clients. Where necessary, we will serve as their legal voice. Where possible, we will help and support them in speaking for and asserting/defending their own legal rights.

Transparency and Accountability. We will be transparent and accountable to our clients, the broader communities we serve, our Alliance for Equal Justice peers and partners and those who invest in our work.

Effective Use of Limited Resources. We will coordinate our efforts to maximize the impact of the limited resources entrusted to us, and to deliver the most effective and economical civil legal aid services, consistent with our common mission and core values.

Building Relationships and Partnerships. We will build relationships with others, including legal- and community-based organizations that work with our clients, to increase the reach and effectiveness of our work.

Continuous Leadership Development. We will continuously support members of our community in assuming leadership in their work with clients and client communities, in pursuing necessary change in the civil justice system, and in furthering the work of the Alliance for Equal Justice.