



The State Bar of California

California Justice Gap Study

The first comprehensive statewide study on the need for civil legal assistance in California

Mission Critical

- The State Bar has provided leadership in advancing access to justice for decades. The State Bar's new mission statement, adopted by the Board of Trustees in 2017, specifies that access and inclusion are core to the Bar's public protection mission.
- California-specific data on the size and impact of the justice gap is needed to set a baseline and focus future efforts to advance access to justice. Recognizing this, the Board of Trustees made the first California Justice Gap Study a strategic plan objective for 2019.

How Big is California's Justice Gap?

- The California justice gap is defined as the gap between the need for civil legal assistance among Californians and the resources to meet that need.
- California's unique size, diversity, and growing inequality, with the nation's highest poverty rate, point to the enormity and complexity of the gap.
- For many, cost is the main barrier. Nearly 8 million Californians, 1 in 5, are eligible for free legal aid, according to the Legal Services Corporation (LSC), the largest federal legal aid funder.
- Many people with serious legal problems never seek legal aid. Millions of Californians who seek legal aid must be turned away because providers lack the needed resources. With just over 1,000 attorneys in California providing legal help to indigent people, there are more than 7,500 potential clients for each legal aid attorney.
- Millions more Californians are ineligible for legal aid yet cannot afford a lawyer when needed.
- Other barriers to access include geography—including the urban/rural divide—language, and unfamiliarity with the legal system.
- National studies and related statistics, such as the soaring number of self-represented litigants in California courts, point to the gap, but a comprehensive state study has never been done.

National Study a Model

- In 2017, LSC published a significant national study measuring unmet civil legal needs.
- The study paired a national survey panel of 2,000 low-income Americans with an intake census through LSC-funded legal aid organizations.
- The LSC methodology, while groundbreaking, was not conducive to state breakouts.

California Justice Gap Study Scope

The California Justice Gap Study will:

- Follow the methodology of the 2017 LSC national study, including a household panel survey and an intake census of field programs.

- Gather data on the legal services needs of both low-income Californians and those from the general population.
- Include an evaluation of the costs of legal education in California and the impact of those costs on access to justice.
- Suggest possible approaches to addressing the costs of legal education, including loan forgiveness programs and other means.

Components and Timeline

- **Survey:** The survey of 3,000 Californians will be conducted by NORC at the University of Chicago. NORC, an objective and independent research organization, conducted the LSC survey using its proprietary AmeriSpeak survey household panel. The AmeriSpeak survey for the California study will include a panel of adults residing in households at or below 125% of the Federal Poverty Level and an additional household panel of California adults in the general population.
- **Intake census:** A six-week intake census will be done by several dozen California legal aid organizations who receive federal and state grants. Grantees will track the number of individuals approaching them for help with a civil legal problem whom they are unable to serve, able to serve to some extent, and able to serve fully.
- **Costs of legal education:** The State Bar is partnering with the Legal Aid Association of California (LAAC), to help identify barriers faced by law students and new lawyers that divert them from a career in legal aid. LAAC is seeking these answers through surveys and focus groups of law school students and recent graduates.
- **Timeline:** The study launched in early 2019 and is scheduled for completion by December 2019.