

The Justice Gap: The Unmet Civil Legal Needs of Low-income Americans

April 2022

Low-income Americans do not get any or enough legal help for **92% of their substantial civil legal problems.**



Low-income America

About 50 million Americans have household incomes below 125% of the poverty threshold – including more than 15 million children and nearly 8 million seniors.*



Civil legal needs

Civil legal needs typically involve securing and protecting basic needs, such as housing, education, health care, income, and safety.



The justice gap

The justice gap is the difference between the civil legal needs of low-income Americans and the resources available to meet those needs.

*Data source: U.S. Census Bureau's Current Population Survey, 2021 Annual Social and Economic (ASEC) Supplement.

The 2022 Justice Gap Study

The Legal Services Corporation (LSC) is pleased to share findings from its 2022 Justice Gap Study. This study provides a fresh assessment of low-income Americans' civil legal needs and the extent to which their legal needs are met. Additionally, its timing allows an examination of the justice gap in the context of the COVID-19 pandemic, which has had disproportionate effects on this population. The study leverages LSC's "intake census" conducted among LSC-funded legal aid organizations as well as a nationally representative survey of more than 5,000 adults conducted by NORC at the University of Chicago using its AmeriSpeak® Panel.

The Prevalence of Civil Legal Problems

Most low-income households have dealt with at least one civil legal problem in the past year – and many of these problems have had substantial impacts on people's lives.



3 in 4 (74%) low-income households experienced 1+ civil legal problems in the past year.

2 in 5 (39%) experienced 5+ problems, and 1 in 5 (20%) experienced 10+ problems.

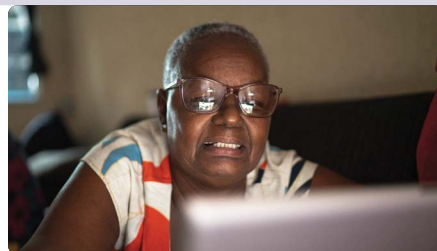
Most common types of problems: consumer issues, health care, housing, income maintenance.

1 in 2 (55%) low-income Americans who personally experienced a problem say these problems substantially impacted their lives – with the consequences affecting their finances, mental health, physical health and safety, and relationships.

Data source: 2021 Justice Gap Measurement Survey.

Seeking and Receiving Legal Help

Most low-income Americans do not get any or enough legal help for their civil legal problems – and the cost of legal help stands out as an important barrier.



1 in 4 problems: They seek legal help for only 1 out of every 4 (25%) civil legal problems that impact them substantially.

1 in 2 (46%) of those who did not seek legal help for one or more problems cite concerns about cost as a reason why.

1 in 2 (53%) does not know if they could find and afford a lawyer if they needed one.

92% = survey-based justice gap: They do not get any or enough legal help for 92% of the problems that have had a substantial impact on them.

Data source: 2021 Justice Gap Measurement Survey.

Comparing Income Groups

Compared to low-income Americans, those with higher incomes have fewer barriers to getting legal help.*



They seek help more often: People with higher incomes are more likely to seek legal help for problems with substantial impact (32% vs. 25% of problems).

Their justice gap is smaller: They are less likely to go without any or enough legal help for problems with substantial impact (78% vs. 92% of problems).

They have better access: They are more likely to be confident that they could find and afford a lawyer if they needed one (73% vs. 45%).

They believe in the system: They are more likely to believe that they can use the civil legal system to protect and enforce their rights (59% vs. 39%).

*These statements compare people at or above 400% of FPL with people at or below 125% of FPL.
Data source: 2021 Justice Gap Measurement Survey.

Reports from the Field

LSC-funded organizations do not have enough resources to meet the current demand for civil legal aid in the communities they serve.*



1.9 million requests for help: Low-income individuals approach LSC-funded organizations for help with an estimated 1.9 million civil legal problems in a year.

1 in 2 requests turned away: These organizations must turn away 1 out of every 2 (49%) requests they receive due to limited resources.

1 in 2 problems fully resolved: Even when they can provide some assistance, these organizations have the resources to fully resolve only 1 out of every 2 (56%) problems.

1.4 million problems = intake-based justice gap. All in all, LSC-funded organizations are unable to provide any or enough legal help for an estimated 1.4 million civil legal problems (or 71% of problems) that are brought to their doors in a year.

*These statements are only about problems that are eligible for legal assistance from LSC-funded organizations.
Data source: LSC's 2021 Intake Census.

Geographic Focus

● West

11.1 million people below 125% of poverty.
72% of households had 1+ civil legal problems in the past year.

▨ Midwest

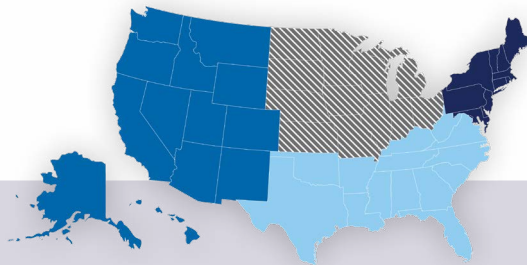
9.2 million people below 125% of poverty.
75% of households had 1+ civil legal problems in the past year.

● Northeast

7.4 million people below 125% of poverty.
74% of households had 1+ civil legal problems in the past year.

● South

22.2 million people below 125% of poverty.
75% of households had 1+ civil legal problems in the past year.



Data sources: 2021 Justice Gap Measurement Survey and the U.S. Census Bureau's Current Population Survey, 2021 Annual Social and Economic (ASEC) Supplement.

Special Focus

65+ Seniors

7.6 million seniors below 125% of poverty.
70% of senior households had 1+ problems in the past year.

Veterans

1.6 million veterans below 125% of poverty.
76% of veteran households had 1+ problems in the past year.

Children (<18 yrs)

15.2 million children below 125% of poverty.
83% of households with children had 1+ problems in the past year.

People in Rural Areas

8 million people below 125% of poverty in rural areas.
77% of rural households had 1+ problems in the past year.

People with High Housing Costs

15 million households with high housing costs have annual incomes below \$25,000.
84% of households with high housing costs had 1+ problems in the past year.

Survivors of Domestic Violence

98% of households with recent domestic violence had 1+ problems in the past year (in addition to their problems involving domestic violence).

Data sources: 2021 Justice Gap Measurement Survey and various other sources (see Section Two in full report).

Impact of the COVID-19 Pandemic

33% of low-income Americans experienced at least one civil legal problem linked to the COVID-19 pandemic in the past year.

The types of civil legal problems most likely to be attributed to the COVID-19 pandemic are those involving income maintenance, education, and housing.



Income maintenance

32% of income maintenance problems are pandemic-related.

Examples: difficulty accessing unemployment insurance or receiving COVID stimulus payments.



Education

31% of education problems are pandemic-related.

Examples: difficulty attending school or accessing technology to participate in virtual learning.



Housing

27% of housing problems are pandemic-related.

Examples: problems involving foreclosure, eviction, and safe living environments.

Additionally, the data suggest that income disparities in the justice gap between low- and higher-income Americans are exacerbated for pandemic-related civil legal problems. See Section Five in the full report for a fuller discussion of this noteworthy finding.

Data source: 2021 Justice Gap Measurement Survey.

About the Legal Services Corporation

The Legal Services Corporation (LSC) was established by Congress in 1974 to promote equal access to justice. LSC operates as an independent 501(c)(3) non-profit corporation and currently serves as the nation's single largest funder of civil legal aid for low-income individuals. More than 90% of LSC's total funding is currently distributed to 132 independent non-profit legal aid programs with 877 offices across the country. LSC's mission is to help provide high-quality civil legal aid to low-income people. To learn more about LSC, please visit www.lsc.gov.

Acknowledgments

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Visit justicegap.lsc.gov

Visit LSC's justice gap study website to download and print the report, see videos about the justice gap and the impact of civil legal aid, learn more about the study's methodology, and access additional summaries of study findings related to the pandemic, U.S. regions, subpopulations of interest, and other topics.

