



# The State Bar of California

## California Justice Gap Study

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

### Study Purpose

- Furthering access is core to the State Bar's public protection mission, and the State Bar is committed to continuing to be a leader in the struggle to advance access to justice in California.
- National studies and related statistics have pointed to a significant justice gap, defined as the gap between civil legal needs and available resources. No comprehensive study of the justice gap in California, the largest state in the nation, had ever been done.
- California-specific data on the size and impact of the justice gap helps set a baseline and focus future efforts to advance access to legal services.
- Recognizing this, the State Bar's Board of Trustees made the first California Justice Gap Study a strategic plan objective for 2019.

### Study Components

The [California Justice Gap Study](#) included four components:

- **Survey:** Findings from a survey of nearly 4,000 Californians on the civil legal problems they faced in the past year and what they did to resolve those problems;
- **Intake Census:** Reports from State Bar-funded legal aid organizations about their ability to serve those who requested legal help, including the volume and types of problems, and the number of Californians assisted;
- **Legal Aid Recruitment and Retention Study:** Findings from a study by the Legal Aid Association of California that analyzed the workforce challenges faced by legal aid organizations, who work to meet the civil legal needs of Californians; and
- **Law Student Survey:** Survey and focus groups of California law students on the impact of the cost of legal education and student loan debt on career choices, and ultimately access to justice.

### How Big is the California Justice Gap?

- **55 percent of Californians** at all income levels experienced at least one civil legal problem in their household within the past year.
- Californians sought legal help for fewer than **one in three** legal problems.
- Californians received no or inadequate legal help for **85 percent** of their problems.
- The most common categories of civil legal problems affecting Californians at all income levels are health, finance, and employment.

- Californians gave multiple reasons why they did not seek legal help. The most commonly cited reasons included:
  - Lack of awareness that their problem was a legal issue;
  - Belief that they needed to deal with the problem on their own;
  - Fear of the legal system;
  - Worries about cost; or
  - Uncertainty about where to look.
- Nearly 40 percent of low-income Californians who sought legal help reached out to legal aid organizations, but the current system cannot help everyone who needs it. In fact, legal aid is only able to fully resolve **30 percent** of the problems presented to them.
- State Bar-funded legal aid organizations employed approximately 1,500 attorneys and leveraged pro bono services from 16,000 others, but **an estimated additional 9,000 full-time legal aid attorneys** would be needed to fill the service gap and fully resolve all civil legal problems experienced by low-income Californians.

### Legal Aid Recruitment and Retention

Recruitment and retention of legal aid attorneys have become acute issues for legal aid organizations:

- Legal aid organizations report massive turnover rates: **One in three** legal aid attorneys leave within two years.
- Top reasons attorneys leave legal aid organizations: low salaries, lack of career advancement opportunities, and burnout. The average statewide salary for legal aid staff attorneys is **\$67,600**.
- Educational debt has become a major barrier to long-term career prospects in legal aid. Most California law students (78 percent) used loans to finance their legal education, and the median law school loan debt in California is \$120,000.
- Among students who start law school intending to practice in public interest, **one in two** drift from that intention by the time they graduate.
- The top reason cited for public interest drift: the need for higher income to pay off debt.
- The strongest predictor of a student maintaining their plans to pursue a public interest career after graduation: **public interest internships**.

### California Justice Gap Recommendations

The [Executive Report](#) outlines needs for further study and makes recommendations to address two dimensions of the Justice Gap:

- **Knowledge Gap:** Most Californians do not seek or receive legal help because they do not know their problems have a legal remedy, and they are uncertain how to access legal help.
  - Recommendations include strategic outreach, education, and technology-based tools to help diagnose legal problems.
- **Service Gap:** The current legal services delivery system is unable to meet the legal needs of Californians. Funding alone will not close the gap.
  - Recommendations include funding changes, interventions to strengthen interest in legal aid careers during law school, and ways to seed new approaches through legal innovation and regulatory reform.