



# The State Bar *of California*

## **Veterans Legal Services in California**

**A Study of Needs and Opportunities**

**December 2018**

## Background

The State Bar of California (State Bar) has a long history of providing support to legal services organizations and pro bono attorneys through means including grant funding to legal aid organizations, coordinating and promoting trainings for volunteer attorneys to provide pro bono legal services, convening legal services providers to discuss best practices and trends, and providing education and training conferences as well as technology focused conferences. In addition, for the last eight years, the State Bar has partnered with Practising Law Institute and veterans legal services providers to develop and produce an annual veterans pro bono training program, focusing on Veterans Administration (VA) benefits, discharge upgrades, and cultural competency.

Business and Professions Code section 6074<sup>1</sup> was enacted in 2017, effective January 1, 2018, to ensure focused attention on the need to coordinate pro bono civil legal assistance for veterans and their families who otherwise cannot afford legal services. The statute required the State Bar to, among other things, provide resources for veterans seeking legal services, as well as for attorneys seeking to assist veterans. Further, the State Bar was required to conduct a statewide survey of programs that provide legal services to veterans in order to identify whether and where there is a need for legal advice clinics, and publish a report and recommendation based upon these findings. At the request of the Department of Defense (DoD), the survey of civil legal services for veterans in California included services available for active duty military members, retirees, reservists, and their families.<sup>2</sup>

Consistent with the requirements of Business and Professions Code section 6074, the State Bar has engaged with local bar associations, legal aid organizations, veterans service providers, and pro bono programs that are providing veterans legal services. When requested, the State Bar has provided updated resources and educational materials for both interested pro bono attorneys and the public. These resources, along with materials and a listing of veterans pro bono programs, will be posted on the State Bar's website no later than mid-February 2019. More specifically, the State Bar has conducted outreach to and coordinated with the DoD, Judge Advocate General's Corps (JAGC), California Department of Veterans Affairs (CalVet), military legal assistance offices on military installations, veterans service organizations, and law schools. Staff also reached out to bar associations and legal aid projects in other states to learn more about their successful statewide veterans legal services programs. In addition, a survey of providers of veterans legal services was conducted in July 2018, and a roundtable of key veterans legal services stakeholders was convened in November 2018, both designed to gather insight about and examine the current status of veterans legal services in the state and to identify potential opportunities for collaboration and innovation in the delivery of legal services to veterans in California. While highlights of the survey findings are woven in to the body of this report, the full survey analysis and survey are attached as Appendix A and Appendix B, respectively.

## Veterans and Active Duty Service Members in California

California is home to the largest veteran population in the United States with 1.7 million known veterans.<sup>3</sup> The actual veteran population may in fact be larger, as there are many individuals who have served that choose not to identify themselves as veterans and because current active duty service members and reservists, who could be considered veterans due to prior service, may be excluded from this count. While little additional data about active duty service members and their families is readily available, the DoD reports that as of December 2017, there were 154,539 active duty service members and 68,244 spouses stationed in California.<sup>4</sup>

The veteran population in California is predominantly male and Caucasian, non-Hispanic.<sup>5</sup> Women make up approximately 12 percent of the veteran population.<sup>6</sup> The majority of California veterans reside in Los Angeles, San Diego, Riverside, and San Bernardino counties.<sup>7</sup> About 10 percent of veterans in California live in rural areas, slightly higher than the percentage of all Californians who live in rural areas.<sup>8</sup> Though veterans in California have higher median education and income levels than veterans nationwide, they also have a higher unemployment rate than veterans nationally.<sup>9</sup>

Recent studies of veterans in Los Angeles County, Orange County, and San Francisco City and County have found that many service members are not prepared for separation from military service, and that veterans have a wide range of needs including housing, employment, and physical and mental health treatment. While most veteran support organizations address acute and chronic needs, such as homelessness, there is little focus on prevention and intervention; for example, educating service members about resources available to them which can help avoid, or ameliorate, such issues before they occur.<sup>10</sup> Military sexual trauma (MST) is also a significant issue for veterans; a majority of women across these studies have reported experiencing stalking, sexual harassment, and sexual assault during their service.<sup>11</sup> Additionally, service members who separate without an honorable discharge have had more difficulty adjusting to civilian life and reported higher rates of unemployment, homelessness, physical health difficulties, and food insecurity.<sup>12</sup>

## Legal Issues

Low-income veterans face many of the same legal issues that the low-income population faces generally, including homelessness, housing instability, and lack of access to benefits. Veteran-specific legal issues like discharge upgrades and access to veterans benefits are unique to veterans, and exist regardless of income level. Veterans may also require access to social and mental health services to deal with issues unique to them including post-traumatic stress disorder (PTSD) and MST. Oftentimes, legal issues faced by veterans with a less than honorable discharge are amplified due to ineligibility for services and benefits.

Legal issues are not limited to veterans. For example, active duty service members are entitled important legal protections under the Servicemembers Civil Relief Act (SCRA), but they may need legal assistance to access those protections. Some of the legal protections the SCRA provides relate to: negotiating rental agreements; obtaining the return of security deposits;

determining prepaid rent options when deployed out of the area; protection from eviction; protection from usurious credit card and mortgage interest rates; mortgage foreclosures; obtaining life insurance and health insurance; and deferring income tax payments. In addition, as a result of frequent moves, family members of active duty service members may need assistance with school enrollment, transferring school credits, and transferring or obtaining professional licenses.<sup>13</sup>

In July 2018, the State Bar conducted a survey of programs offering legal assistance to veterans, active duty service members, and their families. Survey respondents reported that the greatest category of unmet legal need in their local communities is housing, followed by family law, VA benefits, public benefits, and discharge upgrades. Statewide, the greatest area of unmet legal need was reported to be housing, followed by family law, VA benefits, consumer protection, parking and traffic fines and fees, and employment. While survey respondents identified housing as the greatest area of unmet need, housing legal assistance is the largest category of legal support currently provided to veterans. This result suggests that while there are significant resources being provided, they do not match the need.

In November 2018, the State Bar convened a roundtable of key veterans legal services stakeholders (Roundtable), which included representatives from the DoD, CalVet, JAGC, military legal assistance offices, legal aid organizations, veterans service organizations, law schools, and local bar associations. At this Roundtable, participants reported the areas of greatest need include: family law; wills; consumer protection, including predatory lending; domestic violence; housing, including evictions; discharge upgrades; traffic citations; and, immigration. These participants did not rank these categories from greatest to least unmet need. Based on these responses, it is difficult at this juncture to truly identify the greatest unmet legal need, though the consensus is certainly that the overall unmet legal need is great.

## **Partnerships**

Civil legal services are available to veterans and active duty service members through a variety of resources, including through legal assistance offices on military installations, veterans service organizations, legal aid organizations, bar associations, and law schools. To enhance the services available and ensure the appropriate expertise many of the providers work in partnerships with other organizations, either locally or regionally. The State Bar's 2018 survey found that the most likely partnerships to serve veterans involved relationships with veterans service organizations, followed by partnerships with legal aid organizations; less common partners are the JAGC and legal assistance offices on military installations. Veterans service organizations, local bar associations, legal aid, legal assistance offices, and JAGC were all equally likely partners to serve active duty military members. The existence of multiple and varying partnerships points to the fact that there is no single, robust entity that provides comprehensive legal aid to active duty military or veterans. As a result, partnerships are often necessary to leverage each organization's resources and expertise.

Due in part to a lack of resources, partnerships are vital to the delivery of veterans legal services. As highlighted at the Roundtable, there are many successful partnerships and

coordination efforts in urban centers, such as the San Francisco/Bay Area, Los Angeles, and San Diego. However, there is a lack of coordination statewide, particularly in rural areas.

## **Pro Bono**

The private bar is an important partner in providing legal services to active duty military and veterans. Reliance on the support of the private bar allows legal services organizations to leverage limited resources to provide much needed services throughout the state. Seventy-four percent of survey respondents noted the use of pro bono attorneys in some capacity to serve veterans. According to the survey, these pro bono attorneys volunteered either at legal advice clinics or by accepting a limited or full scope representation through a referral from an organization. Pro bono attorneys serving active duty military most often participate by accepting limited or full scope cases, followed by volunteering at legal advice clinics. Pro bono attorneys are used less frequently to conduct community outreach or legal education to either veterans or active duty military.

## **Challenges**

Though there are numerous successful legal services programs that focus on the needs of veterans and/or active duty military members throughout California, more services and resources are required to meet the significant needs of this population. Survey respondents noted that challenges in serving the veterans and active duty military populations include: outreach to homeless veterans, including rural veterans, and outreach to those with a less than honorable discharge; lack of mental health services addressing PTSD and substance use issues; lack of education about legal rights and responsibilities and services available; lack of culturally competent training for advocates; difficulty working with the Veterans Administration; lack of affordable housing; and, limited options for reduced fee services.

The discussions at the Roundtable were consistent with the survey results, and suggest that additional outreach to underserved and vulnerable veterans, including senior veterans and students, particularly in rural areas would be beneficial. Many also felt that the creation of veterans courts in rural and remote parts of the State would be an important addition to available services. Roundtable participants also identified a lack of statewide coordination and communication between jurisdictions and across programs as a challenge in working with both active duty military members and veterans.

Another important challenge that was identified is the need to better prepare active duty military to transition to civilian life. In the last several years, CalVet developed California Transition Assistance Program Services (CalTAPS), which provides transition assistance, information and resources to transitioning military members and veterans in California. This is a valuable program that would benefit from increased strategic coordination and collaboration with legal services organizations to allow early legal intervention with active duty military and veterans.

Another significant gap in legal services exists for moderate income veterans and active duty military members. The limited free legal services that are available are often only accessible to low income or indigent people, and hiring a private attorney can be cost prohibitive, making access to legal services nearly impossible for this group of veterans and active duty service members.

## Opportunities

While there are significant challenges to providing legal services to active duty military and veterans, there is also ample opportunity to better address those challenges by identifying strengths in the community, leveraging existing partnerships, and formalizing a statewide network of providers and stakeholders. Many of the legal issues faced by veterans and active duty military will require close partnerships between legal services providers and CalVet, local veterans administration offices, and social services agencies. The State Bar has an opportunity to play an important role in helping to coordinate the provision of veterans legal services. Some current partnerships are easily scalable with enough support resources, including funding. Some of these partnerships include: medical-legal partnerships;<sup>14</sup> legal clinics; and, lawyer referral programs. Training and education materials already exist for attorneys to serve veterans, including cultural competency<sup>15</sup> and substantive areas of law, such as veterans benefits and discharge upgrades that are available for free for pro bono attorneys through the [Practising Law Institute](#) or the [Pro Bono Training Institute](#).

Providing both attorneys and the public with information and resources available to assist veterans and active military may help address their legal needs. Outreach to attorneys about the legal needs of veterans and existing pro bono opportunities will help expand the availability of legal services to these groups.

The State Bar survey found that most outreach is done through veterans focused events. While this connects many veterans to legal services, there is potentially a large population of those who have served in the military that are not attending these events, and are thus not aware of the types of services available to assist them. Outreach and education to the public that there are legal solutions available to the issues that active duty military and veterans face may encourage more active duty military and veterans to access available legal services. Improved outreach, though not a solution, is certainly one important piece of that solution.

As noted above, the State Bar has already engaged with many veterans legal services stakeholders and continues to develop veterans focused resources and training materials for pro bono attorneys and advocates. However, there remains an opportunity for the State Bar to play an important role in coordinating and convening stakeholders to maximize the assistance available for veterans and active duty military. Potential areas of focus include: identifying best practices for veterans legal services in California; convening stakeholders to discuss trends and emerging issues; data collection; funding and grant making opportunities; and, encouraging pro bono legal services.

## Recommendations

A coordinated and strategic effort by the legal community would greatly improve the ability to address the legal needs of California veterans, active duty service members, and reservists. While various organizations are doing good work to support and assist veterans and help address their legal needs, a large gap in services exists. The following are recommendations intended to help address the legal needs of veterans and active duty military in California.

1. Resources and Educational Materials for Attorneys

In compliance with Business and Professions Code section 6074(c)(1), the State Bar should compile a list of local bar associations, legal aid organizations, veterans service providers that offer pro bono legal services to veterans, and post this list on its website.

2. Coordination Efforts

The State Bar should engage in statewide and regional coordination of veterans legal services stakeholders. The State Bar is well positioned with its statewide perspective and involvement with legal services providers to coordinate and connect critical participants, and share information with stakeholders and the public. For example, in 2019, the State Bar could hold a statewide roundtable of veterans legal services providers in order to encourage partnerships and discuss best practices to enhance the delivery of legal services to veterans. The State Bar should also play a leadership role in coordinating with CalVet on legal issues related to the transition from active service to civilian life.

3. Funding

The State Bar should seek to identify additional funding sources for legal services to veterans and active duty military, including services for moderate income veterans and active duty military. Survey respondents clearly conclude that additional veterans legal services are needed, particularly in rural areas of the state. The State Bar should consider whether prioritizing discretionary grant funding would be an appropriate and successful method to encourage innovative and creative programs to serve veterans.

4. Data Collection

The State Bar should support other entities whose primary client base are veterans or active duty military in additional data collection. Information about veterans who are not accessing services, including veterans with less than honorable discharges and rural veterans, is needed to better understand the legal needs of veterans in California. The State Bar should consult with CalVet and local veterans administration offices to determine what data currently exists and work with those providing veterans legal services to identify whether additional data collection is needed. The State Bar could then work with these organizations to encourage them to begin collecting and reporting the data so that there is a better understanding of the legal needs and gaps for veterans and active duty service members.

The State Bar should also consider encouraging legal services providers to, as part of providers' annual data reporting requirements, correlate information about the types of services provided and benefits received to the demographics of the recipient, including veteran or active duty military status. The State Bar should try to include an analysis in its justice gap study, scheduled to be completed December 2019, of the justice gap as related to veterans, to the extent the data allows.

5. Pro Bono Legal Services and Program Development

The State Bar should continue to encourage attorneys to engage in veterans pro bono work, including supporting organizations that utilize pro bono attorneys to develop trainings in cultural competency and in substantive areas of law affecting veterans and active duty military members, including housing, family law, and VA benefits.

The State Bar should identify newer veterans legal programs, share best practices with them, and encourage their partnering with more seasoned programs, if only to secure needed technical assistance. Additionally, the State Bar can encourage the development of services for moderate income veterans and active duty service members through veterans incubator programs, and the development of Lawyer Referral Service attorney panels, including modest means panels, prepared to address veterans specific issues.

## Endnotes

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<sup>1</sup> Stats. 2017, ch. 401. Section 6074 provides in full:

(a) The State Bar shall administer a program to coordinate pro bono civil legal assistance to veterans and their families who otherwise cannot afford legal services.

(b) The State Bar shall engage with local bar associations, legal aid organizations, veterans service providers, and volunteer attorneys and encourage those groups to provide legal services throughout the state.

(c) The State Bar shall provide resources and educational materials to attorneys and the public in order to support the purposes of this section by, among other things, doing the following:

(1) Compiling a list of local bar associations, legal aid organizations, veterans service providers, and volunteer attorneys willing to provide pro bono legal services to veterans, organized by city and county, and posting the list on its Internet Web site.

(2) Conducting a statewide survey of programs that provide civil legal assistance to veterans in order to identify whether and where there is a need for legal advice clinics, publishing a report and recommendations based upon its findings no later than December 31, 2018, and posting the report on its Internet Web site.

<sup>2</sup> The State Bar's study, survey, and report is focused solely on civil legal issues as required by statute. Veterans dealing with criminal issues are an important population with special legal needs. There are successful programs like veterans diversion courts that have proven effective in significantly reducing recidivism rates and saving millions of dollars in incarceration and treatment costs. For example, in San Diego County, participants in the Veterans Treatment Review Court that completed the program had a 0 percent recidivism rate compared to the 4.1 percent recidivism rate for those that did not complete the program, and compared to the approximately 22 percent recidivism rate for the general population as reported by the California Department of Corrections and Rehabilitation. See, Judge Roger W. Krauel, "Veterans Treatment Review Court (VTRC) Pilot Program Cumulative Report: Initial Thirty-Six Months of Operation," (2014), page 1, 3.

<sup>3</sup> "Veterans Statistics: California," U.S. Census Bureau, 2015,

<https://www2.census.gov/library/visualizations/2015/comm/vets/ca-vets.pdf>.

<sup>4</sup> Email from Laurie Crehan, Regional State Liaison, Southwest, Office of the Deputy Assistant Secretary of Defense to Office of Legal Services Director Rod Fong, dated Tuesday, December 19, 2017.

<sup>5</sup> "California Veteran Population Estimates by Gender," California Department of Veterans Affairs, 2011,

[https://www.calvet.ca.gov/VetServices/Documents/Vet\\_Gender\\_Population.pdf](https://www.calvet.ca.gov/VetServices/Documents/Vet_Gender_Population.pdf); "California Veteran Population Estimates by Ethnicity," California Department of Veterans Affairs, 2011,

[https://www.calvet.ca.gov/VetServices/Documents/Vet\\_Ethnicity\\_Population.pdf](https://www.calvet.ca.gov/VetServices/Documents/Vet_Ethnicity_Population.pdf).

<sup>6</sup> "California Veteran Population Estimates by Gender," California Department of Veterans Affairs, 2011,

[https://www.calvet.ca.gov/VetServices/Documents/Vet\\_Gender\\_Population.pdf](https://www.calvet.ca.gov/VetServices/Documents/Vet_Gender_Population.pdf).

<sup>7</sup> "California Veteran Population Estimates by County," California Department of Veterans Affairs, 2014,

<https://www.calvet.ca.gov/VetServices/PublishingImages/Pages/Veteran-Demographics-/California%20Veteran%20Population%20by%20County.pdf>.

<sup>8</sup> Kelly Ann Holder, "U.S. Census Bureau, Veterans in Rural America: 2011-2015," American Community Survey Reports, (January 2017).

<sup>9</sup> "Veterans Statistics: California, U.S. Census Bureau, 2015,

<https://www2.census.gov/library/visualizations/2015/comm/vets/ca-vets.pdf>.

<sup>10</sup> Castro, Carl Andrew, Sara Kintzle, and Anthony Hassan. "The State of the American Veteran: The Orange County Veterans Study" (2015): 14; Castro, Carl Andrew, Sara Kintzle, and Anthony Hassan. "The State of the American Veteran: The Los Angeles County Veterans Study" (2014): 8; Castro, Carl Andrew and Sara Kintzle. "The State of the American Veteran: The San Francisco Veterans Study" (2017), page 18.

<sup>11</sup> Castro et al., "The State of the American Veteran: The Orange County Veterans Study" (2015): 32; Castro et al., "The State of the American Veteran: The Los Angeles County Veterans Study" (2014): 39; Castro & Kintzle, "The State of the American Veteran: The San Francisco Veterans Study" (2017), page 37.

<sup>12</sup> Castro & Kintzle, "The State of the American Veteran: The San Francisco Veterans Study" (2017), page 28, 31, 33.

<sup>13</sup> In response to some of these licensing concerns, at its November 2018 meeting, the State Bar Board of Trustees approved a proposed rule of court allowing military spouses who are licensed to practice law in another

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jurisdiction the ability to practice law in California while his/her spouse or domestic partner is stationed in California. The State Bar proposed Rule of Court 9.41.1, Registered Military Spouse Attorneys, to allow the spouse or domestic partner of an active duty military member stationed in California to practice law without taking the California Bar exam if certain requirements are met, including registration and supervision. The proposed rule of court is pending review by the California Supreme Court as of the date of this report.

<sup>14</sup> Medical-legal partnerships are partnerships between legal services and healthcare systems, where lawyers work with healthcare providers, case managers, and social workers to recognize and address underlying legal problems at the root of many healthcare issues. See, <https://medical-legalpartnership.org/>. For example, a healthcare provider treats a patient for asthma while the legal aid attorney addresses the poor housing conditions that caused it, or a veteran is treated for PTSD while an attorney helps obtain additional benefits that the veteran is entitled to.

<sup>15</sup> CalVet is developing a cultural competency training which will be available for free in mid-2019 on the CalVet website. See, <https://www.calvet.ca.gov/>.

## APPENDIX A

### Veterans Legal Services Survey

Consistent with the requirement of Business and Professions Code section 6074, in July 2018, the State Bar conducted a survey of programs that provide civil legal assistance to veterans. The goal of the survey was to identify available legal services and the unmet need for such services, including, legal advice clinics. As noted above, at the request of the Department of Defense, the survey also included questions to elicit information about legal assistance available to active duty military and reservists. The survey was sent to 232 recipients, including local bar associations, lawyer referral and information services, law schools, legal aid organizations (including the 97 IOLTA funded organizations in California), and veterans service organizations. The organizations surveyed included those known to provide legal services to veterans, as well as others, to help develop a more comprehensive understanding of the pool of available services in California. Additionally, the State Bar forwarded the survey to the Judicial Council, Judge Advocate General's Corps (JAGC) offices, and legal assistance offices on military installations across California. The State Bar requested recipients to forward the survey to additional veterans legal services providers, including their partners and collaborators.

There were 44 total respondents with one duplicate. Respondents were from 33 counties and seven statewide programs. One of the respondents is a nationwide program and another serves a region that includes California. Approximately, 14 percent of respondents served counties defined as urban, 31 percent served counties defined as rural, and 54 percent served counties defined as mixed urban/rural counties.<sup>1</sup> Respondents identified their organizations as:

- Legal Aid (26)
- Bar Associations, includes Lawyer Referral Services (10)
- JAGC/Legal Assistance Offices (3)
- Veterans Service Organizations (3)
- Court (1)
- Anonymous (1)

Organizations estimate serving hundreds to thousands of veterans annually. However, many noted that they do not track veteran status, so were unaware of the volume of veterans services provided. Organizations serving active duty military members ranged from five to 8,000 individuals served annually.

### Survey Results

The survey consisted of 23 substantive questions and included questions about the types of services provided, including whether legal advice clinics were available, substantive legal areas

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<sup>1</sup> Counties were designated as urban, rural, or mixed urban/rural by the State Bar using the categorization set forth by the California Commission on Access to Justice. See, "Improving Civil Justice in Rural California," The California Commission on Access to Justice, (2010), page 60.

covered by the services, outreach to veterans and active duty service members, and the organizations' perceptions of the unmet legal needs in their local community and statewide.

**Table 1: Outreach to Veterans**

<b>How does your organization outreach to veterans?</b>	<b>N</b>	<b>Mean</b>
Veteran focused events, like Stand Down	23	3.30
Through the VA	21	2.81
At the courthouse/Self-Help Center	21	2.76

Scale: 1=Never, 2=Rarely, 3=Sometimes, 4=Often, 5=Primary source of outreach

**Key Findings:**

Organizations were most likely to conduct outreach to veterans at veterans focused events, like Stand Down. Outreach through the VA and at the courthouse/Self-Help Centers occurred at significantly lower rates.

**Table 2: Substantive Areas of Law**

<b>What substantive areas of law does your organization provide to veterans/those who have served in the military?</b>	<b>N</b>	<b>Mean</b>
Housing	23	3.65
Income maintenance (public benefits)	24	2.96
Consumer	21	2.76
Family law	24	2.75
VA benefits, including service connected disability benefits	24	2.58
Individual Rights	21	2.52
Employment (e.g. discrimination or barriers to employment)	22	2.46
Wills and trusts	24	2.42
Parking/traffic ticket fines and fees	23	2.39
Service discharge upgrades	25	2.2
Immigration	24	1.96
Criminal	24	1.67

Scale: 1=Never, 2=Rarely, 3=Sometimes, 4=Often, 5=Primary legal area served

**Key findings:**

Organizations provided services in housing significantly greater than all other areas of law listed in the survey. Assistance in immigration and criminal law were provided significantly less often by those responding to the survey.

**Table 3: Unmet Need in Local Communities**

<b>Based on your experience, what do you believe to be the unmet legal needs for veterans in your local community?</b>	<b>N</b>	<b>Mean</b>
Housing	27	4.33
Family Law	25	4.04
VA benefits, including service connected benefits	25	3.88
Income maintenance (public benefits)	26	3.46
Service discharge upgrades	24	3.46
Criminal	24	3.42
Consumer	25	3.40
Employment	25	3.20
Parking/traffic tickets fines and fees	24	3.13
Wills and trusts	26	2.96
Individual rights	23	2.91
Immigration	27	2.25

Scale: 1=Does not appear to be a great need, 2=Rarely, 3=Sometimes, 4=Often, 5=There is a great need

**Key Findings:**

Based on the organizations' experiences, the greatest unmet legal needs in their local communities were housing, family law, VA benefits, public benefits, and discharge upgrades. These substantive areas were ranked significantly higher than all other legal areas.

**Table 4: Unmet Need Statewide**

<b>Based on your organization's experience with the veteran community, what do you believe are the unmet legal needs for veterans statewide?</b>	<b>N</b>	<b>Mean</b>
Housing	22	4.36
Family Law	21	4.10
VA benefits, including service connected benefits	20	4.05
Service discharge upgrades	21	3.43
Consumer	20	3.40
Parking/traffic tickets fines and fees	21	3.38
Employment	21	3.33
Income maintenance (public benefits)	20	3.30
Criminal	21	3.29
Individual rights	21	2.90
Wills and trusts	21	2.76
Immigration	21	2.29

Scale: 1=Does not appear to be a great need, 2=Rarely, 3=Sometimes, 4=Often, 5=There is a great need

**Key Findings:**

Based on the organizations’ experiences, the greatest unmet legal need statewide was reported as housing. Family law was reported as the next greatest need, followed by VA benefits. Immigration scored as the area of least unmet need, scoring significantly lower than all other areas.

**Table 5: Type of Services Provided to Veterans**

<b>How does your organization provide legal services to veterans/those who have served?</b>	<b>N</b>	<b>Mean</b>
Limited scope or full scope representation	26	3.77
Self-help or pro per assistance	24	3.58
Legal Clinics	21	3.52

Scale: 1=Never, 2=Rarely, 3=Sometimes, 4=Often, 5=Primary types of service used

**Key Findings:**

There were no significant differences in the types of services provided to veterans.

**Table 6: Additional Types of Legal Services in Local Areas**

<b>What additional legal services would be helpful to veterans in your service area?</b>	<b>N</b>	<b>Mean</b>
Limited scope or full scope representation	25	3.40
Self-help or pro per assistance	24	2.83
Legal Clinics	24	2.71

Scale: 1=No additional services needed, 2=Some additional services needed, 3=A lot of additional services needed, 4=Major additional services needed

**Key Findings:**

Organizations reported that more limited scope and full scope representation of veterans would be helpful in their local areas and this scored significantly higher than either self-help or pro per assistance and legal clinics. However, while less necessary, “some” to “a lot” of additional legal clinics were still ranked as being needed.

**Table 7: Partnerships to Serve Veterans**

<b>Who does your organization partner with to provide legal services to veterans?</b>	<b>N</b>	<b>Mean</b>
Veterans service organizations	25	2.76
Legal aid	25	2.60

Local bar associations	24	2.38
Law schools	24	2.25
Legal assistance office on military installations	23	1.61
JAG	22	1.59

Scale: 1=Never, 2=Rarely, 3=Sometimes, 4=Often, 5=Primary partner

**Key Findings:**

Organizations partnered with veterans service organizations significantly more than with all other partners with the exception of legal aid. Organizations partnered rarely (significantly less) with JAGC and legal assistance offices on military installations.

Open ended responses also indicated that additional partners include private law firms and in-house counsel, schools of social work, the court, community organizations serving veterans, homeless outreach workers, and VA health care providers.

**Table 8: Partnerships to Serve Active Duty Military**

<b>Who does your organization partner with to provide legal services to active duty service members?</b>	<b>N</b>	<b>Mean</b>
Veterans service organizations	13	2.46
Local bar associations	13	2.38
Legal aid	13	2.38
Legal assistance office on military installations	14	2.36
JAG	14	2.29
Law schools	13	2.15

Scale: 1=Never, 2=Rarely, 3=Sometimes, 4=Often, 5=Primary partner

**Key Findings:**

While organizations serving active duty service members scored partnering with veterans service organizations the highest, there were no statistically significant differences between any of the possible partners.

**Table 9: Pro Bono and Veterans**

<b>How does your organization utilize pro bono attorneys?</b>	<b>N</b>	<b>Mean</b>
Legal advice clinic	22	3.27
Refer pro bono cases	21	2.95
Legal research	23	2.43
Community outreach and legal education	22	2.32

Scale: 1=Never, 2=Rarely, 3=Sometimes, 4=Often, 5=Primary source of legal services

**Key Findings:**

Seventy-four percent of respondents utilize pro bono in some capacity and the survey results indicate that pro bono attorneys are used for legal advice clinics significantly more than other activities except for direct referral of cases to pro bono attorneys.

**Table 10: Pro Bono for Active Duty Military**

<b>Does your organization utilize pro bono attorneys to serve active duty military members; how often are they used in the following areas?</b>	<b>N</b>	<b>Mean</b>
Refer pro bono cases	12	2.67
Legal advice clinic	11	2.45
Legal research	11	1.82
Community outreach and legal education	11	1.82

Scale: 1=Never, 2=Rarely, 3=Sometimes, 4=Often, 5=Primary source of legal services

**Key Findings:**

The pattern of use of pro bono attorneys for active duty military is different than for veterans. The highest use is to refer pro bono cases, which is statistically greater than all other uses except legal advice clinics. Respondents report significantly less frequent use of pro bono attorneys for legal research and community outreach and legal education



# The State Bar of California

## Survey on Legal Services for Veterans and Active Duty Military in California

Thank you for taking the time to complete this survey. The State Bar of California is surveying programs in California that provide civil legal assistance to veterans to help identify whether and, if so, where there is a need for additional services and resources. We anticipate that this survey will take no longer than 10 minutes to complete.

Note: we understand that there are varying definitions of the term "veterans" in the legal services community. For purposes of this survey, we include those identifying as having served in the military as veterans, and use the terms interchangeably.

This survey will be open for three weeks and will close on Friday, August 24, 2018.

If you have any questions or concerns, please contact Elizabeth Hom at [elizabeth.hom@calbar.ca.gov](mailto:elizabeth.hom@calbar.ca.gov). We appreciate your time and the services that your organizations provide in the community.

*Please note questions with asterisks (\*) require answers to complete this survey.*

\* 1. Name

2. Title

\* 3. Organization

\* 4. Does your organization provide civil legal services to veterans/those who have served in the military?

- We do not ask clients/customers if they are veterans or whether they have served in the military
- Yes, we are a veterans service organization serving veterans only
- Yes, we are a legal aid organization with a veterans project
- Yes, we serve veterans as part of our overall practice, which can be described as follows:
- Yes, we are a bar association with a veterans project
- Yes, we are a law school with a veterans project
- Yes, as part of a special project



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5. How many veterans does your organization serve annually? Please provide an estimate if the actual number is unknown:

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6. What is your service area?

- Statewide  Alameda County  Alpine County  Amador County  Butte County  Calaveras County  Colusa County  Contra Costa County  Del Norte County
- El Dorado County
- Fresno County  Glenn County  Humboldt County  Imperial County  Inyo County  Kern County  Kings County  Lake County  Lassen County
- Los Angeles County
- Madera County  Marin County  Mariposa County  Mendocino County  Merced County  Modoc County  Mono County  Monterey County  Napa County
- Nevada County
- Orange County  Placer County  Plumas County  Riverside County  Sacramento County  San Benito County  San Bernardino County  San Diego County  San Francisco County
- San Joaquin County
- San Luis Obispo County  San Mateo County  Santa Barbara County  Santa Clara County  Santa Cruz County  Shasta County  Sierra County  Siskiyou County  Solano County
- Sonoma County
- Stanislaus County  Sutter County  Tehama County  Trinity County  Tulare County  Tuolumne County  Ventura County  Yolo County  Yuba County

If your organization's service area is not by county, please describe your service area here.

7. How does your organization outreach to veterans?

	Never	Rarely	Sometimes	Often	Primary source of outreach
Through the VA	<input type="radio"/>				
At courthouse/Self-Help Center	<input type="radio"/>				
Veteran-focused events, like Stand Down	<input type="radio"/>				
Other (please specify)	<input type="text"/>				

8. What substantive areas of law does your organization provide to veterans/those who have served in the military?

	Never	Rarely	Sometimes	Often	Primary legal area served
Consumer	<input type="radio"/>				
Employment (e.g. discrimination or barriers to employment)	<input type="radio"/>				
Family law	<input type="radio"/>				
Housing	<input type="radio"/>				
Immigration	<input type="radio"/>				
Income maintenance (public benefits)	<input type="radio"/>				
Individual Rights	<input type="radio"/>				
Parking/traffic ticket fines and fees	<input type="radio"/>				
Service discharge upgrades	<input type="radio"/>				
VA benefits, including service connected disability benefits	<input type="radio"/>				
Wills and trusts	<input type="radio"/>				
Criminal	<input type="radio"/>				
Other (please specify)	<input type="text"/>				

9. How does your organization provide legal services to veterans/those who have served?

	Never	Rarely	Sometimes	Often	Primary types of service used
Self-help or pro per assistance	<input type="radio"/>				
Legal clinics	<input type="radio"/>				
Limited scope or full scope representation	<input type="radio"/>				

Other (please specify)

10. Who are your primary referral provider(s)/partner(s) for veterans that your organization cannot serve?

11. Who does your organization partner with to provide legal services to veterans?

	Never partner	Rarely partner	Sometimes partner	Often partner	Primary partner
JAG	<input type="radio"/>				
Legal assistance office on military installations	<input type="radio"/>				
Local bar associations	<input type="radio"/>				
Law schools	<input type="radio"/>				
Veterans service organizations	<input type="radio"/>				
Legal aid	<input type="radio"/>				

Other (please specify)

12. Briefly describe any partnership(s) relating to your ongoing work on behalf of veterans, if any:

13. Does your organization utilize pro bono attorneys to provide legal services to veterans?

Never	Rarely	Sometimes	Often	Primary source of legal services
<input type="radio"/>				

14. If your organization utilizes pro bono attorneys, how often are they used in the following areas?

	Never	Rarely	Sometimes	Often	Primary use of pro bono
Legal research	<input type="radio"/>				
Community outreach and legal education	<input type="radio"/>				
Legal advice clinic	<input type="radio"/>				
Refer pro bono cases	<input type="radio"/>				

Other (please specify)

15. Based on your organization's experience with the veteran community, what do you believe are the unmet legal needs for veterans in your **local community**?

	Does not appear to be a great need	Rarely	Sometimes	Often	There is a great need
Consumer	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Employment (e.g. discrimination or barriers to employment)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Family law	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Housing	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Immigration	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Income maintenance (public benefits)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Individual Rights	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Parking/traffic ticket fines and fees	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Service discharge upgrades	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
VA benefits, including service connected disability benefits	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Wills and trusts	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Criminal	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Other (please specify)

16. Based on your organization's experience with the veteran community, what do you believe are the unmet legal needs for veterans **statewide**?

	Does not appear to be a great need	Rarely	Sometimes	Often	There is a great need
Consumer	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Employment (e.g. discrimination or barriers to employment)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Family law	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Housing	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Immigration	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Income maintenance (public benefits)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Individual Rights	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Parking/traffic ticket fines and fees	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Service discharge upgrades	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
VA benefits, including service connected disability benefits	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Wills and trusts	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Criminal	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Other (please specify)

17. What additional legal services would be helpful to veterans in your service area?

	no additional services needed	some additional services needed	a lot of additional services needed	major additional services needed
Self-help or pro per assistance	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Legal clinics	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Limited scope or full scope representation	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Other (please specify)

18. What does your organization see as the greatest challenge to serving the veteran population?



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\* 19. Does your organization provide civil legal services to active duty military service members?

- Yes, we have a project focused on active duty service members
- We do not ask clients/customers if they are active duty service members.
- Yes, we serve active duty service members in the course of our regular practice

20. If yes, please describe the legal services provided to active duty military members:



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## Survey on Legal Services for Veterans and Active Duty Military in California

21. How many active duty service members does your organization serve annually? Please provide an estimate if actual number is unknown.

22. Does your organization utilize pro bono attorneys to provide legal services to active duty military?

Never	Rarely	Sometimes	Often	Primary source of legal services
<input type="radio"/>				

23. If your organization utilizes pro bono attorneys to serve active duty military members, how often are they used in the following areas?

	Never	Rarely	Sometimes	Often	Primary use of pro bono
Legal research	<input type="radio"/>				
Community outreach and legal education	<input type="radio"/>				
Legal advice clinic	<input type="radio"/>				
Refer pro bono cases	<input type="radio"/>				

Other (please specify)

24. Who does your organization partner with to provide legal services to active duty service members?

	Never partner	Rarely partner	Sometimes partner	Often partner	Primary partner
JAG	<input type="radio"/>				
Legal assistance office on military installations	<input type="radio"/>				
Local bar associations	<input type="radio"/>				
Law schools	<input type="radio"/>				
Veterans service organizations	<input type="radio"/>				
Legal aid	<input type="radio"/>				

Other (please specify)

25. Please provide any additional comments you may have on legal services for veterans and active duty service members.