Executive Summary

Legal Aid of the Bluegrass (LABG), a Kentucky non-profit, provides civil legal services in thirty-three northeastern and central Kentucky counties where about 213,000 low income people reside. LABG’s target population is people living at or below the poverty level, and the elderly and other vulnerable people in its service area. LABG strives to provide its clients with high-quality civil legal representation and advocacy in an effort to lift underrepresented and vulnerable populations from poverty. With an annual budget currently averaging $4.2 million, LABG can only serve about 10% of its eligible client base each year. LABG must then regularly balance its limited resources with the growing demand for services and the emerging legal needs of the people it serves.

Legal protections available through the justice system are ineffective if the intended beneficiaries lack access to the legal representation necessary to effectuate their rights. Legal services programs play an essential role in safeguarding access to the justice system for vulnerable people. Thus, periodically assessing the most pressing legal needs of its target populations assures that legal services programs are appropriately allocating resources and providing meaningful, mission-driven service to as many eligible individuals as possible.

LABG is continually engaged in an ongoing process of identifying emerging needs, setting goals and priorities, and implementing practical strategies aimed at targeting resources toward the priorities it has established. LABG periodically engages in a more formal process to fully examine emerging legal needs in light of changing demographic, political, socioeconomic, and other societal factors and to assess whether the community perceives that it is meeting its goals of providing mission driven high quality legal assistance. The findings of its latest study are set out here.

Methodology:

LABG designed its 2016 comprehensive Legal Needs Assessment around two points of inquiry: What are the most pressing current legal problems and needs of our target populations? Is LABG properly allocating resources to provide high quality, economical and effective legal assistance, representation and advocacy to as many of its target populations as possible?

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1 Between 2011 and 2015, 212,635 people lived below the poverty level across LABG’s 33-county service area. See Appendix C: Potential Gaps in Service Report, infra, at 1.
2 Statistics calculated from LABG’s case data, other numbers served, and final revenue statistics averaged over the five-year period of 2012-2016.
3 LABG is funded by the Legal Services Corporation (LSC). Through its implementing regulations, the (LSC) mandates that periodic comprehensive legal needs assessments be completed by its grantees. In its Performance Criteria, LSC provides guidance as to how legal services programs should undertake such a comprehensive assessment. See Legal Services Corporation, LSC Performance Criteria, available at http://www.lsc.gov/sites/default/files/LRI/LSCPerformanceCriteriaReferencingABASTandards.pdf.
As demographic, social, and economic conditions change over time, the most critical issues facing our target populations inevitably evolve as well. While median income figures have increased and the unemployment rate has decreased in recent years, Kentucky still has one of the highest poverty rates in the nation, with rural areas being most impacted. According to recent Census Bureau figures, Kentucky is one of only eight states where income inequality has increased in the past year. From 2007 – 2015, the average percentage of food insecure households increased from 13.4% to 17.6%.

LABG conducted a multi-pronged assessment in the summer and fall of 2016 comprised of community and expert evaluation methods. LABG solicited feedback using survey and focus group data and community outreach, and contracted for an external Social Return on Investment Study (SROI) and a Potential Gaps in Service Report. LABG structured its assessment to address both key components of its central inquiry: (1) identifying the most pressing civil legal problems and needs among its target populations and (2) reviewing LABG’s current resource allocations and established objectives to properly align future allocations with assessment results.

Findings:

LABG’s current resource allocation is already structured to address the most prevalent community legal problems and needs and is targeted toward the most vulnerable populations. LABG’s methods of inquiry elicited data about its current resource allocation and the emerging needs among vulnerable populations, which will guide LABG’s future resource allocation and service provision. The Social Return on Investment Study, conducted by Community Services Analysis, LLC (CASCO), concluded that LABG is within the top third of national legal services programs with respect to the benefit returned to the community from its services. Although not necessarily a deciding factor in allocating resources to meet the most critical legal needs of the target populations, the study did find that LABG balances its resources well. LABG services provide effective economic benefits for its clients and the community. For every $1.00 LABG spends on providing legal services, $7.45 is returned to the community, which is a 745% return on investment.

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7 See Section II. Methodology, infra.

8 See Appendix B: Social Return on Investment (SROI) Study, infra.
The Potential Gaps in Service Report, prepared by Northern Kentucky University’s Center for Economic Analysis and Development (CEAD), indicated that, of the 22,018 cases in which LABG served individuals living below 200% of poverty from 2011 to 2015, 64.9% of those individuals lived below the poverty level. In more than half of these cases, the individuals lived with incomes below 50% of poverty. The remaining individuals under 200% of poverty receiving services from LABG were members of especially vulnerable populations, namely elderly individuals and domestic violence victims, and were subject to less stringent income eligibility guidelines.

The current priority areas to which LABG allocates substantial resources continue to be among the most highly-ranked legal issues cited by study participants. Survey and focus group data revealed that the most prominent issues cited involved housing, family law, bankruptcy, and access to government-benefits, which are current priority areas for LABG.

The elderly and veterans are two of LABG’s most vulnerable populations and current resource allocation is appropriate given their vulnerability. The legal needs assessment reaffirmed findings from past studies that the elderly and veterans are two of LABG’s most vulnerable populations. LABG’s currently allocates SHIP (Senior Health Insurance Assistance Program), MIPPA (Medicare Improvements for Patients and Providers Act), and Title III funding to serve these groups, and this allocation method aligns with this finding.

Domestic violence victims continue to have a priority need for service. In particular, immigrant victims face greater barriers to accessing health care, employment, and necessary public benefits than other vulnerable people and are especially vulnerable to domestic violence and abuse. Assessment results indicate that immigrants are an especially vulnerable population. They find it more difficult than other vulnerable populations to access health care, obtain employment, and acquire necessary public benefits because of language barriers, lack of required documentation, and the associated problems in navigating the intricacies of our civil legal system. Undocumented immigrants are especially vulnerable in domestic violence or abuse situations. Many are living far from their families and lack a nearby support network or financial autonomy. Such isolation leaves them especially dependent upon their partners for support and without any practical means of escape if the relationship becomes violent. Those who are able to escape violent domestic situations often cannot meet their basic needs because they lack work authorizations, leaving them susceptible to further violence and financial exploitation.

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9 See Appendix C: Potential Gaps in Service Report, infra.
10 Of the 14,298 individuals living below the poverty level that LABG served, 7,172 were living below 50% of the poverty level. See Appendix C: CEAD Potential Gaps in Service Report, Figure 2, infra. According to the U.S. Federal Poverty Guidelines, the annual income for a family of four living at 100% of poverty is $24,300. See U.S. Department of Health and Human Services, Federal Poverty Guidelines (2016), available at https://aspe.hhs.gov/poverty-guidelines.
11 Participants include members of the client eligible population, community partners, attorneys, and judges and clerks whom LABG surveyed, as well as target focus groups within the community at large. See Section II. Methodology, infra; see also Section III. Findings and Conclusions, Subsections A and B, infra.
**Some populations may be underserved.** The survey results showed that some population groups and some rural areas may be more underserved than others. LABG will consider expanding services to its more underserved rural counties and extending outreach to specific under-represented groups within those counties like African Americans and Latinos. LABG will also explore opportunities to expand services to the LGBTQ community within its service region. The results of the assessment further indicate that LABG should explore in more detail the reason that individuals between eighteen and thirty-four years of age appear to be underserved. More study is needed to determine fully what the survey results and report implications mean.

**New client and community issues have emerged, some of which have implications for service delivery methods.** The assessment identified the need to address consumer issues more broadly related to financial stability. These issues included the inability to obtain a bank account, predatory mortgage lending practices, oppressive money lending practices, the burden of delinquent student loans, for which no real educational benefit was obtained, and unfair debt collection and credit reporting practices. Environmental issues having a disproportionate impact on economically poor communities were identified as well. These include poor water quality, particularly in rural communities, lead paint in public and rental housing, and housing built on contaminated soil. Also mentioned was an inability to obtain reliable and safe transportation access to such needed services as health care and the ability to obtain employment. This finding could affect how LABG structures its service delivery in the future.

**Creating new opportunities for the private bar, law clerks and other professionals to engage in the delivery mechanism with LABG may enhance client service and address underserved areas and populations.** The assessment identified that engaging our private bar partners in the delivery of legal services through new and creative mechanisms is an area for further exploration and study. This finding can affect how LABG structures its future Pro Bono and private attorney involvement efforts to meet its client service priorities.

**Conclusion:**

LABG recognizes that legal issues and obstacles facing vulnerable populations do not exist in a vacuum. In developing strategies to implement the findings of the 2016 assessment, LABG will endeavor to address those needs through high quality legal representation and advocacy in a manner that will have the greatest impact on lifting vulnerable populations out of poverty.

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12 See Appendix C: Potential Gaps in Service Report, Figure 3, infra.