

Modern Approaches to Case Resolution: A Judicial Perspective

with Sean Armstrong, Marion County
Circuit Court Judge

“Old School” Case Resolution: The Judicial Settlement Conference

- Arises from the litigation model—archaic in some ways, but not necessarily “bad.”
 - Drawbacks:
 - Focus on “advocacy” by way of argument as opposed to persuasion.
 - Less focused on problem-solving.
 - Presumes there is a “truth” that be adjudicated.
 - Expensive—accusatory letter-writing and extensive discovery requires lots of billable time.
 - Makes the court’s job more difficult in settlement conferences.
 - Benefits:
 - Thorough—not likely to leave a stone unturned.
 - Trial represents an arguably lower risk of malpractice claims by former clients.
 - Lawyers not responsible for the result—“let’s see what the judge says.”
 - Requires lots of preparation, but less ownership—you don’t have to recommend or endorse a compromise. Less scary to some lawyers.
 - Favorably perceived by clients—“my lawyer fought for me in court.”

Why Judicial Settlement Conferences Work

- “the pressure cooker model”
 - Trial is fast approaching, and it is expensive.
 - The client has (hopefully) been educated about the nuts and bolts of family law and understands where the goalposts are.
 - No fault divorce.
 - Presumptively equal division of property.
 - Spousal support that’s supposed to be “fair” for both parties.
 - Fear of the judge making a decision that the client won’t like.
 - Judge’s personal experiences and biases color his/her decisions.
 - The “moral outrage” approach to trial.
 - Lower likelihood of compliance with the terms of a judgment when ordered, not negotiated.

The New Model: Expanding the Toolbox

- Key Concepts for the practitioner:
 - A “problem-solving” approach from counsel.
 - Educate the client about what’s impossible, possible, and likely.
 - Dispel the “Truth” approach.
 - Dispel the “Wise Judge in the Black Dress” myth.
 - Manage expectations early.
 - Manage costs.
 - Counsel and advise--do not “swashbuckle.”
 - Presume settlement and focus on options.

The New Model

- Key Concepts for Judges
 - “One Judge, One Family”
 - Early Intervention—how to do it.
 - Case Management Conferences
 - Temporary Hearings
 - Education—especially for self-represented litigants.
 - Court-sponsored mediation
 - Family Law Department—forms, etc.
- IDRT
 - Easier for parties, opportunity to be heard.
 - Not limited by rules of evidence—“court can sort it out.”
 - Better for court—easier to get information.

I. INTRODUCTION -Welcome to the Case Resolution Models Workshop

A. a workshop to identify/discuss strategies that:

- simplify the court process,
- better engage parties
- identify early interventions

such as

- IDRT's (informal domestic relations trials -UTC 8.120s)
- Status conferences (UTC 6.010 (1)(h) permitting the Court to set conferences to consider, *inter alia*, matters that "may aid in the disposition of the action."
- and judicial Settlement Conferences

and additional approaches that provide litigants easier and earlier off ramps.

B. Context. THE WHY: ever-widening access to justice gap, court backlogs and increasingly negative public perception that the civil legal system is tone deaf or broken. To respond to existing problems and challenges in our justice system more interested today in discussing at a granular level:

1. **What** can use in our existing processes, our earlier innovations and the adaptations covid has forced us to make to narrow the Access to justice gap and help reduce court delay and back logs?
2. **When** should/can we intervene to achieve resolutions that are easier on the families we serve than the "Judicial Resolution At trial" option that has long been the assumed path?
3. **How** can we as lawyers / judges / and administrators work with families to obtain earlier, less expensive, and less destructive resolutions of their family legal issues than the traditional trial track outcomes?

C. To explore these questions, we offer three perspectives:

1. judicial interventions – Judge Sean Armstrong
2. unbundled and "trauma informed lawyering" – Sean Trimble
3. exclusively unbundled and virtual private practice – Samantha D Malloy

* Fourth and final perspective- court professionals

D. Brief overview of Access to Justice in Oregon: BRIEFLY:

1. Legal needs studies quantify the experience of the vast majority of Oregonians who cannot get legal help
 - a. Access To Justice Coalition,
 - b. The Futures Task Force;

- c. OJD
- d. SFLAC Date Subcommittee
2. Barriers to Justice Report – offers a study from Portland State University surveying over 10,000 Oregonians living just above the federal poverty¹ level
 - a. One of the most telling aspects of the study is how few people bothered to participate- 10%
 - b. What did we learn?
 - 75% had legal problem in prior 12 mos.
 - on average they had more than 5 legal problems
 - c. Over 84% did not receive any legal help **of any kind** though more than half tried to find legal resources
 - d. Of this group, over 1/3 were family law issues²
 - family violence related
 - child support
 - divorce or separation
 - parenting issues
 - e. Key problems in accessing justice
 - 33.3% couldn't understand rules and procedures
 - almost 25% were literally unable to access the Court building
 - no transportation to court (10%)
 - work or childcare prevented court attendance (6.7%)
 - denied physical (5.6%) or linguistic (2.2%) accommodation
 - f. Given that only 10% of those mailed survey, their perceptions are not surprising. They felt that only “rarely to some of the time”
 - were they treated fairly:
 - saw the legal system as being able to help :
 - believed they could use the system to protect themselves/their rights

¹

#/home	income	125%
2	\$16,460	\$20,575
4	\$25,100	\$31,375

² 12.7 % related to family violence or benefit issues as a result of dv
13.2 % child support
5.8% were divorce or separation
4.3% parenting issues

Case Resolution Models: IDRT, Status Conference and Settlement Conferences

g. So if 75% of the 807,000 Oregonians living near the federal poverty line (608,000) need legal help, and over 84% (512,000) can't get legal, where do they go?

- Legal Aid serves 28,500
- SO WHAT HAPPENS TO THE OTHER 484,000?

3. Some are finding their way to court system for family law:

- a. in 2019 there were 42,250 cases filed
- b. in 2020 there were 38,774 cases filed
- c. recent numbers from the data subcommittee in 2019 to Feb. 2020
 - 20% of petitioners were represented
 - 6% of the respondents were represented
 - prose pleadings were 44%
 - 36% were defaults
- d. In 2020, there were 25,350 self-represented family law parties at the time of general judgment on domestic relations cases.³
- e. To answer this question from a judicial perspective, we have Judge Sean Armstrong

II. Judge Armstrong

Judge Armstrong has served on the Marion County bench since 2016. As part of his judicial duties, Judge Armstrong created and runs a docket comprised entirely of self-represented litigants with custody and parenting time cases and about which he will share the mechanisms and philosophies he has developed to ensure that self-represented litigants have meaningful opportunity to be heard and in so doing access to the court's decision-making process .

Judge Armstrong came to the bench from Garrett Hemann Robertson PC where he was an associate and shareholder focused on family law cases. Judge Armstrong has served as the Marion County Bar Association President, serves as a member of the Marion County Domestic Violence Council, Judge Armstrong serves on both the State Family Law Advisory Committee Chairs the Marion County Family Law Advisory Committee. He is a member of the Parental Involvement and Outreach Subcommittee. It is my privilege to introduce Judge Armstrong.

III. Sean Trimble is an attorney with Legal Resolution Services (LRS), an unbundled legal services division of Stahancyk, Kent & Hook P.C. that focuses exclusively on non-traditional legal services. LRS provides mediation services as well as support for clients representing themselves, including

³ This does not include modifications, parenting time enforcement and contempt cases because Odyssey only captures self-represented data on original domestic relations cases (i.e., no mods or post-judgment).

litigation coaching and legal document support. Sean has practiced family law in Oregon since 2011 after having practiced criminal law in California for several years. Sean divides his work between mediation, guiding self-represented individuals in hearing preparation and coaching in general, preparing documents. Sean has a unique perspective of trauma informed perspective after doing training with Trauma Informed Oregon

IV. Samantha D. Malloy-Journey to unbundled or in the words of the talking heads “I MAY ASK MYSELF HOW DID I GET HERE?”

- A. From trial lawyer to totally unbundled and virtual practice.
 - 1. Because of what my clients taught me.
 - 2. Contrary to popular belief, almost all clients don’t actually want “their day in court.” and those that do, often are less enthusiastic after they live the reality of the process.
- B. What do clients want?
 - 1. A solution to their legal problems with as little harm to their children, their extended families and themselves as possible – with as much of their dignity, finances and serenity as possible. Some even start out the process wishing no real harm to their partners. They often end very differently
 - 2. An end to their legal limbo
 - 3. A resolution to their family break-up
 - 4. A plan to move forward which:
 - frees them from a relationship one of them no longer wants
 - puts parameters around the financial insecurity
 - allows them to close the aspirational gap between the parents they were or hoped to be and how they are functioning in the wake of family break up
- C. Not surprisingly, what DON’T clients want?
 - 1. a public forum that is adversarial and in which a person they once cherished is accusatory, critical and vocal about them
 - 2. a forum in which their children can become involved against them
 - 3. one that involves months of tedious preparation, unintelligible procedures interspersed with moments of abject terror when they find out what they will lose, keep, pay or do without
 - 4. process in which they fight by proxy with two lawyers who multiply the number of participants in the conflict and sometimes, whether by habit, inattention or their own unresolved conflicts, prolong and deepen the conflict.
- D. The problem
 - 1. Clients don’t know how to get there from here – here being a time of great fear, hurt, anger, guilt.
 - 2. The system is not designed to get them there from here. It is based on the adversary tradition – a marked improvement on trial by combat but still ill-suited to the more delicate affairs of family.

3. Lawyers are not trained in quick, cooperative resolution. We are trained to give nothing away, gain every ethical advantage and mitigate all foreseeable risks. It is painstaking, slow and therefore expensive process.
- E. The solution: envision and reinvent our practices and the process one intervention or pivot at a time- to change the trajectory to reach a better way.
- F. **GOAL: Reduced Time** – the longer the case drags on without resolution of significant issues in flux, the greater the uncertainty in clients’ lives, the more fearful they become, the more precipitous actions they take. This means the higher the fees. Limbo is hard especially when it is to get out of a situation a client or their spouse no longer desires. UTCR 7.020 (5) “The trial date **must** be no later than one year from date of filing for civil cases ... unless good cause is shown to the presiding judge or designee. A year is relatively fast as a scheduling event but as a lived experience, it is an eternity
1. **THE STRATEGY:** answer as many of the questions as quickly as possible even if it is just a temporary answer.
 - a. **THE TACTIC:** Interim relief in abbreviated proceedings on multiple issues allows clients:
 - predictability for the near future
 - a transition phase so they can begin to adapt to what will be their next lifestyle
 - if accepted creates some momentum to tackle the next emergent issues so that eventually they hit a tipping point where court becomes unnecessary
 - b. **THE TOOL:**
 - status quo orders pursuant to
 - ORS 107.093 -insurances and
 - ORS 107.097 child’s usual place of residence and daily schedule
 - temporary support by affidavit
 - temporary parenting plans by court mediation or by temporary hearings which have allowed parties to realize that the custody status is generally not an issue worth fighting for. absent huge philosophical differences or one parent’s pathology custody is almost always the toaster over of divorce – the consolation prize that matters far less than a parent’s time with their children
 - exclusive use determinations so people are not changing locks or invading one another’s space
 - ordering our family wizard: makes it easier for clients to communicate and because it is visible and affordable to capture without doing all the screen shots, it keeps parents accountable. Love the tone meter as well which lets clients know when they are off the beam

2. **THE STRATEGY:** move the cases.

- a. **THE TACTIC:** Bench Bar collaboration – it only takes one of each
- b. **THE TOOL:**
 - status conferences: these are often used for self-represented cases but often the judges rely on the lawyers to handle case movement which can be a real problem when one side is stalling or there are problems that could be addressed informally and therefore with less acrimony such as
 - discovery, if the judges simply enforce the 107.089 timelines
It is easier for lawyers to get documents from clients and from each other
 - scheduling settlement conferences. Not all attorneys have the time or the inclination to move their cases through
 - scheduling trial expeditiously and so cases don't languish for years. It's a bit like the old quote that "nothing so focuses the mind as the prospect of being hanged at dawn" – nothing will motivate attorneys as much as the prospect of a judge setting expectations.
 - judicial settlement conferences. It gives parties the chance – a first for most of them – to sit in a room with a judge who is willing to help them find solutions to their disputes. They feel heard, they feel respected and for the first time in months, they feel a sense of control over their lives. Settlement judges are in the unique position to collaborate with the parties while still retaining the gravitas of their position so that their proposals and suggestions are heard differently than what comes across as a settlement letter from their spouses' attorney. It also provides a sort of "second opinion" in case the lawyers are the source of conflict or are just so aligned with their clients that they have taken up residence with them out on the skinny branches

G. **GOAL: Reduced cost-**

Parties- Obviously less fees but also fewer filing fees, service costs, child care expense and missed work.

Courts- stipulated judgments clearly promote judicial economy not just on the initial dispute but because we know that agreed judgments are more durable and result in far less post judgment litigation, the savings continue over time

Attorneys- Most families do not have war chests or litigation budgets. When the money runs out, attorneys have the unenviable choice between omitting discovery and preparation OR withdrawing from the case OR doing unplanned pro bono.

1. **STRATEGY:** help the parties do their own work – they are the experts on their kids and their lifestyle so the output will be more accurate barring pathology or prolonged conflict
2. **THE TACTIC:** settlement
3. **THE TOOLS:**
 - Court ordered mediation- great and works well – especially with the parenting course which I have had many of my clients say was very helpful. the High-Conflict Solutions.com course from “Children in Between” which includes modeling and 6 months of reinforced learning through text prompts
 - judicial settlement conferences
 - Our Family Wizard
 - collaborative law great solution particularly in its interdisciplinary form as the designated financial neutral is able to access the financial information from both sides without discovery and motions to compel. This makes it cheaper, faster and more accurate. The skilled child professionals are able to facilitate the parties to reach sustainable plans before kids get pulled in opposing directions. Unfortunately, it requires that both lawyers be collaboratively trained/oriented lawyers which many communities, mine included, did not have. However, tools from that discipline to use with clients:
 - High Level Goal worksheets allow clients to identify areas of aligned interests that can serve as a bridge to compromises unavailable after they become polarized or positional. For example, most parents with whom I have spoken want to make sure that their children are in safe, clean and pleasant homes even when not with them. This serves as a great starting point for housing budgets that lead into support considerations.
 - The Four Way agreement adapted for self-represented parties to become a two way agreement establishing how they will approach their family law case- including important information needed to negotiated, shared cloud folders, ground rules regarding the children etc.
 - Shared Document Portals (see also above) Entirely voluntary so avoids discovery requests that often feel invasive or responses that can be evasive and/or inadequate.

H. **GOAL_Reduced Stress And Suffering**

1. **STRATEGY**_Eliminate or reduce unrealistic expectations or entitlements
2. **TACTIC**_Education- It seems obvious but helping parties really understand their rights, their responsibilities and their choices is vital to this process. It will help them frame their pleas, conduct their cases and live with the outcomes if they are clear from the beginning as to the attainable goals and the sustainable commitment
3. **TOOLS**
 - Orientation: It obviously starts with the attorneys and frankly, we could do a much better job if we took more time to really listen first and then really

teach before we advise and strategize. we could collaborate a lot more with our clients. Most clients have no idea what the end game is or how it plays out until trial and some not even then. They spend months and increasingly, years, projecting fear or unrealistic expectations. So I have started giving orientations, akin to what colleges give freshman at the start of their first year. The sooner they understand the procedures, the process, and parameters, the sooner they can arrive at reasonable expectations and focus on attainable goals. At the first meeting we have after I review a very detailed questionnaire and assess their likely outcomes and identify sustainable goals. Clients get their first assignment: go to court on motion day or when a trial is set to observe the process. Again, nothing focuses the mind quite like the prospect....

- Workshops: I am teaching my clients how to handle their cases on their own. For example, I had a client whose case was closed but had an enforcement issue. It didn't make economic sense for the client to hire me. I was able to walk the client through the process by explaining the limitations of the contempt process and refocusing attention on how best to talk to the judge. The client was smart and capable but needed to be educated about what mattered and how best to convey the data and what to let go. The client was able to get the money owed, felt empowered and the process was less caustic just by reducing the volume of participants.
- Facilitators, mediation and other tools are available through the Courts. Attorneys can do more by advising clients of those tools, referring to support enforcement and other OJD programs so clients can use their limited budgets for consulting and preparation time with their attorneys. We need to explain how they access support enforcement, court facilitation, court mediation and other existing tools. It is not unusual for clients not to know what is available. As a bar, we need to do a better job of pointing them to the no cost services that exist. They will be thrilled and it is a two fer- good-no expense marketing and a good deed rolled into one.
- Judicial Interactions with parties set expectations and enforce accountability to solidify the learning. Help client or, if of record request status conferences, early temporary hearings and settlement conferences to facilitate contacts with the court.

These are a few of the ways in which I have pivoted my practice using existing processes and worked with the other professionals in our just system to give my clients a kinder, gentler resolution to their family break up.

V. Q&A/Discussion



Barriers to Justice

A 2018 STUDY MEASURING THE CIVIL LEGAL NEEDS
OF LOW-INCOME OREGONIANS



Legal Problems are Widespread

75% of survey participants live in a household that experienced a legal problem in the previous 12 months.



Legal Problems Multiply

5.4 legal problems were experienced by the typical low-income household in Oregon in the last 12 months.

*Fraud
Denial of Benefits
Unfair Eviction
Child Restraint Order
Child Custody*

The Need for Legal Aid Outpaces Resources

84% of people with a legal problem did not receive legal help of any kind.



Methodology

This report is based on a survey conducted in partnership with the Portland State University (PSU) Survey Research Lab. There were 1,017 survey participants from a statewide, address-based sample of 15,000 residents of high-poverty census blocks distributed according to Oregon's population. Participants were initially contacted by mail and completed the survey by mail, phone, or internet. The paper survey was only available in English. The web and phone surveys were conducted in both English and Spanish. PSU collected surveys during the winter of 2017-2018. To participate in the survey, participants had to have a household income at or below 125% of the federal poverty line. This is the same household income limit used to determine eligibility for legal aid in Oregon. The demographic characteristics of survey participants were analyzed (race, age, gender, etc.). The data collected was sufficient to allow for analysis of civil legal needs specific to individual groups. Additionally, researchers conducted door-to-door, in-person surveying in areas of known farmworker concentration, collecting 111 migrant farmworker responses. These were analyzed separately from the rest of the survey. For more information or to view the full statistical report from PSU go to: olf.osbar.org/LNS

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Why Do We Need a Legal Needs Study?



Letter from Chief Justice Martha Walters

Every day in communities around our state, low-income Oregonians seek help from their local legal aid office. These potential clients might include a tenant facing eviction, a single mother needing to file a domestic violence protective order, or a senior citizen who cannot access his food stamps. Legal aid offices take as many cases as they can, but limited resources mean they must turn away most who seek help. This report summarizes the most recent findings about the unmet civil legal needs of low-income people in Oregon.

This is not the first time Oregon has assessed the civil legal needs of its low-income communities. The 2000 Civil Legal Needs Study was the first evaluation of the unmet civil legal needs of low-income people in Oregon since the 1970s. The 2000 study found that there was a high need for civil legal services for people with low and moderate incomes, and that the existing legal services delivery network was not adequately meeting that need. The 2000 study strengthened and spurred ongoing efforts to increase resources to address the critical legal needs of Oregon's most vulnerable citizens.

With the support of the Oregon Department of Justice, the 2018 Civil Legal Needs Study was commissioned by the Oregon Law Foundation, Oregon State Bar, Oregon Judicial Department, Campaign for Equal Justice, Legal Aid Services of Oregon, and the Oregon Law Center to assess the current ability of low-income individuals to access the civil justice system. The researchers endeavored to gather reliable and useful data to help policy makers, legislators, agencies, funders, and legal aid service providers inform their investment and service decisions. This report summarizes and highlights the key findings of the study.

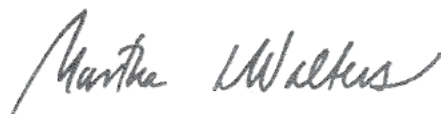
The study findings are stark. Legal problems are widespread, and the impact they have on the lives of low-income individuals can be life altering. People of color, single parents, domestic violence and sexual assault survivors, people with disabilities, those with prior juvenile or criminal records, and youth experience civil legal emergencies at a higher rate than the general public. This report is both an assessment and a call to action. Despite concerted efforts over the past two decades, our state's civil justice system is not meeting the needs of Oregon's poor. When these needs go unmet, the health, safety, and resiliency of individuals, families, and entire communities are impacted.

We can and must do better.

Our justice system must help every Oregonian know what their rights are and understand where to find legal help.

Our justice system must help achieve justice for Oregon's low-income communities by addressing ongoing and large-scale injustices such as racial discrimination and the cumulative effects of poverty over time.

Every Oregonian deserves a justice system that is accessible and accountable. The legitimacy of our democracy depends on the premise that injustices can be addressed fairly within the bounds of the law, no matter who you are or where you live. Let us work together in Oregon, to ensure that justice is a right, not a privilege—for everyone.



Chief Justice, Oregon Supreme Court

Civil Legal Aid

What is It?

Civil legal aid in Oregon ensures fairness for all in the justice system, regardless of how much money a person has. Legal aid provides essential services to low-income and vulnerable Oregonians who are faced with legal emergencies.

Civil legal aid connects Oregonians with a range of services—including legal assistance and representation; free legal clinics and pro bono assistance; and access to web-based information and forms—that help guide them through complicated legal proceedings. In doing so, civil legal aid helps Oregonians protect their livelihoods, their health and safety, and their families. Legal aid helps people know and defend their rights.

Civil legal aid helps Oregonians of all backgrounds to effectively navigate the justice system, including those who face the toughest legal challenges: children, veterans, seniors, persons with disabilities, and victims of domestic violence.

Who Does it Help?

Approximately one in five Oregonians (807,000 people) has a household income below 125% of the poverty level. For a family of four, 125% of the 2018 Federal Poverty Level was \$31,375 per year. Low-income households struggle to afford even basic living expenses of food, shelter, and clothing. Poverty is pervasive in both urban and rural communities. People of color, single women with children, persons with disabilities, and those who have not obtained a high school diploma are overrepresented in the poverty population.

General Study Findings

Legal problems are widespread and seriously affect the quality of life for low-income Oregonians. A vast majority of the low-income Oregonians surveyed experienced at least one legal issue in the last year. These legal problems most often relate to basic human needs: escaping abuse, finding adequate housing, maintaining income, living free from discrimination, and accessing healthcare. Even though their legal problems are serious, most people face them alone.

Problems are Widespread

The legal needs survey asked a series of questions in 18 categories intended to reveal the kind of problems people experienced in the previous year. Each question was designed to reveal an experience where it is likely that either legal help could ease a problem or legal advice could clarify rights and obligations. The goal was to determine the issues that low-income Oregonians experienced where civil legal aid could help. In this report, a yes to one of the issue-specific questions represents a civil legal problem.

75% of study participants reported experiencing at least one civil legal problem in the preceding 12 months.

Problems are Related

Low-income Oregonians rarely experience civil legal problems in isolation, with 61% of households experiencing more than one problem in the prior year. Loss of a job can lead to loss of a home, and experiencing a sexual assault or domestic violence can lead to a torrent of civil legal problems. One-quarter of those surveyed experienced eight or more problems in the last year.

The average low-income household experienced **5.4** civil legal problems over the last year.

Civil Legal Help is Needed

84% of people with a civil legal problem did not receive legal help of any kind.

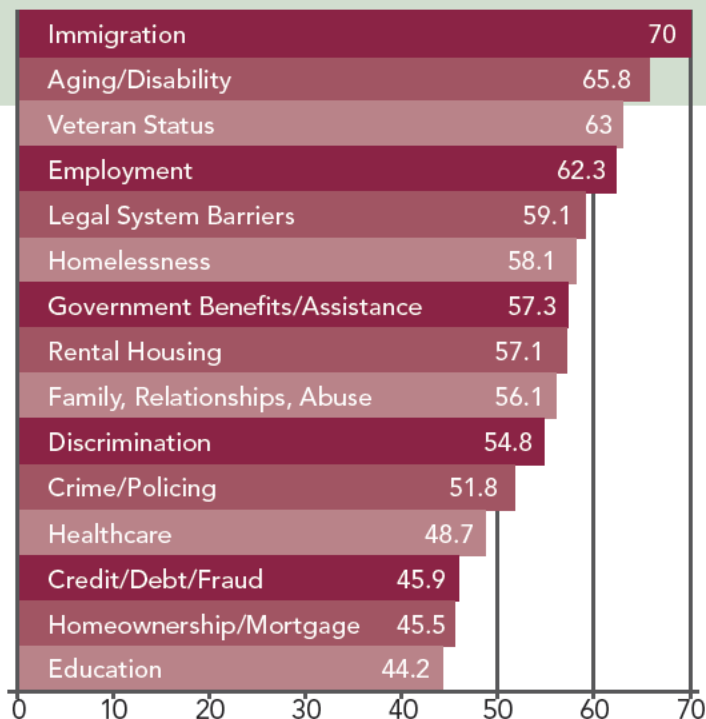
The U.S. Constitution guarantees the right to legal representation in criminal cases. This right does not extend to people with civil legal problems. This leaves the majority of low-income Oregonians to face their legal problems alone, without the help of a lawyer, regardless of how complicated or serious the case is.

The Most Harmful and Most Common Problem Areas

Civil Legal Problems Affect People's Lives

Many of the legal problems that low-income Oregonians face relate to essential life needs: maintaining housing, protecting children, or managing a health issue. For low-income Oregonians, these are not *legal issues*. Rather, they are critical *life issues*. What is certain is that poverty absolutely has an effect on the legal problems people face, as well as how those individuals experience the justice system.

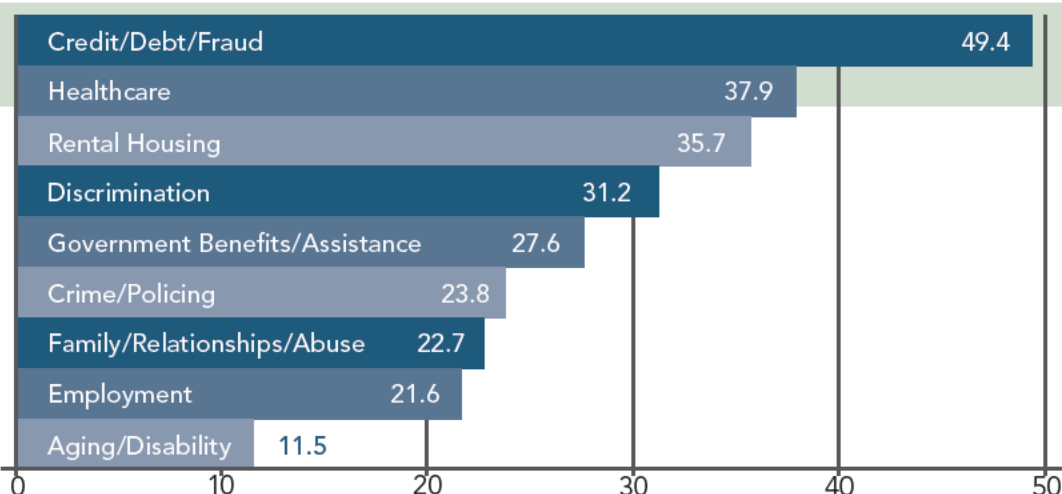
Most Harmful Issues



Percent of participants who experienced a civil legal problem in a given subject area, and who rated the effects of that civil legal problem as either very or extremely negative.

In order to determine which legal problems had the greatest direct impact on people's lives, participants were asked to rate how negatively an issue in a specific legal category affected them or their household. A five-level scale was used: not at all, slightly, moderately, very, or extremely negatively.

Most Common Problems



Percent of households that experienced at least one issue in a problem area in the last year.

Below we highlight some, but not all, of the most critical issues reported in the study. These are issues that are top priorities for legal aid, given the frequency that they occur and the severity of the impact these types of legal problems have on people's lives.

Housing and Homelessness

At the time of this legal needs study, Oregon experienced a housing and homelessness crisis. The fact that this study occurred in the middle of the housing crisis gives us the chance to see the housing-related problems people continue to experience in connection with the crisis. The study shows that in Oregon, many struggle to find affordable housing, many struggle to continue to afford the housing they are in, and nearly 1 in 10 households has experienced homelessness in the last 12 months. For low-income Oregonians, obtaining and maintaining affordable housing is a serious issue no matter what kind of housing is involved.

Rental Housing

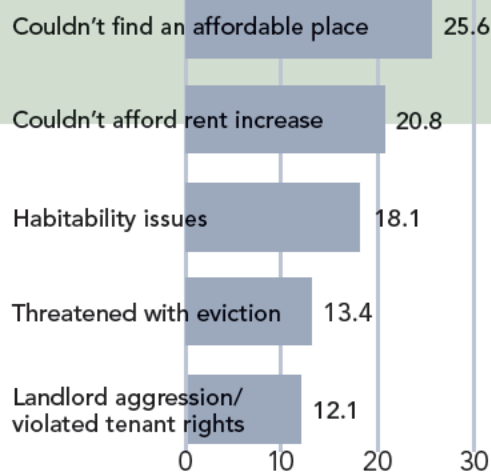
The study showed that 65% of all participants were renters. Within that category, 81% of African Americans were renters, and 71% of single parents were renters. The two most common rental housing issues are related to the unaffordability of housing: 26% of participants had trouble finding an affordable place to live and 21% reported that they could not afford a rent increase.

53% of renters experienced at least one housing-related issue.

Habitability issues were common, with 18.1% of participants reporting problems related to their landlord failing to keep their home in a decent, safe, or clean condition. This includes problems with mold or vermin; proper roof, windows, and structure; and working heat and water. 13.4% reported threats of eviction and 12.1% reported that their landlords acted aggressively. Aggressive action by a landlord includes entering without notice, turning off utilities, locking out tenants, harming a tenant's property, or threatening any of these actions.

Most Highly Reported Rental Housing Problems

Percent of households that rent that experienced each rental housing problem.



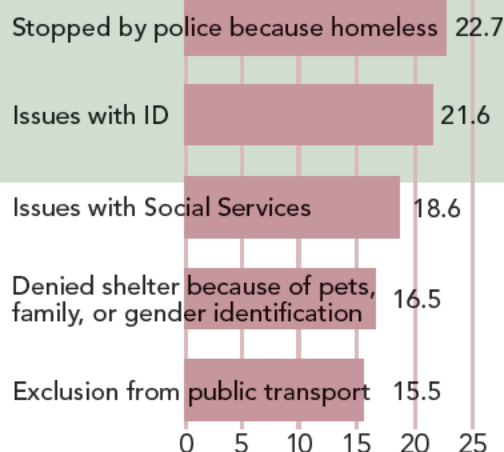
Homelessness

A staggering 10% of those who completed the survey reported that someone in their household had been homeless in the previous 12 months. That percentage bears even more weight considering that the survey was mailed to those currently residing at a physical address. These are individuals who lost their housing and regained it. Those who lost their housing and were unable to find new housing remain uncounted by this survey. Additionally, those experiencing long-term, chronic homelessness were not counted by this survey's methodology. The fact that so many experienced intermittent homelessness speaks to the depth of the housing crisis in Oregon.

Three subgroups stand out as disparately affected by homelessness. First, survivors of domestic violence and sexual assault were 6.2 times more likely to be in a household affected

Most Common Civil Legal Problems Reported by Homeless Individuals

Percent of households that reported having someone who was homeless within the prior 12 months that experienced each homelessness-related problem.



10% of survey participants reported a household member had been homeless in the last 12 months.

by homelessness than the rest of the population. Second, those with criminal and juvenile records were 4.4 times more likely to be in a household affected by homelessness than the rest of the population. Third, single parents were over 2.5 times more likely to be in a household affected by homelessness than the rest of the population.

Although homelessness is often considered an urban problem, households in the most rural counties reported being affected by homelessness at a rate more than 3 times higher than that reported in the most urban counties.

Domestic Violence and Sexual Assault

Survivors of domestic violence and sexual assault (DV/SA) suffer civil legal problems at significantly higher rates compared to the general population. Their legal problems go beyond family law and abuse issues. They experience a greater rate of legal problems in nearly all of the legal subject areas in the survey: rental housing, homelessness, financial, age and disability, veterans', tribal, employment, farm work, education, government assistance, policing, healthcare, and discrimination. Violence is pervasive, causing ripples that disrupt housing, jobs, and children's educations.

Just under 10% of survey participants reported suffering DV/SA in the previous 12 months. African Americans experienced DV/SA at 2.2 times and single parents experienced DV/SA at 2.4 times the rate of those not in these groups.

Households with DV/SA survivors were:

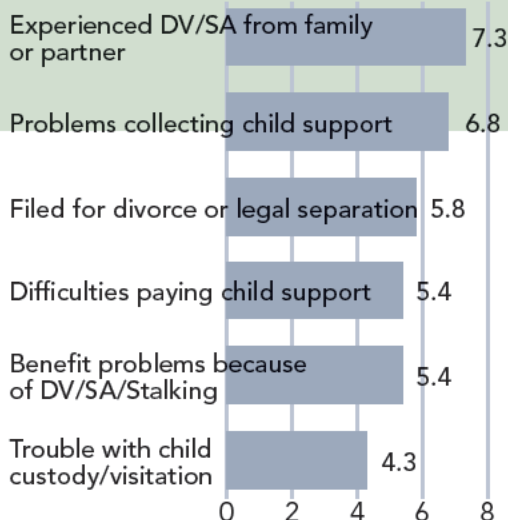
- 6.2 times more likely to experience the effects of homelessness
- 3.7 times more likely to have an education-related issue
- 3.0 times more likely to have an employment issue
- 2.1 times more likely to have a rental housing problem



Family

Most Highly Reported Family Law Problems

Family law problems were ranked highly in both severity and frequency by survey participants. Problems related to safety and financial stability were the most critical family law issues. DV/SA at the hands of a family member or partner was the most highly-reported issue, and difficulty collecting child support was the second-most reported family law problem.



Percent of all participating households that experienced each family or abuse-related problem.

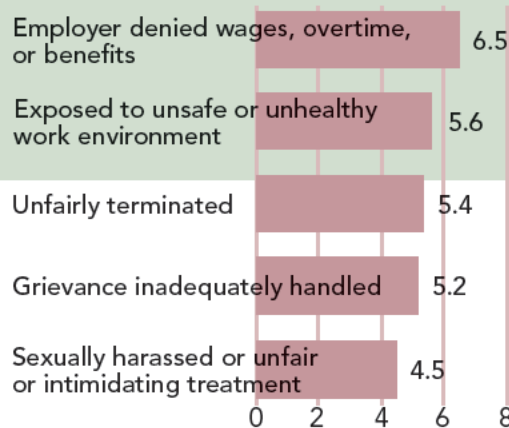
Single parents and people of color disproportionately experience family law problems; single parents who were surveyed were 2.8 times more likely to have a family law problem, and African Americans were 1.5 times more likely to have a family law problem.

Employment

For 62.3% of survey participants with an employment issue, the problem was very or extremely likely to negatively affect their life. Parenthood and involvement with the criminal justice system increased the likelihood that a survey participant would have an employment legal problem. The more children a participant had, the more likely they were to have an employment law problem.

Most Highly Reported Employment Law Problems

Percent of participating households that experienced each employment problem.



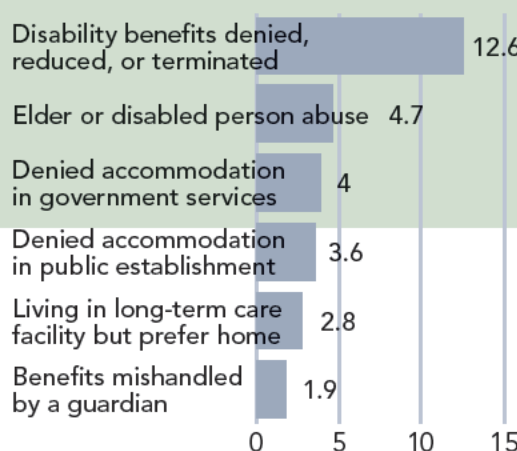
Single parents were 1.4 times more likely to have an issue with employment. People with criminal or juvenile records were 1.5 times more likely to have an issue. Frequency of employment issues was also a problem, as 9% of survey participants reported more than one employment issue.

Aging & Disability

Oregon's community of people with disabilities disproportionately experiences legal problems and is disproportionately low income. Over 44% of the households surveyed included someone with a disability. The survey also highlighted the intersectionality of race and disability, with Native Americans and Asian Pacific Islander participants being 1.9 times more likely to be

Most Highly Reported Aging and Disability-Related Legal Problems

Percent of households that reported having someone over 65 or having someone with a disability that experienced each aging or disability-related problem.



affected by aging and disability-related legal problems. Single parents were 1.7 times more likely to have an issue in this area.

Immigration

As the survey was being conducted, US immigration policy was undergoing significant changes, with an impact on thousands of Oregonians. The immigration section of the survey was designed to determine the need for formal immigration help and the need for legal information to reduce fear experienced by foreign-born individuals.

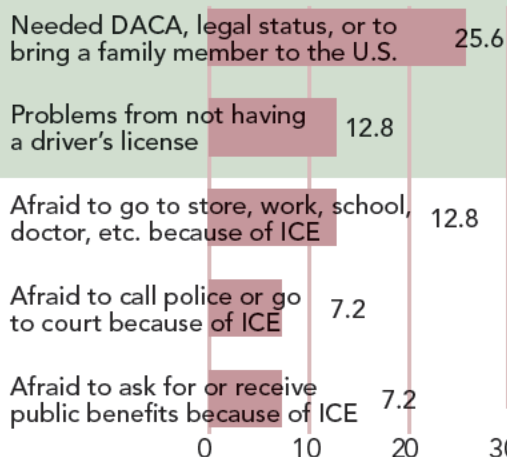
Although only 4% of all survey participants directly experienced an immigration-related legal issue, immigration problems were the most harmful of any legal problem to participants' lives. 13% of households had at least one person born outside of the US, and immigration legal issues were common in these households. For foreign-born households, immigration legal problems

12.8% of foreign-born households feared participating in the activities of daily life—work, shopping, school, seeking medical help—because of Immigration and Customs Enforcement.

were as common as rental housing problems were to the overall low-income population. It is also worth noting that there is a likelihood that under-reporting may be taking place as a result of fear of being identified as an immigrant.

Most Highly Reported Immigration Law Problems

Percent of households that reported having a foreign-born individual that experienced each immigration-related problem.



One in three foreign-born study participants had at least one immigration legal problem in their household.

50% of foreign-born/Latinx and foreign-born/Spanish-speaking participants had at least one immigration legal problem in their household.

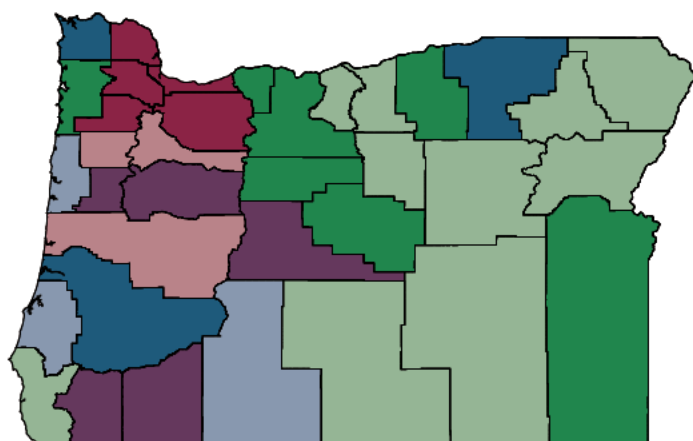
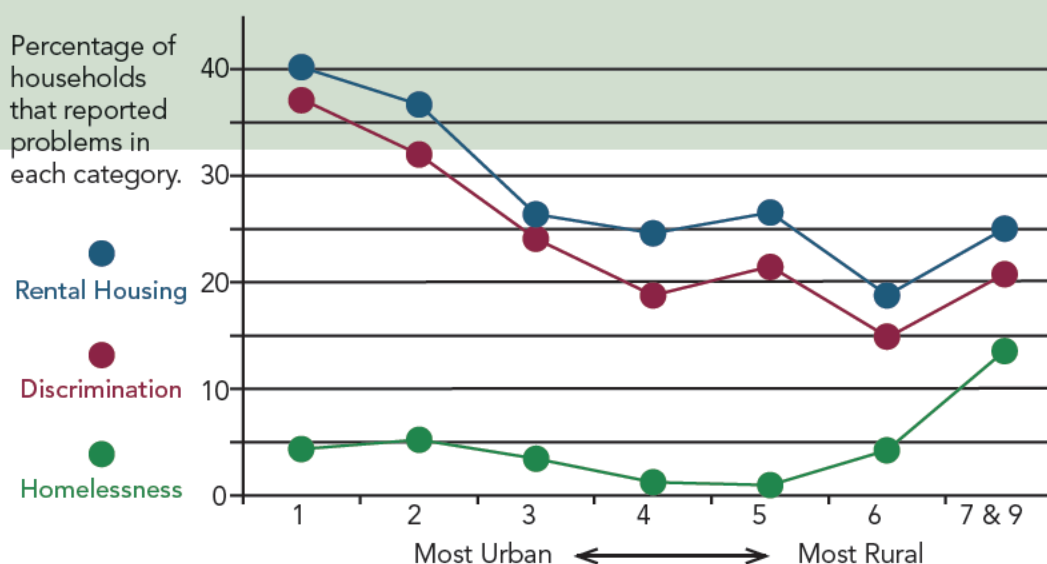
Four in five households with a foreign-born individual of African descent (from anywhere in the world) had at least one immigration legal problem in their household.

25.6% of foreign-born households needed help improving their immigration status: DACA, visa/citizenship, refugee status, etc.

Where You Live Makes a Difference

To highlight geographic differences, responses were categorized and compared based on the urbanization of the county they came from. Problems with rental housing and discrimination become more prevalent the more urban a county is. Homelessness strongly increased in prevalence as counties became more rural.

Effects of Geography on Legal Problems



Population Categories

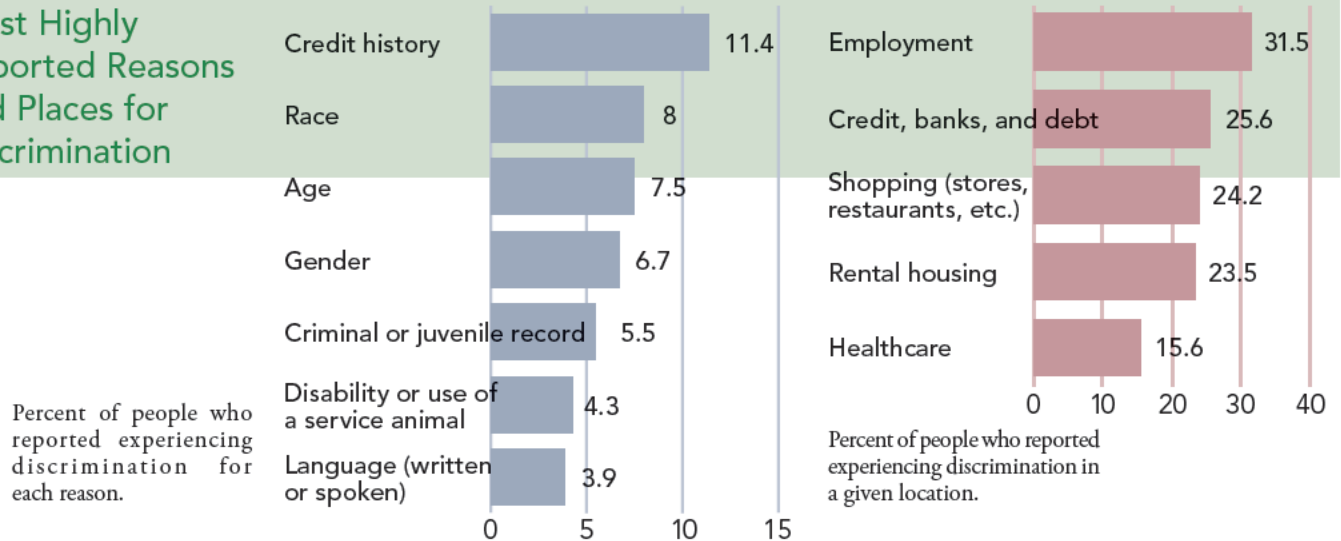
- 1 Metropolitan county with urban population > 1 million
- 2 Metropolitan county with urban population 250k to 1M
- 3 Metropolitan county with urban population under 250k
- 4 Urban population of 20,000 or more and adjacent to a metropolitan county
- 5 Urban population of 20,000 or more and not adjacent to a metropolitan county
- 6 Urban population 2,500 to 20,000 adjacent to a metropolitan county
- 7&9 < 20,000 Urban population not adjacent to an urban area

Discrimination

The survey asked participants if they experienced discrimination in the prior 12 months and where and how that discrimination was experienced.

Although the type of discrimination asked about extended far beyond race and ethnicity, racial and ethnic minorities reported significantly more discrimination:

Most Highly Reported Reasons and Places for Discrimination



Thirty percent of all survey participants experienced at least one form of discrimination. Forty percent of Latinx individuals, 48% of Native Americans, and 51% of African Americans experienced discrimination. People with particular backgrounds also experience discrimination at elevated rates, including 38% of single parents and 51% of people with a criminal or juvenile record.

Systemic Discrimination

African Americans

Oregon's low-income racial and ethnic minorities disparately experience legal problems. The survey shows that in every legal area except one, African Americans experience higher rates of civil legal issues than non-African Americans. Additionally, African Americans reported stronger negative effects than non-African Americans from the civil legal problems stemming from rental housing, tribal membership, education, policing, discrimination, and family and abuse.

African Americans were:

- 2.3 times more likely to experience homelessness
- 2.1 times more likely to experience an education issue
- 1.8 times more likely to experience an issue with policing
- 1.6 times more likely to experience a rental housing issue

Homeownership was the only area where African Americans suffered legal problems at a lower rate than the general population. Explanations for this may include systemic racism and the historic prevention of homeownership by people of color in Oregon. Only 5.9% of African-American participants and 15.7% of Latinx participants own homes, compared to 24% of all participants.

Native Americans

Similar to African Americans, Native Americans experience many more civil legal problems. In 14 of the 17 categories surveyed, Native Americans experience problems at higher rates than non-Native Americans. Native Americans also experience more negative effects from problems connected to rental housing, aging and disability, health care, and family and abuse.

Native Americans were:

- 2.7 times more likely to experience a veteran status issue than non-Native Americans
- 1.9 times more likely to experience an elderly or disability-related issue
- 1.9 times more likely to experience a mobile home issue
- 1.5 times more likely to experience homelessness
- 1.5 times more likely to experience a health care issue

Latinx participants were:

- 15 times more likely to experience immigration issues than non-Latinx Oregonians
- 1.8 times more likely to experience homelessness
- 1.7 times more likely to experience an education issue
- 1.3 times more likely to experience rental issues

Asian Americans were:

- 2.6 times more likely to experience a homeownership issue than non-Asian Americans
- 2.4 times more likely to experience a veterans' issue
- 2.1 times more likely to experience an immigration issue

Latinx

Latinx participants did not experience issues as disparately as African Americans and Native Americans, but did experience higher rates of civil legal issues than non-Latinx individuals in 9 of 17 categories. With only 59% reporting a primary language of English, language can present a significant issue for Latinx individuals trying to find solutions in a legal system that operates in English. 53% of Latinx participants reported being foreign born, and of those who were foreign born, 48% reported an immigration issue in their household. Issues related to rental housing, healthcare, immigration, and discrimination had stronger negative effects for Latinx people.

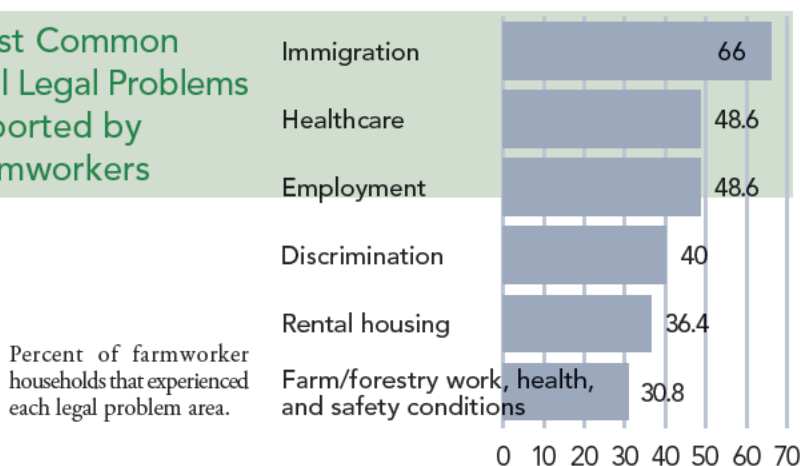
Asian American

Asian American participants experienced legal problems at lower rates across most issue areas. Asian Americans did have some issue areas that stood out, including homeownership, veterans' issues, and immigration issues. However, the most significant barrier to justice was not speaking English. Only 59% of low-income Asian Americans reported English as their primary language.

The Farmworker Experience

Farmworkers stated serious concerns about working conditions, including exposure to pesticides, unsanitary conditions, and substandard wages. A substantial number of workers reported not receiving overtime pay when due or rest breaks. With no access to affordable healthcare, the physical and psychological effects of these conditions worsened. Many workers feared retaliation from their supervisors and authorities for reporting failure to provide basic, safe working conditions.

Most Common Civil Legal Problems Reported by Farmworkers



One of the most powerful themes from the survey was the high level of fear based on immigration status. These findings show an extremely vulnerable population who, for good reason, sees itself as isolated and separate from mainstream society.

Barriers to Justice

84.2% of people who needed a lawyer were unable to obtain one.

People Do Not Know Where to Go For Help

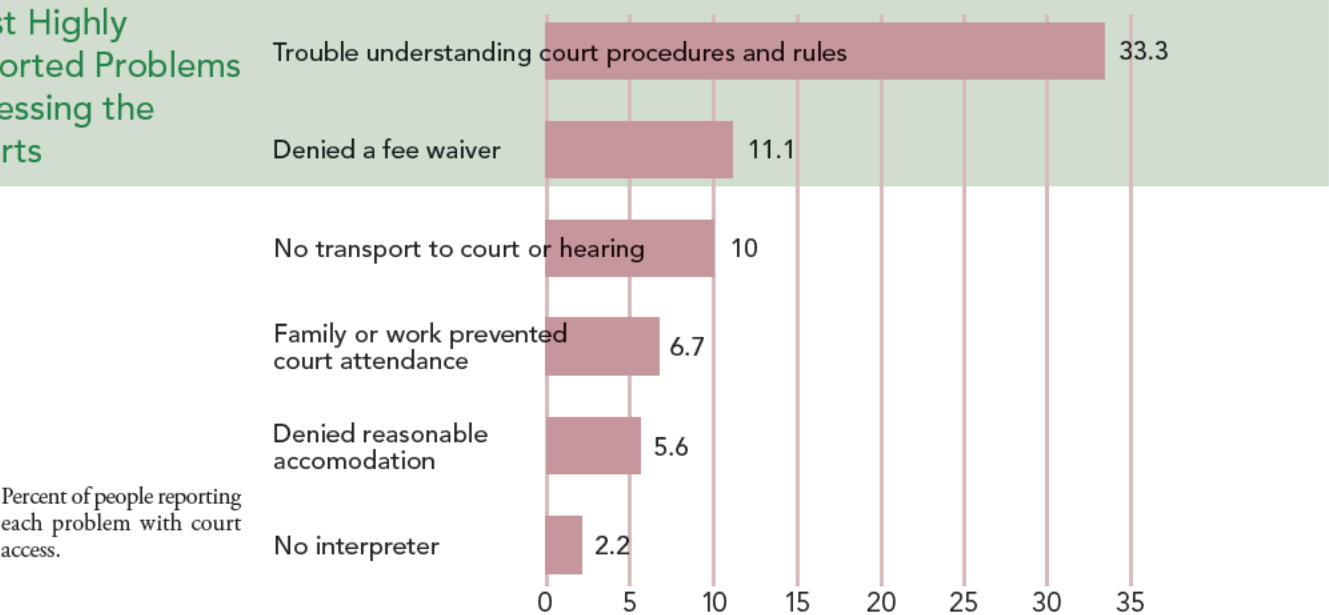
More than half of the survey participants (52.8%) who experienced a legal problem looked for legal help. Only about half of participants (49%) had heard of legal aid. Just under a quarter of participants (23.9%) tried to get a lawyer to help them. Even fewer (15.8%) were successful in obtaining any kind of help from a lawyer, including simple legal advice. For participants who were able to obtain a lawyer, help came from three main sources: private attorneys, either paid or pro bono (49.5%); legal aid lawyers (26.7%); and other nonprofit lawyers (23.8%).

Key findings from survey participants who attempted to address their own legal problems found that: 1) white Caucasians researched legal issues at 1.5 times the rate of people of color; 2) those with internet access researched issues at 1.4 times the rate of those without the internet; and, 3) people with a bachelor’s degree researched at 1.2 times the rate of those with less education. Participants who were the least likely to look for help, and arguably the least likely to know that help exists, were members of the Latinx community, particularly Spanish speakers. Latinx participants researched legal issues at 66% the rate of others, and Spanish speakers researched at 33% the rate of others.

People with Court Hearings Have Trouble Accessing the Legal System

Approximately 10% of participants had a civil or family court hearing in the previous year. Low-income participants reported several barriers to meaningfully participating in the hearing process. The largest barrier was understanding the rules and procedures in court, with more than one in three people reporting this problem. It is hard for court participants to feel a sense of just treatment when they are struggling to simply understand what is going on.

Most Highly Reported Problems Accessing the Courts



When People are Denied Access to Justice, Their Faith in the Legal System Erodes

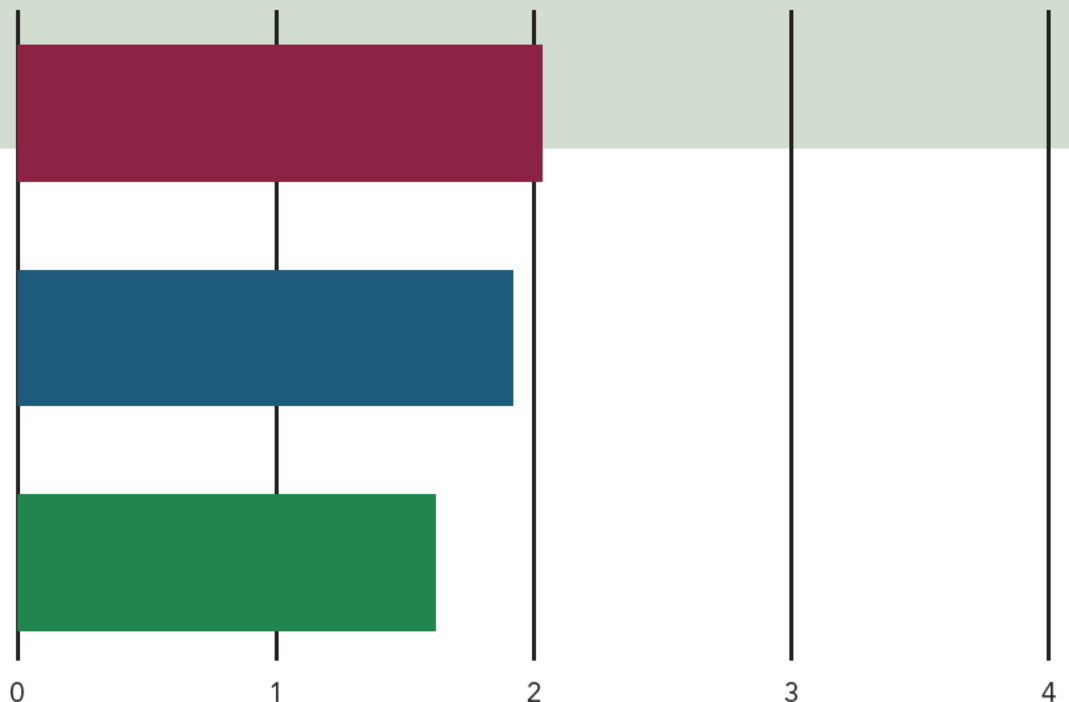
There are costs and consequences to administering a system of justice that denies large segments of the population the ability to assert and defend their core legal rights. When someone needs an attorney and cannot obtain one, they are forced to navigate a complicated civil justice system on their own. The results are most often detrimental to the people involved. This leads to cynicism and distrust of the system, as well as a likelihood that even those with a strong chance of successfully resolving their issue will choose not to engage with the system.

To get a sense of how well the civil legal system provides low-income Oregonians with a feeling of justice, participants were asked in three different ways to rank how often the courts and the civil legal system provide fair results. In the rankings, zero represented the lowest frequency of providing justice and four represented the highest.

On average, participants felt that the civil legal system treated people fairly “some of the time,” and that the civil legal system could help solve problems slightly less than “some of the time.” Participants were least likely to feel the courts could help protect them and their rights, agreeing that only “rarely” to “some of the time” was this true.

Perceived Fairness of the Civil Legal System

- 0 = “Not at all”
- 1 = “Rarely”
- 2 = “Some of the time”
- 3 = “Most of the time”
- 4 = “All of the time”



- How often do you think you or your family, friends, or neighbors are treated fairly by the civil legal system?
- How often do you think the civil legal system can help you, your family, friends, or neighbors solve the problems identified in the survey?
- How often do you think you or your family, friends, or neighbors can use the courts to protect yourself/themselves and your/their rights?

The Solution

Increased Access to Legal Aid is the Best Way to Meet the Legal Needs of Low-Income Oregonians

When Oregonians who are struggling to make ends meet lack legal representation, they are effectively shut out of the justice system. To the average person, our legal system is a maze.

Legal aid provides:

- Free civil legal representation to low-income people
- Brochures, court forms, and self-help materials to help people navigate the justice system
- A website with accessible legal information available to all Oregonians
- Legal help and representation that helps stabilize families and prevent a further slide into poverty

That is why lawyers are trained to guide their clients through the system. Civil legal aid is a lifeline—it is there to protect people with nowhere else to turn.

We must do better than meeting 15% of the civil legal needs of the poor. The biggest obstacle to legal aid playing a greater role in the community's solutions to systemic poverty is legal aid having the financial resources to reach more families when they need legal help. Oregon's legal aid programs increase fairness in the justice system, empower individuals,

and eliminate many of the barriers that block families living in poverty from gaining financial stability. Legal aid is deeply connected to the communities it serves, with established programs and diverse community partnerships to reach people in need.

Oregon's legal aid programs help more than 28,500 low-income and elderly Oregonians each year. Legal aid offices are located in 17 communities and they serve all 36 Oregon counties. Simply put, when legal aid gets involved, the lives of clients and the welfare of communities improve.

Breaking Through Barriers to Justice

According to national standards set by the American Bar Association, the “minimally adequate” level of staffing for legal aid is two legal aid lawyers for every 10,000 poor people. In Oregon we have two legal aid lawyers for every 14,000 poor people. We must recommit ourselves to

Justice Protects



Clara and Diego

Clara found legal aid after being severely injured by Rafe, her partner of 25 years. He came home drunk and started destroying the walls. He flew into a rage when Clara finally said “enough is enough.” Concerned neighbors called 911 and watched as Clara was transported to the hospital with internal bleeding, a broken arm, and irreversible back and neck injuries. Despite years of horror, Clara only sought help when she saw how Rafe's abuse was affecting her adult daughter and her young son, Diego. Legal aid helped Clara gain full custody of Diego and resolve over \$15,000 of misdirected medical bills. They also helped her assume the mortgage that Rafe refused to pay after he moved out, collecting evidence to show that Clara had been contributing all along, although Rafe's was the only name on the loan documents. After suffering at Rafe's hands for decades, Clara credits her legal aid lawyer's patience and skill for giving her the confidence she needed to overcome fear, stand up for her rights, and regain safety. She explained that her lawyer would say, “You can do this. Don't panic. Just come along when you can.” Clara and her son Diego are an inspiration, as is the legal aid lawyer who is helping her navigate this long journey.

the reasonable and necessary goal of providing “minimum access to justice.” The 2014 Oregon Taskforce on Legal Aid Funding, which included elected officials and leaders in the legal community, concluded that we need to double the resources for Oregon’s legal aid programs in order to have minimally adequate access to justice.

What Can I Do? What Can Oregon Leaders do to Address the Civil Legal Needs of Vulnerable Oregonians? Take Action!

When we say the Pledge of Allegiance, we close with “justice for all.” We need programs like civil legal aid to ensure that the very principle our country’s founders envisioned remains alive: justice for all, not just for the few who can afford it.

Educate

Talk about the importance of access to justice. Let people know that civil legal aid is there for those who need help. Share this report. The information in this report is not widely known and it is hard to solve problems that no one is talking about. Let’s amplify the conversation.

Speak Up

Oregon has broad bipartisan support for legal aid at the local, state, and federal levels. As a community, let’s continue our sustained focus on a fair and accessible legal system—a system where our neighbors can know their rights and get the help they need.

Fund Legal Aid

Legal aid is a state, federal, and private partnership. Legal aid receives funding from the State of Oregon, the federal government (Legal Services Corporation), private foundations, Interest on Lawyer Trust Accounts (Oregon Law Foundation), and private donations (Campaign for Equal Justice). The single best way to increase access to justice is to help us create more legal aid attorney positions.

Justice Heals



Noelle and Poppy

Noelle’s daughter Poppy was born with Apert’s Syndrome, a rare and complex condition that caused her fingers to be fused together. For Poppy to have full use of her hands, she needed very specialized reconstructive surgery. Noelle connected with a surgeon in Boston who specializes in this type of surgery and who was confident that he could give Poppy ten working fingers. But Noelle’s health plan provider denied the request to use this specialist, citing the cost, and insisted that Noelle use a local surgeon. None of the experienced hand surgeons in Oregon felt confident that they could give Poppy ten fingers. The cycle of requests, denials, and appeals for Poppy’s essential surgery went on for three years, despite the Boston specialist waiving his fees to make the surgery less expensive. Noelle desperately wanted Poppy to have ten working fingers before she began kindergarten, and time was running out. Luckily, Noelle found legal aid, and they began working on the next appeal together. Having an attorney step in to ask questions, request documents, and review processes made all the difference. Just before the appeal hearing, the health plan changed course and gave full permission for the surgery on the East Coast. Now Poppy is thriving with ten fully functional fingers, just in time to start school. To celebrate the one-year anniversary of the surgery, Noelle and Poppy threw a “birthday party” for Poppy’s hands and invited their legal aid lawyer to join the celebration.

Justice Unifies



A Vulnerable Community

Legal aid received a call from two community partners about the same problem: a housing complex where the tenants were suffering because the apartments were unsanitary and unsafe. Legal aid met the clients at their homes, and found that there were 8 units in this complex that all had similar problems suggesting that the landlord had not kept up on repairs: extensive mold around exterior walls of most rooms; water damage from leaking toilets; rusted heaters and ovens; leaking fridges; filthy old carpets; and extensive cockroach and spider infestation.

The families did not ask for help or complain to their landlord because they didn't know that they had a right to live in a safe home with a basic standard of livable repair. They were all refugees—an ethnic minority that was persecuted in their own country that fled to the United States for safety. For most of these clients, their only experience with anything like a landlord-tenant relationship was being in a refugee camp. Some feared that they would be attacked or killed if they complained to the landlord, and none felt they could afford to live anywhere else. Legal aid tried to work with the landlord. However, the landlord's disregard for the tenants seemed deliberate—they did not step up and do the right thing, even when they were advised of their responsibilities. Legal aid then filed suit against the landlord and reached a settlement prior to court. The families immediately got some relief from these unacceptable conditions. There is still a long road ahead for them to acclimate and to feel safe, but positive steps have started—with legal aid's help, their voices were heard and their rights respected.





Oregon State Bar



Legal Aid Services of Oregon



Need Is Far Greater Than Legal Aid Resources



The problems are big.

>50% of people with problems in most legal areas suffered very or extremely negative effects from their problems.



Some vulnerable populations suffer through even greater legal troubles.

Domestic violence and sexual assault survivors are

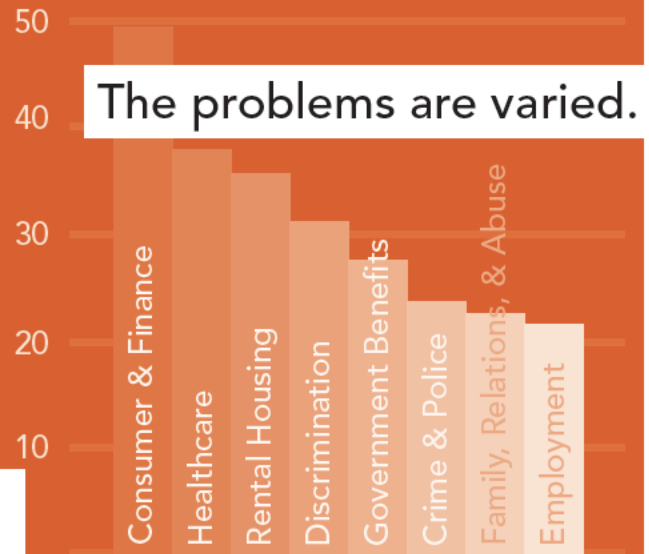
6.2 times more likely to be affected by homelessness.

3.0 times more likely to be affected by an employment issue.

2.1 times more likely to be affected by a rental issue.



The problems are varied.



Percent of Legal Needs Study respondents who had at least one problem in the top eight issue areas in the last year.

When legal aid has funding, the most vulnerable are safer.

85%

of clients with safety concerns were physically safer after receiving extended help from legal aid in 2017.



Legal aid is asking for a small increase.

\$9.78 → \$12.33

Effect of 3.1m per biennium increase on spending per eligible person with a legal problem.

Most information provided by the Oregon Legal Needs Study. Additional sources include American Community Survey 5-year 2016, The Lawyers' Campaign for Equal Justice, and Combined Legal Service Provider Outcome Measures.

Methodology for the Oregon Legal Needs Study: Portland State University conducted a survey to measure the legal needs of low-income Oregonians in the winter spanning from 2017 to 2018. Approximately 1,000 adults living in households below 125% of the Federal Poverty Guideline were randomly selected from high-poverty census blocks across Oregon. Aaron Roussell, Ph.D., and Amanda Hendrix, M.A., at Portland State, performed data analysis. A more complete report of findings will follow.

FINAL REPORT TO THE OREGON LAW FOUNDATION
ON THE LEGAL NEEDS OF IMPOVERISHED OREGONIANS

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With special thanks to Debi Elliott, PhD,
Kelly Hunter, Amber Johnson, and Cameron Mulder, MS,
all formerly of the PSU Survey Research Lab; and Grant Farr, PhD

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Report on the Legal Needs of Impoverished Oregonians

INTRODUCTION

This is the final report (updated 12/20/18) for the Oregon Law Foundation's (OLF) Legal Needs of Poor Oregonians survey. The last time OLF undertook such a project was 2000 and after 18 years it seems time for an update. We note here that the official US Census estimate of those living in poverty in Oregon is 13.3% and 15.6% for those at 125% of the poverty rate or below. For brevity, we interchangeably refer to the population at or below 125% of the federal poverty line in this manner or simply as an impoverished population.

This report proceeds in the following manner. First, we review the methods used to gather the sample and report on the demographics of the sample. Then we report on the overall legal needs experienced by impoverished Oregonians across the categories of the survey. Then we go category by category, reviewing the major findings within each, finally pulling out special groups which may be disproportionately impacted. Finally we look at the specific barriers to accessing justice for the respondents, including distrust of the legal system. Where appropriate, statistical tests assess differences of means and other measures of tendency. Given our robust sample size, statistical significance at the traditional α -level of 5% or $p = .05$ usually provides a rigorous method for adjudicating the likelihood that the relationships considered in this sample represent “real” relationships in the population parameters of interest—occasionally, these standards shift for smaller subgroups.¹ Differences which do not reach this level are discussed depending on circumstances (and some relationships are not appropriate for significance testing).

Methods

The Portland State University (PSU) Survey Research Lab (SRL) gathered the survey data through multiple methodologies. Initial mailings gave subjects the choice to participate using a version of the survey on the web as well as the mailed printed version. Online survey takers were provided with specific personal identification numbers (PINs) to ensure unique information and anonymity. SRL contacted those who did not return the printed survey form or complete the online survey using Voxco CATI phone calling software. This multi-pronged approach yielded a total sample of 1,017 respondents, of which 53.8% were web-based, 35.7% were returned by mail, and 10.5% were completed by phone.

Sampling methodology

PSU SRL purchased an address-based sample of potential respondents distributed according to Oregon's population through a sampling company. Each address received an initial invitation letter, a reminder postcard, and a final reminder letter. All survey completers later collected a \$20 incentive via mail. Each of these initial mailings included a link to take the survey online instead if the respondents found this more convenient. Records that included a phone number were additionally recruited via phone calls. While many of the records included names, there was no guarantee that the person listed in the record would be the same person who

¹ Statistics known as “*p*-values” are based on the relationship between the sampling universe, in this case, Oregon's impoverished (<125% of the poverty line) population and the actual sample collected in a random fashion. “*P*” represents the *probability* that an indicated relationship is in fact an artifact of the sampling procedure (i.e., random chance) rather than a “true” relationship that can be inferred to the large sampled population (thus the smaller *p* is, the more likely the relationship). Determining this in advance is what statisticians refer to as setting an alpha (α) level. Five percent ($p = .05$) is considered a generally acceptable risk but this can change for extremely large or small samples.

completed the survey (e.g., a different person opens the mail or the person listed in the record no longer lives at that address). These names were useful for addressing envelopes and letters and were not linked with the responses received from either web or phone surveys beyond that. No names or other identifiers were gathered from the respondent directly during the survey process and the names received from the sampling company remained unverified. The PIN linked the completed survey to the tracking file to enable sequential reminders and to avoid additional bother for those who had completed the survey.

Eligibility

The inclusion criteria were that respondents be Oregon residents at least 18 years of age who earn 125% or less than the federal poverty line, as adjusted for family size. It must be noted that the person filling out the survey on behalf of a household was not specified and most substantive questions referred generically to “persons living in the household,” which complicated some individual level questions.² In several cases, open responses confirmed that the person submitting the form, while 18 years of age, was still in high school.

Demographics

Age

More than half the respondents were over 45; about 30% between 45 and 64 and nearly a quarter 65 or over—as a comparison, 17% of Oregon’s general population was 65 or over in 2016. Just over 10% of survey respondents were between 18 and 24, as Table 1 attests.

Table 1. Age distribution of survey respondents

	Survey percent	N
18-24	10.4	106
25-34	18.6	189
35-44	14.4	146
45-64	29.9	304
65+	23.5	239

Race & Ethnicity

Table 2 depicts the ethnoracial breakdown of the sample. As might be expected in Oregon, a state comprising more than 87% white residents, the respondents were strongly white as well, although slightly less than the state as a whole (81.4%). “Hispanic” (treated here as a discrete category although it is an ethnicity which does not exclude a racial identification) respondents were the next largest category at 11.6%, while Native American/Pacific Islander/Hawaiian, Black, and Asian groups were all under 10%.

These numbers include an important caveat. Respondents were allowed to mark more than one category, meaning that the “multiracial” category is entirely redundant with the other categories, and that the other categories themselves experience some bleed. For instance, the category “White” is reduced to 74% ($n = 719$) of the respondents if the category is reframed to “White alone.”

² Gender and ethnicity are good examples—while one respondent could conceivably chose an appropriate response for the ethnicity of the household in the correct situation (multiethnic/racial households are a minority), most households contain people corresponding to more than one gender identity.

Table 2. Race and ethnicity*

	OR, 2017 Census estimated percent	Sample percent*	N
White	87.1	81.4	788
Hispanic/Latinx	13.1	11.6	112
Asian	4.7	3.5	34
Multiracial	3.8	7.7	74
Black	2.2	5.6	54
Native American	1.8	6	58
Hawaiian/Pacific Islander	0.4	0.9	9

*Due to multiple options, categories do not add to 100%

Gender Identity

The individuals who filled out the survey skewed strongly female: two-thirds or about 66%. Nearly all the remaining one-third identified as male, except for 4 individuals (0.42%) who identified trans* or otherwise (e.g., “unicorn dyke” was coded to trans/else).³ Given these dynamics, which diverge significantly from the general population (and which are not generalizable to a household which may contain many genders or none), we did not assess significance levels or congruence with Oregon at large.

Language

Estimates from the US Census place the rate of a language other than English being spoken at home in Oregon at about 15%, while the survey reports a much lower rate for Oregon’s impoverished population (7.7%). Far and away the most frequently indicated primary home language was English (92.3%) as Table 3 attests. While this may be a fair representation of the population of interest, it may also be an artifact of the sampling procedure (i.e., a systematic exclusion of various categories from such a methodology), or could simply demonstrate response bias in a majority English-speaking country currently undergoing a strong wave of xenophobic hostility. Just under 5% of respondents spoke Spanish, while less than 1% spoke Vietnamese, Russian, or a Chinese dialect.⁴

Table 3. Primary language spoken at home

	Percent	N
English	92.3	902
Spanish	4.7	46
Other	1.5	15
Chinese dialect	0.7	7
Vietnamese	0.4	4
Russian	0.3	3
Total	100	977

³ Several vulgar comments accompanied this data in the write-in section, suggesting some hostility to the spectrum of gender fluidity. Several of these individuals also reinforced their hostility with nonsensical (or nonexistent) category markings, rendering frustrating missing data.

⁴ Chinese was a write-in category that exceeded the officially available responses. The category includes those who wrote in “Chinese” (presumably Mandarin) and/or “Cantonese.”

Relatedly, nearly 13% of respondents were born outside the US, a figure which is somewhat higher than the overall Oregon total of 9.8% but similar to the 14.4% of the population living at 125% of the federal poverty level or below in Oregon.

Education

Eighty-two percent of Oregon's impoverished population over the age of 25 has a high school diploma or the equivalent, while 13.7% have a BA or more. In comparison, our survey included about 87% with a high school degree and 19.4% with a BA or higher, while the median survey respondent (more than 42%) attended some college or had a trade certification.^{5 6} See Table 4.

Table 4. Levels of education

	Percent	N
<High School	12.78	130
High School/GED	25.37	258
Some college/AA/Trade/Certificate	42.48	432
BA	12.39	126
Graduate/Professional	6.98	71
Total	100	1,017

Relationships and Living Situations

As depicted in Table 5, the modal survey respondent never married (almost 29%), but more than 34% were either married or living with a partner, while more than 30% were either divorced or separated. Although almost one quarter of respondents were retirees, just under 3% lived in an assisted living facility. Just under 23% were single parents, while more than two-thirds had no children. Of those with children, most had one (14.2%), two (9.2%), or three children (6%), while less than 4% had more than this, as Figures 1 and 2 suggest.

Table 5. Relationships and living situations

	Percent	N
Never married	28.72	282
Divorced	25.87	254
Married	22.4	220
Living w/ partner	12.02	118
Widowed	6.52	64
Separated	4.48	44
Total	100	982

⁵ "Trade certification" was another category that we added based upon write-in responses. It makes the continuity of education less clear cut as a variable but adds important context.

⁶ The higher educational levels of our survey respondents compared to Oregon's general impoverished (<125% poverty) population are likely a result of various factors including distrust of researchers, over-saturation of research among vulnerable populations, and a lack of understanding about the importance of participation.

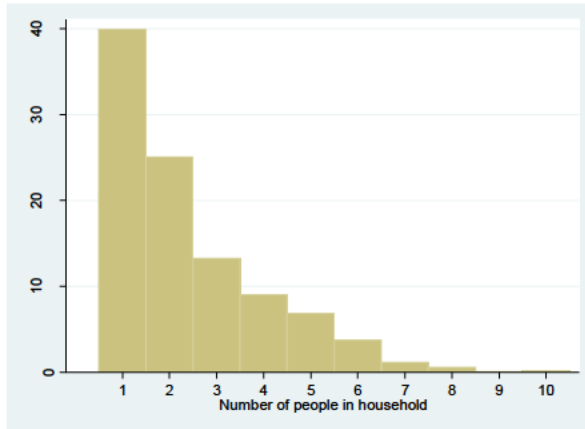


Figure 1. Number of people in household

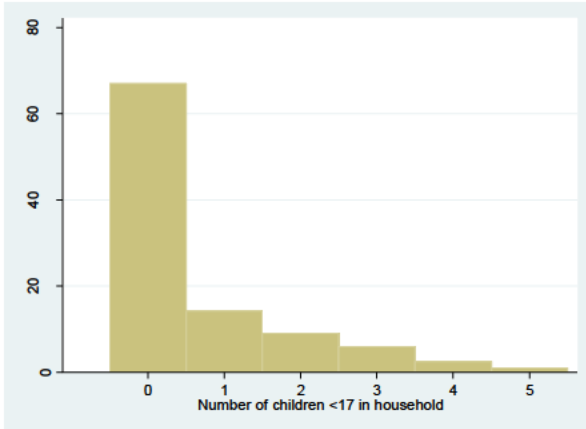


Figure 2. Number of children in household

Web Access

The vast majority of respondents (88.4%) had access to the internet in some fashion. Nearly half had access through a desktop or laptop computer and just over 43% through their phone. In evaluating the relationship between modes of survey administration and ethnoracial category, Latinx respondents took significantly fewer paper, more web, and fewer phone surveys than expected ($X^2(18) = 27.6; p < .01$).

Lawyer Affordability

Not surprisingly, given the purposive sampling of those close to or under the poverty line, nearly half the respondents (47.8%) were unable to contribute anything towards any sort of legal defense, having no extra money. More than 70% could not contribute \$100. Ninety-seven percent could not pay as much as \$1000. Table 6 reports the breakdown.

Table 6. How much could you afford for a lawyer?

	Percent	Cum.	N
Nothing/No excess money	47.8	47.8	459
Less than \$100	23.0	70.8	221
\$100-\$249	15.4	86.2	148
\$250-\$499	6.1	92.3	59
\$500-\$999	4.6	96.9	44
\$1,000-\$1,999	1.7	98.5	16
\$2,000+	1.5	100.0	14
Total	100.0	---	961

CATEGORIES OF CONCERN

Overview

To begin, Table 7 below depicts the percent of total respondents having one or more legal needs within each of the categories surveyed. Many have more than one, but this suggests the basic pattern of legal needs across the surveyed categories. Table 7 is organized to represent absolute rather than relative legal needs, which means that the percentages are calculated out of the total sample for this particular comparison—depending on the category, this may not always be the most relevant denominator. For instance, 2.7% of the total sample experienced legal needs related to military service, but the entire sample is not eligible to have experienced this concern. On the other hand, everyone can experience financial legal needs regarding credit, debt, and fraud. In the panoply of legal needs, a good portion of veterans did in fact experience military service concerns (about 17%), but the comparison below depicts that number as relatively small compared to the overall need experienced by Oregon’s impoverished population at large. Note also that, due to nonresponse (assumed to be random), the number of respondents for each category differs slightly.

Table 7. Absolute comparison of respondents having one or more concerns within category

Experienced concerns related to:	Percent	Std. Dev.	N
Credit/debt/fraud	47.7	0.50	990
Healthcare	36.4	0.48	992
Rental	33.2	0.47	987
Discrimination	29.5	0.46	987
Government benefits/assistance	25.9	0.44	989
Crime/policing	22.4	0.42	997
Family, relationships, abuse	23.3	0.42	993
Employment	20.1	0.40	924
Aging/disability	11.3	0.32	1,007
Education	7.8	0.27	999
Houselessness	4.4	0.21	995
Tribal membership	4.3	0.20	958
Immigration	4.3	0.20	987
Mobile home	3.4	0.18	992
Homeownership/mortgage	3.3	0.18	990
Veteran status	2.7	0.16	1,002
Farm/forestry work	0.7	0.08	1,002

Far and away the largest absolute area of legal need concerns financial issues of credit, debt, and fraud—nearly half of respondents had these concerns. Around a third of respondents also experienced legal needs relating to healthcare, rental properties, and discrimination; around a quarter had legal needs relating to governmental benefits or crime/police concerns. Comparatively few respondents had concerns about military service, the ownership of a home or mobile home, or concerning farm or forestry work. As discussed above, the underrepresentation of these concerns is due in large part to the limited numbers of respondents who were eligible to have these concerns in the first place.

Every subsection asked the respondents to use a Likert scale to report the degree to which the section's legal concerns affected them negatively. The scale ran from 0 ("not at all") to 4 ("extremely"). Table 8 below presents the relative rankings of each subsection alongside one another. Each column contains those who indicated at least one of the issues in the subsection, meaning those without any such issues are excluded (see each respective *n*). Although many concerns are tightly clustered, respondents felt the most negative effects from immigration concerns, barriers to court access, elderly/disability concerns, military affairs, employment, and houselessness. Comparison with Table 7 reveals that the most frequently cited issues were not necessarily the ones that respondents felt were most impactful.

Table 8. Likert scale comparisons of the relative negative effects of legal need subcategories

	Mean	Std. Dev.	N
Immigration	2.83	1.15	40
Court/hearing barriers	2.82	1.04	44
Aging/disability	2.79	1.16	114
Veteran status	2.78	1.15	27
Employment	2.73	1.08	183
Houselessness	2.70	1.15	43
Rental	2.69	1.07	324
Government benefits/assistance	2.68	1.12	253
Family, relationships, abuse	2.60	1.12	230
Discrimination	2.58	1.14	272
Crime/policing	2.49	1.20	220
Healthcare	2.45	1.12	359
Mobile home	2.35	1.18	34
Homeownership/mortgage	2.30	1.42	33
Farmwork/forestry	2.29	1.50	7
Education	2.29	1.23	77
Credit/debt/fraud	2.28	1.21	466
Tribal membership	1.72	1.28	39

Housing

As Figures 1 and 2 above attest, about 40% of respondents live alone and the number of people in households decreases nearly exponentially thereafter. The average respondent is in a household comprising 2.4 people. Further, for those with children, the average number of children in the household aged 17 or under was two—just over 1% of the sample (*n* = 10) reported having more than five children (see Figure 2).

Rentals

In considering demographics, renters were more likely to be Black (64.5% of nonBlacks were renters vs. 80.8% of Blacks; *p* = .02), be single parents (63.9% vs. 71.2%; *p* = .04), have a juvenile or criminal record (63.4% vs. 74%; *p* < .01), have web access (45.8% vs. 68.1%; *p* < .01), have slightly more children ($X^2(5) = 11.9$; *p* = .04).

Table 9. Legal needs of renters

	Percent	Std. Dev.	N
Rented in past year?	65.0	0.48	987
Couldn't find affordable place	25.6	0.44	620
Couldn't afford rent increase	20.8	0.41	620
Landlord failure to provide	18.1	0.39	620
Threatened with eviction	13.4	0.34	620
Landlord dispute	12.1	0.33	620
Retaliation for exercising tenant rights	11.0	0.31	620
Difficulty getting deposit back	8.2	0.27	620
Section 8 issues	6.5	0.25	620
Aggressive/abusive landlord	4.5	0.21	620
Problems due to violence/stalking	3.7	0.19	620
Denial of reasonable accommodation	3.4	0.18	620

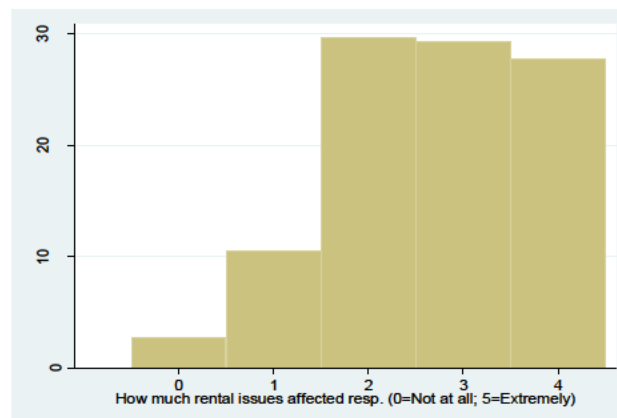


Figure 3. Likert scale of how much rental legal needs affected respondent (0 = “not at all”; 4 = “extremely”)

Nearly two-thirds of respondents were renters as Table 9 shows. The biggest issue facing this population was basic unaffordability of available rental space (26%), followed in related fashion by an inability to afford rent increases (21%). Landlord issues followed these, including failure to provide safe, decent, or clean housing in a variety of manifestations (18%), eviction threats (13%), disputes about rules or the lease (12%), and unfair retaliation for complaints or asking for repairs (11%).

While more than a third of the sample (33.2%) experienced rental housing issues, some experienced more than others. The average renter experienced 1.3 rental problems and almost 6% experienced 5 or more of the legal issues surveyed, as Figure 4 depicts. Figure 3 tells us that more than half (57%) found these issues to affect them “very” or “extremely” negatively, while the vast majority of respondents (86.7%) found that the legal needs surrounding their rentals affected them at least “moderately” or even more negatively. This scale was used to assess the whole section, but by using statistical correlation (r), we can look further. Using this scale to assess the various items discussed, we find that eviction ($r = .27$), disputes with landlords or other housing authorities ($r = .26$), and the inability to afford rent increases ($r = .23$) correlate most strongly with the seriousness of needs.

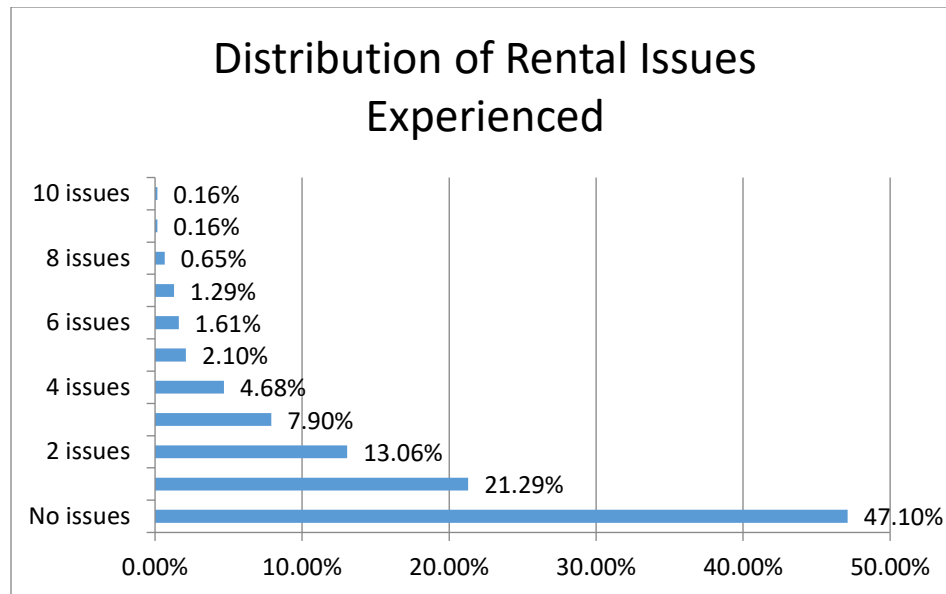


Figure 4. Distribution of renter legal needs

Home Ownership

Compared with renting, home ownership is much less common. Less than a quarter (24%) of respondents owned a home or had a mortgage and far fewer homeowners had experienced troubles than renters. Black and Latinx households were much less likely to be homeowners (24.9% vs. 5.9%; $p < .01$; and 24.9% vs. 15.7%; $p = .03$ respectively), while whites were more likely to be homeowners (17.8% vs. 25.2%; $p = .04$). Homeowners were less likely to have a juvenile or criminal record (25.2% vs. 18.3%; $p = .04$) and single parents were also underrepresented as homeowners (25.2% vs. 19.5%), a finding which approached statistical significance ($p = .08$).

The most common concern was falling behind on mortgage payments (9%) followed by dishonest lending practices (5%), as Table 10 depicts. Figure 5 shows that although most homeowners experienced no issues with their mortgage, 10% did experience one issue and a few respondents experienced multiple. The average homeowner experienced 0.22 issues.

Table 10. Legal needs of homeowners

	Percent	Std. Dev.	N
Owned a home/mortgage?	24.0	0.43	990
Fell behind on mortgage	8.9	0.29	225
Misleading/dishonest lending	4.9	0.22	225
Trouble with tax/gov't liens	3.1	0.17	225
Req'd extra financial products	2.7	0.16	225
Foreclosure	2.7	0.16	225

Figure 5 depicts the relative seriousness of the issues faced by homeowners as rated by the respondents. Nearly half (45.5%) rated their concerns as affecting them “very” or “extremely” negatively, while adding in “moderately” pushes the number to two-thirds ($n = 33$). The modal category was “extremely.” Correlating these ratings to specific issues yields strong relationships with being pushed to purchase extra financial products ($r = .49$), foreclosure ($r =$

.29), and falling behind on mortgage payments ($r = .26$), all of which made a strong negative ranking more likely.

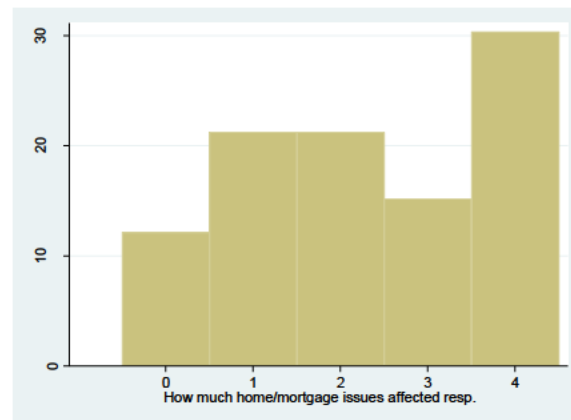


Figure 5. Likert scale of how much homeowner legal needs affected respondent (0 = “not at all”; 4 = “extremely”)

Mobile/Manufactured Homes

Even fewer respondents ($n = 114$) owned a mobile or manufactured home (henceforth “mobile home” for simplicity). Web access was significantly more of an issue for mobile homeowners—of those with web access only 10.2% owned a mobile home compared with 21.1% of those without web access ($p < .01$). Mobile homeowners were also less likely to have a BA (13.1% vs. 5.1%; $p < .01$). Although Whites were more likely to live in a mobile home by a margin of about 2%, the difference did not approach significance.

As with renters and homeowners, the basic cost of housing was the biggest issue experienced; almost 17% of mobile home owners could not afford their lot increases. After that, more than 10% of respondents had a dispute with the mobile home park or issues with the site lease. Table 11 describes this category in detail.

Table 11. Legal needs of mobile and manufactured homeowners

	Percent	Std. Dev.	N
Own a mobile/manufactured home?	11.5	0.32	992
Could not afford lot increases	16.7	0.37	108
Dispute with park/lot lease	10.2	0.30	108
Failure to maintain park	8.3	0.28	108
Trouble purchasing	6.5	0.25	108
Evicted or had to move parks	5.6	0.23	108
Park closed	0.9	0.10	108

Compared with renters and owners, mobile home owners fell in the middle in terms of experiencing problems as Figure 7 shows—more than 63% of mobile home owners experienced problems, which is less than home owners and more than renters. The average number of problems experienced by mobile home owners was 0.48. More than 40% found these issues to affect them “very” or “extremely” negatively; “moderately” was actually the largest choice at

nearly one-third (32.4%) as shown in Figure 6. The tiny category sizes of the mobile home owners prevented further statistical assessment of the issues.

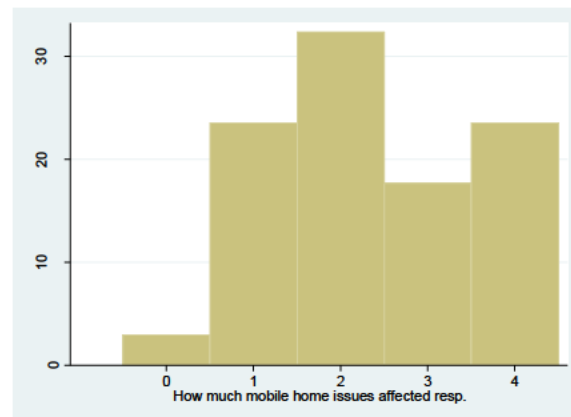


Figure 6. Likert scale of how much mobile home legal needs affected respondent (0 = “not at all”; 4 = “extremely”)

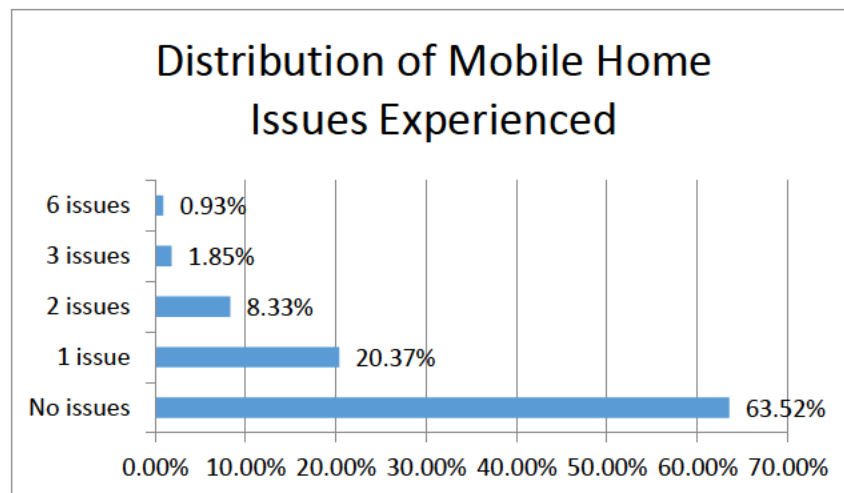


Figure 7. Distribution of legal needs of mobile and manufactured homeowners

Houselessness

The survey captured 98 people (9.8%) who had experienced houselessness in the previous year; the details of their legal issues are listed in Table 12. Given that the survey was sent to residential addresses, the lack of housing for these respondents can be interpreted largely as a temporary (and past) phenomenon—that is, the demographics and legal needs of a more permanently houseless population may look considerably different. There were no significant ethnoracial differences between those who experienced houselessness in the previous year and those who did not. Approaching significance is the difference in education—those with BAs were houseless at a lower rate than those without (6.6% vs. 10.7%; $p = .09$).

Those who had experienced houselessness had more children under the age of 17 ($p < .01$) and were significantly more likely to be single parents (6.8% vs. 17.2%; $p < .01$). Of those with a criminal or juvenile record 24.4% were houseless, compared with 5.6% for those without ($p < .01$).

Table 12. Legal needs of the houseless

	Percent	Std. Dev.	N
Have been homeless?	9.8	0.30	995
Stopped by police b/c homeless	22.7	0.42	97
Issues with ID	21.6	0.41	97
Issues with social services	18.6	0.39	97
Denied shelter b/c pets, family, gender ID	16.5	0.37	97
Exclusion from public transit	15.5	0.36	97
Private business mistreatment	13.4	0.34	97
Denied transitional housing b/c pets, family, gender ID	12.4	0.33	97
Arrested/threatened b/ homeless	10.3	0.31	97
Cited/documented b/c homeless	9.3	0.29	97

The largest legal needs, experienced by more than 1 in 5 of those who had experienced houselessness, were police harassment (22.7%) followed by concerns regarding personal identification information, often necessary for the receipt of services—ID was found to be either hard to acquire or had been confiscated by police (21.6%). More than 15% of respondents also experienced issues receiving social services, exclusion from public transit, or were denied a place in a shelter due to having pets, too many family members, or their gender identification.

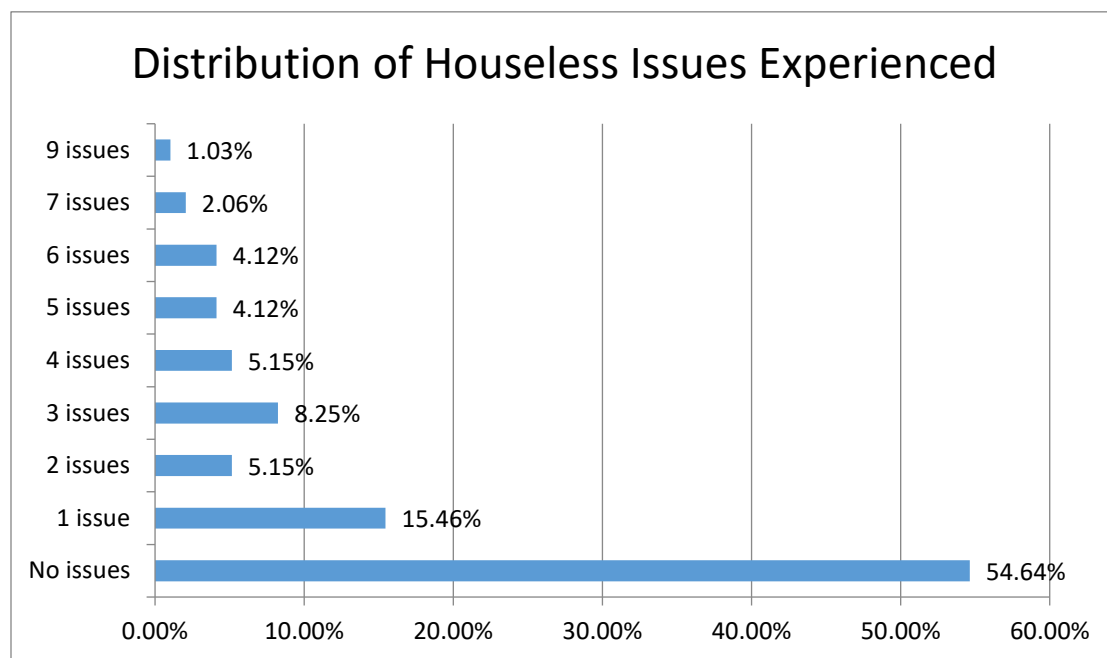


Figure 8. Distribution of houselessness legal needs

Of those experiencing legal troubles as a result of their houselessness, more than 86% rated their troubles as “moderately” or more severe; 58% said they had a “very” or “extremely” negative effect (see Figure 9). The severity of the rating was most closely associated with arrest or threat of arrest for being homeless ($r = .44$), troubles with social service provision ($r = .39$), problems or exclusion from public transit ($r = .36$), mistreatment by private business ($r = .34$),

and being turned away from shelters because they refused families, pets, or people of different gender identities ($r = .32$).

Only about half (54.6%) of respondents who experienced houselessness had experienced no legal needs because of that status—on average, each person who experienced houselessness experienced 1.4 issues, as Figure 8 attests. Unlike those with private dwellings (owned or rented), those who experienced houselessness tended to experience multiple legal needs; more than 16% of houseless people experienced 4 or more of the legal needs listed.

Given the prominence of the issue, delving deeper into the houseless subgroup is appropriate. Those who are or have been houseless are at risk for all kinds of legal concerns. Cross referencing houseless status with the Likert ratings of other legal categories reveals that those who have been houseless in the past year also rate significantly more negatively their legal problems regarding: rental issues ($p < .01$), family issues ($p = .02$), financial issues ($p < .01$), healthcare issues ($p = .03$), issues with discrimination ($p = .04$), while crime/police approach significance ($p = .07$).

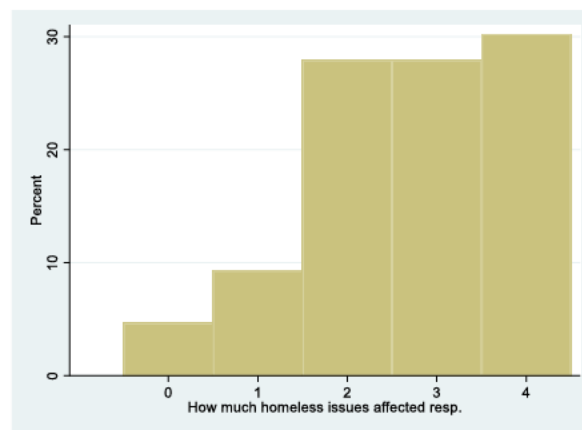


Figure 9. Likert scale of how much homelessness legal needs affected respondent (0 = “not at all”; 4 = “extremely”)

Employment

Employment is a general category drawing its denominator from nearly the whole sample. While percentages of respondents who experienced these concerns may be lower than other categories where eligibility is limited, they may actually be higher in absolute terms. The basic “are you employed” question was only asked of those who took the phone survey ($n = 107$) and was answered by less than half of these respondents ($n = 40$). Of these respondents, 17.5% ($n = 7$) reported being employed in the last 12 months; the generalizability of this statistic is unclear. To gain a clearer picture of the characteristics of those affected most by employment legal issues who did not get to respond to this question, we used the dichotomous indicator of one or more employment legal concerns as an admittedly incomplete proxy. This of course omits those who are employed but experienced no such concerns; it also includes those who are not employed due precisely to such concerns. This approach yielded more than one fifth (20.1%; $n = 186$) of the sample which had experienced one or more workplace legal concerns.

Those with a BA were more likely to have experienced a workplace issue (18.8% vs. 25.3%; $p = .05$), as were single parents (18.4% vs. 25.1%; $p = .03$), those with a criminal or juvenile record (18.3% vs. 26.8%; $p < .01$), and those with web access (5.1% vs. 21.4%; $p < .01$). Those with more children under 17 had also more workplace issues compared to those without

($X^2(5) = 11.8$; $p = .04$). Table 13 depict these concerns. Concerns experienced by over 5% of respondents, include, in order: denial by employer of wages, overtime, or benefits (6.5%); unsafe or unhealthy working conditions (5.6%); unfair termination (5.4%); and poorly handled or trivialized workplace grievances (5.2%). In the 4% zone were sexual harassment or intimidation and unreasonable workplace rules.

Using the perceived seriousness of all workplace issues (Figure 10), only the only correlates of note including those who had been unfairly terminated from a job ($r = .23$), those experiencing workplace sexual violence ($r = .18$), and those denied reasonable accommodations ($r = .16$). Figure 10 shows that 62.3% of the respondents found that the seriousness of employment issues rated “very” or “extremely” and more than 86% of respondents rated that employment concerns affected them “moderately” negatively or more.

Table 13. Legal needs relating to employment

	Percent	Std. Dev.	N
Employer denied wages/overtime/benefits	6.5	0.25	924
Exposed to unsafe/unhealthy work conditions	5.6	0.23	924
Unfairly terminated	5.4	0.23	924
Grievance inadequately handled	5.2	0.22	924
Sexually harassed/unfair or intimidating treatment	4.5	0.21	924
Unreasonable workplace rules	4.2	0.20	924
Denied reasonable accommodation for job	3.1	0.17	924
Denied unemployment	2.1	0.14	924
Work problems dues to DV/sex assault/stalking	1.9	0.14	924
Denied worker's comp	1.5	0.12	924

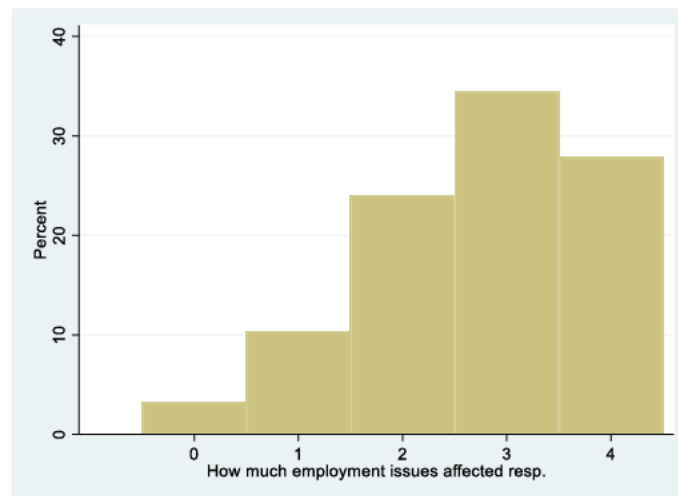


Figure 10. Likert scale of how much employment issues affected respondent (0 = “not at all”; 4 = “extremely”)

Interestingly, as per Figure 11, nearly 80% of the sample experienced no workplace issues, while 11.6% experienced only one. Nearly 9% experienced more than one concern,

suggesting that workplace issues may tend to clump. The average number of legal needs regarding employment concerns was 0.4.

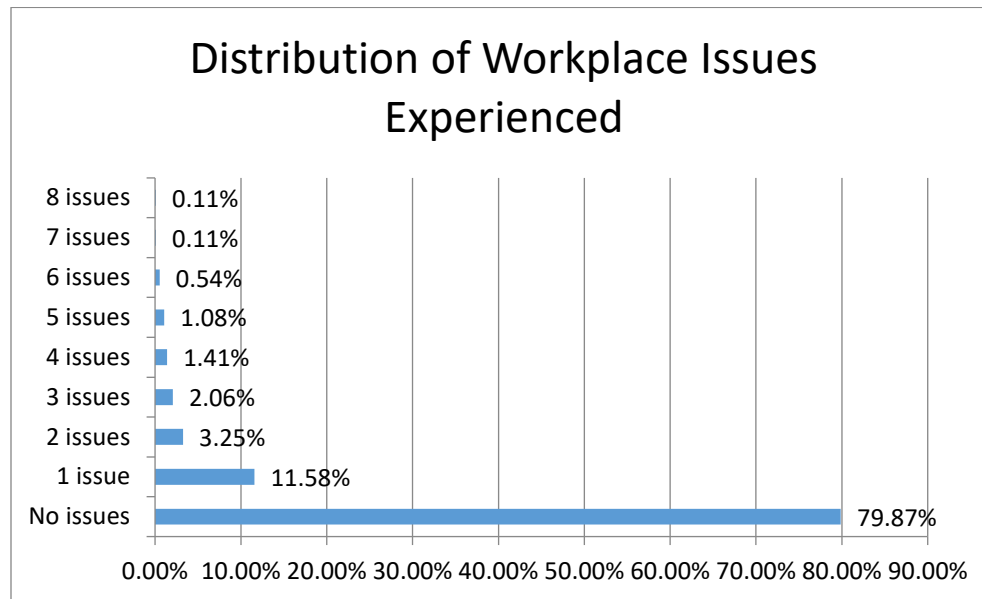


Figure 11. Distribution of legal needs relating to employment

Table 14. Legal needs regarding family and relationships

	Percent	Std. Dev.	N
Experienced DV/abuse/stalking/sex assault from IP/fam	7.3	0.26	993
Problems collecting child support payments etc.	6.8	0.25	993
Filed for divorce/legal separation	5.8	0.23	993
Difficulties paying child support	5.4	0.23	993
Trouble with child custody/visiting arrangements	4.3	0.20	993
Experienced DV/abuse/stalking/sex assault from other	4.0	0.20	993
Open case with Child Welfare	3.7	0.19	993
Difficulties collecting spousal support	2.9	0.17	993
Problems being appointed child's guardian	1.3	0.11	993
Difficulties paying spousal support	1.1	0.10	993
Problems with child's paternity	0.8	0.09	993
Aged out of foster care, no plan or support	0.4	0.06	993

Family

Even more than employment, family and relationships are issues that can affect every person. Although the absolute percentages tend to be lower in this category, like employment, this is because they are calculated from the entire sample of (complete) surveys like other such universal issues. Since there are no screening questions/skip patterns for these questions, anyone who indicated they had experienced a family, abuse, or intimate partner violence issue were lumped into a single category, comprising 23.3% of the respondents ($n = 231$). This category of those experiencing a family issue was vastly overrepresented by single parents (16.5% vs. 45.5%; $p < .01$) and those with a juvenile or criminal record (18.1% vs. 44.6%; $p < .01$); the

number of children increased the likelihood of family issues ($X^2(5) = 109$; $p < .01$) and white respondents were overrepresented (17.2% vs. 24.9%; $p = .03$). Meanwhile, those households which primarily spoke Spanish were strongly underrepresented (24.2% vs. 9.1%; $p = .02$). Interestingly (or strangely) enough, more respondents with web access recorded family issues (9% vs. 25.2%; $p < .01$).

Table 14 spells out the results in detail for family and relationships. The largest category, experienced by 7.3% of the total sample, was the experience of violence, abuse, sexual assault, or stalking from current or former household member or intimate partner. By comparison, 4% experienced such negative attention from those outside the household or intimate partner relationship. Of the other concerns totaling more than 5%, two of them were monetary, comprising problems collecting child support (6.8%) and difficulties paying child support (5.4%)—both sides of the child support equation appear to be struggling financially. Indeed, the opposite side of spousal support featured a similar disjuncture, with slightly more (2.9%) experiencing difficulties collecting than paying (1.1%). Some also experienced significant difficulties with changing familial arrangements—5.8% filed for divorce or separation, while 4.3% had trouble with child custody or visiting arrangements.

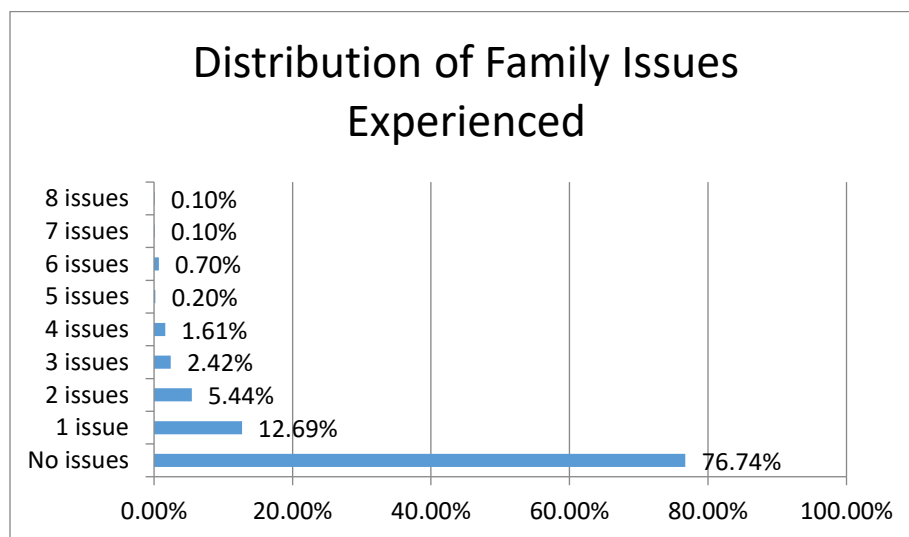


Figure 12. Distribution of legal needs regarding family and relationships

The more than three-quarters of the sample (77%) expressed no legal needs regarding their family or relationships as Figure 12 depicts. Almost 11% experienced two or more such needs, while nearly 13% experienced one issue. The average number of legal needs was 0.44. Figure 13 shows that more than 82% of respondents who reported family issues found them “moderately” negative or worse, while more than 56% were affected “very” or “extremely” negatively. Assessing the correlations between the seriousness of family problems with specific issues produced weak correlations regarding domestic violence ($r = .20$); custody and visitation of children ($r = .19$), abuse from someone outside the household or family ($r = .16$), aging out of foster care without support or housing ($r = .14$), and collecting spousal support ($r = .13$).

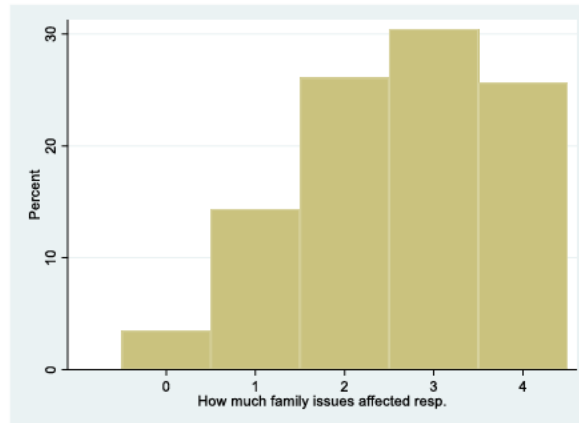


Figure 13. Likert scale of how much family issues affected respondent (0 = “not at all”; 4 = “extremely”)

Healthcare

Legal needs regarding healthcare are another category of universal eligibility—perhaps the most universal of all. Because there is no screening question for this, we assessed concerns over healthcare by sorting out those that reported one or more healthcare legal issues—36.3% of the sample ($n = 361$). Native Americans and Pacific Islanders were much more likely to experience one or more healthcare issues (35.3% vs. 51.6%; $p = .01$; a finding likely driven by Native Americans, $p < .01$). Those with a BA (34.2% vs. 44.7%; $p < .01$), those with a criminal or juvenile record (33.2% vs. 49.5%; $p < .01$), those with access to the web (21.4% vs. 38.6%; $p < .01$), and those with more children 17 ($X^2(5) = 12.9$; $p = .02$) were more likely to experience one or more healthcare issues as well.

Just under 20% of the sample, whether technically insured or not, lacked coverage for medically-required procedures, services, equipment, prescriptions, transportation services, or mental health services, as Table 15 depicts. Indeed, about 10% were denied or lost their government-funded healthcare, an additional 5.1% were denied or lost private insurance, and nearly 10% reported not being informed about free care or financial assistance for care that might have aided their situation. In addition, nearly 12% were billed incorrectly for services, including copays and deductibles.

Table 15. Healthcare legal needs

	Percent	Std. Dev.	N
Lack of coverage for needed medical services	19.2	0.39	994
Billed incorrectly	11.9	0.32	994
Denied/lost gov't funded health care	9.9	0.30	994
Not informed about free care/financial assistance	9.7	0.30	994
Problems with healthcare debt collection	9.6	0.29	994
Denied/lost private health insurance	5.1	0.22	994
Denied/restricted personal care services	3.6	0.19	994
Problems with long term care facility	0.7	0.08	994
Denied interpreter in health consultation	0.6	0.08	994

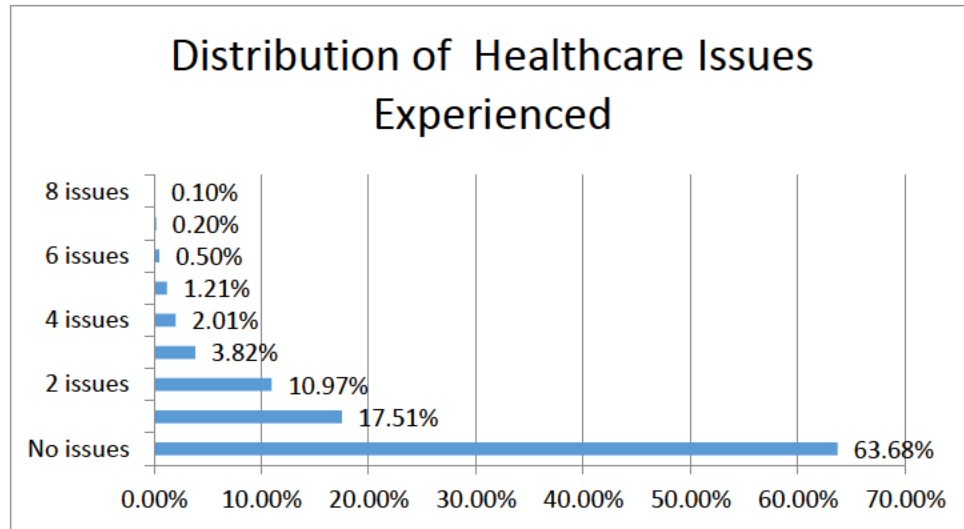


Figure 14. Distribution of healthcare legal needs

As Figure 14 suggests, healthcare legal needs also tend to come in batches. Although almost two-thirds of respondents had experienced no legal needs in this category, almost 18% had experienced one issue, while more than 18% had experienced two or more. Indeed, the average number of healthcare issues experienced by respondents' households was 0.7. When asked how negatively the issue of healthcare affected them, nearly half of respondents (48.8%) rated that the problem affected them "very" or "extremely" negatively; including the "moderately" category brings the total percentage to nearly 80% (see Figure 15).

When correlating the perceived seriousness of the healthcare category with its constituent issues (Figure 15), we find that respondents' healthcare denying coverage for procedures, services, equipment, medication, or other related items ($r = .25$) was the strongest association, while personal care services ($r = .16$), lack of information about free or reduced cost care ($r = .17$), the inability to get or keep government funded healthcare ($r = .16$), and trouble with collections from healthcare-related debts ($r = .14$) also were associated.

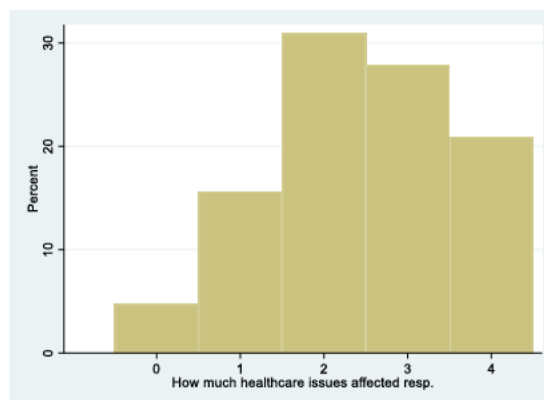


Figure 15. Likert scale of how much healthcare legal needs affected respondent (0 = "not at all"; 4 = "extremely")

Finances

Legal needs relating to financial concerns provided another robust set of responses that concern everyone, which Table 16 demonstrates. Insofar as there was no screening question regarding financial concerns, we assessed associations based upon whether a respondent reported one or more financial issues; almost half the sample experienced such a concern (47.7%). Native Americans in particular experienced financial concerns at an elevated rate (47.5% vs. 62.1%; $p = .03$), while Asians experienced decreased victimization (49.0% vs. 31.2%; $p = .05$)—perhaps surprisingly, neither households low on English proficiency nor high on Spanish language primacy were statistically distinguishable from others on this dimension. Single parents (58.5% vs. 45.0%; $p < .01$) and those with more children under 17 ($X^2(5) = 22.1$; $p < .01$) were more likely to experience financial concerns, as were those with a record (64.6% vs. 43.8%; $p < .01$), and those with web access (50.6% vs. 28.2%; $p < .01$).

Table 16. Legal needs related to finance and fraud

	Percent	Std. Dev.	N
Door-to-door/internet/other scam	20.5	0.40	990
Harassed by creditors/collections agencies	16.9	0.37	990
Disconnected utilities	13.2	0.34	990
Problems with tax debts, EITC, tax refunds	9.1	0.29	990
Problems with non-mortgage lending	7.3	0.26	990
Problems with debt reduction/"credit repair" services	6.9	0.25	990
Problems with vehicle financing etc.	6.2	0.24	990
Wage garnishment	6.2	0.24	990
Bankruptcy proceedings	6.1	0.24	990
Problems with fines from juvenile/criminal cases	5.7	0.23	990
Credit problems due to ID theft	2.7	0.16	990

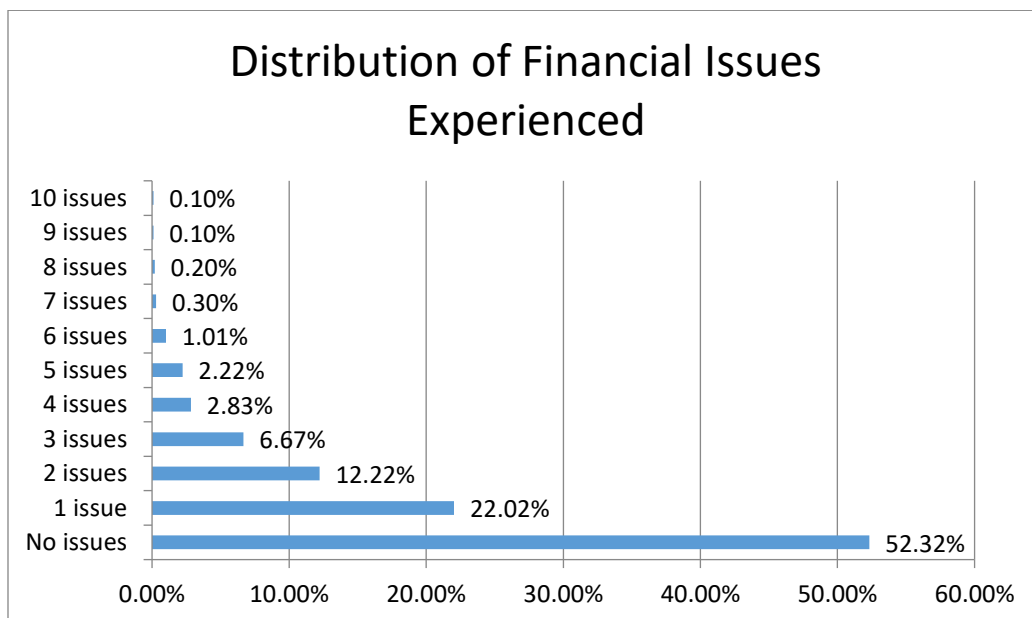


Figure 16. Distribution of legal needs related to finance and fraud

More than 20% of respondents had experienced some sort of scam in the previous year, whether internet, door-to-door, or some other sort, although very few experienced any credit problems due to identity theft (2.7%). Almost 17% of respondents had been harassed by creditors or their agents and nearly that many (13.2%) had had their utilities disconnected. Between 5 and 10% of respondents had experienced legal problems concerning their tax debts, earned income tax credits, or tax refunds (9.1%); lending issues not related to their mortgage (7.3%); or vehicular financing concerns (6.2%). More than 6% experienced wage garnishment or had undergone bankruptcy proceedings, while just under 6% had trouble with fines or financial punishment resulting from criminal or juvenile adjudication.

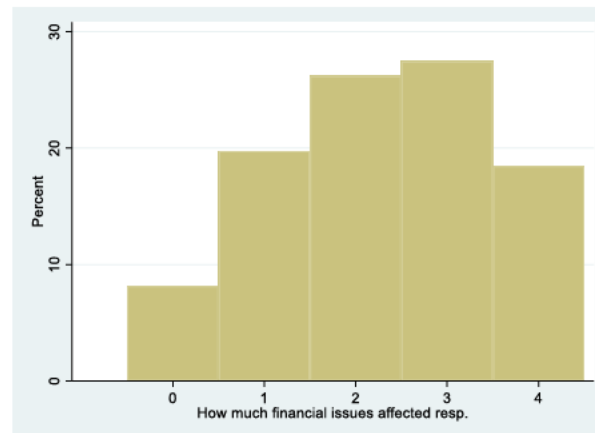


Figure 17. Likert scale of how much financial legal needs affected respondent (0 = “not at all”; 4 = “extremely”)

As Figure 16 depicts, nearly half the sample (47.7%) experienced some sort of legal need related to finances; indeed, the average respondent experienced 1.0 issue. More than 13% experienced three or more legal needs related to finance. Figure 17 reports the results of the Likert scale assessing how negatively financial concerns affected those respondents who reported them. Forty-six percent reported that the issue affected them “very” or “extremely” negatively, while more than 72% reported “moderately” or more. Nearly all the constituent categories exhibited weak correlations with perceived severity except problems with “credit repair” scams. Notable standouts included harassment by creditors, collections, and related incarceration threats ($r = .27$); door-to-door, internet, or other scams, which was negatively associated with perceived concerns (meaning experience with these was associated with *less* severity of concern, $r = -.26$), and having utilities disconnected ($r = .23$).

Discrimination

Although many of the legal need categories surveyed could fall under the rubric of “discrimination,” this section addressed the issue directly. Further, the questions contained no pre-screening, so the responses are assessed from the full denominator (thus making the dubious assumption that whites, for example, can suffer from racial discrimination). Nearly 30% of the sample reported suffering one or more instances of discrimination ($n = 291$). More than 50% of Black people reported this compared with 28.3% of the rest of the sample ($p < .01$), while similar results obtained for Native Americans and Pacific Islanders (48.4% vs. 28.3%; $p < .01$), Latinx respondents (39.6% vs. 28.3%; $p = .01$), while those whose primary language is Spanish

approached significance as well (42.2% vs. 28.8%; $p = .054$). It should be noted that whites reported less discrimination overall, although this result only approached significance (28.3% vs. 35.2%; $p = .07$). Those with a BA reported more discrimination (27.8% vs. 35.5%; $p = .03$), as did single parents (26.7% vs. 37.8%; $p < .01$), those with a criminal/juvenile record (23.9% vs. 50.5%; $p < .01$), and those with web access (12.8% vs. 31.4%; $p < .01$).

Table 17. Legal needs related to discrimination

	Percent	Std. Dev.	N
Credit history	11.4	0.32	993
Racial	8.0	0.27	993
Age	7.5	0.26	993
Gender	6.7	0.25	993
Criminal/juvenile record	5.5	0.23	993
Disability/use of service animal	4.3	0.20	993
Language (spoken or written)	3.9	0.19	993
Other	2.5	0.16	993
LGBTQ+ status	2.3	0.15	993
Homelessness	2.2	0.15	993
Immigration status	1.7	0.13	993
Religious	1.6	0.13	993
Marital status	1.6	0.13	993
DV/sexual assault victim status	1.6	0.13	993
Having children in the household	1.3	0.11	993
Veteran/military status	0.6	0.08	993

Table 17 summarizes the results of the discrimination category. The biggest issue identified across respondents was economic—discrimination based on credit history (a phenomenon currently expanding across employment and housing arenas), which more than 11% of the sample experienced. The next three largest experiences were race (8%), age (7.5%), and gender (6.7%) discrimination. If we assume that only nonwhites marked this category (which is admittedly tenuous) then about 30% of the sample’s nonwhite respondents experienced racial discrimination. A quick check reveals that this is not the case—of respondents who did not mark white at all, 20.2% reported racial discrimination ($n = 213$). Using inclusion rather than exclusion criteria (i.e., those that marked one or more non-white categories), yields 22.8% who reported racial discrimination ($n = 241$). The discrepancy is due in part to those who marked multiple categories and experienced racial discrimination despite their identification with whiteness in addition to a few white respondents falsely claiming racial discrimination ($n = 20$). Other categories of discrimination ranked larger than “other” (2.5%) include criminal/juvenile record (5.5%), disability (4.3%) including sensory, mental, or physical disability or use of a trained service animal), and language (3.9%).

Figure 18 reports out the distribution of legal needs related to discrimination—just over 70% reported no discrimination experienced. Given the tendency for discriminations to intersect with one another, however, it is unsurprising that over 13% experienced one issue of discrimination, while over 16% experienced more than one.

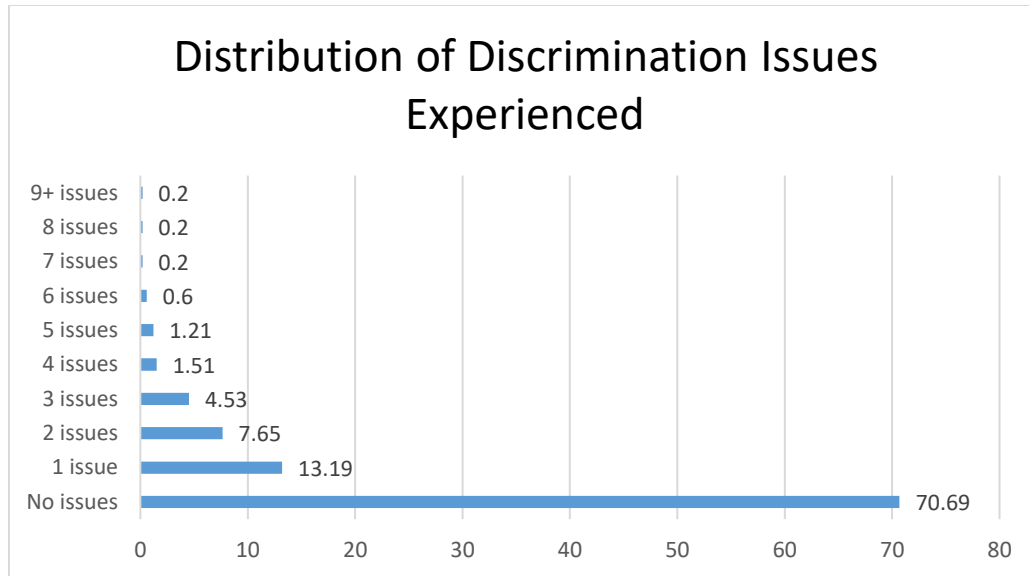


Figure 18. Distribution of legal needs related to discrimination

Discrimination occurs across different vectors of race, ethnicity, gender, and other categories, but the institution in which it is experienced is an additional vector of concern; for example, discrimination within a rental situation, discrimination while shopping, or discrimination by law enforcement. Respondents who reported discrimination ($n = 289$) went on to report where and how they experienced it. Table 14 shows where discrimination occurred. The data suggest that around a quarter or more of respondents experienced discrimination in employment (31.5%), credit/debt/banking (25.6%), within retail establishments (24.2%), and within the context of rental housing (23.5%). Additional institutions where more than 10% of respondents experienced discrimination include healthcare (15.6%), in getting government assistance (14.2%), and from law enforcement (13.8%).

Table 18. Discrimination within institutions

Discrimination in:	Percent	Std. Dev.	N
Employment	31.5	0.47	289
Credit, banks, and debt	25.6	0.44	289
Shopping (stores, restaurants)	24.2	0.43	289
Rental housing	23.5	0.42	289
Healthcare	15.6	0.36	289
Government assistance	14.2	0.35	289
Policing and the law	13.8	0.35	289
Education	9.7	0.30	289
Other	8.0	0.27	289
Government services	7.3	0.26	289
Homeownership	4.2	0.20	289
Mobile home ownership	3.5	0.18	289

Figure 19 depicts the Likert scale representation of the perceived seriousness of all discrimination. More than 80% reported that the discrimination affected them “moderately”

negatively or worse; limiting the responses to the categories of “very” or “extremely” negative still yields over half of these respondents (54.8%). In correlating this perceived seriousness with the nature of that discrimination, we find many weak relationships; the strongest are credit history ($r = .25$) and domestic violence ($r = .23$). Within institutions, we also find categories with mostly weak associations (except homeownership and education which are near zero) and the largest associations with law enforcement ($r = .22$), credit/debt and banking ($r = .21$), government services ($r = .19$), and rentals ($r = .18$). The average number of institutions in which respondents experienced discrimination was 1.8, as per Figure 20; nearly half (48.5%) experienced discrimination across more than one institution and nearly 4% experienced discrimination across more than five.

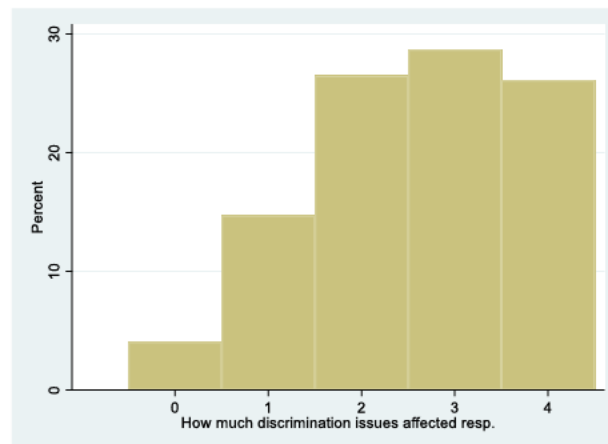


Figure 19. Likert scale of how much healthcare legal needs affected respondent (0 = “not at all”; 4 = “extremely”)

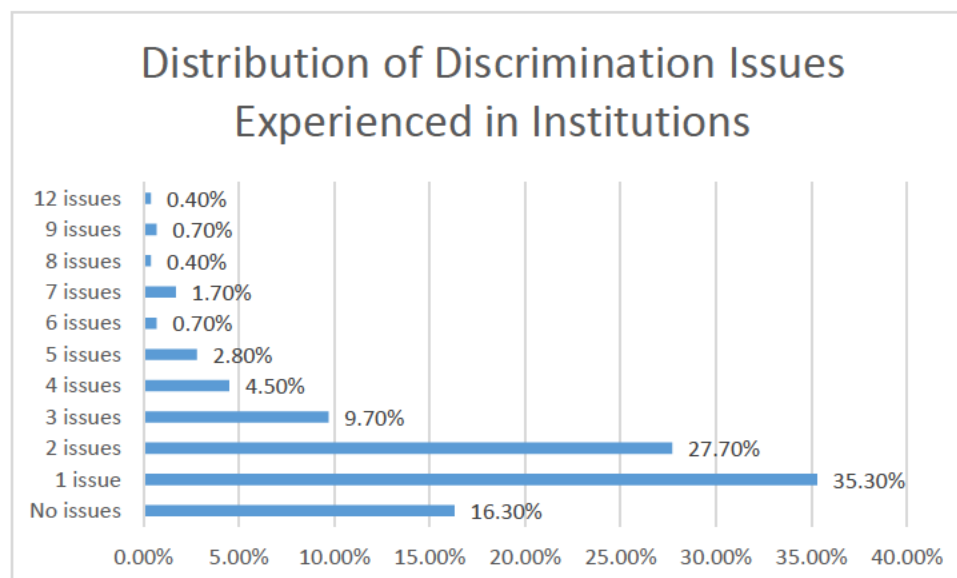


Figure 20. Distribution of discrimination within institutions

Government Assistance

Table 19 shows the results from the survey questions regarding governmental assistance, a category in which most survey respondents could participate. A majority of Oregon’s

impoverished population would be well suited for means tested programs. Over a quarter (25.9%, $n = 990$) of respondents indicated that they experienced concerns relating to governmental assistance, as Figure 21 attests. Moreover, the experience of such concerns seemed largely independent of ethnoracial identification (some sample differences were detectable, but did not rise to the level of statistical significance), although the divergence for Spanish speakers (26% for non-Spanish speakers; 16% for Spanish speakers) should be noted for its size despite its non-significance ($p = .12$). Likely this is an artifact of language relating to the completion of the survey itself rather than an actual lack of problems arranging benefits for Spanish speakers. By a similar margin (24% vs. 33.2%; $p < .01$) single parents experienced more of these concerns, as did those with a juvenile/criminal record (23% vs. 39%; $p < .01$) and those with web access (12.7% vs. 27.8%; $p < .01$).

Table 19. Legal needs regarding government assistance and benefits

	Percent	Std. Dev.	N
Told to pay back overpayment for gov't benefits	19.0	0.39	990
Benefit problems b/c dv/sex assault/stalking	5.4	0.23	990
Denied SSI/SSDI/SSRI etc	4.5	0.21	990
Denied/reduced assistance for food/disability/housing etc	1.1	0.10	990

Nineteen percent of respondents reported being asked to pay back funds to federal or state government because of overpayment. Fewer respondents (5.4%) reported problems with receiving their public benefits as a result of being a victim of domestic violence, sexual assault, or stalking, while 4.5% reported being denied or terminated from federal Supplemental Security Income (SSI), Social Security Disability Income (SSDI), Social Security Survivors benefits, or Social Security Retirement Income (SSRI).

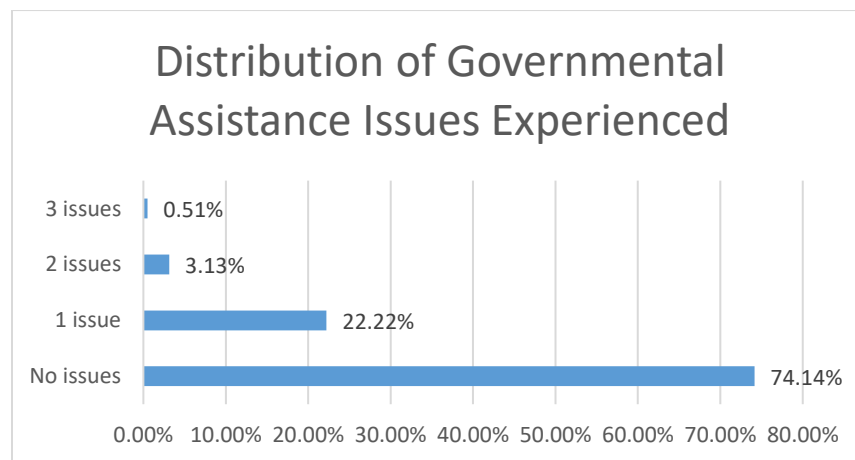


Figure 21. Distribution of legal needs related to governmental assistance

Much like homelessness, the Likert scale assessment of how much governmental assistance issues affected the respondent (Figure 22) reflects a monotonic increase, not a bell curve, and more than 84% reported that the issues affected them “moderately” or more. Over half (57.3%) reported that the issues affected them “very” or “extremely” negatively. Correlations of this measure with the categories of interest reveal that the denial or termination from SSI, SSDI, or SSRI ($r = .23$) are the largest predictors of dissatisfaction, while

complications with benefits relating to having been a victim of domestic violence, sexual assault, or stalking ranked close behind ($r = .18$). The average number of governmental assistance issues experienced was 0.3 (note that there were only 4 categories of assistance to mark).

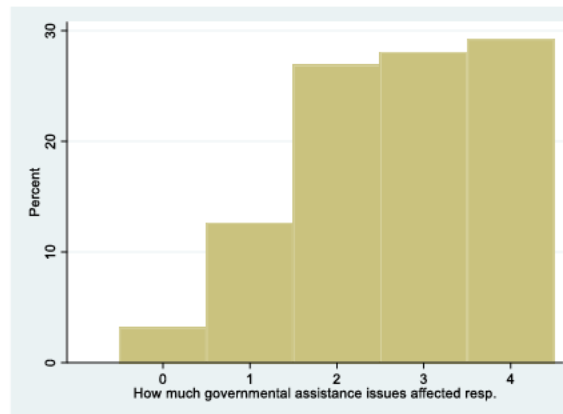


Figure 22. Likert scale of how much governmental assistance legal needs affected respondent (0 = “not at all”; 4 = “extremely”)

Criminal Justice

Throughout the survey, those with a criminal or juvenile record seemed to experience the worst complaints and this section is dedicated to a related facet of this: criminal justice contacts and related concerns. Impoverished people tend to experience the overpolicing/underprotection paradox and the sample bears out both. Those who experienced elevated levels of criminal legal concerns included Black people (38% vs. 21.5%; $p < .01$), single parents (31.9% vs. 19.5%; $p < .01$), and those with web access (24% vs. 10.6%; $p < .01$). Those with a preexisting juvenile or criminal record had even more extreme disparities—almost half of those with a record (48%) experienced these concerns compared with 15.6% of those without ($p < .01$).

Table 20. Legal needs relating to crime and police

	Percent	Std. Dev.	N
Underpolicing, slow response, trivialized problems	10.8	0.31	998
Needed to expunge criminal record	7.4	0.26	998
Stopped/arrested unfairly	7.2	0.26	998
Afraid to report crime experience	6.0	0.24	998
Verbally/physically threatened by police	3.5	0.18	998

Table 20 shows that almost 11% named underprotection as a concern, citing slow response and a trivialization of problems by responding officers, while 7.2% reported being stopped or arrested unfairly and an additional 6% were afraid to call the police after experiencing victimization.⁷ Although lower, 3.5% had experience with being verbally or physically threatened by police and over 7% had a need to expunge their criminal record.

⁷ Interestingly, when looking only at those with a criminal record, 17.2% reported underpolicing as a concern.

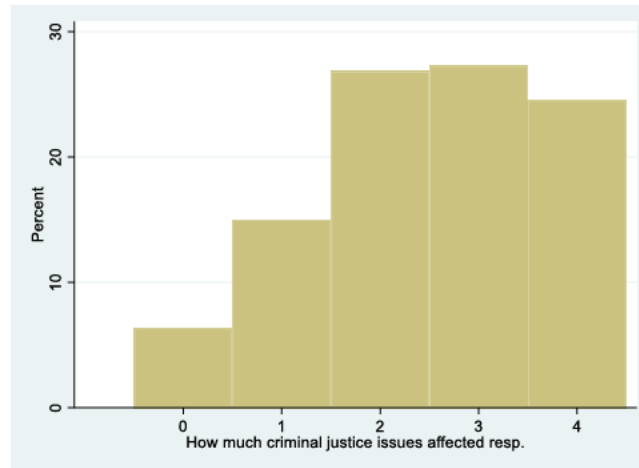


Figure 23. Likert scale of how much governmental assistance legal needs affected respondent (0 = “not at all”; 4 = “extremely”)

Figure 23 shows the Likert scale assessment of how negatively respondents experienced criminal legal concerns. More than half (51.8%) chose “very” or “extremely” negatively, while expanding the range to “moderately” accounted for 78.6% of respondents. By correlating this metric with the issues of concern, we find relationships with physical or verbal police assaults ($r = .31$), fear of calling police after a crime ($r = .22$), and being stopped or arrested for no good reason ($r = .18$). Needing to expunge or otherwise alter a criminal record ($r = .17$) also showed a weak correlation, although it is a different category of experience. Needing more police in the neighborhood, by contrast, showed a relationship that was both negative and near zero.

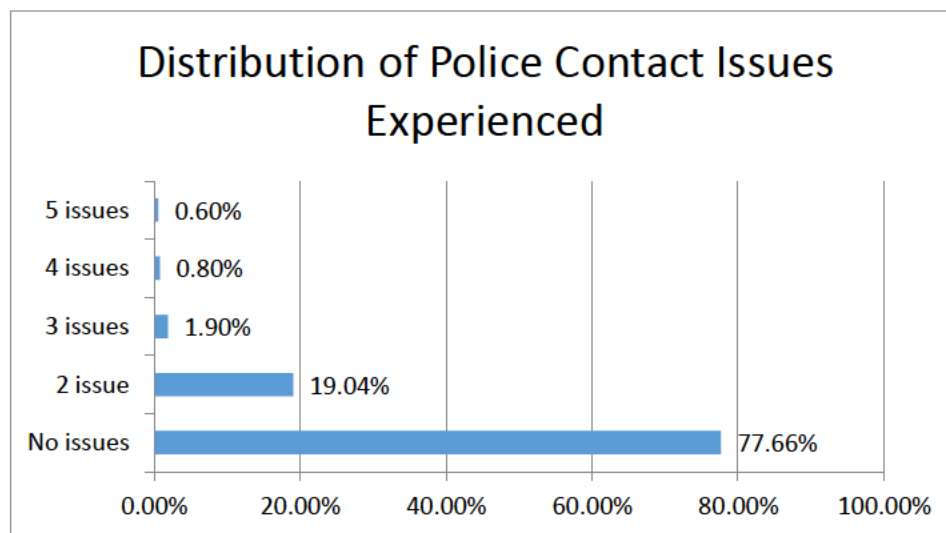


Figure 24. Distribution of legal needs relating to crime and police

Finally, Figure 24 depicts a curious distribution of these problems: While almost 78% of respondents had experienced none of these problems, no one experienced only one issue. Instead, nearly 20% had experienced two, while 3.3% had experienced more than this. The average sample respondent reported 0.5 issues related to criminal legal needs.

SUPOPULATIONS AND COMPARISONS

Urban-Rural Divide

The differences between rural and urban environments have a rich history and have been the subject of sociological concern since the foundational works of Georg Simmel (*Metropolis and Mental Life*, 1903) and Louis Wirth (“Urbanism as a Way of Life,” 1938), both of which depict urban environments as radically different experiences for inhabitants compared with traditional rural spaces. Large populations proliferate a range of differences between individuals. Unlike smaller, more “folk” societies, people in large populations are unable to personally acquaint themselves with everyone in the population. Simmel points out that this overload of potential interactions helps create an overly rational, non-emotional “blasé” state which gives urban interactions an “unrelenting hardness.” Wirth agrees, finding that increasing population size suppresses primary contacts in favor of secondary ones, which are often “impersonal, superficial, transitory, and segmental.” In a general sense, such concerns date back to Emile Durkheim’s mechanical/organic solidarity insight in *The Division of Labor in Society* (1893) where the complexifying division of labor in modernity held together societies previous unified through religion and a simple shared division of labor. Indeed, the debate between German sociologists Ferdinand Tönnies and Max Weber around the turn of last century turned on the differences between community and society (*gemeinschaft* and *gesellschaft*) in terms of impersonality, values, and social roles.

Oregon, like many Western states, experiences an extreme urban-rural divide. Unlike, say, New Jersey, which is nearly entirely urban, or Wyoming, which has only two cities with populations over 50,000, Oregon experiences both extremes. The city of Portland contains over 600,000 people (2.2 million in the larger metro area) and ranks 28th in city size in the US (more than 4,400 persons/square mile). A great deal of the state is also extremely rural, with the remaining ~2 million population distributed over more than 98,000 square miles (a sparse 35 persons/square mile). Consequently, we may expect legal needs of these very different geographies to differ substantially.

Table 21. Beale codes for respondent counties (1 = most urban; 9 = most rural)

Beale code	N	%
1	341	33.53
2	281	27.63
3	164	16.13
4	70	6.88
5	84	8.26
6	48	4.72
7	28	2.75
9	1	0.1
Total	1,017	100

One commonly accepted way that demographers assess rurality is the federal Beale Codes. The Beale Codes are applied at a county level and divide the US into 9 categories based upon degree of urbanization and adjacency/proximity to urban areas. Our methodology produced from each respondent a zip code, which was aggregated into a county level variable and assigned a Beale Code from 1 to 9 based on the US Department of Agriculture categorization (updated in 2013). Table 21 below describes the distribution of our sample with respect to these codes (1 =

most urban; 9 = most rural). Given a random sampling framework, we might expect fewer respondents from extremely sparse areas—much land and few people—and this is exactly what has occurred. To maintain sufficiently high sample sizes, the respondents from the most rural counties (Beale codes 7 through 9) have been grouped together to produce a meaningful analysis of the most rural areas.

Table 22 depicts the distribution of legal needs categories along the modified Beale continuum. Looking left to right (urban to rural), we see that several categories move from strong concerns to less concerning across the spectrum. Rental housing, for example, is a strong need in urban locales, but declines from a concern of 40% of respondents to 25% for the extremely rural respondents. Discrimination also declines from a height of 37% to between 15 and 20% in the extremely rural counties. Crime/policing and immigration similarly are categories which seem to experience a decrease in legal need, albeit not as dramatically. On the other hand, financial concerns regarding credit, debt, and fraud seem to increase slightly over the urban rural divide, although the trend seems to find its trough in the middle. Houselessness, often perceived to be a primarily urban concern, hits its extreme peak (13.8%) in rural areas as well, while issues related to age and disability seem to find an extreme peak toward the middle-rural end of the divide.

Table 22. Legal needs (% experienced) expressed along the urban-rural continuum

	Urban	2	3	4	5	6	Rural
Rental housing	40.1	36.6	26.4	24.6	26.5	18.8	25.0
Home ownership	2.8	3.3	4.9	1.4	2.4	6.5	3.4
Mobile home	2.4	2.9	6.2	1.4	2.4	6.5	6.9
Houselessness	4.5	5.4	3.7	1.4	1.2	4.4	13.8
Family/relationships	23.8	27.7	19.4	17.4	19.3	21.7	24.1
Credit/debt/fraud	50.9	46.2	45.0	44.3	51.2	37.0	55.2
Age/disability	11.0	12.2	9.8	4.3	20.2	6.5	13.8
Veterans/military	3.6	1.4	1.8	2.9	4.9	4.2	0.0
Tribal members/desc.	2.8	4.9	5.7	4.5	3.8	4.5	7.1
Employment	22.9	20.1	17.4	16.1	16.4	21.4	20.0
Farmwork	0.9	0.4	0.0	0.0	2.4	2.1	0.0
Education	11.4	5.5	6.1	4.3	6.0	12.5	3.4
Government assistance	26.7	25.7	29.2	25.7	22.5	17.0	24.1
Healthcare	39.4	35.9	34.2	38.6	34.6	27.1	34.5
Crime/policing	26.1	25.5	16.8	18.6	16.0	14.6	20.7
Immigration	7.0	3.7	3.7	1.4	1.3	2.1	0.0
Discrimination	37.1	31.9	24.1	18.8	21.5	14.9	20.7
Mean n	327.9	274.0	160.2	69.1	81.4	46.5	28.6

Figures 25 through 27, grouped below for convenient comparison, break out these trends into graphical form.

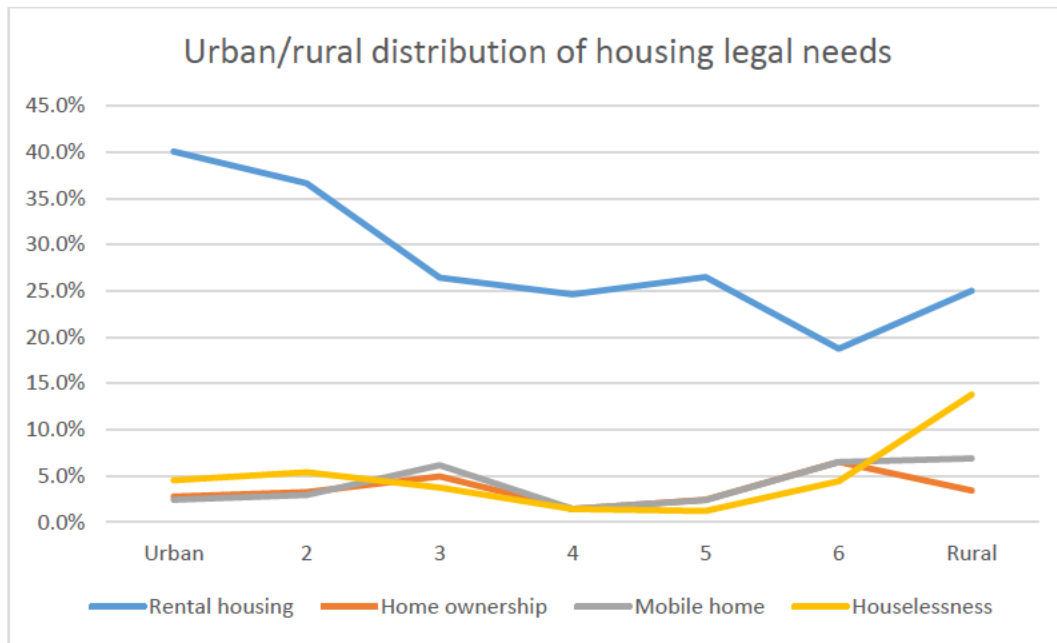


Figure 25. Housing legal needs by degree of urbanization

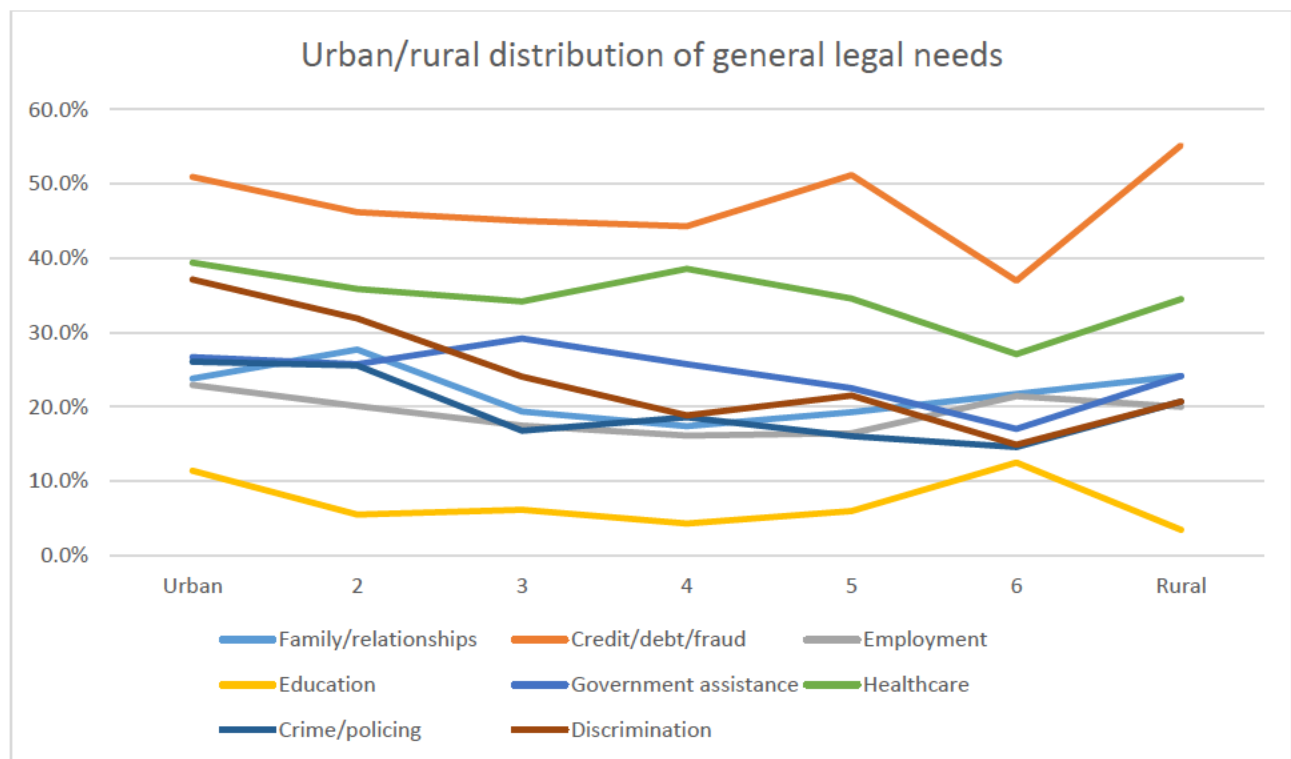


Figure 26. General legal needs by degree of urbanization

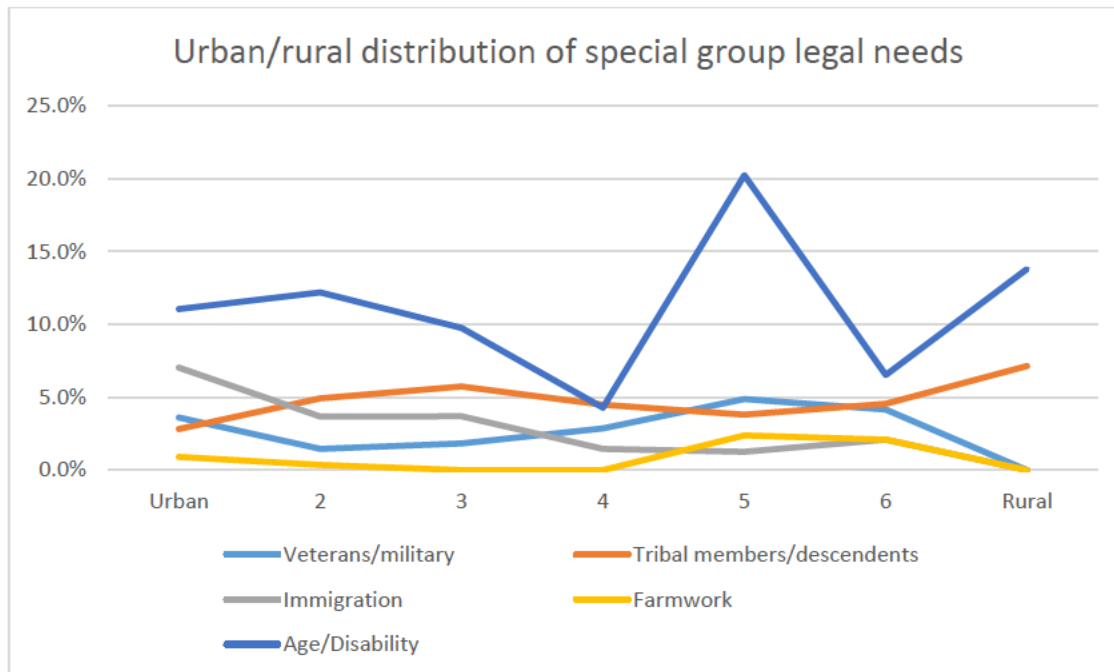


Figure 27. Legal needs for special groups by degree of urbanization

Age & Disability

Questions about age and disability were asked together: nearly 28% of households contained someone 65 or older, while 44.2% of households had someone with a disability. The total number of households surveyed that contained an elderly (65+) or disabled person—and thus eligible to mark these categories—was 531, so analyses proceed from this denominator. As a baseline comparison, according to the census, just over 10% of Oregonians under 65 had a disability in 2016, while roughly 17% of the population was 65 or over. Just over 21% of survey respondents identified at least one concern along these lines. Those who registered legal concerns regarding elderly/disability issues were disproportionately Native American/Pacific Islander (37.1% vs. 19.9%; $p = .02$), single parents (31.9% vs. 18.3%; $p < .01$), had a record (35.7% vs. 17.2%; $p < .01$), had greater web access (23% vs. 12.9%; $p = .03$), and disproportionately more children under 17 ($X^2(5) = 13$; $p = .02$). It should be noted that the disparity for Blacks was large (31% vs. 20.5%, $p = .18$) but non-significant.

Table 23. Legal needs related to age and disability

	Percent	Std. Dev.	N
Anyone 65+ in your household?	27.9	0.45	1,005
Anyone have a disability in your household?	44.2	0.50	963
Disability benefits denied/reduced/terminated	12.6	0.33	531
Elder/disabled person abuse	4.7	0.21	531
Denied reasonable accommodation to gov't services	4.0	0.20	531
Denied reasonable accommodation to public establishment	3.6	0.19	531
Living in long term facility but prefer home	2.8	0.17	531
Benefits mishandled by guardian/other	1.9	0.14	531

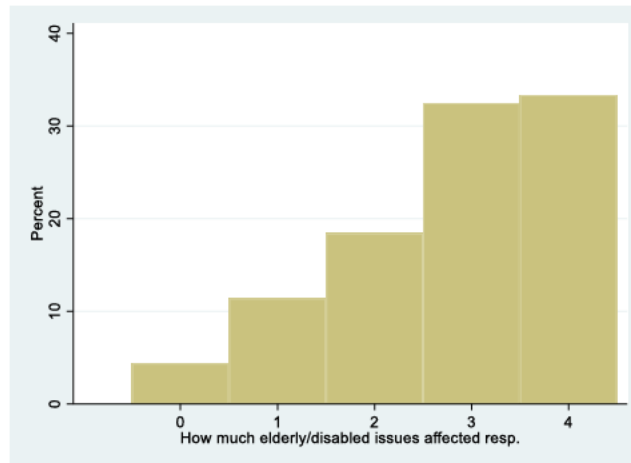


Figure 28. Likert scale of how much legal needs relating to the elderly and disabled affected respondent (0 = “not at all”; 4 = “extremely”)

Within the last year, according to Table 23, nearly 13% of these eligible households had had their state or federal disability benefits denied, reduced or terminated. Fewer respondents had experienced other negative concerns relating to aging or disability: 4.7% experienced elderly/disable person abuse, 4% had been denied reasonable accommodation to government services, and 3.6% denied reasonable accommodation to public establishments (e.g., stores, theaters, businesses).

Figure 28 depicts the responses to the qualitative assessment of how negatively the issues affected the respondents. Compared to some of the other vectors, those affected severely by the issues pulled apart from those only “moderately” or less affected by them—only just over 34% were “not at all,” “slightly,” or “moderately” affected by these issues, while totaling the 3 largest negative categories covers more than 84% of the respondents (“moderate” is a swing category included in both calculations). These are hard felt concerns. Correlating these with individual issues however produces few strong relationships—the only correlations over .1 are the mishandling of benefits by a guardian ($r = .14$), denial, reduction, or termination of benefits ($r = .13$), and the abuse of an elderly or disabled person ($r = .12$).

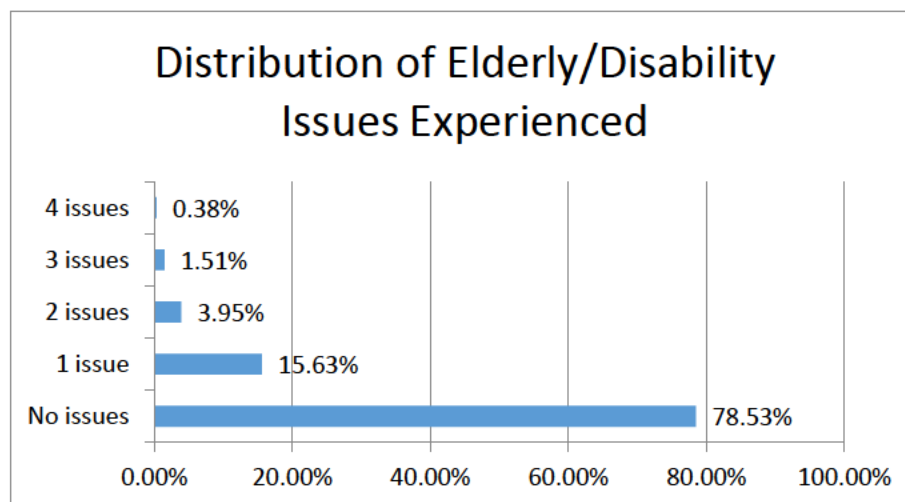


Figure 29. Distribution of legal needs related to age and disability

Figure 29 depicts the distribution of legal needs experienced by the elderly and disabled. Most (78.5%) had experienced none of these, while 15.6% had experienced one, and 5.8% had experienced more than this. The average number of legal needs experienced was 0.3.

Sexual Assault/Domestic Abuse Survivors

The category of abuse survivors includes those who experienced sexual assault, domestic violence, abuse, or stalking from either family or household members as well as those who experienced these things from nonfamily or outside the home. Such trauma, particularly at a young age, can lead to increased negative contact with the criminal legal system and houselessness, as well as vulnerability to other negative events which may produce elevated representation in the categories of legal need enumerated in this survey. Just under 10% of the sample ($n = 94$) had experienced these concerns. This group is overrepresented by Blacks (11.1% vs. 5%; $p = .02$), primary English speakers (97.8% vs. 91.7%; $p = .04$), and single parents (49.5% vs. 21%; $p = .01$). Although these results did not achieve statistical significance, there were also other ethnoracial disparities—whites were overrepresented (86.7% vs. 80.9% $p = .18$) as were Native American/Pacific Islanders (10% vs. 6.4%; $p = .19$). As well, those with children under 17 were overrepresented by a large margin, but did not achieve significance (81.1% vs. 64.2%; $p = .17$).

Table 24. *T*-tests regarding major categories of legal concern, measuring if concern was experienced (dichotomous)

Overall legal concerns	% DV/sex		Statistical significance
	assault victims	% others	
Rentals	63.8	30.0	$p < .01$
Homeownership	2.8	8.7	$p < .01$
Mobile homes	2.2	3.6	ns
Houselessness	18.5	3.0	$p < .01$
Financial	77.8	44.7	$p < .01$
Elderly/disability	29.3	9.5	$p < .01$
Veterans/military	6.5	2.3	$p = .02$
Tribal	9.4	3.8	$p = .01$
Employment	50.6	16.9	$p < .01$
Farmwork	3.3	0.4	$p < .01$
Education	23.1	6.3	$p < .01$
Government assistance	47.8	23.6	$p < .01$
Crime/police	52.7	19.2	$p < .01$
Healthcare	60.2	33.9	$p < .01$
Immigration	4.3	4.2	ns
Discrimination	59.3	26.5	$p < .01$

The results from our sample uphold these general research findings, as depicted in Table 24. Except for mobile homeownership and immigration, every category of concern on the survey overrepresents abuse survivors by wide margins and in a statistically significant fashion. Some concerns, such as housing or financial legal needs, could operate through the proxy of reduced financial opportunity; for others, such as the massive overrepresentation of survivors among

those with disability or eldercare concerns (29.3% of survivors vs. 9.5% in the general sample), the reason for the increased burden is less clear.

Single Parents

Low-income single parents not only suffer from an income disadvantage, but also the disadvantage of reduced time for seeking out legal aid. Single parents represent nearly a quarter of the sample (23.7%; $n = 233$). Single parents are more likely to be Black (11.8% vs. 3.6%; $p < .01$), have slightly lower education ($p = .03$), and live in households with those who are elderly (18.5% vs. 30.7%; $p < .01$).

The results in Table 25 suggest that the hypothesis of overall disadvantage borne by single parents is mainly accurate with a few caveats. More single parents rent than non-single parents ($p < .01$), but more are also homeowners (a finding which approaches significance; $p = .07$); perhaps unsurprisingly, many more single parents are also houseless. That there are no significant (or substantive) differences in healthcare concerns is a somewhat surprising finding, while the overrepresentation of single parents in the category of family and relationship concerns is expected (given the inclusion of the category of divorce). The data taken together support the general notion that single parents face considerably more legal needs than non-single parents.

Table 25. *T*-tests regarding major categories of legal concern, measuring if concern was experienced (dichotomous)

Overall legal concerns	% single parents with concern	% others with concern	Statistical significance
Rentals	42.5	31.1	$p < .01$
Homeownership	5.3	2.8	$p = .07$
Mobile homes	3.1	3.5	ns
Houselessness	9.5	2.8	$p < .01$
Family/relationships	45.5	16.5	$p < .01$
Financial	58.5	45.0	$p < .01$
Elderly/disability	15.9	9.9	$p = .01$
Veterans/military	3.0	2.4	ns
Tribal	6.9	3.6	$p = .04$
Employment	25.1	18.4	$p = .03$
Farmwork/forestry	0.4	0.8	ns
Education	15.2	5.6	$p < .01$
Government assistance	33.2	24.0	$p < .01$
Crime/police	31.9	19.5	$p < .01$
Healthcare	38.5	36.2	ns
Immigration	3.5	4.5	ns
Discrimination	37.8	26.9	$p < .01$

Military Veterans

The US Census in 2016 counted 301,300 veterans in Oregon, yielding about 7.3% out of more than 4 million Oregonians. Comparatively, just over 16% of our sample ($n = 156$) served in the military or reserves and this section is calculated from that denominator. Of our sample of veterans, 17.3% ($n = 27$) experienced legal concerns relating to this status directly. Tiny sample

sizes challenge the robustness of the statistical tests in some cases (e.g., 7 Black veterans) and thus should be interpreted cautiously. Given that, more Native American vets (15.6% vs. 40%; $p = .05$, $n = 10$) and both of the Asian veterans experienced problems, as did those with children under 17 ($X^2(4) = 13.3$; $p = .01$).

Table 26. Legal needs of veterans

	Percent	Std. Dev.	N
Served in the military/reserves?	16.5	0.37	1,002
Problems getting old job after deployment	10.3	0.30	156
Problems with discharge status	7.7	0.27	156
Denied VA service benefits	6.4	0.25	156
Denied physical/mental care for service concerns	2.6	0.16	156

The largest concern, marked by 10% of veterans, was difficulty in getting a former job back after deployment. In descending order, vets also experienced problems with their discharge status (7.7%), were denied VA service benefits such as disability, housing, educational, job training (6.4%), and were denied or were unable to access medical care for service-related concerns (2.6%). These are presented in greater depth in Table 26; Figure 30 shows that about 83% of vets experienced none of these issues. Nearly 7% experienced two or more while just over 10% experienced one; the average veteran reported 0.3 legal needs.

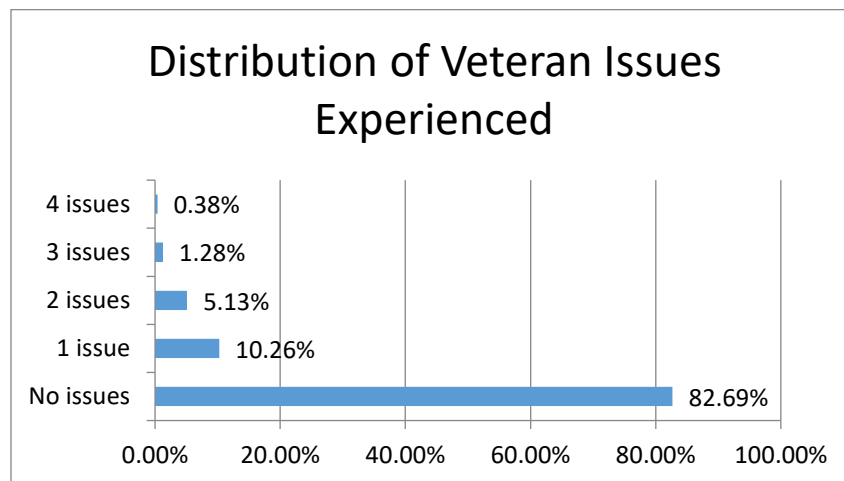


Figure 30. Distribution of legal needs of veterans

Examining the Likert scale assessment (Figure 31) of how much these issues affect veterans also leads to tiny category sizes (only one respondent selected “not at all”) which prohibits meaningful correlations. Like a few of the other concerns, however, those that experienced issues relating to veteran status tended to be hit hard by them: 63% found them to be “very” or “extremely” negative while including the “moderate” category brings the total to over 85%.

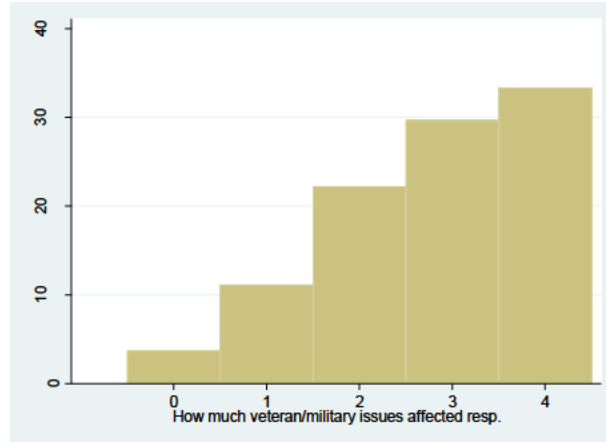


Figure 31. Likert scale of how much legal needs relating to the elderly and disabled affected respondent (0 = “not at all”; 4 = “extremely”)

Tribal Membership/Descendants

The survey collected responses from 93 households (9.7%) with at least one tribal member or someone descended from a tribal member. Of these respondents, 44.1% experienced at least one legal issue from the survey, which is very high relative to the standards of this survey. Although these are small group categories, they retain enough integrity to make some claims about group difference. Small n allows us to relax our traditional significance level ($\alpha = .05$) slightly. Those households with tribal members which experienced one or more legal concern more often possessed a BA (63.2% vs. 39.2%; $p = .06$), were more often single parents (60% vs. 39.4%; $p = .08$), and contained someone with a juvenile/criminal record (62.9% vs. 34%; $p < .01$).

Table 27. Legal needs relating to tribal membership

	Percent	Std. Dev.	N
Tribal member?	9.7	0.30	958
Complications with tribal enrollment	37.6	0.49	93
Problems with Indian trust assets, wills, etc.	5.4	0.23	93
No representation in tribal court for noncriminal matter	4.3	0.20	93
Problems w/ protection of Indian trust assets from creditors	3.2	0.18	93
Denied service from BIA or HIS	3.2	0.18	93
Benefits reduced due to tribal payments/land buy back	3.2	0.18	93
Problems w/ protection of Indian trust property from probate	1.1	0.10	93
State court involvement with placement of Indian child	1.1	0.10	93

The issue by far of greatest concern was that more than one-third (37.6%) were eligible to enroll in a tribal, but didn’t know how to apply, were unaware of how to get the documentation needed, or needed unavailable adoption records to prove their eligibility, as Table 27 reports. The rest of the responses ranged from 1 to 5.4% in frequency, with the top concerns involving problems with Indian trust assets and/or wills, lack of representation in tribal court for non-criminal matters, reduced tribal benefits or land buy backs, or denial of service from the Bureau of Indian Affairs or Indian Health Service.

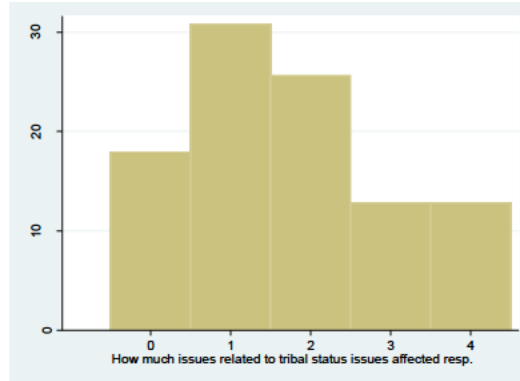


Figure 32. Likert scale of how much legal needs relating to tribal status affected respondent (0 = “not at all”; 4 = “extremely”)

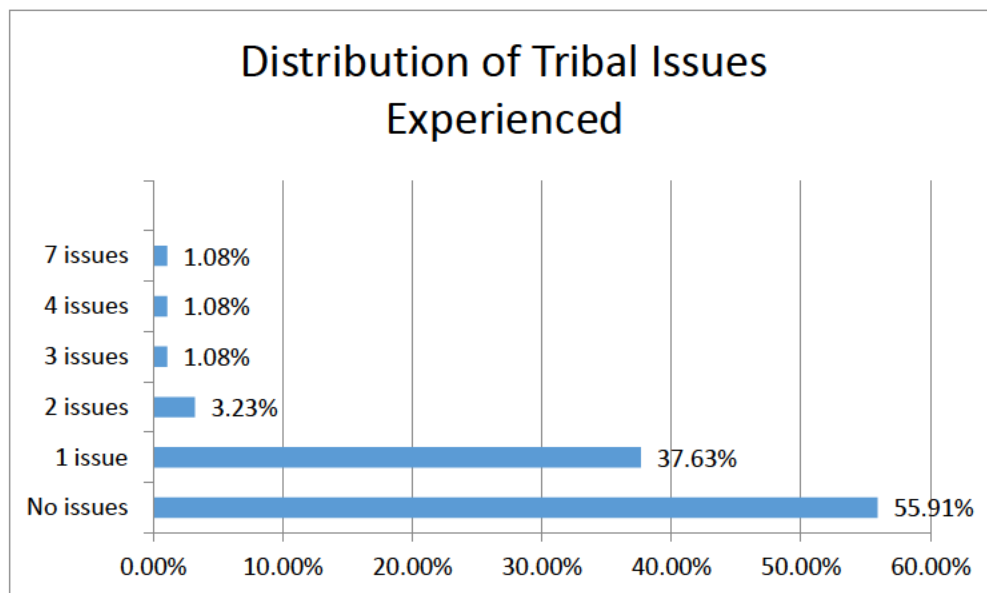


Figure 33. Distribution of legal needs relating to tribal membership

Figure 32 depicts the perceived strength of negative affect the issues held for the respondents. Despite the relative ubiquity of complaints, the perceived severity was fairly muted. Nearly half rated the concerns as only “slightly” negative or “not at all,” while only about one quarter (25.6%) rated the concerns as affecting them “very” or “extremely” negatively. Of those who reported concerns (and completed the rating scale; $n = 9$), the strength of the concerns covaried most strongly with the inability to be represented by an attorney in a family/civil case in tribal court ($r = .41$), eligibility concerns ($r = -.38$, which means this was associated with *reduced* concern), denial of service from BIA or HIS ($r = .29$), and problems protecting Indian trust assets from creditors ($r = .29$).

Figure 33 reports the distribution of these concerns (mean = 0.59). Nearly 56% reported no issues. More than 37% of respondents eligible reported one concern with tribal legal needs, which matches the largest category (tribal enrollment issues) closely. Apart from that, about 6.5% suffered more than one concern and one respondent suffered as many as 7.

Farmwork/Forestry

A subcategory of employment, farmwork and forestry, will soon have an expanded set of nonrandom supplementary surveys from which to draw, but for the current survey sample about 5.1% ($n = 51$) of respondents reported employment in this labor market sector (see Table 28). All but two of these respondents lived in labor camps or company housing. Given the tiny samples and category sizes, most of the common statistical tests are inappropriate.

Table 28. Legal needs of farmworkers and foresters

	%	Std. Dev.	N
Work in agriculture or forestry?	5.1	0.22	1,002
Live in labor camp or company housing?	8.2	0.28	49
Problems with terms of job	14.0	0.35	50
No training for pesticides/heat/accidents/harassment/etc	4.0	0.20	50
Denied breaks/rest	4.0	0.20	50
No fresh drinking water	2.0	0.14	50
No bathrooms	2.0	0.14	50
No cleaning (hands/clothing/shower)	2.0	0.14	50
Unsafe company housing	2.0	0.14	50
Denied company housing b/c had spouse/family/was female	0.0	0.00	50

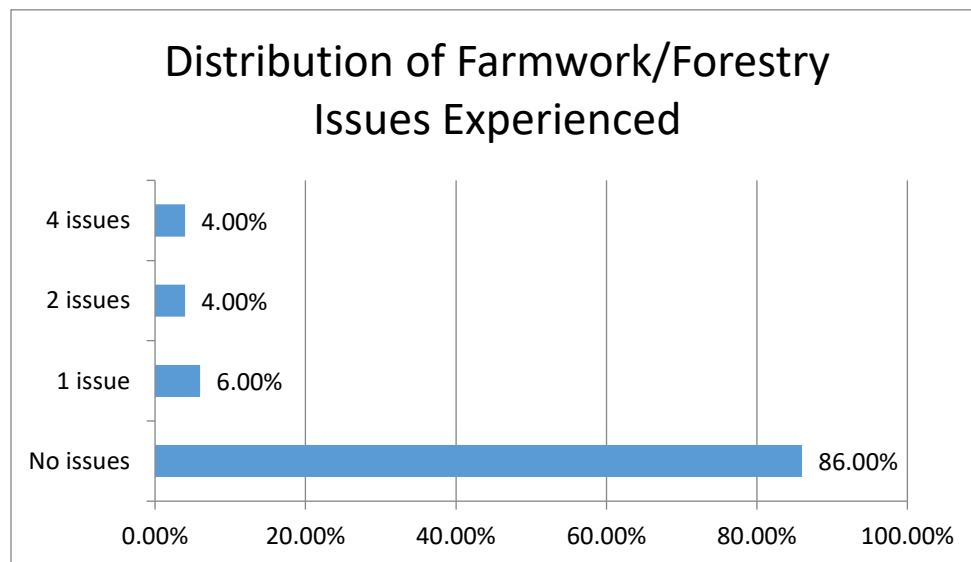


Figure 34. Distribution of legal needs of farmworkers and foresters

Far and away the largest set of legal needs for this group (14%) concerned the terms of the job, including a lack of information (e.g., duration of job, wages) or a change of the terms of the job after the work began. Other categories of response were indicated by only one or two individuals, although they may be embedded within companies where the practices are widespread. Somewhat surprisingly, as Figure 34 attests, 86% of those in the farm/forestry labor sector experienced none of these problems, although the vulnerability of this population to official intimidation may affect responses. Among those eligible to incur such legal needs, the average number of issues requiring legal help was 0.3.

Education

Table 29 reports that just over 40% of respondents ($n = 403$) had someone in the household attending school of some sort. Nearly one fifth of those respondents ($n = 78$) experienced one or more legal concerns regarding that status (see Figure 36). Those reporting such concerns tended more often to be single parents (25.4% vs. 16.4%; $p = .03$) and to have a juvenile or criminal record (28.1% vs. 17.2%; $p = .02$).

Almost 11% of those with household members attending school reported having no good protection from bullying or threats, while just under 5% had been suspended or expelled (4.7%) or suffered from regular absence or truancy, and just under 4% had been denied an Individualized Education Plan (IEP) or 504 plan.

Table 29. Legal needs regarding education

	Percent	Std. Dev.	N
Attend school?	40.9	0.49	999
No protection from bullying/threats	10.9	0.31	403
Suspended or expelled	4.7	0.21	403
Regular absence/truancy	4.5	0.21	403
Denied Individualized Education Plan	3.7	0.19	403
Unsafe school buildings	3.0	0.17	403
Received notices that couldn't be read	1.7	0.13	403
Denied bilingual education	0.5	0.07	403

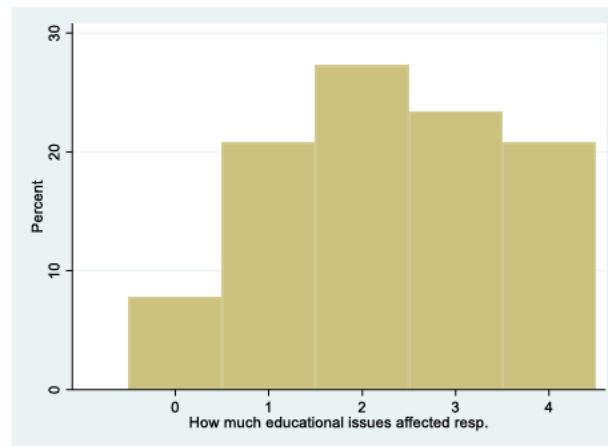


Figure 35. Likert scale of how much educational legal needs affected respondent (0 = “not at all”; 4 = “extremely”)

Figure 35 shows that 44.2% of the respondents found that the seriousness of employment issues rated “very” or “extremely” and more than 71.4% of respondents rated that employment concerns affected them “moderately” negatively or worse. Using the perceived seriousness of these educational issues to track which issues are most concerning, receiving written notices in languages that could not be understood ($r = -.33$) had a larger negative effect, meaning those who experienced this correlated with less perceived seriousness; a similar but smaller effect was found for denial of access to bilingual education ($r = -.17$). Of the positive relationships (those which increase concern), involvement in truancy, chronic absence, or inability to complete

school was the largest effect ($r = .27$), while a lack of protection from bullying also increased seriousness ($r = .25$). Smaller positive effects were found for the other variables as well.

Figure 36 depicts the distribution of the legal education needs of the respondents. Notably, more than 80% reported no issues, over 12% reported one, and nearly 7% reported two or more. The average respondent household experienced 0.29 of these legal issues.

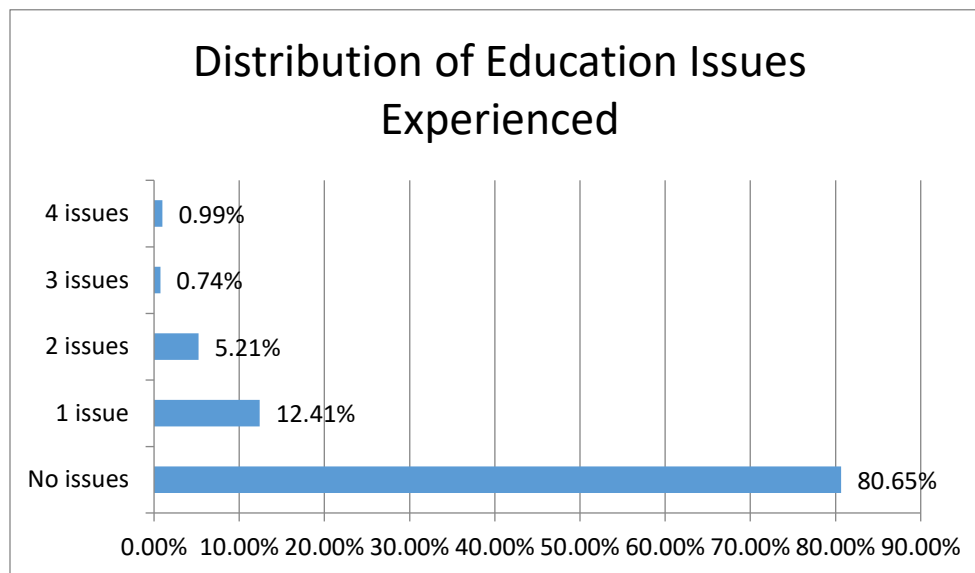


Figure 36. Distribution of legal needs regarding education

Immigration

According to Table 28, about 13% of the sampled households ($n = 125$) contained at least one person born outside the US. Of these, one third ($n = 42$) experienced at least one issue regarding their immigration status. Experiencing an immigration concern was least likely for whites (43% vs. 17.5%; $p < .01$) and Asians (38.8% vs. 14.3%; $p = .03$). Everyone else experienced relative problems (bearing in mind some overlap): Blacks (83.3% vs. 31.9%; $p < .01$), Latinx (49.1% vs. 21.9%; $p < .01$), Spanish speakers (55.6% vs. 23.5%; $p < .01$), and 4 Native American/Pacific Islanders approached significance ($p = .08$). The presence of children under 17 also was associated with immigration problems ($X^2(5) = 26.1$; $p < .01$).

As Table 30 shows, more than a quarter of immigrants (25.6%) needed legal help with basic immigration concerns such as becoming a citizen, legally living or working in the US, federal Deferred Action for Childhood Arrivals (DACA) status, or bringing a family member to the US. Nearly 13% also experienced problems stemming from a lack of a driver's license. Although only one respondent reported direct ICE detainment (0.8%; unsurprising, since deportation/detainment could hamper survey response, not to mention fear of official engagement), 12.8% were afraid to perform public tasks such as going to the store, school, work, or doctors due to fear, 7.2% were afraid to go to court, call the police, or ask for and receive public benefits for the same reason. Smaller numbers were also afraid to complain to their landlord or employer for fear of being deported (3.2%) and had planned out their family care in case they were detained by the federal Immigration and Customs Enforcement (ICE; 4%). Not having a social security number or complications related to Individual Taxpayer Identification Numbers (ITIN) also concerned 5.6% of the sample.

Table 30. Immigration legal needs

	Percent	Std. Dev.	N
Born outside of US?	12.9	0.34	987
Needed DACA/legal living status/bring family member	25.6	0.44	125
Problems from not having driver's license	12.8	0.34	125
Afraid to go to store/school/work/doctor b/c ICE	12.8	0.34	125
Afraid to call police/go to court b/c ICE	7.2	0.26	125
Afraid to ask for/receive public benefits b/c ICE	7.2	0.26	125
Problems from no SSN or ITIN	5.6	0.23	125
Planned for childcare due to fear of ICE	4.0	0.20	125
Bad immigration advice from non-lawyer	3.2	0.18	125
Afraid to complain to landlord/employer b/c ICE	3.2	0.18	125
Detained or deported by ICE	0.8	0.09	125
Had TPS and needed to travel	0.0	0.00	125
Trouble reentering US	0.0	0.00	125
Denied lawyer/interpreter during removal proceeding	0.0	0.00	125

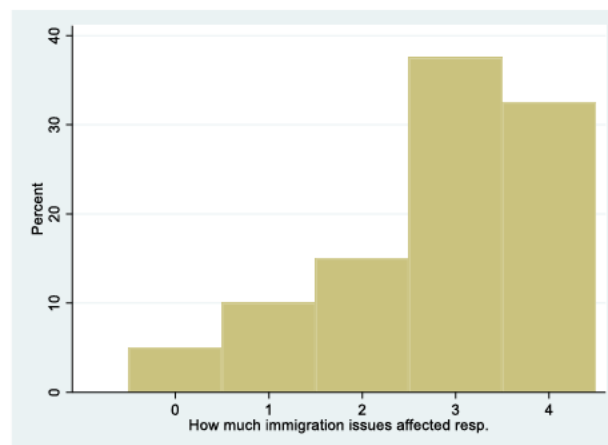


Figure 37. Likert scale of how much educational legal needs affected respondent (0 = “not at all”; 4 = “extremely”)

In assessing how much these concerns affected the respondent, Figure 37 suggests that immigration concerns tend to be serious ones—only 30% of the respondents rated these concerns as “moderately,” “slightly,” or “not at all” negative, while 70% rated them as having a “very” or “extremely” negative effect on their lives. When correlating this scale with the different legal concerns, caution should be used regarding the small sample size ($n = 40$; and, as Table 26 suggests, some variables contained no observations), but fear of ICE and police was a central and organizing concern. Fear of accessing benefits ($r = .35$), fear of the criminal legal system ($r = .29$), needing to plan for care of family members in the case of deportation ($r = .26$), fear of complaining at work or to a landlord ($r = .12$), and fear of going to work, school, a medical provider, or the store ($r = .12$) all stemmed from concerns regarding ICE. Additional (and related) major concerns included not having a driver’s license ($r = .30$), not having a Social Security Number (SSN) or an Individual Taxpayer Identification Number (ITIN; $r = .31$).

Figure 38 shows that two-thirds of the respondents had not experienced legal needs related to immigration but that many respondents had experienced one or more—indeed, the average number of legal needs experienced was 0.82. Sixteen percent reported just one issue, but almost 10% reported between two and three, while 8% experienced more than this.

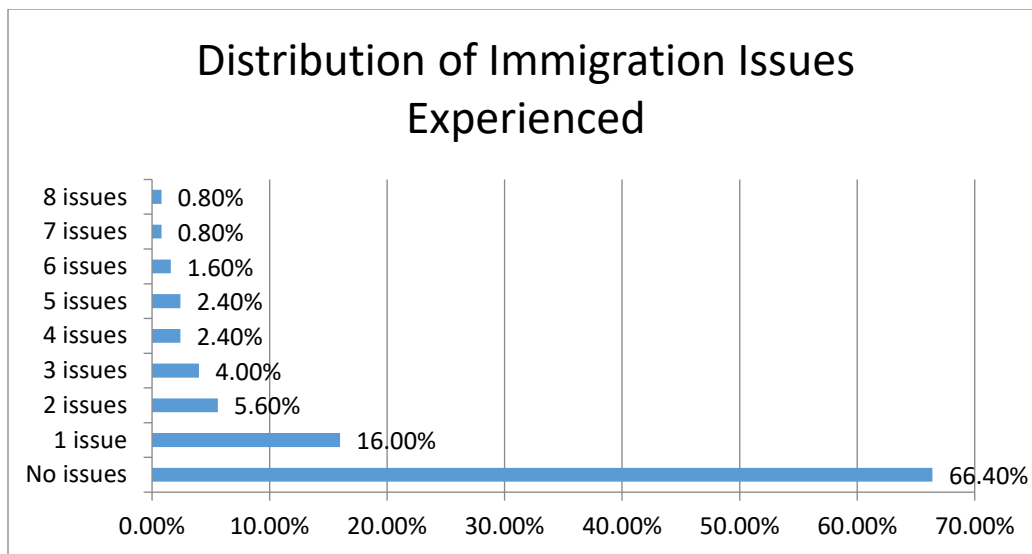


Figure 38. Distribution of immigration legal needs

Juvenile or Criminal Records

Most categories of legal concern discussed above reference those with a juvenile or criminal record experiencing the concern at an elevated rate. Given research which points to a broad snowballing of concerns related to criminal history, it seems appropriate to gather in one place the issues where those who have official convictions are overrepresented. Although juvenile records are supposedly sealed, this is sometimes not the case in practice, and the distinction is sometimes unimportant depending on the audience (including the individual, who may not know the difference). Moreover, evidence suggests that criminal justice contact tends to predict later contact, notwithstanding the behavior of the individual. In our sample, over one-fifth of respondents (20.3%, $n = 199$) indicated that they had such a record, a robust subsample.

The results in Table 31 suggest that those with a record are overrepresented in every category of concern on the survey except immigration. For the latter, those with records are actually underrepresented ($p = .01$). Otherwise, the discrepancies between those with records and those without are of substantive magnitude, often double for categories with limited eligibility and 10 to 20% for categories of universal eligibility. The crime/police category demonstrates perhaps the most extreme discrepancy—32% more respondents with a record reported problems with police and law enforcement than those without, perhaps unsurprisingly (48% vs. 15.6%; $p < .01$).

We delved a little deeper into this subgroup as well, which also suffered some micronumerosity, depending on the categories. Cross referencing the presence of a record with Likert ratings of issue categories reveals that those with a record rate significantly more negatively their legal problems regarding: financial issues ($p < .01$) and government assistance ($p = .02$), while concerns regarding healthcare ($p = .09$) and police over/underprotection ($p = .08$) approached significance.

Table 31. *T*-tests regarding major categories of legal concern, measuring if a concern in the category was experienced (dichotomous)

Overall legal concerns	% with record with concern	% others with concern	Statistical significance
Rentals	46.9	30.4	$p < .01$
Homeownership	7.1	2.5	$P < .01$
Mobile homes	4.1	3.3	ns
Houselessness	15.7	1.6	$p < .01$
Family/relationships	44.6	18.1	$p < .01$
Financial	64.6	43.8	$p < .01$
Elderly/disability	20.2	8.9	$p < .01$
Veterans/military	4.6	2.1	$p = .05$
Tribal	11.8	2.6	$p < .01$
Employment	26.8	18.3	$p < .01$
Farmwork/forestry	2.0	0.3	$p = .01$
Education	12.7	6.7	$p < .01$
Government assistance	38.8	23.1	$p < .01$
Crime/police	48.0	15.6	$p < .01$
Healthcare	49.5	33.2	$p < .01$
Immigration	1.0	5.0	$p = .01$
Discrimination	50.8	24.0	$p < .01$

Black Respondents

Given the abundant research identifying pervasive national antiBlackness, as well as Oregon's specific historical reputation for antiBlack white supremacy, it seems appropriate to check on the specific legal needs of Black residents in Oregon. Blacks in Oregon, according to the Census, represent about 2% of Oregon's population distributed throughout all income levels. We have oversampled Oregon's Black population (5.6% of our sample, $n = 54$), likely due to the experiences of poverty and near poverty into which society often places them. This number includes anyone who marked Black on the survey, including those who also checked other boxes (Native American = 4; Hispanic = 5; white = 12).

The results suggest, net of any other vectors, that Blacks in Oregon are even more vulnerable than other impoverished people. Except for homeownership, every *single* category of concern on the survey overrepresents Blacks by large or small amounts. Sample size may play a role in why more categories do not reach or approach statistical significance, but as Table 32 shows, rentals, crime/police, overall discrimination, and education demonstrate strong intergroup differences. The problems spill over into areas that are often implicitly associated with other groups as well, given that Black immigrants and Black tribal members seem to experience additional burdens. Due to the small subsample, further statistical testing was compromised.

Another method of detecting concern is cross referencing ethnoracial identification with the Likert ratings of legal concern categories to assess collective departures. Black respondents, compared to nonBlack respondents, felt stronger negative impacts from rental issues ($p < .01$), family issues ($p = .05$), tribal issues ($p = .01$), educational issues ($p = .02$), crime/police concerns ($p < .01$), and issues with discrimination ($p < .01$).

Table 32. *T*-tests regarding major categories of legal concern, measuring if a concern in the category was experienced (dichotomous)

Overall legal concerns	%Black	%nonBlack	Sig.
Rentals	51.9	32.7	$p < .01$
Homeownership	2.0	3.6	ns
Mobile homes	3.9	3.6	ns
Houselessness	9.6	4.1	$p = .06$
Family/relationships	33.3	22.9	$p = .09$
Financial	49.0	48.3	ns
Elderly/disability	17.0	10.7	ns
Veterans/military	3.8	2.5	ns
Tribal	10.2	4.1	$p = .04$
Employment	23.5	20.0	ns
Farmwork/forestry	0.0	0.8	ns
Education	15.4	7.5	$p = .04$
Government assistance	30.8	25.6	ns
Crime/police	37.7	21.5	$p < .01$
Healthcare	42.6	36.1	ns
Immigration	9.6	4.0	$p = .05$
Discrimination	50.9	28.5	$p < .01$

Asian Respondents

The category of respondents identifying as Asian is one of the smallest in the sample, comprising only 34 respondents. (This is partly because Pacific Islanders were included under the Native American heading.) Although local media sources have posited that Asians are the fastest growing ethnoracial group in Oregon, the relative percentages still place Oregon's Asian population around 6%, nearly double the 3.3% of our respondents who identified as Asian.

Asian respondents were less likely to speak English easily ($p < .01$)—in fact, compared with 93.6% of non-Asians, 58.8% of Asian respondents reported English as their primary language. Compared with 21% of the rest of the sample, no respondent who marked “Asian” also indicated a juvenile or criminal record ($p < .01$).

Those identifying as Asian in this sample were mainly *underrepresented* in categories of legal concern. The only statistically significant result suggests that Asian respondents are underrepresented in financial fraud concerns by nearly 18% ($p < .01$). Speaking only in terms of relative comparisons (not inferential significance), there were a few exceptions to this—Asians are quite overrepresented in terms of their legal concerns relating to veteran or military status (5.9% vs. 2.5%; *ns*); homeownership (8.8% vs. 3.3%; *ns*), and farmwork/forestry (2.9% vs. 0.6%; $p = .12$). Note the actual distributions below in Table 33, however, since the sample size of Asian respondents renders statistical inference a less useful guide to relevance.

When cross referencing ethnoracial identification with the Likert ratings of legal concern categories to assess collective departures, Asian respondents, compared to nonAsian respondents, felt stronger negative impacts from homeownership issues ($p = .06$) and fewer negative impacts from financial issues ($p = .08$).

Table 33. *T*-tests regarding major categories of legal concern, measuring if concern was experienced (dichotomous)

Overall legal concerns	%Asian	%nonAsians	Sig.
Rentals	25.0	34.1	ns
Homeownership	8.8	3.3	$p = .08$
Mobile homes	3.0	3.6	ns
Houselessness	6.3	4.3	ns
Family/relationships	24.2	23.5	ns
Financial	31.3	49.0	$p = .05$
Elderly/disability	9.1	11.1	ns
Veterans/military	5.9	2.5	ns
Tribal	3.0	4.5	ns
Employment	21.2	20.2	ns
Farmwork/forestry	2.9	0.6	$p = .12$
Education	8.8	7.9	ns
Government assistance	21.2	26.0	ns
Crime/police	15.1	22.7	ns
Healthcare	28.1	36.8	ns
Immigration	8.8	4.1	ns
Discrimination	28.1	29.8	ns

Latinx Respondents

Like Oregon’s population of Asian descent, the Latinx population of Oregon is growing rapidly, comprising about 12% of the state—according to PewHispanic, more than 80% of Oregon’s Latinx population is of Mexican origin. Nearly 12% of our sample as well identified as “Hispanic” ($n = 112$). One quarter of these respondents ($n = 28$) marked other categories as well, most which were white or Native American.

Latinx respondents were less likely to speak English easily ($p < .01$). Compared with 96.6% non-Latinx, 58.9% of Latinx respondents reported English as their primary language ($p < .01$); indeed, 41.1% consider Spanish to be their primary language. Compared with 33.8% of the rest of the sample, 54.4% Latinx respondents indicated that they were employed in some capacity ($p < .01$). Only 13.4% of Latinx respondents reported having a BA or higher, compared with 21% of the remaining respondents ($p = .06$). Latinx respondents were slightly more likely to have web access, but this result only approached significance (93.7% vs. 88%; $p = .07$). Most Latinx respondents reported at least one child under 17 (15 reported four or more), which is significantly more than the rest of the sample ($X^2(5) = 75$; $p < .01$).

Despite comprising the largest single non-white ethnic group (although note the overlaps discussed above), Latinx respondents demonstrated few significant differences from the rest of the sample, as depicted in Table 34. Latinx respondents experienced more concerns with rental housing (42.5% vs. 32.7%; $p = .04$), education (12% vs. 7.3%; $p = .052$), and discrimination (39.6% vs. 28.5%; $p = .02$). Far and away, the standout category of concern was immigration—more than one quarter of Latinx respondents reported legal needs related to immigration (25.7% vs. 1.7%; $p < .01$). Notably, nearly 47% of Latinx respondents in the sample ($n = 49$) were *not* immigrants.

In cross referencing ethnoracial identification with the Likert ratings of legal concern categories to assess collective departures, Latinx respondents, compared to nonLatinx respondents, felt stronger negative impacts from issues relating to rental housing ($p = .06$), healthcare ($p = .08$), immigration ($p < .01$), and discrimination ($p = .013$).

Table 34. *T*-tests regarding major categories of legal concern, measuring if concern was experienced (dichotomous)

Overall legal concerns	%Latinx	%nonLatinx	Sig.
Rentals	42.5	32.7	$p = .04$
Homeownership	5.6	3.2	ns
Mobile homes	1.9	3.8	ns
Houselessness	7.3	4.0	ns
Family/relationships	20.0	24.0	ns
Financial	52.3	47.9	ns
Elderly/disability	7.2	11.6	ns
Veterans/military	1.8	2.7	ns
Tribal	3.8	4.5	ns
Employment	25.2	19.6	ns
Farmwork/forestry	0.0	0.8	ns
Education	12.6	7.3	$p = .052$
Government assistance	22.9	26.2	ns
Crime/police	19.8	22.8	ns
Healthcare	39.6	36.1	ns
Immigration	25.7	1.7	$p < .01$
Discrimination	39.6	28.5	$p = .02$

Native American/Pacific Islander Respondents

The category of Native American/Pacific Islander is a small one. Fifty-eight individuals identified as Native American and the number grows to 65 when Pacific Islanders are included—in the interest of maximizing sample size for comparison, we lump these together. In practice, we notice that very few results change by adding in the additional 7 respondents. This approach yields a modest which represents 6% of the respondents and the significance levels associated with differences between groups often reflect this. Native Americans/Pacific Islanders are not statistically indistinguishable from the larger group save that they speak primarily English in slightly larger numbers (95.4% vs. 92.2%; $p = .05$) and in substantive terms, are about 7.4% less likely to be employed ($p = .22$).

Despite their general similarity along demographic variables to the wider population, the results in Table 35 suggest that Native Americans/Pacific Islanders are in fact at elevated risk over a variety of legal concerns. They are overrepresented in nearly every category—the only exceptions are homeownership problems, farmwork/forestry, and educational concerns. Not surprisingly, the largest disparity is over tribal issues—additional legal concerns with large disparities include rental legal issues (46.2% vs. 32.8%; $p = .03$), the elderly/disabled (20.0% vs. 10.4%; $p = .02$), healthcare (51.6% vs. 35.4%; $p = .01$), and discrimination (48.4% vs. 28.4%; $p < .01$). Categories with more moderate yet substantive disparities tend not to reach the significance threshold, since that calculation depends in part on sample size.

Table 35. *T*-tests regarding major categories of legal concern, measuring if concern was experienced (dichotomous)

Overall legal concerns	%Nat.Am./P.I.	%others	Sig.
Rentals	46.2	32.8	$p = .03$
Homeownership	1.5	3.6	ns
Mobile homes	6.3	3.4	ns
Houselessness	6.3	4.3	ns
Family/relationships	30.2	23.0	ns
Financial	60.9	47.5	$p = .04$
Elderly/disability	20.0	10.4	$p = .02$
Veterans/military	6.3	2.3	$p = .05$
Tribal	31.0	2.7	$p < .01$
Employment	28.1	19.7	ns
Farmwork/forestry	0.0	0.7	ns
Education	7.9	7.9	ns
Government assistance	28.6	25.6	ns
Crime/police	28.1	22.0	ns
Healthcare	51.6	35.4	$p = .01$
Immigration	4.7	4.3	ns
Discrimination	48.4	28.4	$p < .01$

In cross referencing ethnoracial identification with the Likert ratings, Native American/Pacific Islander respondents, compared to others, felt stronger negative impacts from issues relating to rental housing ($p < .01$), family ($p = .06$), credit, fraud, and debt ($p = .05$), the elderly and disabled ($p < .01$), tribal membership ($p < .01$), healthcare ($p = .01$), and discrimination ($p < .01$).

LEGAL HELP: RESEARCH, ACCESS, & CYNICISM

Legal Research & Lawyer Retention

Finally, we turn to the specific questions respondents answered regarding their experiences accessing and researching legal help, and their personal feelings regarding justice and fairness. More than half (52.8%) of our respondents who experienced legal problems ($n = 723$) did some searching for legal help. Those who felt legally agentive enough to research for help tended to be white (56.7% vs. 38%; $p < .01$), have a BA (60.1% vs. 50.8%; $p = .04$), a criminal/juvenile record (62.4% vs. 50.4%; $p < .01$), and web access (54.5% vs. 39.3%; $p = .02$). Latinx respondents (55.5% vs. 36.9%; $p < .01$) and those who spoke mainly Spanish (55% vs. 17.6%; $p < .01$) were less likely to search for legal help. Native Americans were more likely to search as well (63.8% vs. 52.5%; $p = .13$) but this comparison did not achieve statistical significance.

Table 36. Concerns for which respondents researched getting legal help

	Percent	Std. Dev.	N
Researched legal help?	52.8	0.50	723
Gov't assistance/benefits	43.4	0.50	378
Healthcare	42.9	0.50	378
Rental housing	41.0	0.49	378
Credit/debt/fraud	39.9	0.49	378
Employment	33.9	0.47	378
Family/relationships	25.4	0.44	378
Age or disability	25.4	0.44	378
Education	22.5	0.42	378
Crime/policing	17.5	0.38	378
Discrimination/harassment	16.9	0.38	378
Home ownership	11.4	0.32	378
Mobile/manufactured home	7.4	0.26	378
Veterans/military service	7.1	0.26	378
Tribal members/descendants	5.8	0.23	378
Other	2.9	0.17	378

Of the searchers referenced in Table 36, 40% or more searched for legal help regarding government assistance or benefits (43.4%), healthcare (42.9%), rental housing (41%), or financial concerns such as credit, debt, or fraud (40%). One third (34%) searched for legal help regarding their employment concerns, while a quarter (25.4%) searched for help regarding family and relationship concerns or age and disability concerns. Other issues generating substantial searches included education (22.5%), criminal justice (17.5%), and discrimination and harassment (17%). As Figure 39 suggests, the vast majority had more than one issue; in fact, average searcher researched help for 3.4 issues, suggesting that those who successfully contact legal aid may require a diverse array of assistance.⁸

⁸ One respondent apparently searched an issue outside the survey frame or perhaps just completely at random.

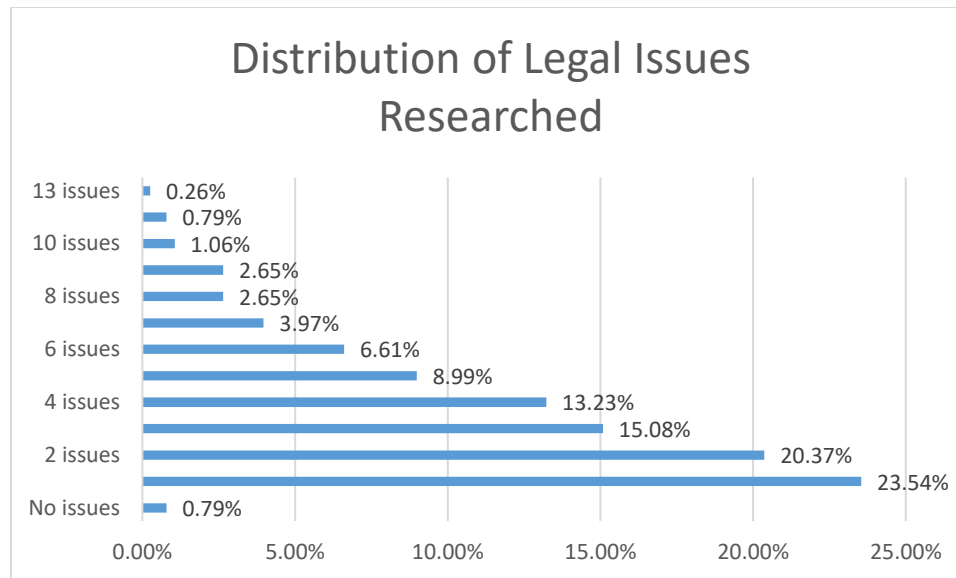


Figure 39. Distribution of number of legal issues researched

Table 37. Concerns for which respondents tried or succeeded in receiving legal aid

	Percent	Std. Dev.	N
Tried to get lawyer?	23.9	0.43	714
Successfully received legal help?	15.8	0.37	676
Age/disability	22.5%	0.42	182
Credit/debt/fraud	22.0%	0.42	182
Family/relationships	20.9%	0.41	182
Other	19.8%	0.40	182
Crime/policing	19.2%	0.40	182
Rental housing	18.1%	0.39	182
Government assistance	16.5%	0.37	182
Discrimination	13.2%	0.34	182
Employment	9.3%	0.29	182
Healthcare	9.3%	0.29	182
Home ownership	3.8%	0.19	182
Education	3.3%	0.18	182
Veterans/military	2.7%	0.16	182
Tribal members/descendants	1.1%	0.10	182
Mobile home	0.5%	0.07	182

Searching for help is the first step, but not all searches produce a concrete attempt to gain legal representation—Table 37 summarizes the statistics for additional steps and the issues for which this was relevant. Just under a quarter of respondents (23.9%) actually tried to get a lawyer, while only 15.8% ($n = 107$) were successful in obtaining such help. Of those who made the attempt, age and disability dominated their concerns (22.5%), with financial issues (22%) and family relationships (20.9%; domestic/intimate partner violence, divorce, etc.) right behind.

“Other” concerns ranked highly, including immigration, political asylum, and threats to health and safety; just behind those crime and policing (19.2%) and issues with rental housing (18.1%).

Between 10 and 20% were rental housing (18.1%), government assistance and benefits (16.5%), and discrimination and harassment issues (13.2%). Although the bottom and top halves of the list of concerns remained fairly consistent between Table 36 (research for legal help) and Table 37 (attempts to get legal help), there was significant reordering of concerns within those halves, most notable the fall of governmental assistance and healthcare from top concerns (43.4 and 42.9%) to middle-tier (16.5 and 9.3%) and the rise of the “other” category from last to large (2.9 to 19.8%).

Table 38. Where respondents received legal help

	Percent	Std. Dev.	N
Private attorney	49.5	0.50	101
Oregon Legal Aid	26.7	0.44	101
Other nonprofit legal provider	23.8	0.43	101
Other	11.9	0.33	101
Disability service provider	9.9	0.30	101
Unpaid/vol. attorney	5.9	0.24	101
Social/human services org	5.9	0.24	101
Notary public	3.0	0.17	101

Those that obtained legal help mainly got it from three sources, as detailed in Table 38: private attorneys (49.5%), Oregon’s Legal Aid societies (26.7%), or another nonprofit legal provider (23.8%). “Other” comprised a small slice as well (11.9%) as did a disability service provider (9.9%). Half, as Table 37 depicts, only got legal advice, but around one third got court representation (37.3%), help with form or documents (33.3%), or had a lawyer negotiate on their behalf (29.4%).

Table 39. Kind of help received

	Percent	Std. Dev.	N
Got legal advice	50.0	0.50	102
Court representation	37.3	0.49	102
Help with forms/docs	33.3	0.47	102
Lawyer negotiated on behalf	29.4	0.46	102
Other kind of legal help	17.6	0.38	102
Referred to online info	13.7	0.35	102

Courts & Hearings

About 9.5% of respondents ($n = 90$) elected or were forced to attend civil or family court. Table 40 lists the concerns that arose with these. One third of these respondents (33.3%) had difficulty understanding court rules and procedure. Around 10% of them also were denied a fee waiver (11.1%), had no viable transport to the courthouse (10%), or were simply denied an attorney for the proceedings (8.9%).

Table 40. Problems with courts and hearings

	Percent	Std. Dev.	N
Did respondent attend or file with civil/family court?	9.5	0.3	959
Trouble understanding court procedure/rules	33.3	0.5	90
Denied a fee waiver	11.1	0.3	90
No transport to court/hearing	10.0	0.3	90
Denied attorney	8.9	0.3	90
Family/work prevent court attendance	6.7	0.3	90
Denied reasonable accommodation	5.6	0.2	90
No interpreter	2.2	0.1	90

Most respondents had at least some need for legal services and Table 41 reports the resources that the respondents would find most useful. Consultations provided some of the biggest numbers—the largest was a phone or in-person consult (68.4%), while more than one third wanted layers to answer questions online (36.6%). Not surprisingly, having a lawyer perform various legal tasks comprised a good portion of the responses as well, including representation of the respondent's interests directly (46.9%), preparing forms (44.3%), or checking self-prepared forms (42.7%). Other resources of strong interest included websites (60.3%), hotlines (45.3%), printed materials (40.3%), or videos (28.3%).

Table 41. If you had a legal problem, which would be useful to you?

	Percent	Std. Dev.	N
Talking to lawyer (phone/in person)	68.4	0.47	960
Visiting a website	60.3	0.49	960
Having a lawyer handle problem or attend court for you	46.9	0.50	960
Calling a legal info hotline	45.3	0.50	960
Having a lawyer prepare forms that you send in	44.3	0.50	960
Having a lawyer check self-prepared forms	42.7	0.49	960
Reading printed materials	40.3	0.49	960
Getting questions answered online by lawyer	36.6	0.48	960
Viewing online videos	28.3	0.45	960
Attending in-person group legal training	24.2	0.43	960
Other	6.1	0.24	960

Respondents were, in general, not especially familiar with where to find legal information, advice, and assistance programs, including the one sponsoring the survey they were taking. About half (49%) had heard of one or more of the various legal aid organizations, while only about a fifth were familiar with the American Civil Liberties Union (ACLU). Of the more specific local programs, the ones with the most name recognition were the Fair Housing Council of Oregon (13.4%), Disability Rights Oregon (12.4%), Modest Means Lawyer Referral Service (11.9%), and the Oregon Bar's legal information website (10.8%). The remaining service programs are listed in Table 42.

Table 42. Legal information and assistance programs familiar to respondent

	Percent	Std. Dev.	N
Legal aid orgs	49.0	0.50	970
ACLU	20.7	0.41	970
Fair Housing Council of OR	13.4	0.34	970
Disability Rights OR	12.4	0.33	970
OR Bar Lawyer Referral Service/Modest Means	11.9	0.32	970
OR Bar legal information website	10.8	0.31	970
OregonLawHelp.org	8.7	0.28	970
Courthouse Family Law facilitators	6.2	0.24	970
Comm. Alliance of Tenants Renters Rights Hotline	5.8	0.23	970
Catholic Charities Immigration Legal Services	5.1	0.22	970
OR Judicial Dept. legal information webpage	4.1	0.20	970
St. Andrews Legal Clinic	3.2	0.18	970
Immigration Counseling Services	3.2	0.18	970
Youth, Rights & Justice	2.6	0.16	970
NW Workers Justice Project	1.8	0.13	970
Ecumenical Ministries of OR, SOAR Immigration Legal Services	1.4	0.12	970

Legal Cynicism

As might be expected, the problems covered in the survey and the significant barriers to their remedy (financial and otherwise) can lead to distrust of the legal system. Sociolegal researchers often refer to this as “legal cynicism” and it can deter even those with strong chances of success from engaging with the system on their own or others’ behalf. Table 43 lists the results of a Likert scale (0=“Not at all”; 1=“Rarely”; 2=“Some of the time”; 3=“Most of the time”; 4=“All of the time”) used to assess several different aspects of trust in the legal system. None of the average responses rose much above 2 (e.g., “some of the time” you are treated fairly by the civil legal system”), while the most dismal performance of a response category was the ability of the respondent to use the courts to protect their rights (a mean of 1.6). Note that all respondents (save a few skips) answered these questions. Figure 40 shows these in graphical form to demonstrate impact.

Table 43. Likert scale of civil legal system trust

	Mean	Std. Dev.	N
How often do you think you/family/friends/neighbors can use courts to protect self/rights?	1.61	1.21	968
How often do you think you/family/friends/neighbors are treated fairly by civil legal system?	2.02	1.14	961
How often do you think the civil legal system can help you/family/friends/neighbors solve the problems identified in the survey?	1.90	1.11	961

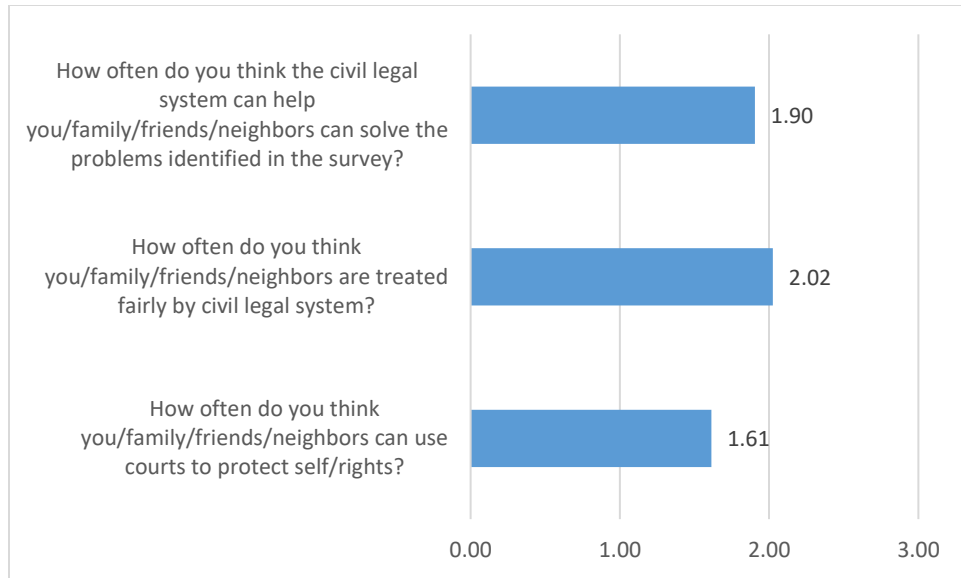


Figure 40. Civil legal system trust (0=“Not at all”; 1=“Rarely”; 2=“Some of the time”; 3=“Most of the time”; 4=“All of the time”)



Oregon State Bar



Legal Aid Services of Oregon



Need Is Far Greater Than Legal Aid Resources



The population eligible for legal aid is large.

75.4%



807,000

Estimated number of Oregonians who have family incomes at or below 125% of the Federal Poverty Income Guidelines.

Legal problems are widespread,



of respondents live in a household that experienced a legal problem in the previous 12 months.

and people often suffer more than one problem at a time.

*Child Custody
Denial of Benefits
Fraud
Restraining Order
Unfair Eviction*

5.4

Average number of legal problems suffered by the typical low-income household in Oregon in the last 12 months.

Yet Oregon spends a small amount per eligible person with a legal problem.

\$9.78



Estimated annual amount Oregon spends via the statutory designation per legal aid eligible person who experienced a legal problem in the last year.

The result is many people are not getting legal help,

84.2%

of people with a legal problem did not receive legal help of any kind.



28,500

people were served by legal aid statewide in 2017.



even with legal aid working hard.

The problems are big.

>50% of people with problems in most legal areas suffered very or extremely negative effects from their problems.



Some vulnerable populations suffer through even greater legal troubles.

Domestic violence and sexual assault survivors are

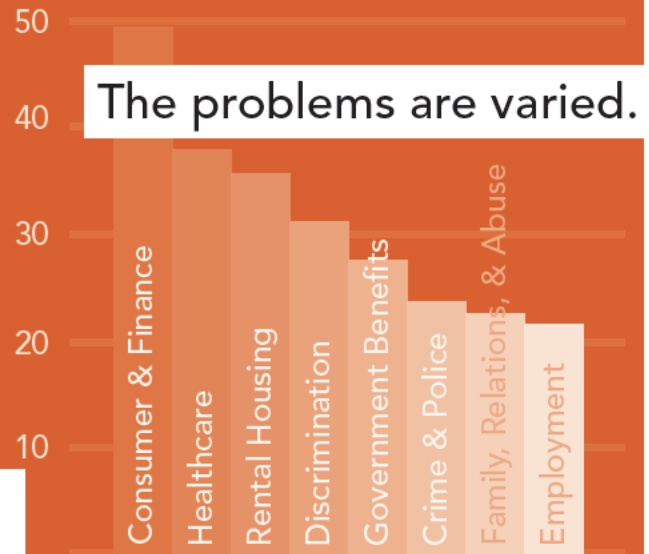
6.2 times more likely to be affected by homelessness.

3.0 times more likely to be affected by an employment issue.

2.1 times more likely to be affected by a rental issue.



The problems are varied.



Percent of Legal Needs Study respondents who had at least one problem in the top eight issue areas in the last year.

When legal aid has funding, the most vulnerable are safer.

85%

of clients with safety concerns were physically safer after receiving extended help from legal aid in 2017.



Legal aid is asking for a small increase.

\$9.78 → \$12.33

Effect of 3.1m per biennium increase on spending per eligible person with a legal problem.

Most information provided by the Oregon Legal Needs Study. Additional sources include American Community Survey 5-year 2016, The Lawyers' Campaign for Equal Justice, and Combined Legal Service Provider Outcome Measures.

Methodology for the Oregon Legal Needs Study: Portland State University conducted a survey to measure the legal needs of low-income Oregonians in the winter spanning from 2017 to 2018. Approximately 1,000 adults living in households below 125% of the Federal Poverty Guideline were randomly selected from high-poverty census blocks across Oregon. Aaron Roussell, Ph.D., and Amanda Hendrix, M.A., at Portland State, performed data analysis. A more complete report of findings will follow.



Oregon Circuit Courts

Domestic Relations

Pending Cases by Type and Closest Disposition Goal

2,983

Current Pending Cases

38%

Percent within 75% Goal

51%

Percent within 90% Goal

72%

Percent within 98% Goal

9/23/2021

Court

All

Case Class

All

Case Type

Custody/Suppo...

☐ Dissolution

☐ Separation

☒ Custody/Supp...

☐ Divorced Custody/Support/Visitation

☐ Addition

☐ Annulment

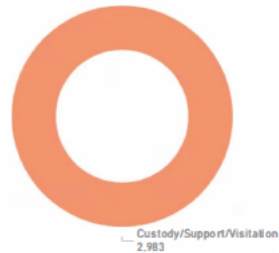
☐ Filiation

☐ Administrative ...

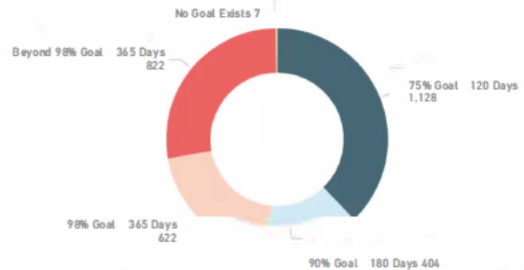
☐ Financial Respo...

☐ Other

Current Pending Cases by Case Type



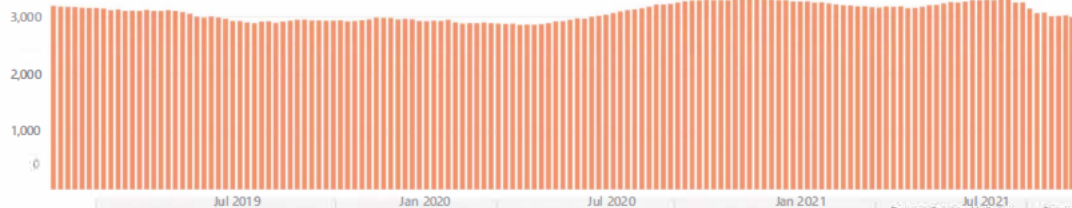
Current Pending Cases by Closest Timely Disposition Goal



Pending Cases, Over Time, by Case Type

Custody/Support/Visitation

NOTE: The pending case statistics include only cases that are pending for disposition on the initial petition. They do not include post-judgment motions that are pending for resolution.



ge and Staff Workload

Pending Cases by Case Type and Closest T...

Pending Cases by Age

Manner of Disposition

Manner of Disposition, by Court

Representation at General Judgment

Representation Prior to General Judgment

Domestic Relations Mediation

Domestic Relations Mediation Table



Oregon Circuit Courts

Domestic Relations

Manner of Disposition by Court

Case Type(s):

Dissolution, Separation, Custody/Support/Visitation

Last Updated:

9/23/2021

2018, 2019, 2020

Year

All

Quarter

All

Month

Court

All

Year

All

Quarter

All

Month

All

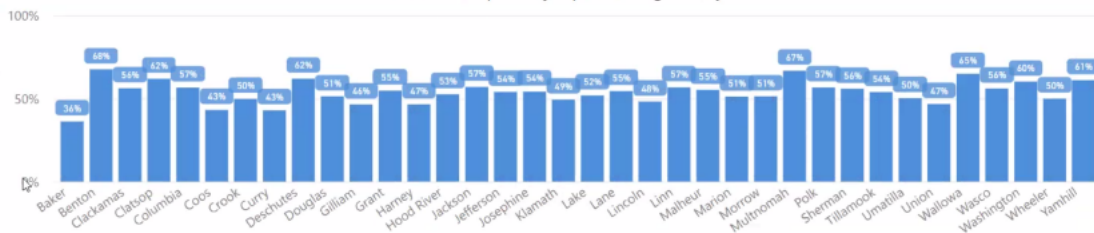
Case Class

All

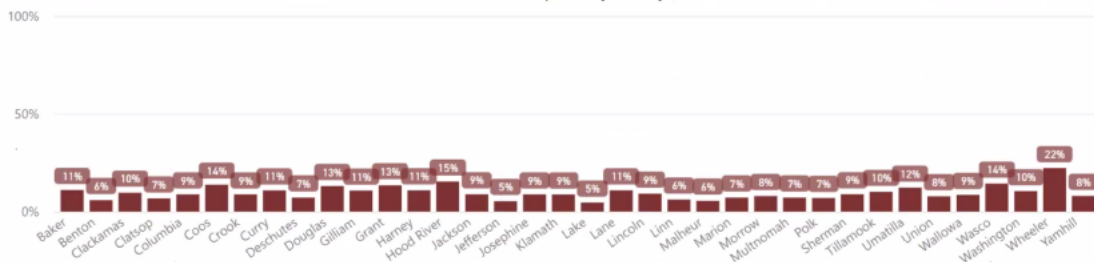
Case Type

All

Percent of Cases Disposed by Stipulated Judgment, by Court



Percent of Cases Disposed by Trial, by Court



Note: The statistics on this page are based on the date on which the case was initially disposed. They do not include disposition on post-judgment motions.



Oregon Circuit Courts

Domestic Relations Mediation Statistics

Case Type(s):

Dissolution, Separation, Custody/Support/Visitation

2019, 2020, 2021

Year

All

Quarter

All

Month

Last Updated

9/23/2021

Court

All

Year

All

Quarter

All

Month

All

Case Class

All

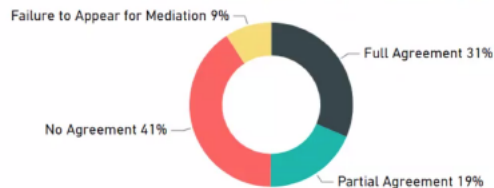
Case Type

All

For more information
on the domestic
relations mediation
data, see OJD's
[Domestic Relations
Mediation Reporting
Documentation](#)

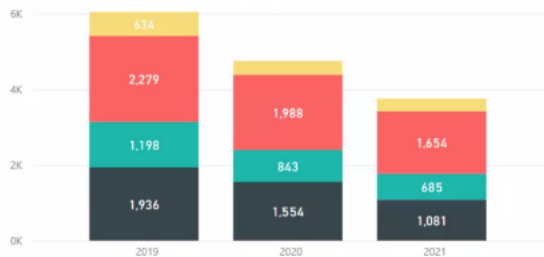
Percentage of Mediation Reports, by Result Type

● Full Agreement ● Partial Agreement ● No Agreement ● Failure to Appear for Mediation



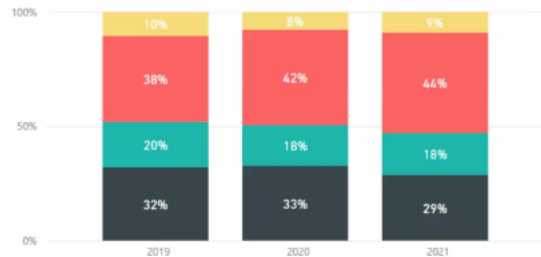
Number of Mediation Reports, by Result Type, Over Time

● Full Agreement ● Partial Agreement ● No Agreement ● Failure to Appear for Mediation



Percentage of Mediation Reports, by Result Type, Over Time

● Full Agreement ● Partial Agreement ● No Agreement ● Failure to Appear for Mediation





Oregon Circuit Courts

Domestic Relations

Manner of Disposition

Court

All

Year

All

Quarter

All

Month

All

Case Class

All

Case Type

All

Case Type(s)

Dissolution, Separation, Custody/Support/Visitation

2018, 2019, 2020, 2021

All

Quarter

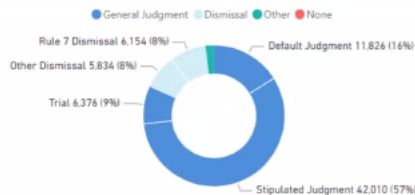
All

Month

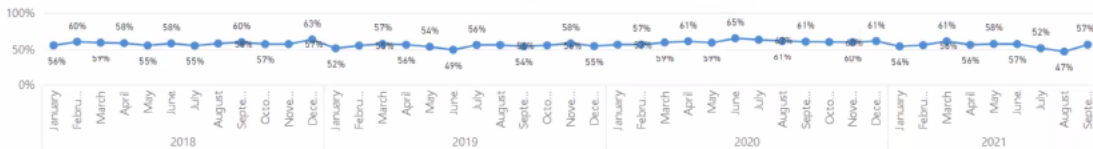
Last Updated

9/23/2021

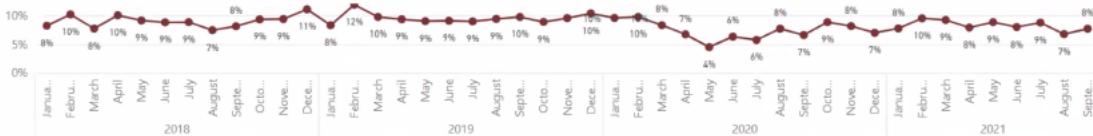
Cases Disposed by Manner of Disposition





















Percent of Cases Disposed by Stipulated Judgment, Over Time





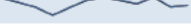








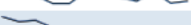






Percent of Cases Disposed by Trial, Over Time



Note: The statistics on this page are based on the date on which the case was initially disposed. They do not include disposition on post-judgment motions.

Statewide	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	2019	Monthly Trend
Civil	12,115	9,933	10,942	11,607	11,089	10,337	11,223	10,533	10,611	11,633	9,280	10,991	130,294	
Civil	5,252	4,101	4,713	5,312	4,613	4,432	4,743	4,434	4,376	4,967	3,442	5,143	55,528	
Landlord Tenant	1,760	1,500	1,463	1,424	1,609	1,505	1,733	1,606	1,627	1,587	1,384	1,477	18,675	
Small Claims	5,103	4,332	4,766	4,871	4,867	4,400	4,747	4,493	4,608	5,079	4,454	4,371	56,091	
Criminal	46,298	38,820	45,410	49,436	48,106	41,769	45,809	44,512	43,207	42,703	37,216	37,458	520,744	
Felony	2,428	2,080	2,140	2,364	2,393	2,157	2,311	2,234	2,107	2,265	2,041	2,078	26,598	
Misdemeanor	4,872	4,098	4,315	4,447	4,205	4,142	4,775	4,392	4,167	4,521	3,691	3,911	51,536	
Parking	23,203	18,968	22,060	23,112	22,207	18,587	18,947	18,653	18,982	19,700	16,896	17,199	238,514	
Procedural Matters	678	504	665	664	617	594	780	648	591	696	536	592	7,565	
Violation	15,117	13,170	16,230	18,849	18,684	16,289	18,996	18,585	17,360	15,521	14,052	13,678	196,531	
Domestic Relations	3,488	2,970	3,569	3,602	3,616	3,412	3,790	3,895	3,643	3,758	3,184	3,323	42,250	
Dissolution	1,317	1,150	1,462	1,450	1,404	1,247	1,380	1,516	1,379	1,372	1,256	1,203	16,136	
Other Domestic Relations	848	750	842	759	781	820	840	883	843	933	770	852	9,921	
Protective Order	1,323	1,070	1,265	1,393	1,431	1,345	1,570	1,496	1,421	1,453	1,158	1,268	16,193	
Other	2,583	2,153	2,427	2,576	2,560	2,247	2,442	2,374	2,260	2,550	2,179	2,272	28,623	
Juvenile	856	710	831	805	879	761	837	763	691	852	703	761	9,449	
Probate	1,068	924	1,002	1,138	1,080	952	1,024	1,049	982	1,072	883	916	12,090	
Civil Commitment	659	519	594	633	601	534	581	562	587	626	593	595	7,084	
Statewide Total	64,484	53,876	62,348	67,221	65,371	57,765	63,264	61,314	59,721	60,644	51,859	54,044	721,911	

Statewide	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	2020	Monthly Trend
Civil	12,211	8,968	7,718	3,023	3,583	5,108	6,260	5,767	6,230	7,726	6,686	6,750	80,030	
Civil	5,794	3,930	4,360	2,284	2,507	3,472	3,896	3,167	3,438	4,842	4,160	4,118	45,968	
Landlord Tenant	1,672	1,383	682	124	154	216	280	309	312	354	321	312	6,119	
Small Claims	4,745	3,655	2,676	615	922	1,420	2,084	2,291	2,480	2,530	2,205	2,320	27,943	
Criminal	37,279	35,503	30,258	20,339	22,978	22,350	23,503	21,905	22,122	26,078	24,249	25,058	311,622	
Felony	2,274	2,065	1,852	1,477	1,830	2,177	2,303	2,172	2,015	2,327	1,859	1,932	24,283	
Misdemeanor	4,137	3,952	3,614	2,923	2,558	3,884	3,542	3,173	3,280	3,049	2,951	3,080	40,143	
Parking	16,079	13,460	9,498	1,313	3,771	4,127	4,977	4,909	4,445	9,845	7,527	7,130	87,081	
Procedural Matters	685	573	545	411	476	569	585	541	602	576	477	586	6,626	
Violation	14,104	15,453	14,749	14,215	14,343	11,593	12,096	11,110	11,780	10,281	11,435	12,330	153,489	
Domestic Relations	3,536	3,256	3,115	2,731	2,895	3,529	3,668	3,576	3,348	3,333	2,792	2,995	38,774	
Dissolution	1,343	1,209	1,169	992	1,093	1,260	1,283	1,281	1,162	1,259	1,068	1,077	14,196	
Other Domestic Relations	902	816	798	681	709	822	855	802	779	770	655	752	9,341	
Protective Order	1,291	1,231	1,148	1,058	1,093	1,447	1,530	1,493	1,407	1,304	1,069	1,166	15,237	
Other	2,472	2,249	2,208	2,016	2,016	2,313	2,292	2,155	2,070	2,298	2,023	2,075	26,187	
Juvenile	755	680	698	583	540	594	534	545	478	603	523	554	7,087	
Probate	1,034	938	913	798	830	962	1,013	946	917	1,041	917	919	11,228	
Civil Commitment	683	631	597	635	646	757	745	664	675	654	583	602	7,872	
Statewide Total	55,498	49,976	43,299	28,109	31,472	33,300	35,723	33,403	33,770	39,435	35,750	36,878	456,613	

Marital Dissolution, Annulment and Separation

ORS 107.093

Restraining order

• request for hearing

- (1)** After a petition for marital annulment, separation or dissolution is filed and upon service of summons and petition upon the respondent as provided in ORCP 7, a restraining order is in effect against the petitioner and the respondent until a final judgment is issued, until the petition for marital annulment, separation or dissolution is dismissed, or until further order of the court.
- (2)** The restraining order issued under this section shall restrain the petitioner and respondent from:
 - (a)** Canceling, modifying, terminating or allowing to lapse for nonpayment of premiums any policy of health insurance, homeowner or renter insurance or automobile insurance that one party maintains to provide coverage for the other party or a minor child of the parties, or any life insurance policy that names either of the parties or a minor child of the parties as a beneficiary.
 - (b)** Changing beneficiaries or covered parties under any policy of health insurance, homeowner or renter insurance or automobile insurance that one party maintains to provide coverage for the other party or a minor child of the parties, or any life insurance policy.
 - (c)** Transferring, encumbering, concealing or disposing of property in which the other party has an interest, in any manner, without written consent of the other party or an order of the court, except in the usual course of business or for necessities of life. This paragraph does not apply to payment by either party of:
 - (A)** Attorney fees in the existing action;
 - (B)** Real estate and income taxes;
 - (C)** Mental health therapy expenses for either party or a minor child of the parties; or
 - (D)** Expenses necessary to provide for the safety and welfare of a party or a minor child of the parties.
 - (d)** Making extraordinary expenditures without providing written notice and an accounting of the extraordinary expenditures to the other party. This paragraph does not apply to payment by either party of expenses necessary to provide for the safety and welfare of a party or a minor child of the parties.
- (3)** Either party restrained under this section may apply to the court for further temporary orders, including modification or revocation of the restraining order issued under this

section.

- (4)** The restraining order issued under this section shall also include a notice that either party may request a hearing on the restraining order by filing a request for hearing with the court.
- (5)** A copy of the restraining order issued under this section shall be attached to the summons.
- (6)** A party who violates a term of a restraining order issued under this section is subject to imposition of remedial sanctions under ORS 33.055 (Procedure for imposition of remedial sanctions) based on the violation, but is not subject to:
 - (a)** Criminal prosecution based on the violation; or
 - (b)** Imposition of punitive sanctions under ORS 33.065 (Procedure for imposition of punitive sanctions) based on the violation. [2003 c.414 §2; 2007 c.22 §3]

Location:https://oregon.public.law/statutes/ors_chapter_12.

Marital Dissolution, Annulment and Separation

ORS 107.095

Provisions court may make after commencement of suit and before judgment

- **entry of judgment upon affidavit or declaration under penalty of perjury establishing prima facie case**

- (1)** After the commencement of a suit for marital annulment, dissolution or separation and until a general judgment therein, the court may provide as follows:
 - (a)** That a party pay to the other party such amount of money as may be necessary to enable the other party to prosecute or defend the suit, including costs of expert witnesses, and also such amount of money to the other party as may be necessary to support and maintain the other party.
 - (b)** For the care, custody, support and maintenance, by one party or jointly, of the minor children as described in ORS 107.105 (Provisions of judgment) (1)(a) and for the parenting time rights as described in ORS 107.105 (Provisions of judgment) (1)(b) of the parent not having custody of such children.
 - (c)** For the restraint of a party from molesting or interfering in any manner with the other party or the minor children.
 - (d)** That if minor children reside in the family home and the court considers it necessary for their best interest to do so, the court may require either party to move out of the home for such period of time and under such conditions as the court may determine, whether the home is rented, owned or being purchased by one party or both parties.
 - (e)** Restraining and enjoining either party or both from encumbering or disposing of any of the real or personal property of either or both of the parties, except as ordered by the court.
 - (f)** For the temporary use, possession and control of the real or personal property of the parties or either of them and the payment of installment liens and encumbrances thereon.
 - (g)** That even if no minor children reside in the family home, the court may require one party to move out of the home for such period of time and under such conditions as the court determines, whether the home is rented, owned or being purchased by one party or both parties if that party assaults or threatens to assault the other.

- (2)** A limited judgment under ORS chapter 18 may be entered in an action for dissolution or annulment of a marriage providing for a support award, as defined by ORS 18.005 (Definitions), or other money award, as defined by ORS 18.005 (Definitions). Notwithstanding ORS 19.255 (Time for service and filing of notice of appeal), a limited judgment entered under this subsection may not be appealed. Any decision of the court in a limited judgment subject to this subsection may be appealed as otherwise provided by law upon entry of a general judgment.
- (3)** The court shall not require an undertaking in case of the issuance of an order under subsection (1)(c), (d), (e), (f) or (g) of this section.
- (4)** In a suit for annulment or dissolution of marriage or for separation, wherein the parties are copetitioners or the respondent is found by the court to be in default or the respondent having appeared has waived further appearance or the parties stipulate to the entry of a judgment, the court may, when the cause is otherwise ready for hearing on the merits, in lieu of such hearing, enter a judgment of annulment or dissolution or for separation based upon a current affidavit or declaration under penalty of perjury in the form required by ORCP 1 E, executed by the petitioner or copetitioners, setting forth a prima facie case, and covering such additional matters as the court may require. If custody of minor children is involved, then the affidavit or declaration under penalty of perjury must also include the name of the party with whom the children currently reside and the length of time they have so resided.
- (5)** When a court orders relief under subsection (1)(c) or (d) of this section, the court may include in its order an expiration date for the order to allow entry of the order into the Law Enforcement Data System and the databases of the National Crime Information Center of the United States Department of Justice as provided in ORS 107.720 (Enforcement of restraining orders). If the person being restrained was provided notice and an opportunity to be heard, the court shall also include in the order, when appropriate, terms and findings sufficient under 18 U.S.C. 922 (d)(8) or (g)(8) to affect the person's ability to possess firearms and ammunition or engage in activities involving firearms. [1971 c.280 §12; 1973 c.502 §7; 1977 c.205 §1; 1977 c.847 §1; 1977 c.878 §1a; 1979 c.86 §1; 1981 c.668 §1; 1987 c.873 §27; 1987 c.885 §1; 1991 c.82 §1; 1993 c.223 §4; 1993 c.716 §2; 1997 c.704 §41; 1997 c.707 §5; 1999 c.569 §2; 1999 c.1052 §5; 2001 c.286 §1; 2003 c.576 §107; 2011 c.115 §1; 2013 c.155 §3; 2015 c.121 §3]

Location:.

Marital Dissolution, Annulment and Separation

ORS 107.097

Ex parte temporary custody or parenting time orders

- **temporary protective order of restraint**
 - **hearing**
-

- (1)** Except as otherwise provided in subsection (3) of this section, a court may not enter ex parte a temporary order under ORS 107.095 (Provisions court may make after commencement of suit and before judgment), 109.103 (Proceeding to determine custody or support of child) or 109.119 (Rights of person who establishes emotional ties creating child-parent relationship or ongoing personal relationship) providing for the custody of, or parenting time with, a child.
 - (2)** (a) A party may apply to a court for a temporary protective order of restraint by filing with the court an affidavit or a declaration under penalty of perjury in the form required by ORCP 1 E, conforming to the requirements of ORS 109.767 (Information to be submitted to court).

(b) Upon receipt of an application under this subsection, the court may issue a temporary protective order of restraint restraining and enjoining each party from:
 - (A)** Changing the child's usual place of residence;
 - (B)** Interfering with the present placement and daily schedule of the child;
 - (C)** Hiding or secreting the child from the other party;
 - (D)** Interfering with the other party's usual contact and parenting time with the child;
 - (E)** Leaving the state with the child without the written permission of the other party or the permission of the court; or
 - (F)** In any manner disturbing the current schedule and daily routine of the child until custody or parenting time has been determined.
(c) A copy of the order and the supporting affidavit or declaration under penalty of perjury must be served on the other party in the manner of service of a summons under ORCP 7. The order must include the following statement:
-

Notice: You may request a hearing on this order as long as it remains in effect by filing with the court a request for a hearing. In the request you must tell the court and the other party that you object to the order and specifically why you disagree with the representation of the status quo described in the order. In the request you must also inform the court of your telephone number

or contact number and your current residence, mailing or contact address.

- (3)** (a) A court may enter ex parte a temporary order providing for the custody of, or parenting time with, a child if:
- (A)** The party requesting an order is present in court and presents an affidavit or a declaration under penalty of perjury, alleging that the child is in immediate danger; and
 - (B)** The court finds, based on the facts presented in the party's testimony, the party's affidavit or declaration under penalty of perjury and the testimony of the other party, if the other party is present, that the child is in immediate danger.
- (b)** The party requesting an order under this subsection shall provide the court with telephone numbers where the party can be reached at any time during the day and a contact address.
- (c)** A copy of the order and the supporting affidavit or declaration under penalty of perjury must be served on the other party in the manner of service of a summons under ORCP 7. The order must include the following statement:
-

Notice: You may request a hearing on this order as long as it remains in effect by filing with the court a request for a hearing. In the request you must tell the court and the other party that you object to the order on the ground that the child was not in immediate danger at the time the order was issued. In the request you must also inform the court of your telephone number or contact number and your current residence, mailing or contact address.

- (4)** (a) A party against whom an order is entered under subsection (2) or (3) of this section may request a hearing by filing with the court a hearing request described in subsection (2) or (3) of this section at any time while the order is in effect.
- (b)** The court shall make reasonable efforts to hold a hearing within 14 days and shall hold a hearing no later than 21 days after receipt of the request for the hearing. The court shall notify each party of the time, date and place of the hearing.
- (c)** An order issued under subsection (2) or (3) of this section remains in effect through the date of the hearing. If the party against whom the order was entered fails to appear at the hearing without good cause, the court shall continue the order in effect. If the party who obtained the order fails to appear at the hearing without good cause, the court shall vacate the order.
- (d)** The issue at a hearing to contest:
- (A)** A temporary protective order of restraint is limited to a determination of the status quo at the time the order was issued. If the child's usual place of residence cannot be determined, the court may make any further order the court finds appropriate in the best interests of the child.
 - (B)** A temporary order for the custody of, or parenting time with, a child is limited to whether the child was in immediate danger at the time the order was issued.
- (5)** The State Court Administrator shall prescribe the content and form of a request for a hearing described in subsections (2) and (3) of this section.

(6) As used in this section:

- (a)** “Child’s usual place of residence” has the meaning given that term in ORS 107.138 (Temporary status quo order regarding child custody).
- (b)** “Party’s usual contact and parenting time,” “present placement and daily schedule of the child” and “current schedule and daily routine of the child” have the meanings given “parent’s usual contact and parenting time,” “present placement and daily schedule of the child” and “current schedule and daily routine of the child” in ORS 107.138 (Temporary status quo order regarding child custody). [1995 c.792 §1; 1997 c.136 §1; 1997 c.386 §3; 1997 c.707 §6; 1999 c.59 §19; 1999 c.649 §44; 2007 c.11 §1; 2015 c.121 §4]

Location:https://texas.public.law/statutes/tex._ins._code_section_1101.011.

Original Source: § 1101.011 — *Time for Settlement of Claim*, <http://www.statutes.legis.state.tx.us/Docs/IN/htm/IN.1101.htm#1101.011> (last accessed Jun. 7, 2021).

Marital Dissolution, Annulment and Separation

ORS 107.103

Alternative dispute resolution conference procedure

- (1)** The presiding judge of each judicial district may establish an alternative dispute resolution conference procedure for custody and parenting time modification and enforcement before a court hearing. The conference procedure must, at a minimum:
 - (a)** Require that the parties be notified in advance that the conference will be conducted in an informal manner and will not use the rules of evidence;
 - (b)** Provide each party with a full opportunity to present the party's position;
 - (c)** Accommodate safety concerns in conference procedures when safety concerns are identified;
 - (d)** Allow a party's attorney to be present; and
 - (e)** Notify the parties that if an agreement is not reached the conference officer described in subsection (2) of this section may make a recommendation to the court, but that no party will lose the party's right to a judicial hearing.
- (2)** The presiding judge shall appoint a conference officer to hold a conference under this section. The conference officer must have completed training in mediation, child development and domestic violence, as prescribed by the presiding judge or local rules adopted under ORS 3.220 (Rules), and must be:
 - (a)** An employee of the Judicial Department; or
 - (b)** An attorney or trained mediator appointed by the court in accordance with local rules adopted under ORS 3.220 (Rules).
- (3)**
 - (a)** If the parties reach an agreement on the contested issues during the conference, the conference officer shall prepare a stipulated order or judgment using forms approved by the State Court Administrator, and:
 - (A)** If a party has an attorney, the party's attorney shall have the opportunity to review the stipulated order or judgment;
 - (B)** The parties shall sign the stipulated order or judgment; and
 - (C)** The conference officer shall submit the stipulated order or judgment to the court that has authority over the underlying case.
 - (b)** If the parties cannot reach an agreement on all of the contested issues during the conference, the conference officer may do one or both of the following:

- (A)** Assist the parties in developing a stipulated order or judgment on one or more of the resolved issues.
 - (B)** Make recommendations to the court on the contested issues and, if requested, schedule a court hearing on those issues and notify the parties of the date and time of the hearing.
- (4)** At a hearing, the court may receive into evidence and consider the recommendation of the conference officer on contested issues but shall assign no specific evidentiary weight to that recommendation.
- (5)** If mediation has not been waived by the court, a conference under this section is in addition to and not in lieu of mediation.
- (6)** The conference procedure may not be used in proceedings under ORS 107.700 (Short title) to 107.735 (Duties of State Court Administrator). [2019 c.293 §2]

Note: 107.103 (Alternative dispute resolution conference procedure) was added to and made a part of ORS chapter 107 by legislative action but was not added to any smaller series therein. See Preface to Oregon Revised Statutes for further explanation.

Location:https://texas.public.law/statutes/tex._ins._code_section_1101.011.

Original Source: § 1101.011 — *Time for Settlement of Claim*, <http://www.statutes.legis.state.tx.us/Docs/IN/htm/IN.1101.htm#1101.011> (last accessed Jun. 7, 2021).

Marital Dissolution, Annulment and Separation

ORS 107.485

Conditions for summary dissolution procedure

A marriage may be dissolved by the summary dissolution procedure specified in this section and ORS 107.490 (Commencement of proceeding) when all of the following conditions exist at the time the proceeding is commenced:

- (1)** The jurisdictional requirements of ORS 107.025 (Irreconcilable differences as grounds for dissolution or separation) and 107.075 (Residence requirements) are met.
- (2)**
 - (a)** There are no minor children born to the parties or adopted by the parties during the marriage;
 - (b)** There are no children over age 18 attending school, as described in ORS 107.108 (Support or maintenance for child attending school), either born to the parties or adopted by the parties during the marriage;
 - (c)** There are no minor children born to or adopted by the parties prior to the marriage; and
 - (d)** Neither spouse is now pregnant.
- (3)** The marriage is not more than 10 years in duration.
- (4)** Neither party has any interest in real property wherever situated.
- (5)** There are no unpaid obligations in excess of \$15,000 incurred by either or both of the parties from the date of the marriage.
- (6)** The total aggregate fair market value of personal property assets in which either of the parties has any interest, excluding all encumbrances, is less than \$30,000.
- (7)** The petitioner waives any right to spousal support.
- (8)** The petitioner waives any rights to pendente lite orders except those pursuant to ORS 107.700 (Short title) to 107.735 (Duties of State Court Administrator) or 124.005 (Definitions for ORS 124.005 to 124.040) to 124.040 (Short title).
- (9)** The petitioner knows of no other pending domestic relations suits involving the marriage in this or any other state. [1983 c.692 §1; 1985 c.610 §12; 1995 c.666 §17; 1997 c.704 §53; 2007 c.11 §3; 2007 c.22 §4; 2015 c.629 §13]

- (5) When solemnizing a marriage a judge, under ORS 106.120(9), will accept a copy of a valid waiver granted under this rule in lieu of proof of payment of the fee required under ORS 106.120(9). The judge will maintain the copy of the waiver with other records of the marriage for as long as the judge is required to maintain the other records.

8.110 LIMITED SCOPE REPRESENTATION (Repealed)

REPORTER'S NOTE: UTCR 8.110 was repealed effective August 1, 2017. UTCR 5.170 (Limited Scope Representation) became effective that date and applies to domestic relations proceedings, so UTCR 8.110 was no longer needed.

8.120 INFORMAL DOMESTIC RELATIONS TRIAL

- (1) Upon the consent of both parties, Informal Domestic Relations Trials may be held to resolve any or all issues in original actions or modifications for dissolution of marriage, separate maintenance, annulment, child support, and child custody filed under ORS chapter 107, ORS chapter 108, ORS 109.103, and ORS 109.701 through 109.834.
- (2) The parties may select an Informal Domestic Relations Trial within 14 days of a case subject to this rule being at issue (see UTCR 7.020(6)). The parties must file a Trial Process Selection and Waiver for Informal Domestic Relations Trial in substantially the form provided at www.courts.oregon.gov/forms. This form must be accepted by all judicial districts. SLR 8.121 is reserved for the purpose of making such format mandatory in the judicial district and for establishing a different time for filing the form that is more consistent with the case management and calendaring practices of the judicial district.
- (3) The Informal Domestic Relations Trial will be conducted as follows:
 - (a) At the beginning of an Informal Domestic Relations Trial the parties will be asked to affirm that they understand the rules and procedures of the Informal Domestic Relations Trial process, they are consenting to this process freely and voluntarily, and they have not been threatened or promised anything for agreeing to the Informal Domestic Relations Trial process.
 - (b) The Court may ask the parties or their lawyers for a brief summary of the issues to be decided.
 - (c) The moving party will be allowed to speak to the Court under oath concerning all issues in dispute. The party is not questioned by counsel, but may be questioned by the Court to develop evidence required by any statute or rule, for example, the applicable requirements of the Oregon Child Support Guidelines if child support is at issue.
 - (d) The parties will not be subject to cross-examination. However, the Court will ask the non-moving party or their counsel whether there are any other areas the party wishes the Court to inquire about. The Court will inquire into these areas if requested and if relevant to an issue to be decided by the Court.
 - (e) The process in subsections (3)(c) and (3)(d) is then repeated for the other party.

- (f) Expert reports will be received as exhibits. Upon the request of either party, the expert will be sworn and subjected to questioning by counsel, the parties, or the Court.
 - (g) The Court will receive any exhibits offered by the parties. The Court will determine what weight, if any, to give each exhibit. The Court may order the record to be supplemented.
 - (h) The parties or their counsel will then be offered the opportunity to respond briefly to the statements of the other party.
 - (i) The parties or their counsel will be offered the opportunity to make a brief legal argument.
 - (j) At the conclusion of the case, the Court shall render judgment. The Court may take the matter under advisement but best efforts will be made to issue prompt judgments.
 - (k) The Court may modify these procedures as justice and fundamental fairness requires.
- (4) The Court may refuse to allow the parties to utilize the Informal Domestic Relations Trial procedure at any time and may also direct that a case proceed in the traditional manner of trial even after an Informal Domestic Relations Trial has been commenced but before judgment has been entered.
- (5) A party who has previously agreed to proceed with an Informal Domestic Relations Trial may file a motion to opt out of the Informal Domestic Relations Trial provided that this motion is filed not less than ten calendar days before trial. This time period may be modified or waived by the Court upon a showing of good cause. A change in the type of trial to be held may result in a change in the trial date.

CHAPTER 6—Trials

6.010 CONFERENCES IN CIVIL PROCEEDINGS

- (1) In any civil proceeding the court may, in its discretion, direct the parties to appear before the court for a conference to consider:
 - (a) The simplification of the issues;
 - (b) The necessity or desirability of amendments to the pleadings;
 - (c) The possibility of obtaining admissions of fact and of documents which will avoid unnecessary proof or delay;
 - (d) The limitation of the number of expert witnesses;
 - (e) The advisability of a preliminary reference of issues to a master for findings to be used as evidence when the trial is to be by jury;
 - (f) A reference in whole or in part;
 - (g) The possible settlement of the case; and
 - (h) Such other matters as may aid in the disposition of the action.
- (2) All conferences may be by personal appearance except that any party may apply, or the court may arrange for, a conference by telecommunication.

1991 Commentary:

Settlement conferences are required as provided by each court by its SLR 6.012 and under UTCR 6.200.

6.020 COURT NOTIFICATION ON SETTLEMENT OR CHANGE OF PLEA

- (1) In criminal cases, the parties must notify the court immediately of any decision that a case will be dismissed or a change of plea entered.
- (2) In all other cases, the parties must immediately notify the court of a decision to settle, dismiss, or otherwise resolve a case. After receipt of the notice, a court may require the parties to put the decision on the record, give written notice to the parties that the case will be dismissed unless an appropriate judgment is tendered to the court within 28 days, or both.
- (3) If parties to a civil action fail to notify the court of a settlement before 12:00 p.m. (noon) of the last judicial day preceding a jury trial, or if the case settles after 12:00 p.m. (noon) of such day, the court may assess on one or both parties the per diem fees and mileage costs of bringing in the jury panel for that particular trial.

8.040 PREJUDGMENT RELIEF UNDER ORS 107.095(1)

- (1) An order for relief authorized by ORS 107.095(1) may be granted on motion supported by an affidavit or a declaration under penalty of perjury setting forth sufficient facts to establish a right to the requested relief.
- (2) Any motion regarding temporary custody of a minor child must be supported by an affidavit or declaration under penalty of perjury, which must state the present location of the minor child, the person with whom the child presently resides, the persons with whom and the places where the child has resided for the last 6 months, including the length of time with each person and at each residence, and the reasons why a temporary custody order is sought.
- (3) Except as provided in subsection (4), when a party seeks temporary support under ORS 107.095(1), each party must file a Uniform Support Declaration (USD), as follows:
 - (a) The party seeking temporary support must include a USD as a documentary exhibit to the motion.
 - (b) The opposing party must file a USD and serve it on the party seeking temporary support. Unless an SLR provides to the contrary, the opposing party must file and serve the USD within 14 days of service of the motion seeking temporary support.
 - (c) Any USD must be completed as provided under UTCR 8.010(4), in the form specified at www.courts.oregon.gov/forms.
- (4) Exceptions to USD requirement:
 - (a) A party seeking temporary support, or the opposing party, need not file a USD under subsection (3) if:
 - (i) The party is simultaneously filing a pleading under UTCR 8.010(4) that incorporates a USD; or
 - (ii) Within the prior 30 days, the party already filed a pleading under UTCR 8.010(4) that incorporated a USD and the information therein has not changed.
 - (b) If an exception applies, the motion for temporary support must:
 - (i) Under subsection (4)(a)(i), identify the accompanying pleading and state that it includes a USD; or
 - (ii) Under subsection (4)(a)(ii), identify the earlier pleading and state that it included a USD, that it was filed within the prior 30 days, and that the information therein has not changed.

8.050 JUDGMENT MODIFICATION PROCEEDINGS

- (1) Modification proceedings must be initiated by an order to show cause based on a motion supported by an affidavit or a declaration under penalty of perjury setting forth the factual basis for the motion or by other procedure established by SLR. The initiating documents must contain a notice substantially in the form set out at ORCP 7. This notice may be a separate document or included in an Order to Show Cause or Motion.

Why is my attorney recommending a high conflict parenting class and how will it benefit me and my children?

THE CENTER FOR DIVORCE EDUCATION'S CHILDREN IN BETWEEN® HIGH CONFLICT SOLUTIONS

If you are involved in a contentious divorce case, emotions can get extremely intense. When you are in an emotionally reactive state, your power is diminished and you often take up action that will work against your own interests, and the best interests of your children.

This class will enable your understanding of emotional triggers, and will make it easier to work with your attorney to come up with solutions. The class will give you a clear understanding of what your children are experiencing, and what they need.

highconflictsolutions.com



What will I learn?

- Skills for managing your emotions in stressful situations
- How to model your behavior for the emotional benefit of your children
- How to better work with your co-parent
- That you have control over your life and happiness

CHILDREN IN BETWEEN®

HIGH CONFLICT SOLUTIONS

- Learn skills to protect your children from the emotional harm caused by common high conflict situations.
- **To enroll in the program you will need:**
 1. An Internet ready device
(Computer, Tablet, or Smartphone)
 2. A current email address
- **To purchase an account and begin the course:**
 1. Go to: ***highconflictsolutions.com***
 2. Click: ***"Sign Up Now"***
 3. Carefully follow the on-screen instructions
- **Access does not expire.**
Available 24 hours a day, 7 days a week.
- Upon course completion, you can email a .pdf copy of your Certificate to your attorney.

SAVANNAH B. WALKER PC
148 Clear Creek Drive
Suite 107
Auburn, GA 30818

Place Attorney or Court information label here.

highconflictsolutions.com



The Center for Divorce Education
A 501(c)(3) nonprofit corporation founded in 1987

Visit us at: divorce-education.com
877-874-1365
staff@divorce-education.com

It's easy to get started:



Go to OurFamilyWizard.com, set up accounts for you and your family, and connect to your family practitioner.

Customize your parenting schedules, holidays, and expense categories. Enter medical histories, clothing sizes and more in the Information Bank.

Relax as you effortlessly share family information, events, journal entries, expenses, messages and more.

Pricing for each parent: Additional benefits:

- \$99.00 for a one year subscription
- \$119.97 for a premium subscription (includes Tonemeter & expanded MyFiles Space)
- \$179.00 for a two year subscription
- Child accounts have limited access and are **free**
- Professional access is **free**
- Save or print reports for **free**
- **Free** app download with subscription



OurFamilyWizard.com | info@OurFamilyWizard.com | Toll Free: 1.866.755.9991

Parent Guide

Helping Divorced and Separated Families Communicate

Online and mobile communication tools to make shared parenting easier



Solve shared parenting challenges once and for all.

The OurFamilyWizard® website and mobile applications provide a neutral space for parent communication to help you manage the challenges of shared parenting with a former spouse or partner.

- ✓ **Protect your children.** Share information without using the children as messengers
- ✓ **Eliminate Miscommunication.** Maintain accurate records to reduce stress and avoid costly arguments
- ✓ **Avoid Confusion.** Gain peace of mind by always having access to up to date and reliable information
- ✓ **Involve Experts.** Efficiently work with your lawyer or other family practitioner(s)



Features to reduce stress and conflict in shared parenting.

Calendar



Set up parenting time, share activities and holidays, trade days, and more

Messages



Confirm sent and viewed times, and use Tonemeter™ as your emotional spellcheck

Info Bank



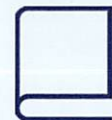
Update important medical records, sizes, contacts, photos, upload files and more

Expenses



Approve shared expenses and use OFWpay™ to automate e-payments

Journal



Observations and details, such as homework, can be shared or kept private

Web and mobile apps available

OurFamilyWizard.com

Email/Text/Push Notifications | Reporting Tools
Spanish Language Version Available



PREPARED FOR:
HENNEPIN COUNTY
JOINT COMMITTEE ON COMMUNITY CORRECTIONS

BY THE HENNEPIN COUNTY
DEPARTMENT OF COMMUNITY CORRECTIONS FAMILY COURT SERVICES
JUNE 3, 2004

FAMILY COURT EARLY CASE MANAGEMENT BEST PRACTICES RECOMMENDED GUIDELINES

The Ad Hoc Work Group on Family Court Early Case Management recommends the following best practices guidelines for voluntarily implementing pilot projects in the First, Second, Fourth, Cass County in the Ninth and the Tenth Judicial Districts:

1. This pilot project is designed to expedite resolution of litigation, reduce acrimony among the parties, reduce costs to family court litigants by peacefully resolving disputes, and reduce the number of appeals and post judgment motions to modify decrees.

5. Pilot Courts should expand their awareness of and recommend services that support the early case management process and reduce the number of post-decree disputes and motions for relief. (Examples include (a) www.ourfamilywizard.com <<http://www.ourfamilywizard.com/>> and (b) use of a "Ready Response" Family Court Services Representative, who is available on short notice to help resolve fact issues.)

6. Pilot Courts should attempt to implement as many of these early case management best practices guidelines as possible consistent with the available district court resources.**

*Minnesota. The Hennepin County Department of Community Corrections Family Court Services. Family Court Early Case Management Best Practices Recommended Guidelines. Hennepin County: State Of Minnesota, 2004.

To view the full list of recommended guidelines ordered by Kathleen Blatz of the Minnesota Supreme Court visit the link below:

http://www.mncourts.gov/Documents/2/Public/Family_Court/ECM/Chief_Justice_Blatz-Order_for_Family_ECM_Pilot_Project_FINAL_4.21.04.doc



Order Language Packet

The following pages contain actual order language used by judges in several states when mandating parents to use the OurFamilyWizard® website.

Table of Contents:

1) Examples of court orders to use the
OurFamilyWizard® website.

2) Family Court Early Case Management Best
Practices Recommended Guidelines

*Recommends the OurFamilyWizard® website
to reduce post-decree disputes and motions.*

Common order language

The Parties shall communicate regarding their children via www.Ourfamilywizard.com. The parties are ordered to visit the website and each enroll in the program for at least a one-year subscription not later than 10 calendar days from today. The parties shall thereafter conduct all communications regarding shared parenting matters using the website's features.

The parties shall utilize the Messaging feature only when information cannot be conveyed in the Calendar, Expense, and Info Bank features.

The parties shall not communicate by telephone or text messaging except regarding matters of an emergency nature regarding a child that must be acted upon in less than 48 hours. In the case of such an emergency the subject and general content of any such communication shall be memorialized by a Journal entry in the Calendar feature.

The Court orders the parties to utilize the OFWpay expense feature to record and formalize all potentially reimbursable expenses in order to mitigate the necessity to litigate in the future over such matters. An electronic file of the receipt for payment must be attached to each request or record. Each parent shall preserve the original of any scanned or photographed document posted.

All parents entries shall be viewable via a Professional Account to both parties' attorney(s) of record and the (Judge / Commissioner / Minor's Counsel / Parent Coordinator / Special Masters / GAL) assigned.

Neither party shall fail to renew the annual subscription to the website without a signed and filed stipulation by both parties or a court order.

Additional order suggestions

The parties are ordered to each establish a parent account at www.OurFamilyWizard.com. Each shall enroll in the program for a one-year subscription not later than June 30, 2012 by completing the online sign up process or calling the toll free number provided on the contact us page.

The parties shall thereafter not e-mail, text, or telephone, but shall post all communication exclusively on the website. They shall communicate by telephone only in matters of emergency regarding the child that must be acted upon in less than 24 hours.

The parties shall use the Calendar, Info Bank, and Expense features and reserve the Message feature for information the others do not accommodate. If an entry requires a response the receiving parent shall respond within 48 hours unless the entry itself indicates a longer time frame is acceptable.

All parties shall elect to receive text or email alerts about new activity using the Daily Digest or On Action option.

Both parties shall authorize Professional Access to the Guardian Ad-Litem using the "Permission for Professional Access" document.

The utilization of the "OurFamilyWizard" website shall not be deemed as a per se violation of the existing Protection from Abuse Order filed at No. ---- of ----dated November, 2010 and in effect until November, 2011.

Although no issues regarding health reimbursements are presently before the court, **the court orders the parties to** take advantage of the Expense tools, utilizing OFWpay, on the website to have a future record of all potentially reimbursable expenses in order to mitigate the necessity to litigate in the future over such matters.

This Order of Court shall remain in full force and effect until further Order of Court.



Military Family Discount

UNITED STATES

Print clearly or fill electronically and email the completed forms and documentation to: info@ourfamilywizard.com
* denotes a required field

If your application is accepted and you are the parent who is purchasing a subscription, **the credit card information you provide will be charged for the subscription length you select.**

Applicant (Military Parent)

*First and Last Name:
*Address:
*City: *State: *ZIP code:
*Telephone: *Email:

Co-Parent

*First and Last Name:
Address:
City: State: ZIP code:
*Telephone: *Email:

Child(ren) Name(s):

*Subscription length (select one) ☐ 1-year (\$119.97) ☐ 2-year (\$209.07)

Billing Information

*Credit Card Number:
*Expiration Date: *CVV Code:
*Name on Card:
Billing Address:
(if different than address
listed above)

Referred by:

*Authorized Signature: _____ Date: _____

Once completed application and documentation are submitted, please allow up to 5 business days for a response. Existing subscribers will receive an email notification and new subscribers will receive a welcome email upon approval.



Military Family Discount Program

After a divorce or separation, families feel the strain of military deployments, relocations, and long-distance co-parenting. The OurFamilyWizard® website can provide military families with a way to stay connected, share information and keep everyone involved. In light of these unique challenges, OFW® provides subscriptions to military families at a greatly reduced rate.

Application Instructions

Please follow the instructions listed below when applying for an OurFamilyWizard® military discount. If you have any questions that are not answered by these instructions, please contact our customer support team at (866) 755-9991 or info@ourfamilywizard.com.

- **Who can apply?** Veterans, active duty, and retired military are all eligible to apply for the OFW® military family discount. The parent with the military status must be the one to submit the application and must provide supporting documentation (such as a DD-214 or current orders) to verify their military status.
- **How does it work?** If one parent purchases their account, the other parent will receive a complimentary subscription equal in length. Either parent can be the one to purchase their subscription OR receive the complimentary subscription.
- **Contact Information:** Applicants must be able to complete all required contact information fields in the application in order for their submission to be processed. Please provide a phone number and/or email address for the co-parent. This information is required in order for OFW® to be able to connect parent accounts correctly.
- **Subscription Length:** If the applicant is the one to purchase the subscription, they must select a desired subscription length. Account options listed on this form include 5GB of storage space and Tonemeter™. If the applicant's co-parent has already purchased a subscription, the complimentary account will be matched to their co-parent's subscription length and details.
- **Payment Information:** If the application is accepted, the credit card information provided in this step will be charged with the selected subscription option (plus any applicable tax). If the applicant is requesting a complimentary subscription and their co-parent has already purchased their own subscription, please enter 'Co-Parent Purchased' in the Credit Card Number field and leave the rest of the billing information fields blank.



Scholarship request form

UNITED STATES

Print clearly or fill electronically and email the completed forms and documentation to: **info@ourfamilywizard.com**

* denotes a required field

Step 1: Contact information for applicant and their co-parent

Applicant

*First and Last Name:

*Address:

*City: *State: *ZIP code:

*Telephone: *Email:

Other Parent

*First and Last Name:

Address:

City: State: ZIP code:

*Telephone: *Email:

Step 2: One of the following documents MUST be included with the application

- ☐ In forma pauperis, or proof of indigence, approved by the court within the last 12 months.
- ☐ If you're receiving certain types of benefits, such housing or utility assistance, medicaid, or food assistance, provide verification of those benefits from within the past 90 days.
- ☐ Signed letter on letterhead from a legal professional verifying that they are representing you on a *pro bono* or reduced rate basis.

..... Below to be completed by legal professionals only.

Step 3: Legal professionals to complete this section only if submitting on behalf of parent(s):

*First and Last Name:

*Organization: *Title:

*Address:

*City: *State: *ZIP code:

*Telephone: *Email:

For professionals, please choose one of the following and sign below:

- ☐ I am a court officer or arm of the court requesting a complimentary one year OFW® subscription due to financial need for:
- ☐ I am a legal professional or court officer providing legal services free of charge due to financial need. Please grant my client a complimentary one-year OFW® subscription.
- ☐ My services are provided at % of my standard rate due to financial need. Please grant my client a one-year OFW® subscription at the same percentage of the standard \$99.00 USD annual subscription fee.

Signature: Date:

Once completed application and documentation are submitted, please allow up to 5 business days for a response. Existing subscribers will receive an email notification and new subscribers will receive a welcome email upon approval.

HANDOUT – GOALS AND INTERESTS

One way to avoid excessive conflict in your case is to keep your focus interest-based. That means that I will ask you to look at what your true goals, interests, and priorities may be, so you can discuss them and use them as the basis for your approach. When you base your decisions on what is important to you, you honor yourself, limit the number of battles you pick and prioritize those that you undertake to conserve your energy, time and money.

The first step is identifying your high end goals. High end goals represent at the highest level, an overview of what you would like to achieve out of the process. High end goals are not particular, but are instead general in nature.

Interests are different from positions. A **position** usually has only one possible answer – such as who will get the purple Cadillac. An **interest** has a myriad of possible answers: the interest behind the position of wanting the purple Cadillac might be the need to have appropriate and reliable transportation. **Interests** form the basis for truly satisfying your needs, and are often expansive. High-end goals are like interests and may be broader.

We recommend that you base your investigation, inquiry, and negotiations on your interests, goals and priorities – the things that are *truly* most important to you – rather than by taking positions that may not really address your interests, goals, and priorities.

To help you identify your goals and interests, this handout provides examples of some goals and interests expressed by other divorcing couples as examples only. **Your goals, interests, and priorities are uniquely yours and may be altogether different from the list below.** This list is only a guide to “jump start” your thinking about **your** goals. Since no preprinted list can reflect what may be important to you, use this list only to think about some possible options, and then put it away.

EXAMPLES OF COMMON GOALS AND INTERESTS IN DIVORCE CASES

To help you distinguish goals from positions, and to help you think about your own goals, here is a list of common goals or interests that clients have expressed in divorce cases.

EXAMPLES OF GOALS AND INTERESTS RELATING TO CHILDREN

Because children (particularly minor children) have a significant impact on the goals and interests in divorce, many people have high end goals relating to their children. If you have children, it may be relatively easy to think about some general things that you want for your children. Here are some examples to consider.

GENERAL GOALS RELATING TO THE GENERAL WELL-BEING OF YOUR CHILDREN

- I want our children to be well-adjusted.
- I want our children to be happy.
- I want our children to feel good about themselves.

GOALS RELATING TO PROVIDING CONSISTENT PARENTING CARE

- I want my spouse and me to provide consistent care for our children
- I want my spouse and me to have consistent discipline, expectations, consequences, curfews, chores, bedtimes, etc.
- I want my spouse and me to have the same parenting rules in both houses.
- I want my spouse and me to support each other in our parenting decisions.

GOALS RELATING TO PARENTING SKILLS

- I want to develop better parenting skills.
- I want my spouse to develop better parenting skills.
- I want to have a better understanding of what children need when going through a divorce.

GOALS RELATING TO THE ALLOCATION OF PARENTING TIME

- I want our children to have meaningful contact with both parents.
- I do not want to be away from the children for more than days at a time.

GOALS RELATING TO DECISION MAKING

- I want to participate in major decisions affecting the lives of our children.

GOALS RELATING TO KEEPING THE CHILDREN FREE FROM CONFLICT

- I want our children to be free from the conflict in the divorce.
- I do not want our children to believe they have to report to one parent about the other parent.
- I want to avoid having financial issues spill over to our parenting.
- I do not want our children to feel that they have to do anything to reject either parent.
- I want our children to feel comfortable talking about whether they enjoyed their time at both parents' homes.

GOALS RELATING TO THE RELATIONSHIP THE CHILDREN WILL HAVE WITH OTHER ADULTS

- I want our children to have appropriate relationships with new partners or stepparents.
- I want to make sure new adults are not introduced into the lives of the children until the children are ready.

GOALS RELATING TO FLEXIBILITY IN SCHEDULING

- I want to have enough flexibility in the parenting schedule so that we can adjust the schedule to meet the needs of our children.
- I want to be able to move the residence of the minor children.

GOALS RELATING TO STABILITY

- I want the parenting schedule to provide stability for the children.
- I want the parenting schedule to be predictable.
- I want to make sure each parent honors the agreed-upon schedule.
- I want the children to live near both parents.
- I want the children to be able to stay in their current school district.

GOALS RELATING TO COMMUNICATION WITH THE OTHER PARENT

- I want to be able to communicate effectively with the other parent regarding changes in schedule, updates on health, school, activities, consistent parenting rules, etc.
- I want to develop better communication skills.
- I want both parents to have access to information relating to school, medical issues, etc.
- I want to have regularly scheduled communication.
- I want both parents to honor ground rules for respectful communication.

GOALS RELATING TO COMMUNICATION WITH THE CHILDREN

- I want both parents to be able to communicate regularly with each child by phone and e-mail.
- I want all communication around our children to be respectful.
- I do not want our children to hear negative things about one parent from the other parent.

GOALS RELATING TO CHILD CARE

- I want to minimize outside child care.
- I want to maintain high-quality child care.
- I want both parents to share in child-care decisions.

GOALS RELATING TO RELIGION OR SPIRITUALITY

- I want our children to be raised in their current religion.
- I want our children to regularly attend religious services.
- I want both parents involved in the religious activities of our children.
- I want our children to be exposed to different spiritual traditions

GOALS RELATING TO MEDICAL CARE/PHYSICAL HEALTH

- I want our children to have a good diet.
- I want our children to get adequate exercise.

- I want our children to have access to good medical/dental care.
- I want both parents to be able to attend medical appointments.
- I want both parents to share care of our children when they are sick.

GOALS RELATING TO EDUCATION

- I want our children to be able to continue with their current schooling.
- I want both parents to participate in their school conferences/activities.
- I want our children to attend school/school district.
- I want our children to maintain their current grades.
- I want our children to attend college.
- I want both parents to support the same educational goals.
- I want both parents to participate in our children's homework.

GOALS RELATING TO ACTIVITIES, MUSIC LESSONS, SPORTS, ETC.

- I want our children to remain in their current activities.
- I want both parents to agree on future activities for our children and to support those activities.
- I want both parents to be able to take vacations with our children.

GOALS RELATING TO CULTURAL HERITAGE

- I want to make sure our children are raised according to their cultural heritage.

GOALS RELATING TO CHILDREN'S GENERAL FINANCIAL ISSUES

- I want our children to maintain their pre-divorce lifestyle in both homes.
- I want our children to be financially responsible.
- I want to make sure we set aside money to provide for college.
- I want to have an agreement about how we will pay for college for our children.

GOALS RELATING TO CHILD-EXPENSE SHARING

- I want both parents to share in the children's expenses based on their incomes.

- I want to find a way of sharing expenses that is easy to manage.

EXAMPLE OF GOALS AND INTERESTS THAT DO NOT INVOLVE CHILDREN

FINANCIAL GOALS

- I want to be able to maintain my current or a reasonable lifestyle.
- I want to be able to own a home.
- I want to maintain a lifestyle that is equal to the lifestyle that my spouse will live.
- I want to be able to retire at age .
- I want to work in the home until .
- I want to work part-time until .
- I do not want to have to work outside the home at any time in the future.
- I want to be able to start a new career.
- I want to be able to pursue a career that I enjoy.
- I do not want to have to work overtime.
- I want to have more free time.
- I want to get out of debt.
- I want to learn how to live within my means.
- I want to learn how to manage money.
- I want to know how to budget.
- I want to understand investment.
- I want to learn skills for staying out of debt.
- I want my spouse to learn how to live within his/her means.
- I want my spouse to learn how to manage money.
- I want to keep the costs of the divorce down.
- I want to be able to restore my credit.
- I want to reduce our tax obligation.

- I want a financial settlement that will last (is durable).

VOCATIONAL GOALS

- I want to become more educated.
- I want to learn a new skill.
- I want to be able to choose the work I do.
- I want to be able to change careers at some point.

PERSONAL/EMOTIONAL GOALS

- I have the goal to be divorced at the end of this process
- I want to resolve the divorce issues with dignity.
- I want to keep our divorce issues private.
- I want to maintain a respectful relationship with my ex-spouse.
- I want to be treated respectfully.
- I want to treat my spouse respectfully.
- I want to become more stable emotionally.
- I want my spouse to become more stable emotionally.
- I want to know that I have a safety valve (*e.g.*, insurance).
- I want to maintain a good relationship with my in-laws.
- I want to maintain a good relationship with our mutual friends.
- I want to make up for the mistakes I have made.
- I want to atone for the harm I have caused.
- I want to be able to trust my ex-spouse more.
- I want my ex-spouse to be more trusting of me.
- I want to maintain sobriety (or recover from addiction).
- I want to develop a better way to handle my anger/sadness/fear.
- I want my spouse to develop a better way to handle his/her anger/sadness/fear.

- I want to save the marriage.
- I want to know that we made our best effort to save the marriage.
- I want him/her to know how much he/she hurt me.
- I want him/her to apologize for what he/she has done.
- I want to do the honorable thing.
- I want to settle this matter in a way that is consistent with my religious or spiritual values.
- I want a religious annulment/get to void the marriage.
- I don't want him/her to live with his/her new girlfriend/boyfriend.
- I want to listen better.
- I want to be less sad (depressed).
- I want to be less angry.
- I want to be less frightened.
- I want to be less compulsive.
- I want to work on an addiction issue.
- I want closure.
- I want to be able to start healing.
- I want to be generous.
- I want my spouse to acknowledge that I have been generous.

GOALS RELATING TO THE PACE OF THE PROCESS

- I want to be done soon.
- I want to slow down the process.
- I want everyone to have time to process emotions so we can make the best possible decisions.

PRIORITIZING YOUR GOALS

You may not achieve every one of your goals, so it's essential to first try for the ones most important to you. Prioritizing will help you make decisions when it is time to make compromises in the process. The hope is that you both can compromise a less-important goal in order to achieve a more important one, reaching a resolution.

There are many ways to prioritize your goals. Examples include:

- List your goals in order of importance
- Review your list and determine which interests can easily be eliminated. Then make a second list of interests you could give up if you had to (knowing you'd rather have them).
- Continually update and refine your list by asking yourself:
 - Are my goals realistic?
 - Is this goal/interest so important to me that I would be willing to make a major sacrifice in order to achieve it?
 - Is this a goal that can be achieved during the divorce process?
 - Would I regard this goal as legitimate if my spouse had the same goal?
 - Is this really an interest or is it a position?
 - Will this goal really matter to me ten years from now? Twenty years from now?
 - Is this goal based partly on spite?
 - Is this goal consistent with my values?
 - Is this goal really as important as the other goals?
 - Would my spouse have to make an unreasonable sacrifice in order for me to achieve this goal?

By defining and prioritizing your goals and interests, you take a major step toward achieving a successful resolution of your divorce issues. Once you put your list together, keep a written copy in a place where you can refer to it regularly.