



Best Practice **NOTES**

*On Delivery of
Legal Assistance to Older Persons*

VOL. 14, NOS. 1 & 2

MARCH 2005

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INTRODUCTION Our society holds as a basic tenet that all persons shall be assured equal access to our system of justice. Nonetheless, there are multiple indicators pointing to the fact that many of our nation's most vulnerable elders have limited access to legal services and thus to the system of justice. In spite of the many indicators of unmet legal needs, we currently have very little data to show the extent and significance of that need.

Without hard data to show the numbers of older persons with unmet needs and the types of legal issues with which they need assistance, it is extremely difficult to make the case for increased funding to help meet the need. This has been demonstrated time and again in reauthorizations of the Older Americans Act dating back to 1978. As we move into another reauthorization cycle, there is a critical need to gather reliable data on legal needs -- especially of the poor and most vulnerable among the nation's elders.

Thus TCSG is delighted to present this issue of *Best Practice Notes* which is dedicated entirely to the vital topic of assessing legal needs of older persons. We hope it will provide encouragement and valuable guidance -- particularly to state units on aging and their legal services developers -- for undertaking a legal needs assessment. It first provides a "Primer" on legal needs surveys. It then highlights a very valuable needs survey completed recently in Utah, and provides a guide to how others might replicate or adapt the Utah model.

The Center for Social Gerontology is committed to helping states who plan to move forward with a legal needs assessment. Contact TCSG for information about limited technical assistance that might be available.

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**ASSESSING
LEGAL NEEDS
OF OLDER
PERSONS:
A GENERAL
PRIMER**

*By: Eleanor
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**1. Introduction:
Why Legal
Services Are
Important &
What We Know
About Elders'
Need for
Services**

Those who work with disadvantaged populations are aware that many of our nation's most vulnerable persons have limited access to legal services and thus to our system of justice. Individuals with *few financial resources*, those with *physical or mental disabilities*, and those *reliant on public resources* are most at risk of being unable to secure needed legal services. America's elderly are particularly likely to fall within one of these categories. This problem is compounded by a lack of public resources to meet the legal needs of these populations.

Although our anecdotal evidence strongly suggests that older persons -- especially economically and socially needy older persons -- have substantial legal needs, as explained below, we currently have little reliable data to support this conjecture for a number of reasons.

State and area agencies on aging periodically undertake needs assessment surveys. These must, however, be very broad -- addressing the entire range of service needs of older persons. They are also typically undertaken with limited resources, which means that agency staff, who are not normally experts in survey research, must design and conduct the survey. Even beyond these limitations, assessing legal needs is more complex than assessing need for many other services, such as home repair or transportation. The reason is that many older persons do not recognize their problems or needs as being legal in nature, and would therefore answer a general question about whether they need help with legal problems in the negative. This means that unless questions are very carefully crafted by someone who understands the nature and range of issues that may require legal assistance, responses to questions about legal needs will not be meaningful. Beyond results of state and area agency needs assessments, there is little current data to document the unmet legal needs of the older population.

Furthermore, the public hearings relied upon by Area Agencies and state and local governments to gather input on community needs are not typically places where a need for legal help will be raised by older persons. There are several reasons for this, most notably the private and oftentimes sensitive nature of legal concerns. Finally, using a public hearing as the basis for obtaining information on legal needs is unlikely to uncover the needs of those most socially and economically vulnerable, who may find it difficult to travel to, or speak at, a public hearing.

Legal needs of low-income elders have, to a limited extent, been captured in surveys covering legal needs of the low-income population generally. However, if you want to use this approach and extrapolate data about low-income elders, it takes careful planning to assure adequate sampling of those within the Older Americans Act's (OAA) target populations and to assure inclusion of questions that are relevant to the legal problems of older persons. Otherwise, these general low-income population surveys may not even reach those who reside in long-term care facilities, or who live in

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a household with family members who have moderate to high incomes. Further, their analyses may not break out data by age groups. Since 2000, nine states have conducted legal needs surveys of their low-income populations. Most of these consisted of telephone interviews of random samples of respondents (both low-income households, and a control group of moderate-income households) and were based on the 1993 ABA Comprehensive Legal Needs Study which is the most recent national study of legal needs of low-income Americans. The nine states who have conducted surveys since 2000 all found an unmet legal need equal to, or greater than, that reported in the ABA's national study. States who have conducted surveys since 2000 include: Illinois, Montana (2005), Tennessee (2004), Massachusetts (2003), Washington (2003), Connecticut (2003) New Jersey (2002), Vermont (2001) and Oregon (2000). Most of these recent surveys were done in response to a Legal Services Corporation (LSC) initiated state planning movement that resulted in consolidation of LSC programs in many states.¹

In recent years, **only Utah** has undertaken a **focused study on legal needs of its older citizens**. Last year (2004), with funding from the Borchard Foundation Center on Law and Aging and the UT Division of Aging and Adult Services, Utah conducted a legal needs study of its older population. This groundbreaking study confirmed significant unmet legal needs in a wide range of areas. Clearly the Utah experience suggests there are substantial unmet legal needs among our most vulnerable elders throughout the country. This conclusion is generally supported by the experiences of legal services attorneys, paralegals, social workers, ombudsmen and others who come into regular contact with older persons. (This article is followed by a companion piece by Jilene Gunther, an architect of the Utah study. It presents a practical, step-by-step guide to conducting a legal needs assessment based on Utah's successful experience, and begins at page 18.)

2. Why Is It Important to Undertake Legal Needs Assessment?

Primary funding for legal services for older persons comes from the Older Americans Act (OAA). In fact, recognizing that the elderly have important legal needs, Congress established legal services as one of three priority services under Title IIIB (supportive services), and the OAA requires each area agency to expend an "adequate proportion" of III-B funds for each priority service including legal.²

Despite the emphasis in the OAA on funding legal services, OAA resources to meet legal needs of older persons are very limited. Given this reality, two factors become crucial in trying to meet legal needs.

- **First**, it is essential **to plan** and deliver services with OAA funds that are effective and cost efficient as possible, and that meet the most pressing needs of the most vulnerable/needy older persons.
- **Second**, it is important to protect existing legal assistance funding and **to generate continued or additional funding** beyond Title IIIB dollars.

¹ For more information on these surveys, see Bob Echols, "Recent State Legal Needs Studies Validate Findings of 1993 ABA Study Concerning Civil "Justice Gap" for Low Income People", In *Dialogue*, Spring 2005, Vol. 9, No. 2 (online at: www.abanet.org/legalservices/dialogue/home.html)

² 42 U.S.C. §3026(a)(2).

A legal needs assessment is an invaluable tool to help accomplish both of these.

Given the importance of data on needs and the failure of surveys thus far (other than Utah) to focus on legal needs of older persons, our purposes here are to --

- (1) encourage State and area agencies and legal providers to undertake such legal needs assessments; and
- (2) provide general guidelines for proceeding with such an undertaking.

3. Definition, Overview of Discussion, and Caveat

The term "needs assessment" is used broadly to refer to activities that are different in scope, cost, and depth. It is used to refer to a formal, scientifically formulated questionnaire directed at a randomly selected sample. It is also used to refer to less formal approaches to assessing needs.

The following discussion begins by exploring various goals and possible reasons for doing a legal needs assessment. It then turns to an exploration of the strengths and weaknesses of both formal, scientific needs assessments and less formal methods. Because informal assessments are generally less costly and thus may be more feasible, the discussion first focuses on informal methods. After that, it turns to "scientific" needs assessment surveys and examines some methods and designs for them.

At the outset, a caveat is in order. It is important to note that the authors are not survey researchers, and they do not have the expertise to take the reader through a step-by-step examination of survey methodology, sampling or analysis techniques.³ If a formal, "scientific" needs assessment is to be undertaken, the assistance of someone with expertise in survey research methods should be enlisted. The Center for Social Gerontology recognizes the important role that legal needs data can play, and is available on a limited basis to consult with/provide technical assistance to states who are interested in conducting a study.

4. Goals and Purposes of a Legal Needs Assessment

When contemplating the undertaking of a legal needs assessment, prior to any planning or design, it is essential to discern the goals/reasons for undertaking it. Having a clear understanding of the purpose of the needs assessment, what information will be gleaned from it, and how that information will be used is critical to its success. A clear understanding of the goal allows the potential assessor to evaluate the costs and benefits of various survey methods. Because the gathering of data may involve substantial costs, if the purpose does not clearly justify the cost of a formal scientific needs assessment, less formal means should be considered. Utah was able to minimize costs by partnering with interested stakeholders to share costs and provide in-kind/

³ Readers interested in learning more about survey research methodology may wish to consult Rick H. Hoyle, Monica J. Harris and Charles M. Judd, Research Methods in Social Relations, 7th ed. (Wadsworth Publishing, 2001). For information on survey research on older persons see: A. Regula Herzog and Willard L Rodgers, "The Use of Survey Methods in Research on Older Americans." In: The Epidemiologic Study of the Elderly, ed. R. Wallace and R.F. Woolson (New York: Oxford University Press, 1992, pp. 60-90.) And see: Stephen J. Cutler, "The Methodology of Social Scientific Research in Gerontology: Progress and Issues." In: Journal of Gerontology: Social Sciences, 1995, Vol. 50B, No. 2, S63-64.

volunteer assistance. If funds or creative partnerships are not available, informal legal needs assessments can be very effective and provide highly valuable and useful information, if such assessments are thoughtfully and creatively undertaken with a constant focus on goals.

Two primary goals/purposes of a legal needs assessment are:

- (1) to establish the importance and magnitude of the need for legal services in order to generate funding and support; and
- (2) to provide data for program planning purposes.

Determining whether the goal is to help "market" legal assistance and gain support and funding, or to aid program planning is critical as the goal/purpose must drive the survey design. The types of questions to be asked, the make-up of the population sample to be surveyed, the methodology, and so forth must be related to the goal if results are to be useful for the intended purpose. Support can often be generated with gross data about total need. Planning requires data that can perhaps be gathered in an informal manner, but which must be fairly specific in describing factors that give rise to need and the nature of that need.

4.A. Needs Assessment to Generate Funding & Support

A primary goal of needs assessment is to convince policymakers and funders of the importance of legal services to older persons and thereby increase the amount of funding available to provide services. Historically, legal assistance has not been recognized as an important area for services by many in the aging network, since the need for, and benefits of, legal services are not readily apparent. Thus it has typically been undervalued and underfunded. Furthermore, in pursuing and enforcing clients' rights, legal providers must, in some cases, challenge government and agency actions -- at times, even the actions of their funding agency. Such challenges can easily dampen agency enthusiasm for legal services. Also, legislators and funders are subject to a variety of pressures and influences, and must make difficult choices about how to disburse limited funds. The interest groups that are able to make the strongest case for the importance of their cause are likely to benefit in the allocation of funds. Thus, for all of the above reasons, it is critical that we have facts and figures to demonstrate:

- how important legal assistance is;
- why it is important;
- what issues are particularly important; and
- what particular categories of older persons can be most helped.

It is clear in tracing the history of legal assistance in the Older Americans Act that lack of data on older persons' need for legal services has been a consistent impediment to support and funding. Throughout the years, attempts to obtain increased appropriations for legal assistance have failed because advocates have been unable to clearly demonstrate the need for these services, and that this need is as significant as the unmet need for other services funded by the Act, such as transportation or meals.

The Older Americans Act explicitly calls on States to assess the need for legal services as part of the State plan requirements and to determine in this assessment, the extent

to which other resources, such as pro bono legal help, have the capacity to, and actually, meet the need.⁴ In spite of this OAA mandate, few states have had the capacity to conduct meaningful legal needs assessments.

This goal of needs assessment remains particularly important today. Since 1987, the OAA has assigned State agencies on aging responsibility for specifying a minimum proportion of Title IIIB funds that every area agency must expend for each of the three priority services -- access, in-home, and legal services -- in order for the area agency funding to be considered minimally adequate. Many states, due in very large part to the lack of data showing unmet need for legal assistance services, have specified proportions that are extremely inadequate.

4.B. Needs Assessment to Guide Program Planning

A second major reason for undertaking legal needs assessment is to gather data for planning service delivery. This includes an examination of client needs in order to address the most pressing needs, as well as of program structure and delivery models to ensure that needs are met as effectively and cost-efficiently as possible.

Planning in order to address the most pressing needs is stressed in the targeting provisions of the Older Americans Act. Recognizing the reality of insufficient funding to meet all needs of older persons, Congress requires throughout the Act that preference be given to older individuals with the greatest economic or social needs.⁶ Planning based on an assessment of needs is critical if targeting is to be accomplished, and the right services are to reach the right people.

Another aspect of planning focuses on programmatic elements of providing legal assistance. What is the best model for delivering legal services? Are service needs being met by another provider? How much staff is needed to provide services? What skills and qualifications must staff have to provide the most effective and cost efficient services? To what extent can paralegals be used to meet needs? Is the cost of an additional attorney justified? How much effort does the program need to devote to outreach and publicity? What manner of outreach and publicity will be most effective? How can technology be used to increase or improve services?

The importance of needs assessment in program planning is reflected in numerous provisions of the OAA requiring evaluation of need for services and stressing coordination of services funded under the Act with other available services. This is most notable in the requirements that Title IIIB legal grantees must agree to provide services to those most in need and to coordinate with Legal Services Corporation-funded programs (if the grantee does not also receive LSC-funding) and to assure that OAA-funded services are provided in addition to any services to which are funded by other sources such as LSC.⁷

⁴ 42 U.S.C. §3027(a)(2)(A-B)

⁵ 42 U.S.C. §3027(a)(2)(C)

⁶ 42 U.S.C. §3025(a)(2)(E).

⁷ 42 U.S.C. §§3027(a)(11)(B) & (D)

To plan services that reach those in greatest need and that are also cost-efficient and effective, it is necessary to understand the needs of the population to be served, and their use of legal resources. This means collecting data about the scope and nature of legal needs -- *i.e.* legal issue areas and potential client populations where needs are greatest, where gaps in current services exist, where people are turning for legal services, etc. A systematic needs assessment can provide such data, including:

- total size of the need. (To plan effectively, need must first be quantified in gross.);
- the range of legal needs;
- the relative seriousness and prevalence of various legal needs. (To prioritize services to handle the most critical needs, there must be an evaluation of the seriousness of various legal needs.);
- where people go for help with legal problems and how they learn of available services. (Services cannot meet needs if older persons are not aware of the services or are unable or reluctant, for whatever reasons, to seek out such services.); and
- the characteristics of older persons with legal problems. (It is important to know if certain characteristics about an older person -- *e.g.*, age, race, income level, educational level, disability, reliance on public benefits, housing situation, family size, etc. -- make them more susceptible to various legal problems.)

Thus far, this article has tried to make the case for *why* a legal needs assessment is important. The next section explores common methods for conducting legal needs assessments, and examines the strengths and weaknesses of various approaches. Throughout the process of any needs assessment, decisions about how to proceed should be linked back to the goal/reasons for undertaking the needs assessment.

5. Informal Needs Assessment

5.A. Overview

For many, the cost of undertaking a "scientific" academic quality needs assessment is too high and cannot be seriously considered; or expenditure of the funds required to obtain data about needs cannot be justified when compared to other program needs. This should not, however, mean that efforts to assess legal needs should be abandoned. Instead, consideration should be given to alternative, creative, informal means to gather information about legal needs. For while a less formal approach may not be as scientific, and may not provide conclusive results, it can provide valuable information that can be useful both in planning and in establishing the importance of legal assistance for older persons.

5.B. Some Methods

Some informal methods for assessing legal needs include surveying former clients (either legal services clients or clients of other Title III services) by mail, phone, in-person, or by distributing surveys at locations where older persons gather, and surveying agencies and individuals providing legal and other services to older persons.

Surveys of other service providers -- if they are given information about common areas of legal need -- can be very useful. They can be asked about the legal needs that they become aware of in the course of providing their own service. Surveying other service

providers is particularly important in trying to assess needs of the most vulnerable groups of elders, *e.g.*, those in nursing homes, the homebound, etc.

Almost all other Title III service providers can help if they are educated on how to spot legal issues. Title III providers that might have valuable information include:

- providers of information and referral;
- home care, home health, chore and other in-home service providers;
- staff of nutrition programs and senior centers;
- staff of care management programs; and
- long-term care ombudsmen.

Other non Title-III service providers that might be able to contribute to an informal needs assessment include:

- court clerks;
- Legal Services Corporation funded programs;
- visiting nurses;
- clergy;
- hospital and nursing home social workers and discharge planners;
- adult protective service workers;
- police;
- staff of 202 and public housing for the elderly; and
- staff of organizations working with special groups -- *e.g.*, persons with developmental disabilities, with mental illness, victims of Alzheimer's, minorities, and non-English speakers.

Information from service providers does not have to be gathered by questionnaire. It may be gathered at informal meetings; or by asking them to keep notes on legal problems they encounter and analyzing these notes periodically. Web-based informal surveys (such as that offered at www.surveymonkey.com) are increasingly popular and efficient ways to collect data from respondents who have ready access to a computer.

Information and assistance (I & A) projects might be a particularly enlightening source of information. All area agencies should have I & A services (either in-house or contracted out). Records of questions received by I & A programs would be an invaluable source of information about legal and other problems that are being experienced by older persons in a particular community.

The area agency itself is another very important source of information. They hear about problems from their service providers; and they are also likely to get calls and hear reports about special problems being experienced in their area, *e.g.* home repair scams, cancer insurance sales scams, etc. They also have some information from the general needs assessments they conduct as part of developing their area plan.

Another way to do some informal needs assessment would be to think of locations where older persons go that are not necessarily related to services. For example, if

approached, Social Security offices might be willing to distribute questionnaires to older persons that come into their offices or to allow legal providers to come into offices to survey older persons. A similar scheme would work at geriatric medical centers, or other places older persons are likely to frequent.

Very valuable information is also available from the records and experiences of the legal program itself. Compelling arguments can be made for the need for legal services in showing that there is a demand for services that cannot be met by the existing program and funding level. Current providers could be surveyed about the numbers of clients turned away due to resource limitations, and the types of legal problems they present. This type of information might be collected and tabulated as part of regular reporting to the area agency funding the legal program. It can then be used to demonstrate need when a proposal is being written or funding is being negotiated.

In addition, demographic and program data from sources such as state agencies or the census can help illustrate unmet need by providing a picture of, for example, the number of utility terminations for non-payment in a year, public benefits enrollment and terminations, domestic violence and elder abuse data, and other relevant indicia. Another way to attempt to determine unmet legal need is through review of court records. Court records are increasingly being kept on computer, and court data may indicate the number of unrepresented litigants in a variety of contexts. This data can shed additional light on the number of seniors who are unable to obtain legal representation. A state administrative office of courts or office of administrative hearings and appeals may have this type of data available.

These suggestions are only the tip of the iceberg. It is important that you think about the resources available in your community and imagine how you might tap into these resources to get the information you need. This may often involve educating other service providers on how to spot issues which have legal ramifications.

6. "Scientific" Needs Assessment

6.A. Overview

We use the term "scientific" needs assessment to indicate a survey design which gathers data from a group of respondents selected randomly from the entire pool of eligible participants. By using a selection process in which everyone in the population has an equal or nearly equal chance of inclusion in the sample, self-selection biases can be avoided and findings can be generalized to the entire eligible population. A general discussion of the pros and cons of scientific needs assessments is useful, as such assessments have very important advantages and disadvantages. The primary benefit of undertaking a "scientific" needs assessment is the reliability of data collected and the extent to which findings can be generalized. A "scientific" study offers a degree of certainty that information collected is representative of the legal needs of the entire population being assessed.

Bias occurs where the manner in which respondents are identified or solicited has the potential to render survey results that are not representative of the entire eligible population. For example, a survey of former clients presents problems of self-selection bias. The respondent pool, through its prior use of legal services, has

demonstrated that it recognizes legal problems, knows of the legal services program, and has the means (in terms of ability to find transportation or physical ability to travel) to avail itself of program services. These individuals have characteristics which are likely not to be representative of the entire potential client population and which may skew survey results. Thus a careful **sampling procedure** which **allows generalization from the findings** is **the key** to scientific needs assessment.

Thoughtful consideration of sampling procedures and protocols is critical for another reason. A program may wish to “over-sample” a certain segment of the population to assure that their needs are included in the results. Examples might be weighting the sample to assure that clients with limited-English proficiency, those who reside in long-term care facilities, or those who are of Native American heritage are sufficiently represented. There are scientific ways to achieve this, while maintaining the integrity of the study, and specialized advice from a social science researcher is important to assure that the data is not compromised by the sampling process employed.

The primary and often crucial disadvantage to undertaking a scientific legal needs assessment is cost. Scientific needs assessments can be costly when they involve the use of professional researchers, trained interviewers, and sophisticated data analysts. Cost elements of a survey can be broken down roughly among: (1) "up-front" costs (such things as planning, organization, sampling, instrument design, and pre-testing); (2) data collection costs (interviewer training, interviewing, postage, travel costs and/or telephone charges depending on the type of survey; and (3) analysis costs (data entry and other data processing, statistical analysis, report writing, copying, and so on).⁸

It may be possible, through creative use of resources, to reduce some of the usual costs of a scientific needs assessment. As mentioned above, Utah was able to conduct their study at minimal cost by partnering with the Borchard Foundation, Utah Division of Aging, Utah's Area Agencies, Brigham Young University and the Retired Senior Volunteer Program. Pooling resources and costs and using volunteers helped Utah keep costs extremely reasonable, yet still obtain reliable data. (As noted, more detail about the Utah survey can be found in the article following this one, and TCSG has limited availability to consult with states to design and conduct surveys based on the Utah experience.)

Keep in mind the use of volunteers has its own set of difficulties. Volunteers need considerably more training and supervision than experienced paid employees, and tend to be limited in the amount of time they can put into a project, or amount of responsibility they can take on. Scripts and training are critical to a volunteer-conducted survey, to avoid or minimize differentiation in survey administration.

A final caveat about "scientific" needs assessments. The most scientific sample of survey respondents does not avoid problems inherent in all social research -- problems in constructing an objective survey tool and an objective survey design, and problems

⁸ Memo from Len Goodman of the National Social Science and Law Center to Catherine Stagg, Esq. dated August 4, 1987 regarding a proposed Legal Need/Priority Setting Survey, at 7.

in interpreting responses. Performance of a needs assessment is not an exact science. The empirical data gathered derives its meaning from the form and content of the survey and the theoretical beliefs of survey interpreters. As form and content vary, so do the results. Similarly the same data may be interpreted differently in light of theoretical presuppositions of the interpreter.

6.B. "Scientific" Needs Assessment: Possible Survey Methods In writing this article, TCSG reviewed a number of scientific studies on legal needs of the poor. These studies offer a variety of needs assessment methods. There are three primary methods of conducting a scientific legal needs assessment: (1) a mailed questionnaire which is self-administered by respondents; (2) in-person interviews; and (3) telephone interviews. Each of these methods has drawbacks and advantages. Because of the high costs and other challenges related to "in-person" interviews, this method is not addressed here. Further, because mail surveys are described in detail in Jilene Gunther's companion piece which begins at page 18, here we address mail surveys only minimally. We focus instead, on the popular and oft used method of surveying, the telephone survey.

Mail Survey. Mail surveys used to be the most popular method of obtaining data. However, there are a number of problems associated with mail surveys, and these should be considered and addressed if a mail survey is the primary basis of obtaining information. A mail survey involves developing and mailing a questionnaire (most often with a stamped, addressed, return envelope) to a randomly selected segment of the population to be studied. If it is to be without bias and results representative of the entire population being studied, it is necessary to have access to mailing addresses of the entire eligible population from which a random sample can be drawn. Finding a cooperative and reliable source for such information can be daunting.

There are a number of potentials for bias with a mail survey. The average rate of return (even where return postage is provided), is typically quite low (somewhere around 30%) which means that a large number of surveys must be mailed to generate a statistically significant number of respondents. In addition, only those with good literacy skills and eyesight will be able to complete the questionnaire without assistance, so this method may undercount some of our targeted population. Another potential for bias is that only a small proportion of those who receive the survey are likely to complete and return it, and this group may or may not be representative of the population at large. Finally, a mail survey typically requires that trained personnel code and enter the responses into a computer program. This can increase the costs for this method. A mail survey can be used as a supplement to other surveys, to reach segments of the population that may not be reached by other methods (e.g. those who have no telephone). However, we caution that it is important not to mix survey methods for the same "sampling pool/sampling frame" as this will skew results. For example, if you wish to do both a phone survey and mail survey, you will need to develop two separate pools of potential respondents from which random samples can be drawn for each, and report the results of the two methods separately.

Given the current cost of postage and the historically low return rate for mail surveys,

a program may decide to look to other methods first. However, as noted above, **Utah's successful survey was conducted by mail**, and more information about it is found in Jilene Gunther's article which begins on page 18.

Phone Survey. The telephone interview method has been described as "... an increasingly popular method of conducting population surveys, since it affords the advantages of relatively rapid turn-around and relatively low cost."⁹ A phone survey entails the identification and random selection of phone numbers and the use of trained interviewers. Census data is a good source to identify the survey sample. Both listed and unlisted phone numbers can be generated in exchanges that Census data indicate have high concentrations of service eligible persons. It has been estimated that it is necessary to generate four to six times the number of phone numbers needed for a representative sample.¹⁰ This allows for a high refusal rate, non-working numbers, ineligibles, busy signals, etc.

The most serious drawback to the phone survey method is that a pure telephone survey precludes all households without phones from being included. Thus this method would not include homeless persons, many institutionalized persons, persons too poor to afford a phone, and some disabled persons -- all of which are groups to be targeted for service under the Older Americans Act. One solution to this problem is to add an in-person survey component for persons who don't have phones. This can be done using a method called "snowballing" or "snowball sampling," but this adds a great deal to the cost of the survey.

This is a way of identifying people with a known characteristic who cannot otherwise be identified or located: you ask some or all of the members of your sample to name someone they know who has the characteristic in question. In this case, we would ask respondents in the phone survey to identify neighbors who did not have phones. The object would be to compile a list of such persons, and subsequently to approach and interview some of them. Eventually, a statistical comparison between households with telephones and the snowball sample of households without them would indicate the extent to which, and the ways in which, the two were different.

Of course, the addition of such a snowball sample would involve some expense, and would be justified only to the extent that there was substantial reason to believe that there are essential differences between the two types of households and that these differences are related to the purposes of the survey.¹¹

The second drawback to use of a phone survey is that interviews must be relatively short. This necessarily limits the number of questions that can be asked and the amount of information that can be gathered. It is recommended that a phone interview be no longer than 10-15 minutes in length.

⁹ Id. at 5-6.

¹⁰ Id. at 9.

¹¹ Id. at 10.

Unlike the in-person model, the cost of the phone interview is not greatly affected by the number of sites surveyed and the distance between those sites. Therefore, a phone survey may allow for a sampling of a greater number and wider range of sites thereby yielding more representative results. In addition, interviewers need not enter unsafe neighborhoods, and thus the danger that they will falsify questionnaires to avoid entering such neighborhoods is removed. The phone interview also provides greater convenience. If the respondent is not home, or is busy, it is much easier to phone back than to make a later trip back. Similarly, if the respondent turns out to be a non-English speaker, it is relatively easy to shift to a multi-lingual interviewer. The phone interview method also offers the advantage that skilled interviewers can enter data from responses directly into the computer as they conduct the interview.

Internet Surveys. Internet surveys are gaining in popularity, and they are a convenient way of gathering data among internet-savvy populations. This type of survey may work well to obtain the input of service providers, but it is not likely to be of use in obtaining the opinions of our target population, as this group may not have ready access to a computer. One way around this might be to ask service providers (e.g. staff at a nutrition site or adult day center) to conduct the survey for its on-site clients and enter the data on line.

7. Designing a Legal Needs Assessment of Older Persons

As mentioned above, in developing a needs assessment, it is crucial to keep in mind its purpose and goal(s). Also, listed below are other factors that must be considered, whether you are undertaking a "scientific" or an informal needs assessment. The manner in which you address these considerations will hinge upon the purpose of the needs assessment. As we discuss them, we will try to give examples of the way in which differing goals will affect the design.

7.A. Who Will Be Surveyed?

The primary issue here is whether you will try to gather information from a sample of all potential clients, whether you will opt for the less costly alternative of surveying service providers (legal and/or non-legal service providers), or whether you will do a combination. If the primary goal of the needs assessment is to engender support and increased revenues, the data gathered can be rather rough. Legislators, funders, and others to whom you may appeal probably will welcome any data. Since they generally do not have the time or inclination to analyze it, basic data demonstrating need is probably most effective, and such data can be estimated by service providers. Nonetheless, this basic data may be more forceful if it is gathered from potential clients rather than service providers -- some of whom may be beneficiaries of increased resources. If the goal is to do program planning and to identify priority issues, target populations, and gaps in service, it is optimal to survey potential clients, particularly those in the target group. Of course, this does not preclude a survey of service providers in addition to potential clients.

7.B. How Will the Survey Population Be Identified?

This question is essential as it determines the scientific validity of the survey sample. Is it large enough? Is it free of bias? Is it representative of the entire eligible population? If the goal is support and funding, it probably is not crucial that the sampling method be scientifically beyond reproach. Legislators, funders, and other

resource sources are unlikely to question the size of your sample, or the methods by which it was identified. For purposes of deriving support, a sample of former clients may provide sufficient evidence of need, however, you may wish to consider if past clients will reveal a situation of legal need greater or lesser than a more representative sample of older persons. Furthermore, if past clients are to be surveyed, it is important to ensure that lawyer/client confidentiality is never compromised. For program planning, it is important to identify a sample that is as representative of the eligible client population as possible.

Because of the inherent problems identifying and reaching those in greatest social or economic need, programs may decide to over-sample certain segments of the population in order to obtain sufficient information about their needs. Be prepared to justify the decisions you make about the survey population, sampling size, and scope and to provide solid reasons in support of the choices you make in these areas.

7.C. How Will the Size and Scope of the Survey Population Be Defined?

This consideration addresses the geographic area to be covered and the numbers of respondents needed. Again, these should be resolved in light of survey goals. Whether the area is defined as the legal service provider area, the AAA region, several AAA regions, the state or nation, there is a finite number of service providers and a finite, although unidentified, number of potential clients within that area. If you are attempting a "scientific" assessment, you will need to work with a knowledgeable researcher to determine the best source and methods for obtaining a sampling pool from which a random sample can be drawn, and the number needed in your sample for results to be meaningful. If a mail or phone survey is contemplated, the sample must be considerably larger than the final respondent pool, to take into account the large number of refusals and non-responses that will be encountered. The number of survey participants will also be determined in part by cost factors.

7.D. Who Can Contribute to, Facilitate, or Fund the Assessment?

Since cost is a major concern, it is important to talk about how the survey might be funded. Generally no one source can provide the necessary resources. It will take creative thinking and hard work to come up with needed resources. With funding tight in many programs, it may be difficult to justify a large expense for a survey.

We offer a few additional suggestions for finding funds. Because a legal needs assessment is a discrete and time-limited endeavor, it is a good project for which to seek grant monies. Possible grant sources include foundations and corporations, government agencies and national, state and local bar associations. Another source to explore is Interest on Lawyers' Trust Accounts (IOLTA) funds. States now have programs for employing money generated as interest on certain lawyer trust accounts to support the delivery of legal services to the poor. Whether a needs assessment project would qualify for such funds would depend on the particular state regulations with respect to the IOLTA program. In addition, a collaborative partnership with a local School of Social Work may help to provide the expert assistance required to identify sample size

¹² Jessica Pearson and Nancy Thoennes, "Assessing the Legal Needs of the Poor in Colorado" 20 *Clearinghouse Review* 200, 203-204 (June 1986).

and assess the reliability of the instrument and protocol. For example, in Georgia, a bar committee partnered with both the University of Georgia and the Emory University School of Public Health to obtain technical assistance on survey design and sampling for surveys related to adult guardianship.

7.E. Who Should Be Involved in the Design, Implementation, and Analysis?

The answer to this question will depend in large part on the community to be assessed. Generally the greater the number of agencies and organizations committed to an assessment, the better it will be. Encouragement of widespread community involvement may lead to contributions of time, staff or money for the needs assessment. In soliciting participation of others, it is important to think not only about short-term contributions, but about longer range value of their participation. Involvement may increase feelings of ownership and responsibility for the assessment, thereby decreasing or averting future challenges to the conclusions drawn from it. In addition, cooperation on a needs assessment may carry over into other matters. Joint projects allow agencies to share concerns and to educate each other.

Below we have listed some of the agencies or individuals who may be valuable contributors. Barring unusual circumstances, we would recommend an invitation be extended to each of them to help in the planning and design. These groups should have an interest in the needs assessment no matter what its primary goal. In fact they should be involved in the initial discussions to determine goals. They include:

- staff from the State Office on Aging (particularly the legal services developer);
- staff from relevant area agencies on aging;
- relevant legal providers (including interested private attorneys, *pro bono* attorneys, and Title IIIB- and LSC-funded providers);
- any interested state/local bar groups (especially bar groups focusing on legal interests of the elderly or young lawyer or *pro bono* committees);
- other social service agencies working with the elderly;
- relevant university faculty (especially faculty attached to law schools, gerontology centers, or social research centers);
- judges; and
- anyone else you feel may have something to contribute.

7.F. How Will the Survey Instrument Be Designed?

Assuming it has been decided that a survey questionnaire will be used, how must the survey instrument be designed to be useful and understandable and to yield valid results? For the last time, we will reiterate that these decisions cannot be made without clearly focusing on the goal of the needs assessment. Below we explore components of a needs assessment survey instrument.

First, any survey needs to gather basic information about demographics and characteristics of respondents. At minimum, it is necessary to ascertain the age of respondents to know if they are 60+. In addition, if priority-setting and targeting are goals, the tool should inquire into the financial and social characteristics of respondents. This would include information about income, educational level, size of household, reliance on public benefits, disabilities, etc. In this way, legal needs can be matched to respondent

characteristics, thereby allowing those services which are most needed by older persons with greatest economic and social need to be set as priority services.

The major portion of a survey instrument will be devoted to questions about the nature and frequency of the respondent's legal problems. Formulation of these questions should be jointly and carefully thought out by persons who know survey research methodology and those who understand legal issues affecting older persons. Surveys designed to engender support probably need not inquire into particular legal problems with as much specificity or in as much depth as surveys designed to aid in planning. Some important areas of inquiry would include housing, utilities, consumer problems, government benefits (including Social Security retirement, Social Security disability, SSI, veteran's benefits, food stamps, Medicare and Medicaid), health care (including nursing home issues), community services, home energy assistance, guardianship and other surrogate decision-making issues, and discrimination. These are just the broad categories that should be considered for inclusion in a needs assessment. It may be important to include, within each category, a number of fairly specific questions to better define the nature of the problem.

The exact phrasing of individual questions is very important. If survey results are to be meaningful, all respondents must derive the same meaning from each question. Questions should not be so broad or general as to be open to different interpretations. At the same time, they should not be so specific as to unduly limit important issues, or as to require an overabundance of questions if all issues are to be addressed. To allow for tabulation of data, possible response choices need to be limited. Generally, this calls for the use of questions which can be answered yes or no, or which provide the respondent with a limited number of answer options. This does not preclude inclusion of a space for respondent comments, if that is desired and would assist in meeting assessment goals. In asking questions, it is also important to use everyday language and to avoid terms of art and legalese.

In addition, it may be advisable to avoid any specific mention of the law or legal problems in the survey instrument. Many respondents may have pre-conceived ideas about what a "legal problem" is. They may believe a legal problem only arises when a crime has been committed or a suit has been brought. They may not feel that a problem with Social Security recouping an overpayment is a legal problem. Such pre-conceived notions may cause respondents to deny the existence of a problem because they do not believe it is "legal."

Another important issue to consider in designing a needs survey instrument is the time frame covered. If no time frame is specified, responses may be meaningless. The longer the period of time covered, the greater the number of problems that will be reported. This is especially important to remember when comparing results between different needs assessments.

In order to determine gaps in service, and how best to publicize program activities, it might be useful to inquire into the respondent's past use of lawyers. Has the

respondent ever sought legal help? If so, from whom? With what result? If not, why not? What did the respondent do instead? Does the respondent know where to find legal help? If so, how did they learn where they could find legal help?

Some questionnaires have tried to ask respondents to assess various methods for addressing legal needs, *e.g.*, whether they feel direct representation, class action/impact litigation, or community education should be a higher priority for services. Such questions are likely not to be well understood and results not helpful.

Do not be constrained by this list of additional areas of inquiry. Brainstorming in planning may reveal many other ideas about what information would be useful.

*7.G. How
Can a Good
Response
Rate Be
Encouraged?*

A well-designed survey is useless if it does not generate a good response rate. The most comprehensive set of questions will be useless if they are tedious or confusing to respondents. Therefore, it is important to consider how the needs assessment design can encourage responses. For example, a questionnaire which will be read by respondents -- *e.g.* a mail survey -- must be easy to read and understand. It should be well-organized, printed in large bold type and have a lot of white space around the type. Any mail survey should have a cover letter which encourages responses by pointing out the importance of survey results. It should also clearly explain how to fill out the survey, and should thank respondents in advance for their cooperation. A self-addressed and stamped return envelope should be enclosed.

Similar suggestions apply to a survey done over the phone or in-person. The interviewer should be trained in techniques for communicating and working with older persons. They need to be instructed on the manner in which the survey is to be explained and presented to respondents, and perhaps given a script to follow.

8. Conclusion

We will benefit from any data we can obtain about unmet need for legal assistance of our older population, particularly those who are most vulnerable, our lower income and socially needy. The data help us make the case for adequate funding, and help us target our services to those most in need. All legal needs assessments are not created equal, and an extensive, scientific study may be too costly for many states. However, as the Utah experience indicates, there are ways to conduct a reliable study without great cost.

The remainder of this issue is a “How To” guide based on the Utah experience that walks states through the tasks necessary to undertake this valuable exercise. The Center for Social Gerontology is committed to helping states who plan to undertake a needs survey. Contact TCSG for additional information.

A GUIDE TO CONDUCTING A LEGAL NEEDS SURVEY

By Jilenne Gunther, M.S.W., J.D.**

In 2004, Jilenne Gunther, from the Borchard Foundation Center on Law and Aging, and Alan K. Ormsby from Utah's Division of Aging and Adult Services completed the first state legal needs survey focused on seniors. Utah's study assessed the legal needs of our seniors, their perceptions and experiences with attorneys, their awareness of current legal services, and their barriers to obtaining legal assistance. This article provides advice on how to replicate Utah's study. It includes how to get started, schedule time, plan a budget, find a sample, creating the survey instrument, sending out mailings, and conducting the data analysis.

The Importance of Legal Needs

While many see the need for the expansion of aging services, many are not planning for seniors' legal needs. The importance of law is often underestimated or ignored with respect to seniors.

So how does one educate and advocate for the inclusion of legal needs? Letting stakeholders hear seniors' voices through a legal needs assessment is a powerful advocacy tool. A needs assessment illustrates to the community exactly what seniors needs are, and how seniors are affected when they cannot access the legal system.

More importantly, a legal needs assessment is a powerful planning tool. It shows the areas that seniors need assistance with, so one can plan services in a way that best matches resources to areas of greatest need. It ensures that aging services are effectively targeting and meeting seniors' needs. At the same time, grantors feel that their funding is being used responsibly. Thus, grantors are encouraged to maintain and increase funding.

Getting Started

Once it has been determined that a legal needs survey will be conducted, the first steps are to find out what information is sought. Some suggestions follow –

- the legal needs of seniors
- seniors' level of awareness or knowledge of existing services
- ranking of legal problems concerning seniors the most
- seniors' attitudes and perceptions of attorneys
- legal services that would benefit seniors the most
- and more ...

From this list of information, objectives can be developed. The objectives should be as specific and clear-cut as possible.

The next step is to determine the focus population. What specific population is of interest? This could be –

- a representative sample of all seniors (in order to facilitate the application of results to all seniors)
- a specific segment of seniors (such as homebound seniors)
- stakeholders

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It might be worthwhile to survey more than one population when you have a small sample. Surveying stakeholders in addition to the senior population selected will help corroborate survey results. It is also possible to survey both a representative sample of seniors and a specific segment of seniors.

Getting Stakeholders Involved

After the population and survey details have been determined, start collaborating with other organizations. Getting stakeholders on-board is crucial to the success of the study. One of the reasons for conducting a needs study is to implement changes to the service delivery and program development as well as to increase funding. Having stakeholders on-board from the beginning will better ensure that the stakeholders will support the impact of the study's results.

Legal needs studies can be costly, so working with other stakeholders to pull resources and share costs is vital. In Utah, we collaborated with the Borchard Foundation of Law & Aging, the State's Division of Aging, the Area Agency of Aging (AAAs), Brigham Young University and the Retired Senior Volunteer Program (RSVP). This brought our direct costs to about \$500. The out-of-pocket costs for all organizations involved was under \$1000 (see worksheet for more detail).

How to Budget

The list below is provided to help estimate the total survey costs in both time and money. It assumes that a mailed questionnaire is used. Depending on your state's circumstances you may find that you have to add or subtract a couple of items.

- Staff time for conducting the mail survey, including time spent planning, creating the survey instrument, leading focus groups, entering and analyzing the data, meeting with stakeholders, interpreting the data, writing the final report, and disseminating the information.
- Sample selection costs.
- Cost of mailing including postage, envelopes, self-addressed envelope with postage, and reminder postcards if needed.
- Printing costs of survey.
- Cost of analyzing the data and/or preparing special tabulations.

A good survey can be expensive. However, there are ways agencies can reduce costs.

- Collaborate and split costs (time/labor) with other agencies.
- Contact a local university to see if they have a statistical consulting center, a professor or graduate student willing to donate services.
- Ask senior centers to recruit focus group participants.
- Locate volunteers, interns or secretarial staff to do mailings.
- Find students or interns for data entry.
- Research postage rates to see if non-profit or bulk rates apply.
- Find out if there has been a previous sample population that can be used.
- Build on a previous study whose instrument can be manipulated (Utah's survey instrument and final report can both be found on TCSG's Webster at www.tcsg.org).

COLLABORATE WITH OTHERS. FOR INSTANCE, THE AAAS PAID FOR POSTAGE, THE BORCHARD FOUNDATION CENTER ON LAW & AGING PAID FOR COPIES, VOLUNTEERS DID THE MAILINGS, AND BRIGHAM YOUNG UNIVERSITY CONDUCTED THE DATA ANALYSIS

Timetable

Mail surveys can take anywhere from a few months to about a year. In Utah, the survey took about ten months. Plan accordingly.

Methodology

Once the objectives have been set forth and the stakeholders' support has been obtained, the next step is to find a sample. For Utah and others, this is the most difficult step. Yet, because your goal is to obtain a representative sample, it is the most critical step. To generalize the results of seniors in your state, that is, to estimate how the results might apply outside the survey group, one must have a representative sample of seniors.

To have a true representative sample of seniors would require contact with every senior in the state. Of course, this is extremely difficult, if not impossible. Instead, the objective is to obtain a sample from a sampling frame. A sampling frame is all the population that is being applied to the study. So if one wants to study seniors in Mississippi the sampling frame is all seniors in Mississippi. If the objective is to study homebound seniors then the sample frame would be every homebound senior in Mississippi.

To obtain a sampling frame one must find a list of seniors in the state. Begin by checking to see if one has been previously used in the state under consideration. If not, begin brainstorming with stakeholders about where one can be obtained. Utah initially received a list of seniors from Medicare, and the Department of Motor Vehicles. One may have to consult a statistician to find a sampling frame.

From the sampling frame, select a representative portion of those seniors to be in the sample. To do this one will need to use random sampling techniques. The goal is to ensure that each senior in the population or the frame has a positive chance of being selected.

At the same time, decide how many seniors will be in the sample. The larger the sample, the greater chance the sample is representative. A good sample size is 1,000 seniors. However, a smaller sample is acceptable if it can be combined with a stakeholder survey.

After selecting the sample, decide how the people in the sample set will be contacted. As described in the preceding article, telephone and mailed surveys are generally less expensive than in-person interviews. Telephone surveys exclude those without phones, and often these missed people are among the most socially and economically needy. On the other hand, mailed surveys can miss those who move around a lot, who have limited English Proficiency, have vision problems, or are illiterate. They also can be plagued with lower response rates. However, seniors tend to respond to mailed surveys more than any other age group.

Creating and Perfecting the Survey Instrument

A good survey instrument is necessary to ensuring a high response rate and getting meaningful responses. It must be easy to understand and follow. Concepts need to be clearly defined and unambiguously phrased. If the questions and concepts are confusing, answers will be skewed, making the results misleading. For instance, "Were you robbed during the last six months?" Although this appears to be clear, the question is ambiguous. What does robbery mean? Most people would confuse robbery (involving a personal confrontation) and burglary (involving breaking and entering into a dwelling). A better way to phrase it is "Was something belonging to you stolen, such as – (a) things you carry like luggage, a wallet, purse, briefcase, book; (b) things in your home – like a TV, stereo, or tools. Another example "Have you ever had a problem with predatory lending" is not as clear as "Did you get a loan only to find out later it had very excessive fees or a very high interest rate?"

In addition to defining concepts, the length of the mail survey is also critical. If the survey is too long, the participant is less likely to answer all the questions and more likely to make errors in completing the survey.

When designing the mail survey, also take into account the font size, the order of the questions, the appearance and format of the survey.

A good source to get started is to examine other survey instruments. Utah's survey is online at www.tcsg.org.

Privacy. To respect the anonymity of seniors do not use any identifying marks (name, address, etc) on the survey or cover letter.

One will also need to create a cover letter to accompany the mail survey. The letter should provide the survey's instruction as well as encourage and motivate the reader to participate in the survey. In addition, it should thank the participant and include any incentive to participate. And it should list a contact number or place where one can access the results.

Once the final draft of the survey and cover letter are complete, it is time to organize focus groups to pre-test the survey. In Utah, we asked local senior centers to put together small groups of seniors. One should conduct at least two focus groups of about ten people each. Try to get a diverse group of seniors in terms of sex, age, race, and educational level. (See the worksheet for a list of questions to ask at the focus group.)

When leading the focus group, create a real survey-taking environment. Give participants the cover letter and survey, and let them take the survey without asking questions. Remember that the point of the focus group is to determine the problems in the survey, not to answer questions.

After the focus group completes the survey, hold a question and answer (Q & A) session. Do not collect the survey until the end so participants can refer to them during the Q & A period.

The Q & A session should serve as an additional check to ensure the survey is problem-free. The moderator is key. Some seniors will not admit during the Q & A period that they had a difficult time with the survey. So have a colleague attend just to observe those who are having difficulties.

Immediately after the session, go through the completed surveys to discover additional problems. Make any necessary changes to the survey and test the changed survey on another focus group until the survey is near perfection.

Mailing the Survey

Once the above steps have been completed, the survey should be sent out to the sample population. If the survey is being mailed, include a return envelope with prepaid postage, the survey and cover letter. Seniors will generally not participate if they have to pay postage for mailing the survey.

Try to cut costs by finding secretarial staff or volunteers to do the actual stuffing and addressing of the envelopes. In Utah, we found an organization of senior volunteers to do the mailing. Some organizations have an envelope-stuffing machine.

Determine the response rate (the percentage of people who fill out and return the survey) two weeks after sending the survey. If it is not high (40% or less), consider sending a postcard reminder. Since it would not be known at that point who completed the survey, postcards should be sent to every participant.

Data Entry & Analysis

Once the surveys are in, transfer the information to the computer. The type of statistical tests that are needed will dictate what software program should be used for data entry and subsequent analysis. If percentages are the primary result needed, then Excel is an excellent

choice. For the most part, simple percentages and totals will be sufficient. However, it might be helpful to know the relationship between the variables. This information can be very valuable. If these types of statistical tests are needed, a statistical consultant may be needed. To reduce costs, look for a consultant at a local university. Some schools even have a research institute or statistical consulting program. Often these consultants offer a non-profit/government rate. One might also see if a university class would do the analysis as a class project.

Report Findings

Once all the data has been analyzed, develop an advocacy plan to report and disseminate the results. There are many ways to disseminate the information. In Utah, we presented the findings to the AAA's, the State Aging Board, to policy and lawmakers. One can prepare a press release, and write articles in newspapers and journals.

Conclusion

As policymakers look forward to the growing senior population, they must plan for the present and future legal needs of seniors. A legal needs study illustrates the importance of seniors' legal needs and the areas that need attention. A successful study includes planning adequately, finding a good sample, creating a simple survey, analyzing the data, and disseminating and implementing the results. Through this process, each state must determine the variables in their senior population that affect the survey's implementation. In the end, the results will help states effectively plan and deliver legal services to seniors. Therefore, further ensuring that the promise in the Older Americans Act is kept.

For More Information

For assistance in getting started, see the worksheets accompanying this article. The Center for Social Gerontology is also providing technical guidance for qualifying states.

CHECKLIST - LEGAL NEEDS SURVEY

1. PLANNING THE STUDY

- Write Objectives
- Determine Population to Study
- Plan Budget
- Plan Timetable
- Get Stakeholders Involved/ Collaborate with Others
- Determine Methodology
- Find Sampling Frame
- Select Sample from Sampling Frame
- Contact Statistical Consultant if applicable

2. CREATING, TESTING, AND MAILING THE SURVEY INSTRUMENT

- Draft Survey
- Draft Cover Letter
- Have Colleagues and Non-Lawyers Review Survey Instrument
- Conduct Focus Groups
- Revise Survey after Focus Group
- Make Copies of Survey and Cover Letter
- Find Volunteers to Assemble Mailing
- Send a Reminder Postcard if Applicable

3. DATA ENTRY & ANALYSIS

- Set up Data Table in Excel or Other Program
- Consult Statistical Consultant if Applicable
- Enter Survey Data
- Perform Statistical Tests

4. FINAL REPORT & ADVOCACY

- Create Tables and Graphs from Statistical Results
- Write Final Report
- Start Contacting Stakeholders and Media to Disseminate Findings

WORKSHEET - PLANNING A LEGAL NEEDS SURVEY

Name of Sponsoring Organization:

Date:

Use this sheet to plan, budget, collaborate and set timetable for your study. In the budget section, we give you a guide based on what Utah spent on its survey.

Objectives

Objective 1:	
Objective 2:	
Objective 3:	
Objective 4:	
Question 5:	

Collaborate

What other organizations are in the area?	
Which organizations would be willing to collaborate?	
What resources and funding can each organization contribute?	
What volunteer organization will do the mailing, enter data, and recruit focus group participants?	

Methodology

What mode of data collection will you use? (Mail, Telephone, In-Person)	
What population will you study? (seniors, minority seniors, stakeholders, etc.)	
How can you obtain your sampling frame and sample?	

Survey Instrument

Are your questions clear, succinct?	
Are terms understandable?	
Which colleagues will review your survey instrument?	
Which organizations will recruit seniors for a focus group (senior center, etc)?	

Focus Group Questions

What do you think about the cover letter – did it motivate you or discourage you from responding to the survey?	
Is the font too big or too small?	
How readable is the survey?	

What did you think about the instructions?	
Is there anything you had problems answering?	
Is there anything that we should add to the survey?	
Was there anything confusing?	

Mailing

Who will volunteer to address, stuff and mail the survey?	
---	--

Data Analysis

Who can you get to enter data?	
Who will perform the data analysis?	
What data analysis do you want? (percentages, correlation, etc)	
Who will take the data and put it into tables and graphs?	

Dissemination and Report

Who will write the final report?	
How will you disseminate the information to stakeholders?	
How will you disseminate the information to the media?	
What is your advocacy plan to legislators and funders?	

Timetable

Planning: Determining Objectives, Finding Collaborating Partners, Determining Mode of Data Collection and what population to study	3 months
Obtaining Sampling Frame	N/A
Drawing Random Sample	N/A
Creating Survey Instrument	2 months
Conducting a Focus Group to Pilot Instrument and Revising Instrument as Needed	2 weeks
Doing the Mailing and Receiving Responses	1.5 months
Entering the Data	2 months
Analyzing the Data	1 month
Writing and Disseminating the Report	1 month
Advocating Results	3 months

Budget

Cost of Sample Selection	\$0
Staff will Donate Time to Do the Following	--
Copies of Surveys	\$200 for 1000 6 page survey
Cost of Postage for Sending and Return Postage	\$370
Cost of Envelopes	\$140
Cost of Addressing Envelopes	--
Staff Time for Entering Data	\$0
Cost of Hiring Someone to Analyze Data	\$0

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Funded in part by the Administration on Aging, U.S. Department of Health and Human Services. The views expressed in *Best Practice Notes* are those of the authors and do not represent the opinion or policy of the Administration on Aging or any other agency of the U.S. Government.

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