

Assessing the Legal Needs of Seniors

Jilene Gunther, M.S.W., J.D.

Consulting Attorney, The Center for Social Gerontology
Research Associate, Borchard Foundation Law & Aging
Legal Services Developer, State of Utah

Why Conduct a Legal Needs Assessment?

- Legal services is a priority under the OAA.
- Despite this legal services are not well-funded.
- Therefore, it becomes crucial to –
 - Plan and develop services that services target the needs of seniors so that financial resources are used as effectively as possible.
 - To advocate for continuing and increased funding. Show policymakers the need and value of legal services.

Principal Investigators

Jilene Gunther, M.S.W, J.D.
Borchard Foundation on Law & Aging

Alan Ormsby, J.D.
Division of Aging and Adult Services

Statistical Consultant
Nathan Stephens
Brigham Young University

How to Conduct a Credible Legal Needs Assessment of Seniors

Getting Started

Gathering a Sample

Selecting a Methodology

Creating a Survey

Mailing the Survey

Results

Budgeting

GETTING STARTED

1A. Get Stakeholders on Board

Getting Stakeholders involved:

- increases credibility of survey.
- pulls resources (in-kind and financial resources).
- ensures results are implemented.

Some stakeholders could be the Division of Aging, legal services providers, AAA's, other organizations, and Bar Association.

GETTING STARTED

1B. Utah's Stakeholders

Utah collaborated with –

- **Division of Aging** – paid for envelopes, staff entered data.
- **Borchard Foundation** – paid for costs of copying survey.
- **AAA's** – paid for postage costs.
- **Retired Senior Volunteer Program** – stuffed and addressed mailings.
- **Brigham Young University** – statistical consulting at no charge.
- **Senior Centers** – organized focus groups.

GETTING STARTED

1B. Utah's Stakeholders

- **Division of Aging** – better awareness of legal needs, has given more importance to legal services, plan to increase quality and quantity of legal issues.
- **Division of Aging, Board** – more receptive to allocating funds for legal services that seniors want based on results of the study.
- **Utah Legislature** – a plan to ask for funds.
- **National Awareness** –

GETTING STARTED

2A. Existing Legal Needs Surveys

- Look at other legal needs surveys and reports.
 - Washington State
 - Utah

GETTING STARTED

2B. Utah's Research on Existing Surveys

- National and state data on legal needs study of the low-income population (Washington).
- No specific data assessing seniors' legal needs.
- Little data specific to Utah to suggest the types of legal problems seniors face.
- Thus, Utah is serving a population based on what they think seniors need rather than what seniors actually need.

GETTING STARTED

3A. Goals & Objectives

What do you want from the survey?

1. Planning tool
2. Increase funding

What information are you seeking?

Form clear, specific goals and objectives

GETTING STARTED

3B. Utah's Goals & Objectives

Goals

- To obtain a clear picture of the legal needs of Utah's seniors.
- To focus resources to provide legal services with the greatest impact.
- Use findings to obtain additional funding.

Purposes

To assess:

- seniors' legal needs.
- awareness of available legal services.
- places seniors go for legal help.
- experiences with lawyers and perceptions of lawyers.
- barriers have with using a lawyer.
- legal issues that concern them.
- legal services that would benefit them the most.
- other – statistics.

GATHERING A SAMPLE

4A & B. Focus Population

Who do you want to survey?

- The general population of seniors
 - Utah
- A specific segment of seniors like the homebound, minority seniors
- Stakeholders

Surveying more than one focus population is a great way to compensate for a smaller sample.

GATHERING A SAMPLE

5A. Finding a Sample

- To find a sample, you must first find a sampling frame
- A sampling frame is the most extensive list you can find of your focus group (those you want to survey)
- To find a sampling frame
 - Existing sample
 - Medicare
 - DMV
 - Voter registration

GATHERING A SAMPLE

5A. Finding a Sample

- The most important part of the survey is ensuring your sample is representative
- Representative Sample
 - Large enough – 1000 seniors
 - Equal chance of being selected
 - Free of Bias

GATHERING A SAMPLE

5B. Utah's Sample

- Sample from prior Division of Aging survey.
- Seniors were drawn from an original random sample of over 6,000 Utah seniors surveyed in 2001.
- Sampling frame originally from Medicare, DMV lists
- 989 Utahns ages 60 and older throughout the state.
- 989 seniors from original study agreed to be part of additional surveys.
- Survey is representative of Utah's seniors.

SELECTING A METHODOLOGY

6A. Getting the Survey to Seniors

- Weigh pros and cons of each methods according to your specific state's senior population
- Mail Surveys
 - Excludes those with vision and literacy difficulties
 - Low response rate
- Phone Surveys
 - Must have a large amount of people to get target sample size due to hang-ups and refusals.
 - Excludes those without a phone who often the most vulnerable.
 - Costly
- In-Person
 - Very costly

SELECTING A METHODOLOGY

6B. Utah's Mailed Survey to Seniors

Utah chose a mailed survey because we needed to keep costs to a minimum, and Utah does not have a significant literacy problem.

CREATING THE SURVEY

7A. Drafting the Survey

- A good survey is necessary for a good response rate
- Clear and concise questions
- No legal jargon
- One interpretation
- Length of the survey
- Font size
- Order of questions
- Framing the question appropriately
- Set time

CREATING THE SURVEY

7B. Utah's Survey

Format

- 14 point font
- 2 columns or _ of page
- 5 pages (double-sided)
- Order of questions

Legal Jargon

- Don't ask have you have had problems with predatory lending
- Rather ask about extremely high interest rates

Two Different Interpretations

- Were you robbed in the last 6 months?
- Font size
- Order of questions

Questions

- Framing the questions appropriately
- Set time
- Concise

CREATING THE SURVEY

8A & B. Questions & Topics

Questions focused on several areas:

- Demographics
- Health Insurance
- Government Benefits
- Housing Consumer Issues
- Family Problems
- Abuse and Neglect Issues
- Estate Planning
- Awareness of existing legal services
- Experience and perceptions of lawyers, including barriers from contacting a lawyer.
- Wanted legal services
- Legal issues of most concern

CREATING THE SURVEY

9A. Testing the Survey

- Have colleagues review survey and make changes as necessary
- Conduct focus groups of seniors
 - At least two focus groups
 - 10 seniors per group
 - Group should be diverse in terms of age, race, and educational attainment
- Create a survey taking environment
 - No questions

CREATING THE SURVEY

9B. Utah's Survey Testing

- Utah had senior centers put together focus groups.
 - Have one colleague lead group, the other observe seniors.
- Questions to Ask:
- Font
 - Confusing
 - Cover letter
 - Questions troublesome
 - Instructions
 - Format

MAILING THE SURVEY

10A & B. Sending the Survey

- Include postage paid return envelope with survey and cover letter
- Find volunteer group to do mailings
- Send a reminder postcard

RESULTS

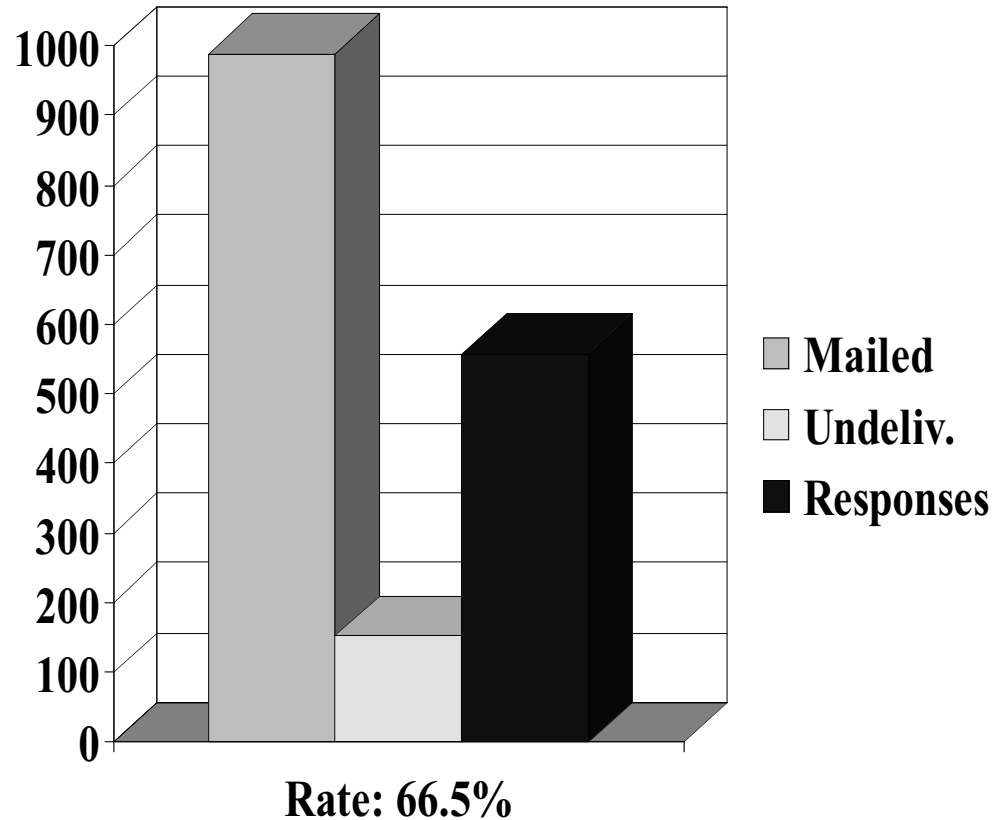
11A. Response Rate

- Encourage participation
 - Cover letter incentives
 - Return postage envelope
 - Thank you

RESULTS

11B. Utah's Response Rate

- 989 surveys sent
- 152 bad addresses
- 557 completed
- 67% completed

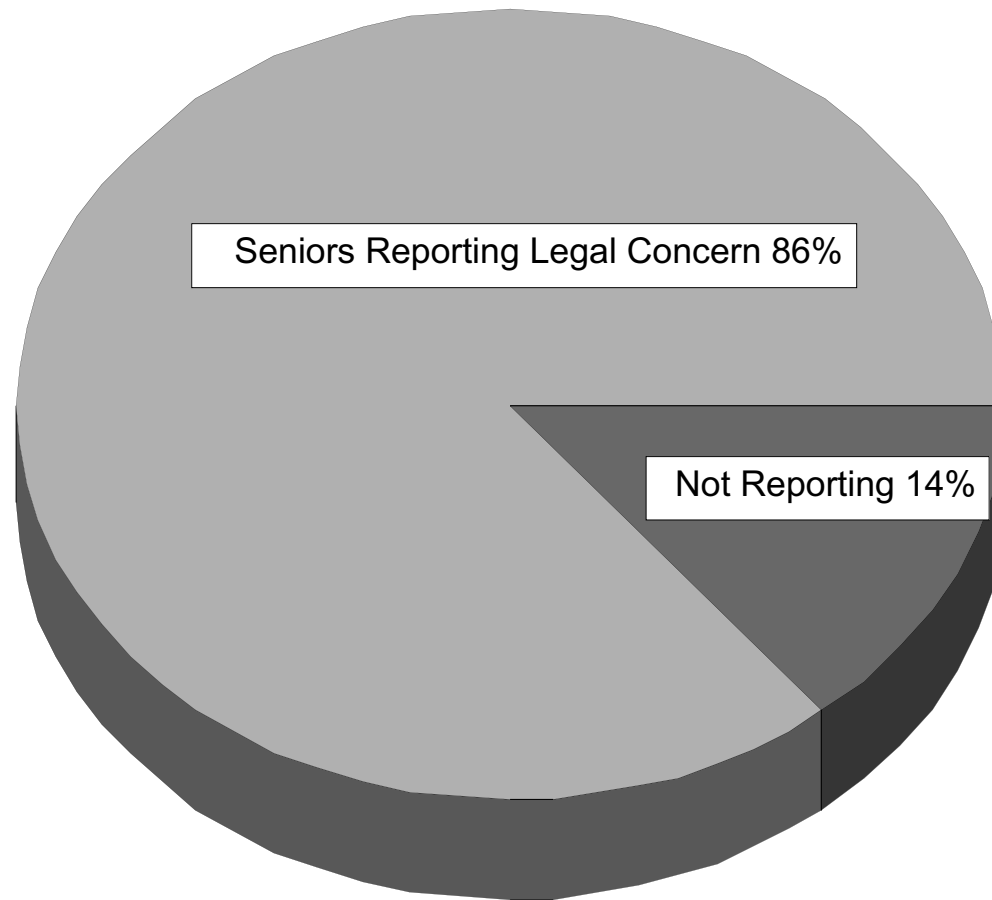


RESULTS

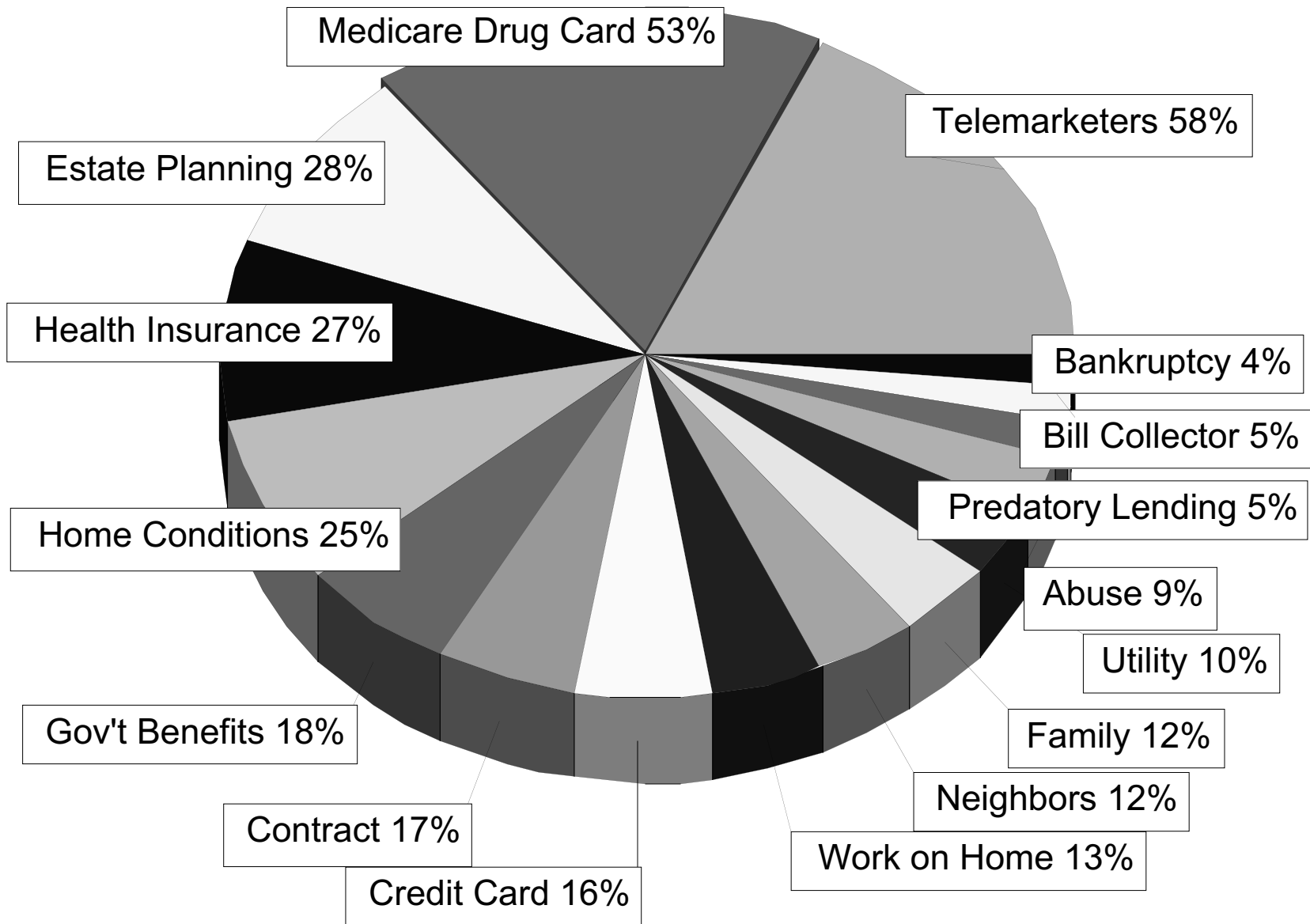
12A & B. Decide what analysis you want?

- Enter data
- Total percentages
- Utah – correlations, total percentages, breakdown by area, sex, age, area

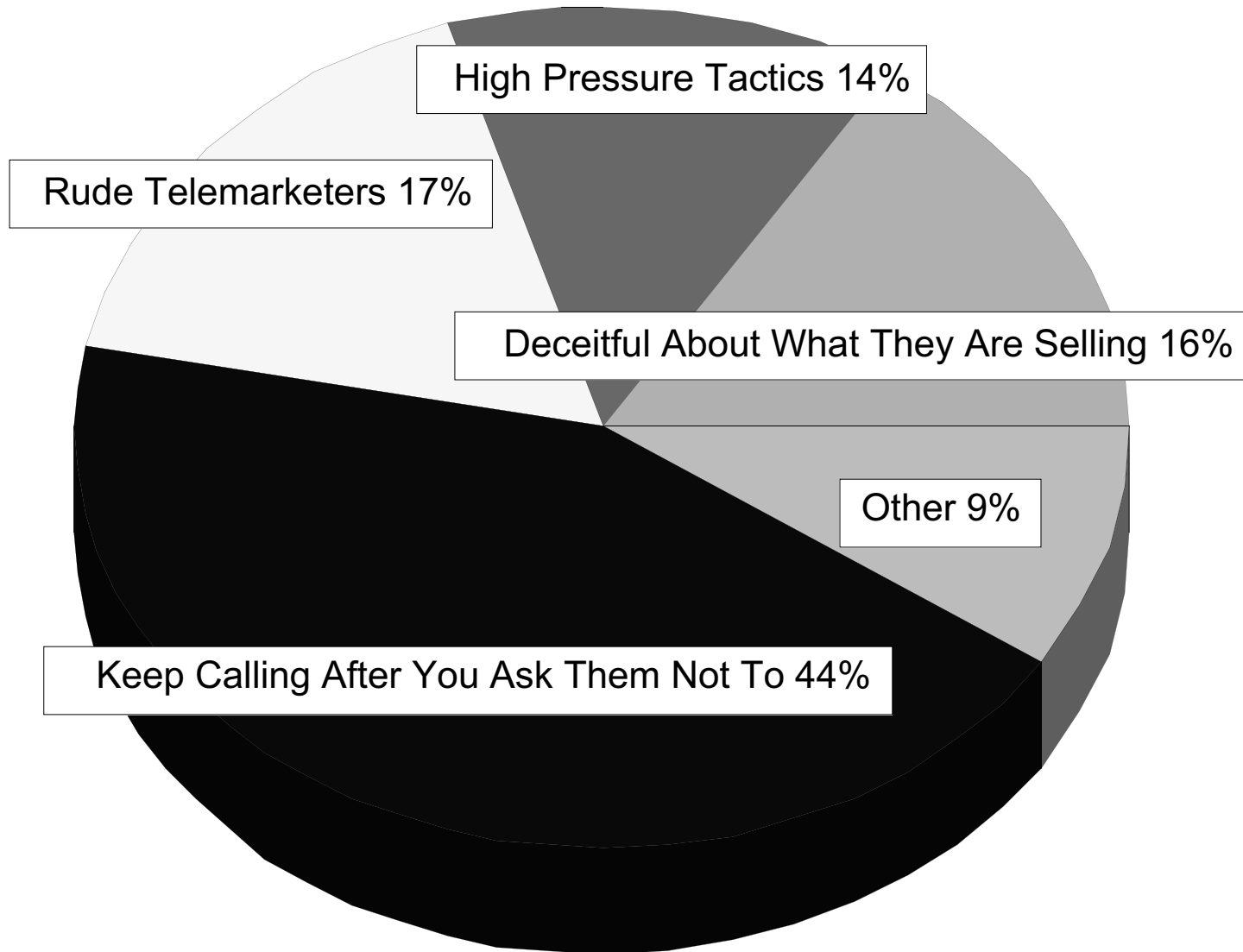
Seniors Reporting Legal Concerns



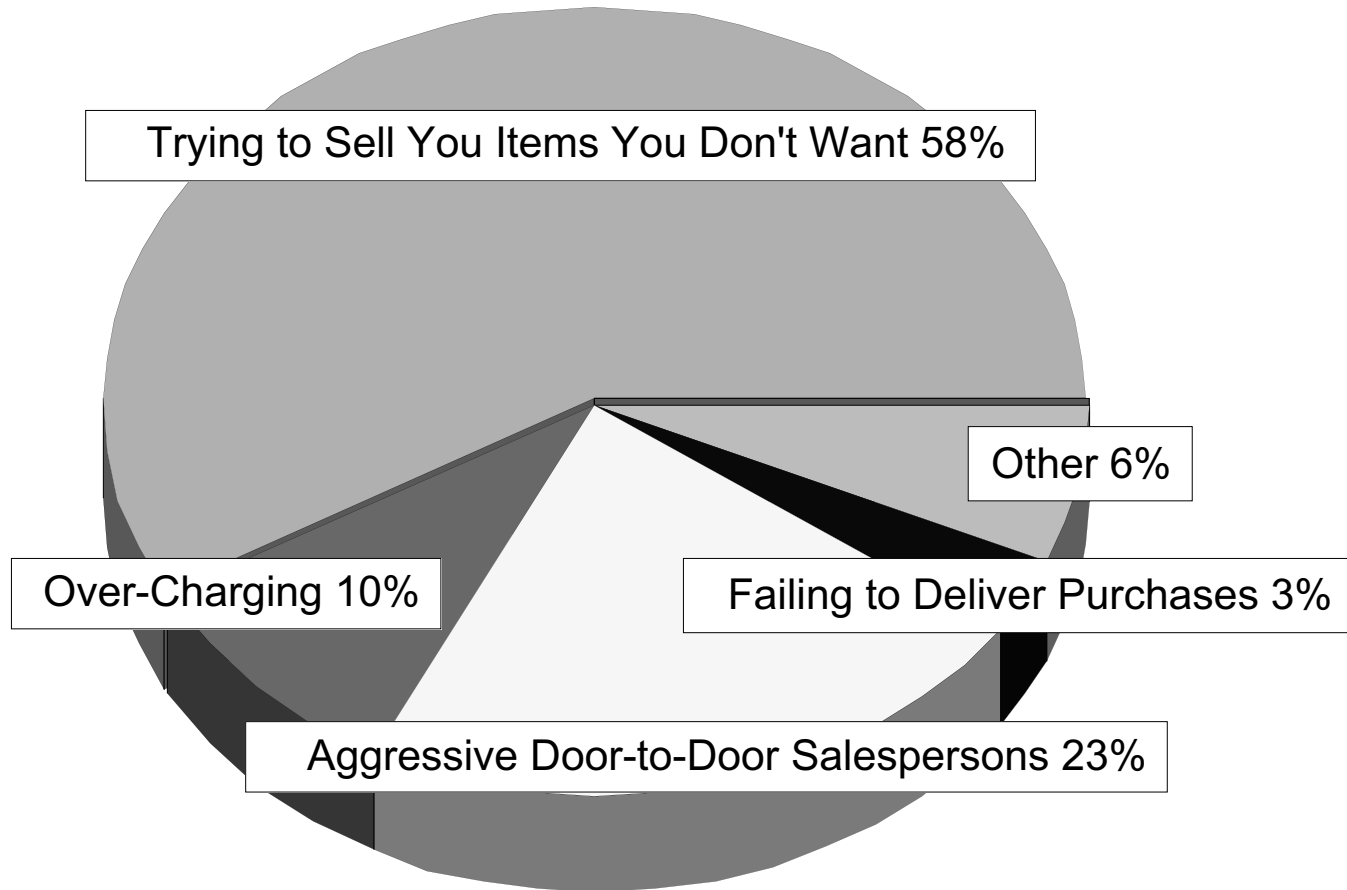
Seniors Reporting Legal Concerns



Difficulties with Telemarketing

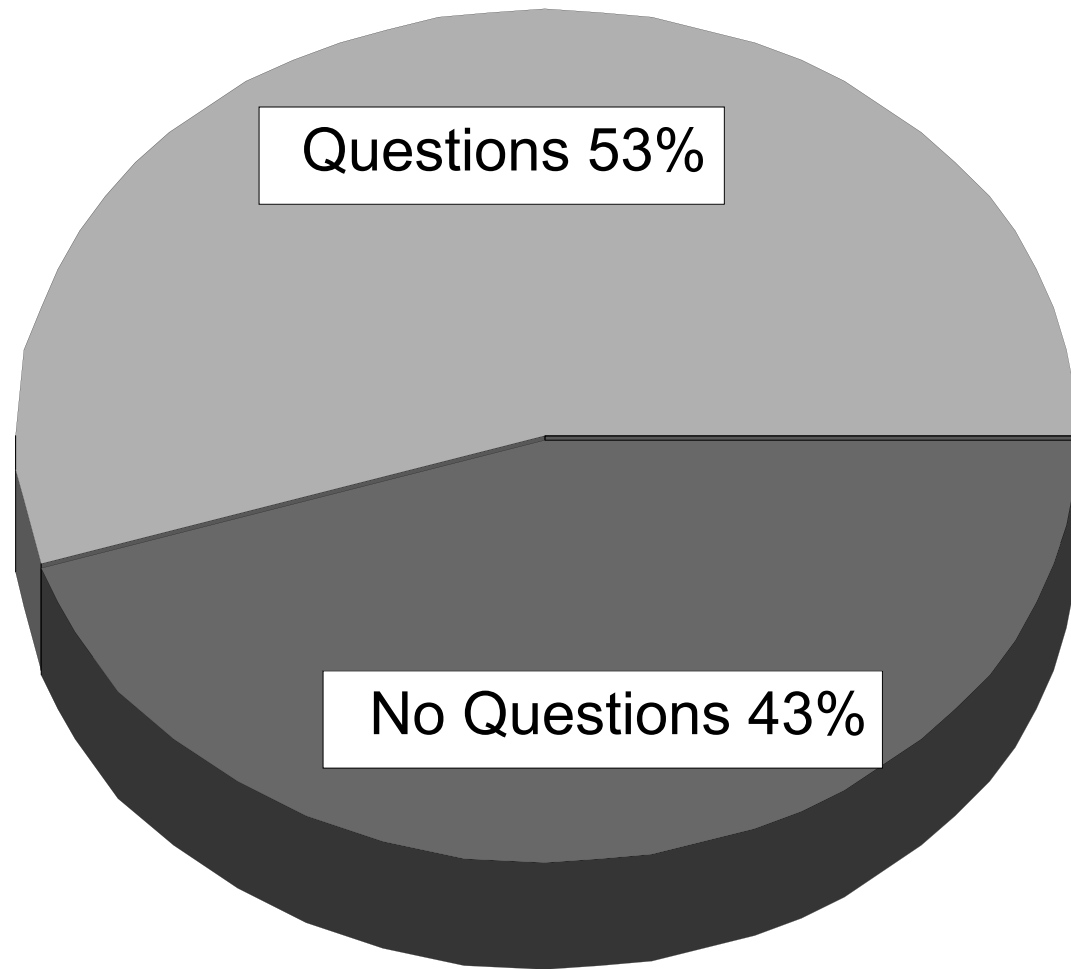


Difficulty with Salespersons

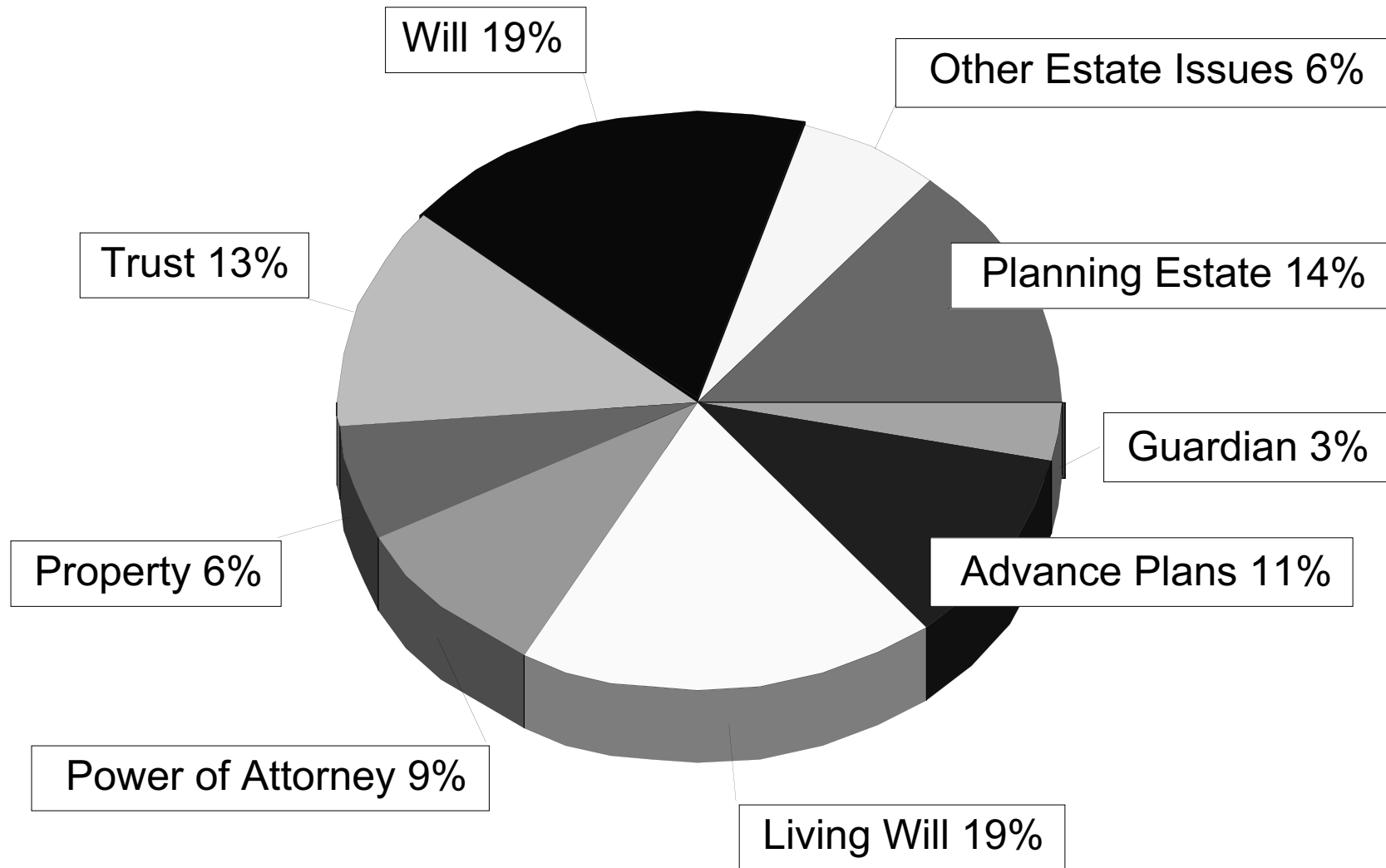


Medicare Drug Card

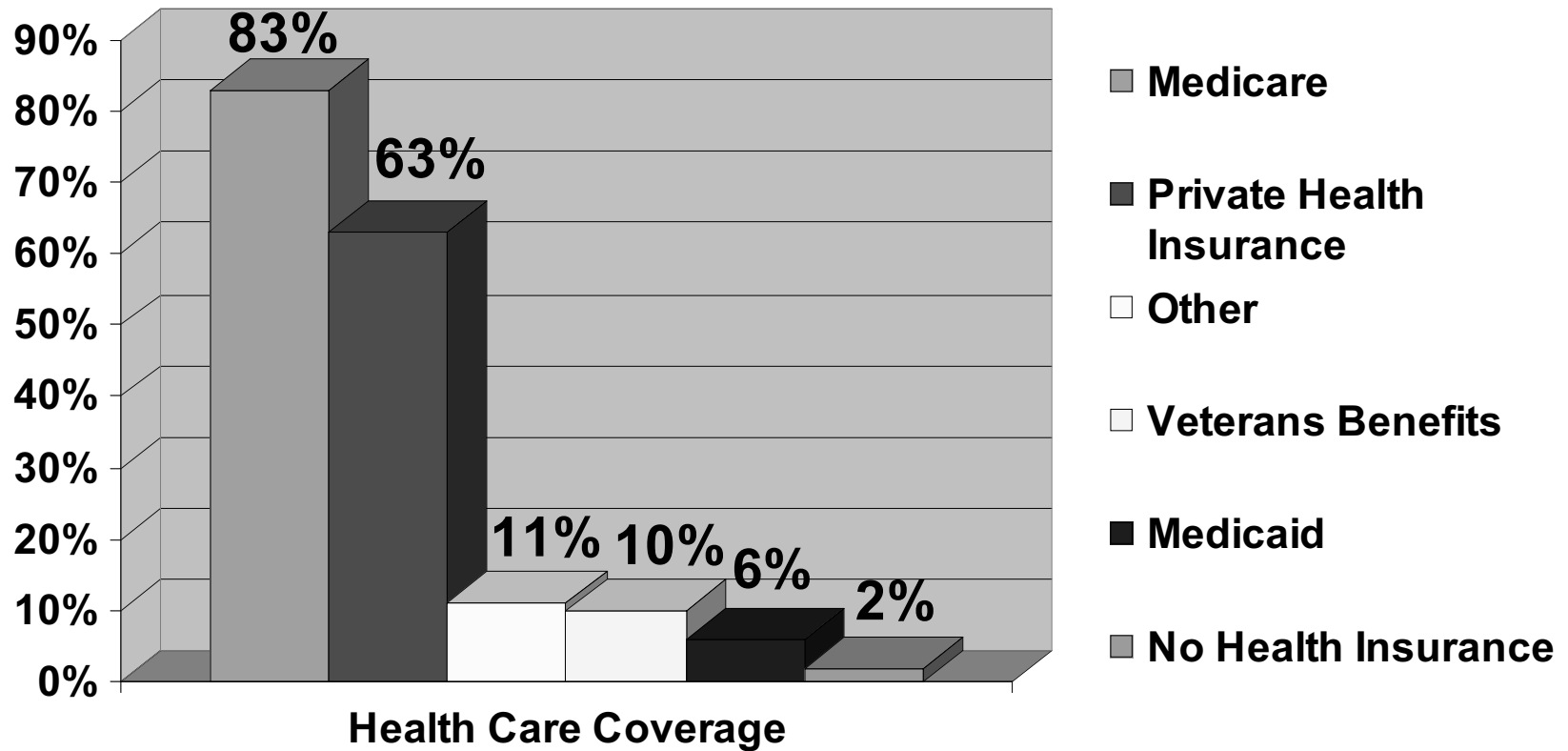
Questions about Medicare Drug Cards



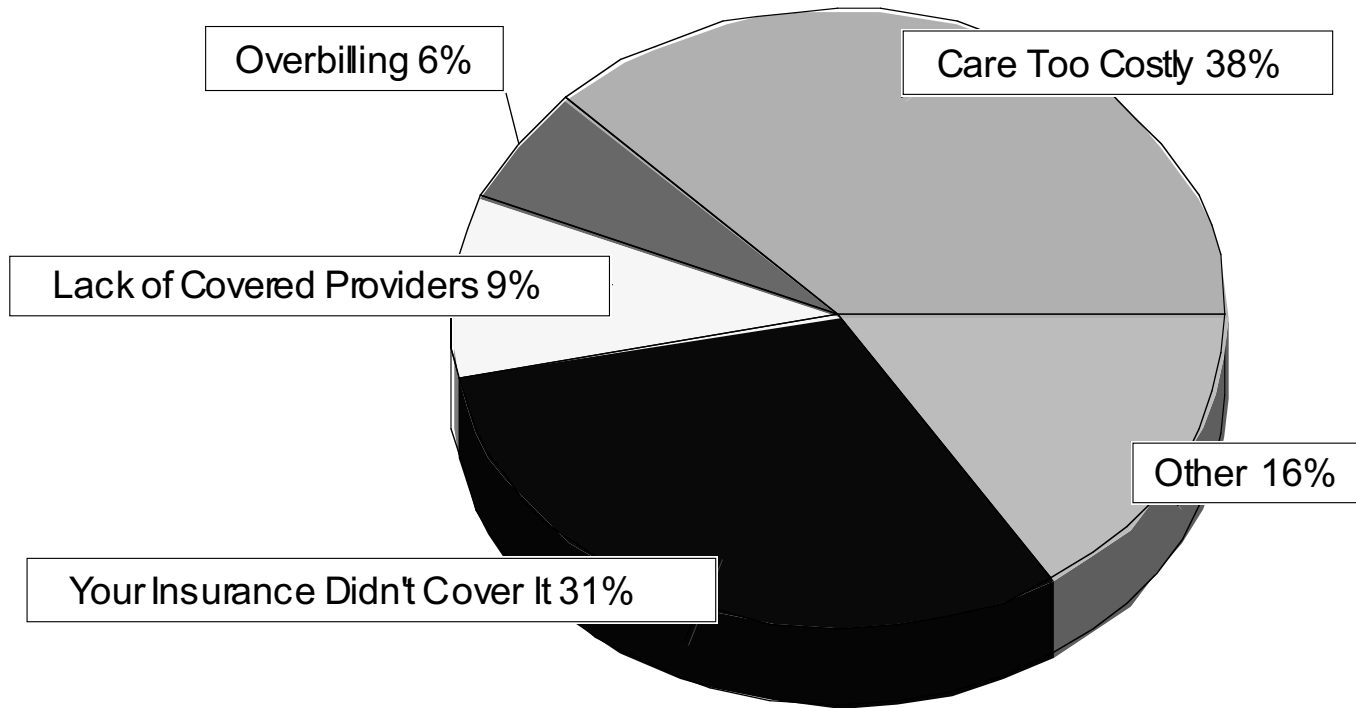
Estate Planning



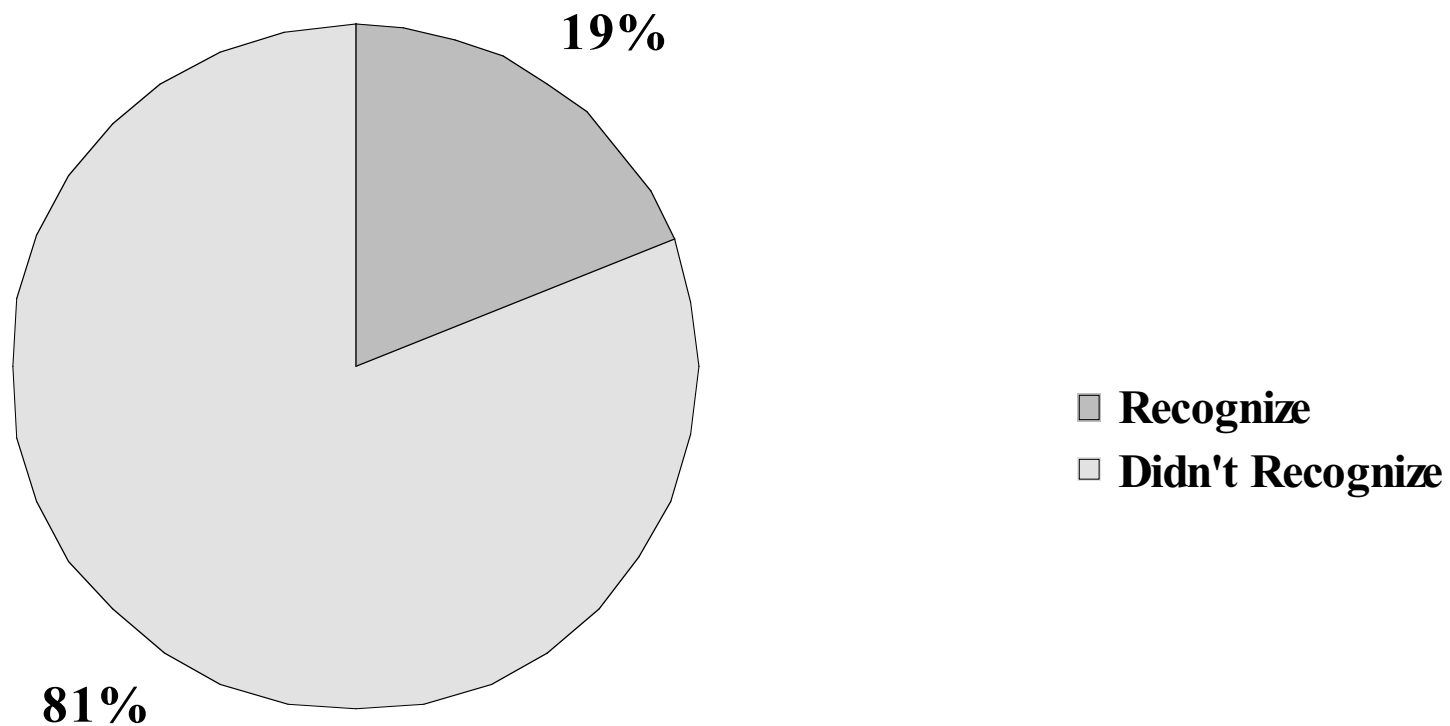
Health Insurance



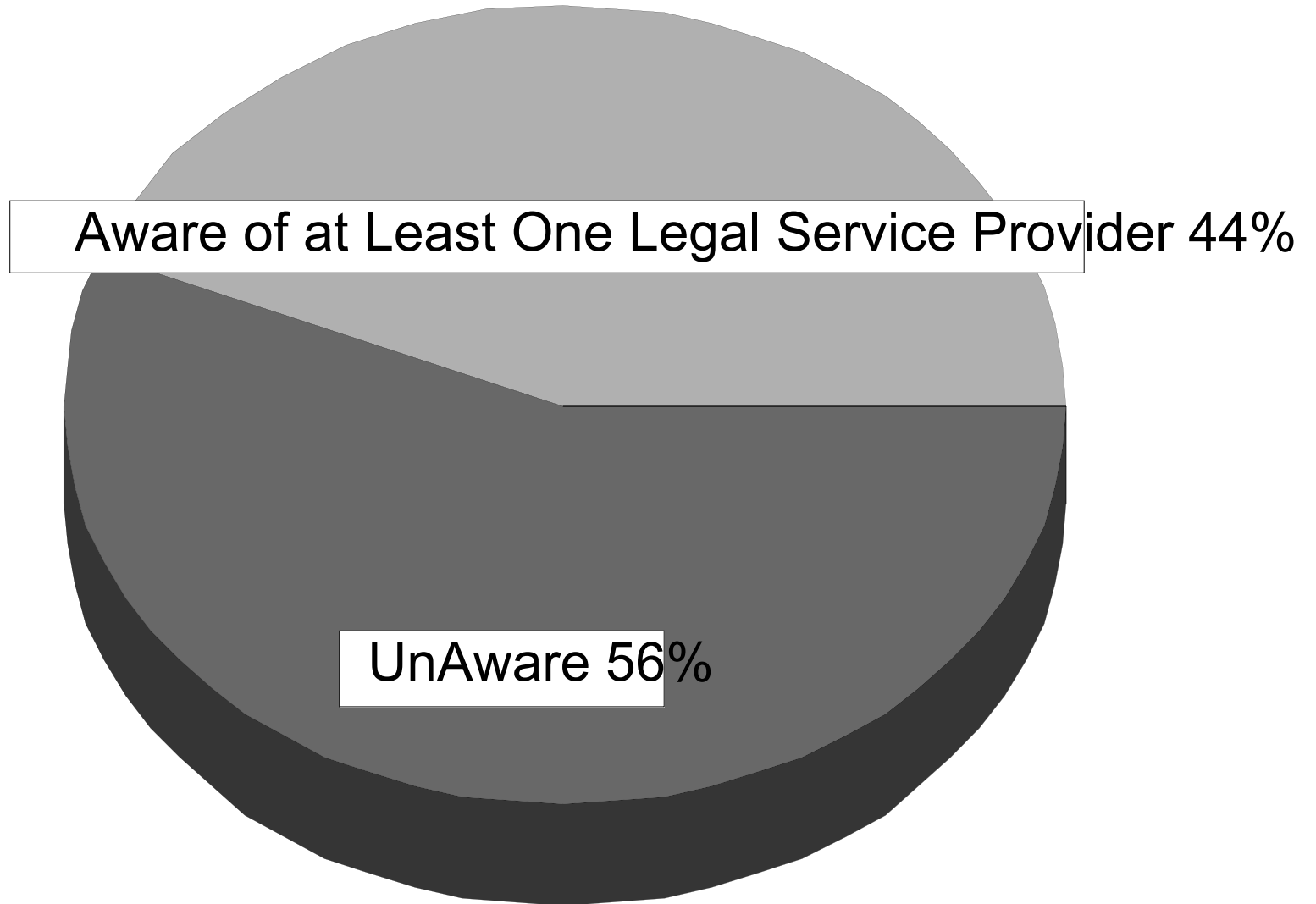
Health Insurance Difficulties



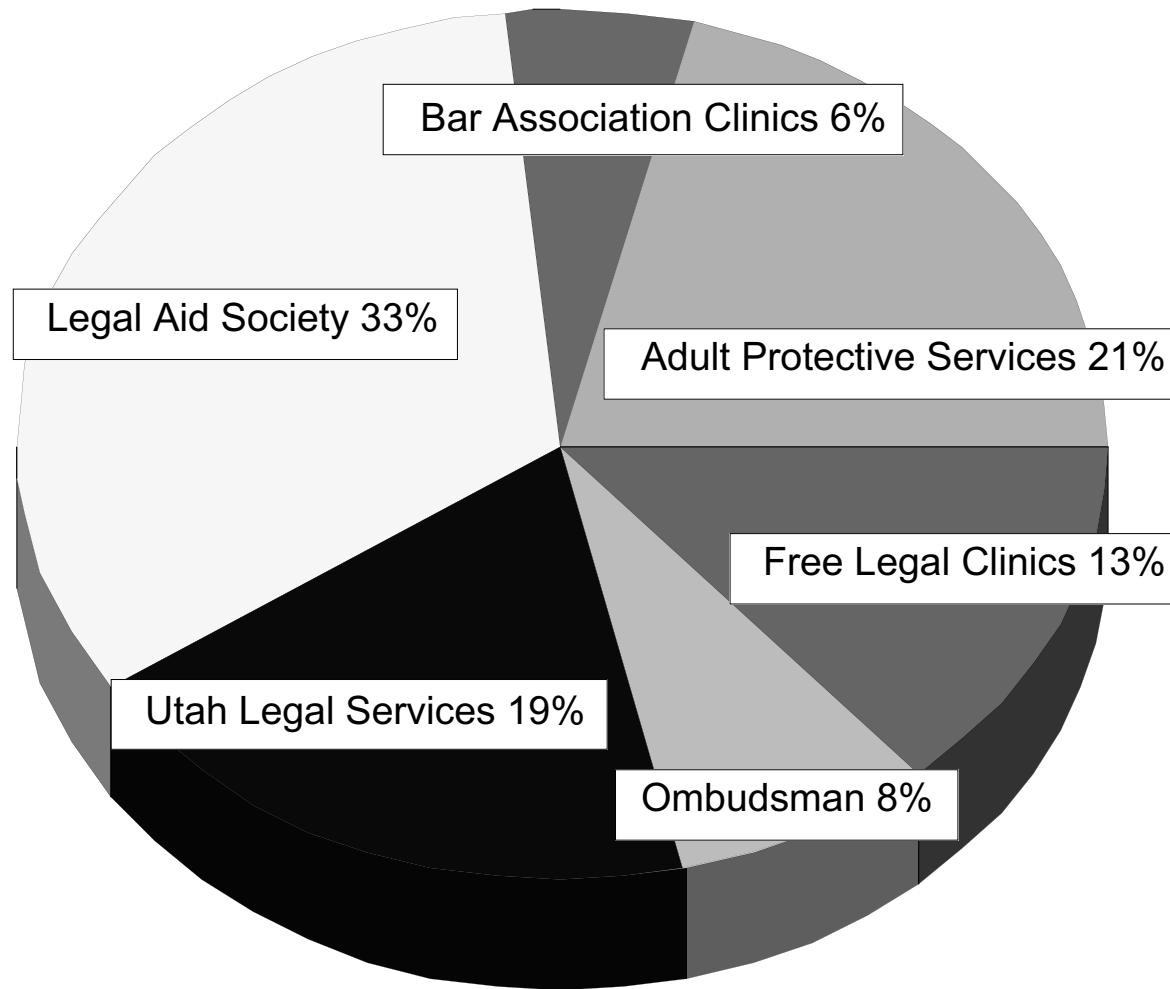
Recognizing Financial Abuse



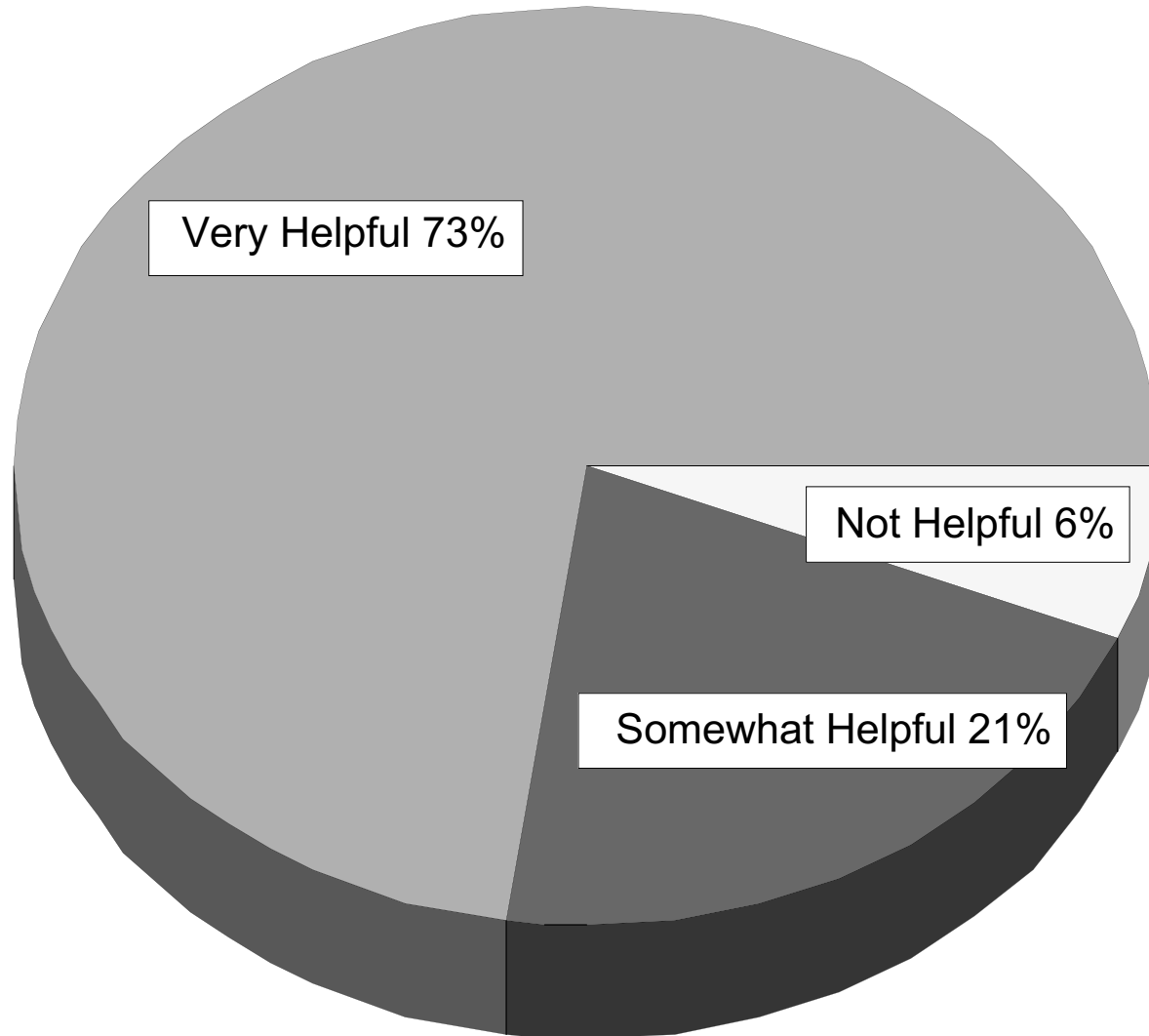
Most Seniors Unaware of Legal Services



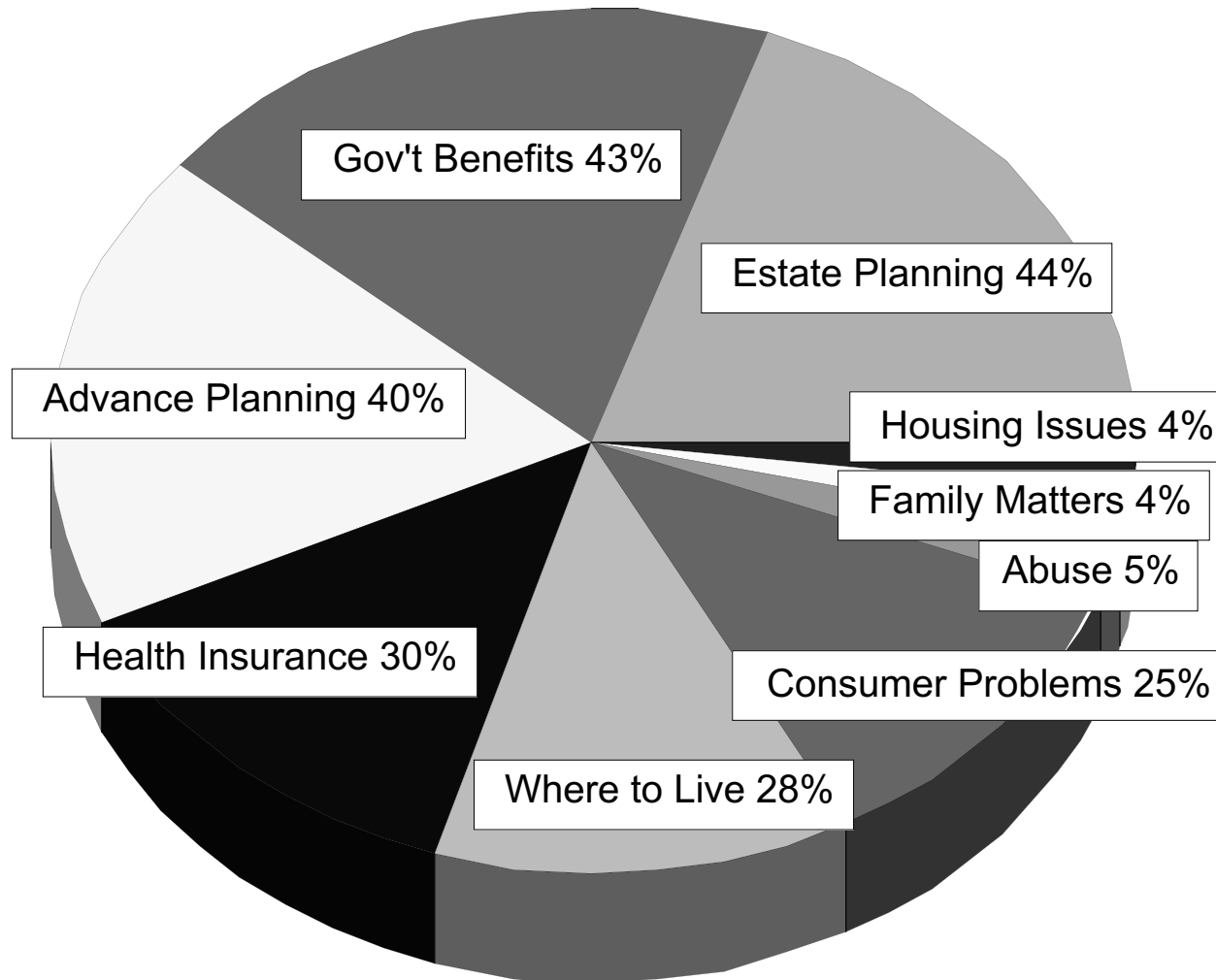
Awareness of Legal Service Organizations



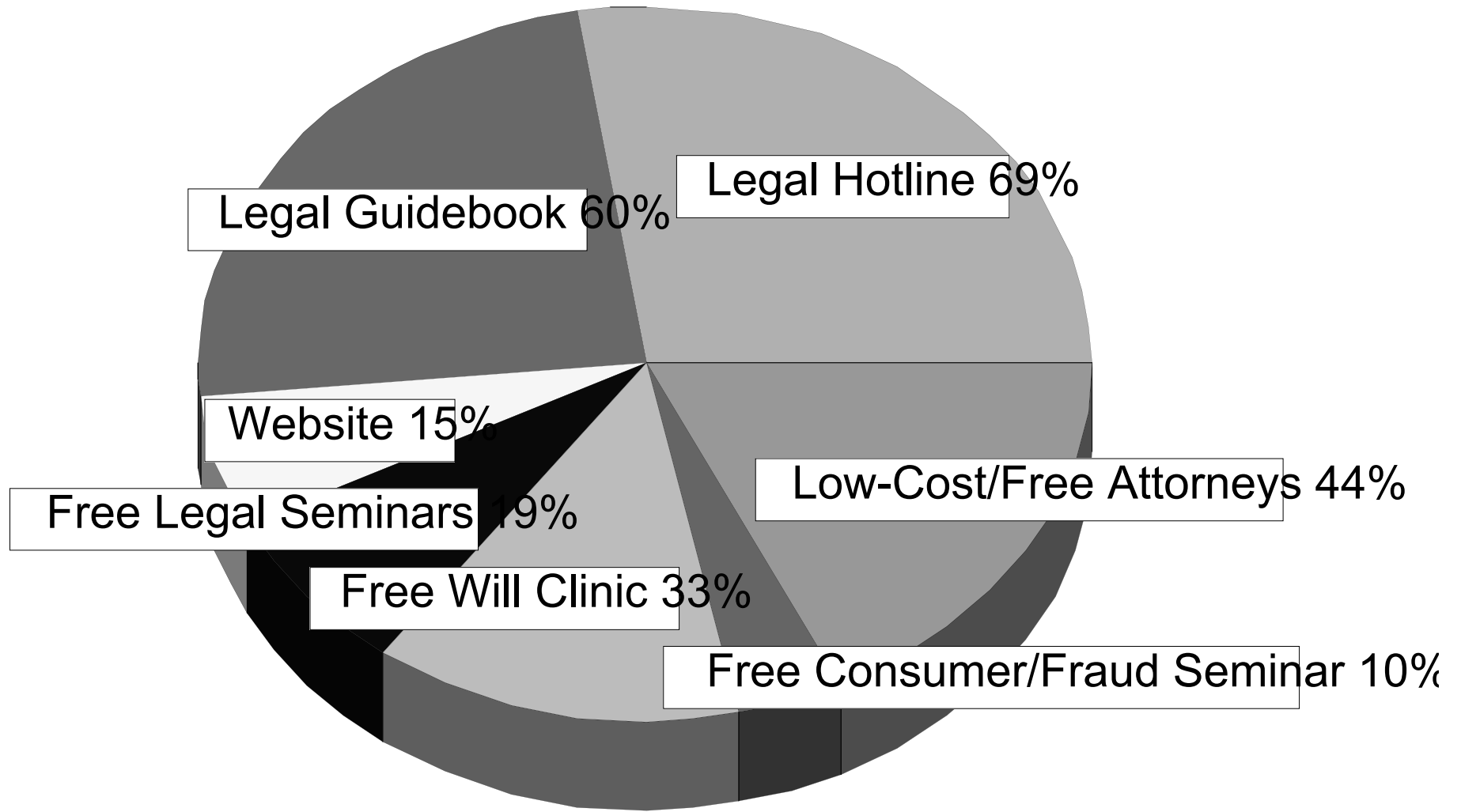
Helpfulness of Lawyers Advice



Legal Issues that Concern Seniors the Most



Wanted Legal Services



Conclusions

- Seniors are having difficulty with telemarketers, salespersons, and health insurance.
- Seniors want help with estate planning.
- Seniors want a hotline.

BUDGETING

13A & B. Associated Costs

- Sample selection = \$0
- Staff time = in-kind
- Survey copies = \$200
- Postage = \$370
- Envelopes = \$140
- Data Entry = in-kind
- Statistical consultant = \$0

BUDGETING

14. A & B Ways to Save Costs

- Collaborate and split costs with other stakeholders
- Find a statistical consultant at no cost
- Find existing staff or students to do data entry
- Use previous survey instrument

MORE INFORMATION

- Utah's survey is on-line at www.tcsg.org.
- Utah's report is on-line at www.tcsg.org and at <http://hsdaas.utah.gov/>
- For Utah's cover letter email Jilene Gunther at jgunther@utah.gov
- Washington State - legal needs assessment of their low-income population.
- Technical assistance is available through TCSG for states wanting to move forward with a legal needs assessment.