

[REDACTED]

RE: Service Level Evaluation

Executive Summary

Prairie State Legal Services (PSLS) has steadily increased services to the community since the economic crisis in 2008, and now pursues a variety of grant opportunities as well as community network partnerships as tools to reach people in need. As with any organization, increased dependence on grant funding poses the risk of conflicting priorities and participation in community networks can cause mission creep. In order to ensure that Prairie State is upholding its mission to provide quality legal services to low-income individuals, particularly to the minority community, it is essential to review the data. This report includes:

- An analysis of service provision to clients for Domestic Violence by race
- An analysis of the domestic violence client demographic data compared to American Community Survey data at the county level
- An analysis of service provision to clients for all closed cases by race
- A review of outreach efforts, as well as a comparison of PSLS client demographic data with a report from the Illinois Criminal Justice Information Authority of domestic violence victims in the PSLS service area.

Current Level of Service for Victims of Domestic Violence

Prairie State Legal Services has the capacity to provide a wide range of legal services to victims of domestic abuse. Most common of these include assistance with Orders of Protection, Child Support Agreements, Custody Agreements, and Divorce Services. To be eligible for these services, potential clients must have an income of less than 125% of the federal poverty level (FPL), or up to 200% FPL with certain expenses (See Exhibit 1). Additionally, undocumented immigrants are eligible for legal services if they are victims of domestic violence.

Method

Data for this analysis is drawn primarily from PSLS reports generated by the attorney for each client. These reports are compiled into a shared drive called Legal Server, and data can be accessed using a wide variety of filters. The first dataset is all closed cases from 2013-2014, which provides a big-picture view of the wide range of services requested, the demographic information for those clients, and level of service provided. The second dataset analyzed in this memo provides information specific to applications for assistance for domestic violence from 2012-2014. This dataset is then compared to census data collected from the American Community Survey five year estimates from 2013. The census data was limited to population racial and ethnic data for the 36 counties in PSLS service area. A report by the Illinois Criminal Justice Information Authority provides demographic information for victims of domestic violence from all DV clinics in the PSLS service area. Finally, data from PSLS on outreach efforts from 2013 to 2014 provides a snapshot of where PSLS staff does outreach, and on what subject.

Analysis of these datasets is done primarily on the following variables:

Demographic Information: the demographic variable of primary interest is Race. For the purposes of this memo, Race includes Hispanic, Black and White, which are the predominant client races, in order to look for any discrepancy in the provision of services to minorities. Age at intake, household size, gender, and income—measured by percent of the federal poverty level (FPL)—are also important variables that are analyzed to determine if they impact the level of service provided.

Priority Status: Priority status in legal server is a code 1-7 that was meant to indicate urgency (1 being urgent, possible immediate safety issue and 7 being more general access to justice). However, it is not a mandatory field, and staff do not use it consistently. Despite the variability, this code, when used, can be analyzed to see if it affected the level of service provided.

Level of Service: This variable has three categories: Fully Served, Not Served and Partially Served. Again, with this variable there is no clear definition of “partially” or “fully” served as the clients’ perception or desire might not match the service provided (reason services limited was not generated in the report). However, it is an indicator that could reveal if its use reflects any bias in service provision.

Service Provided: This variable has four options: No Legal Service Provided, Representation, Tools, and Transaction.

Close Reason: The close reason provides a deeper look at what services were provided that lead to the case being closed. There are eleven options (See Exhibit 2), including Counsel and Advice, Limited Action (brief service), Negotiated Settlement without Litigation, Negotiated Settlement with Litigation,

Administrative Agency Decision, Uncontested Court Decision, Contested Court Decision, Appeals, Extensive Service (not above services), Services Provided but never LSC or PSLs Eligible, No Legal Assistance Provided. This variable is analyzed for any racial bias.

Rejection Reason (vs Accepted): As the domestic violence-specific dataset was generated from applications, some cases were rejected and others rejected, just as some could be closed and others still open at the time the report was generated. There are a wide range of rejection reasons that are analyzed against race to determine if there is any variation across races. Those cases without a Rejection Reason were accepted by an attorney. To account for this, I generated a variable Accepted (See Exhibit 3).

Analysis

Analyzing for Racial Bias within Domestic Violence Cases

Preliminary descriptive statistics provided an overview of the data on people applying for legal services regarding domestic violence (See Exhibit 4). 64.65% of applicants were White, 22.63% Hispanic, and 12.71% Black. Exhibit 5 outlines the range of demographic data including age, total household size and percent of poverty.

Of these cases, there is a fairly even acceptance rate across races of about 80%. Black applicants tended to be rejected on a slightly higher basis (17.36%) compared with Hispanics (12.59%) and Whites (14.33%) (See Exhibit 6). This does not necessarily indicate discrimination, and requires a deeper look at the reason for rejection for these cases for discrepancies.

Exhibit 7 shows the percent of White, Hispanic and Black cases that are rejected. Overall, the highest reason for rejection is lack of client follow up so they were not interviewed or had no further contact. 5.38% of Black clients failed to follow up, while only 2.76% of Hispanic clients and 3.04% of White clients failed to follow up. There is also a higher no show rate for Black clients (3.4%) compared with Hispanic and White clients (1.8%). The next most common reason for rejection was because the applicant was over income or over assets. 1.98% of Blacks, 1.59% of Hispanics and 3.33% of Whites were over income, and .63% of Whites were over assets compared to .28% of Blacks and .37% of Hispanics over assets, which is comparable to the overall census data.

Of those cases accepted and subsequently closed, there are also only slight variations in reason for closing by race (See Exhibit 8). Roughly the same percent of White (44.74%), Hispanic (39.32%) and Black (44.5%) cases were closed as Counsel and Advice Only. There are slightly more White and Hispanic cases closed with a Negotiated Settlement with Litigation (19%) whereas more Black cases (.72%) were closed by Negotiated Settlement Without Litigation compared to White (.25%) and Hispanic (0). A higher rate of Black cases were Settled by Uncontested Court Case (18.58%) compared to Hispanic (16.37%) and White (12.47%) cases. Whites also had a higher prevalence of Contested Court Cases (8.69%) as opposed to Black and Hispanic (4%). Finally, a higher rate of Hispanic cases were closed with No Legal Assistance Provided (14%) that White (7.04%) and Black (10.13) cases.

These statistics do reveal a slight racial bias by Close Reason. As this dataset covers all the PSLs service area, the difference could be explained by attorney practices or capacity by office. On the other hand, this data could be interpreted to indicate that more time is given to non-minority cases. More information is required, for example an analysis of office capacity and attorney availability, the strength and capacity of the local domestic violence shelter, and the preferences of judges by service area.

An analysis of cases by priority label shows that, of those cases that were coded, Hispanic clients were most likely to be labeled 1 Serious Risk (28.47%), while only 22% of Black and White client cases were given Serious Risk (See Exhibit 9). Black clients more often were coded 2 Meets Human Needs (14.53%) and 7 Access to Justice (11.32%) compared to Whites (13.2%, 7.28% respectively) and Hispanics (9.29%, 8.5% respectively). While it is true that staff does not consistently apply priority codes, more cases with a 1 or 2 priority code were Fully Served than those coded 7.

Comparing the type of service provided by race, the most common service provided to Hispanic clients was Representation (34.68%) while the most common service for Whites and Blacks was Tools (39% and 38.87% respectively)(See Exhibit 10). This might be because Hispanic clients are more likely to have difficulties with the language and so would be less likely to pursue a legal remedy on their own (pro se). It could also be caused by a desire to build trust in the Hispanic community, which would compel managing attorneys to encourage a full range of services for these clients.

The cross tabulations above do show some variation in service according to the race of the applicant; however, the differences cannot be attributed to racial bias alone. There are a number of factors that could impact the treatment and outcome of an application and case. For example, as previously mentioned, each office is staffed to a different capacity and often different offices have different special projects that may take more attorney time. Differences may also be a result of the community in which each PSLS office serves; perhaps PSLS has a good reputation in certain neighborhoods or with organizations that serve certain racial groups more than others.

One way to account for these factors is to regress the number of staff hours by race, holding age, income, and total household size constant (see Exhibit 11). By generating a dummy variable for race, I was able to compare the impact of race (Black or Hispanic) on the total number of staff hours given to a case compared to the base case, if the client were White. The results indicate that, holding all else constant, a Black client will receive 2.14 hours of service fewer than a White client, and a Hispanic client will receive 1.19 hours of service fewer than a White client. These coefficients are statistically significant.

Analysis of PSLS Reach

A second level of analysis was performed on the case data across the PSLS 36 county service area. First, I looked to analyze how well each county was able to reach the Black and Hispanic community. I calculated what percent of the total client base was Black and Hispanic for each county, and compared that to data from the American Community Survey census data for those counties. I also compared those percentages to the average percent of all domestic violence victims that were Black and Hispanic across the PSLS service area.

Graph 1 shows the level of service of Blacks by county compared to the percent of Blacks in the total population of that county. The ICJIA Report of demographic data from all counties in the PSLS service area indicates that typically 19.73% of their clients were Black. The graph reveals that Kankakee, Lake, Peoria and Winnebago counties serve a higher proportion of Black clients. In fact, the percent of Black clients in those counties is greater than the percent of the total population that is Black. Across PSLS service area, it is typical that counties serve a higher proportion of Black clients than is represented in the total population. This could indicate “over service,” or a priority for Black clients. On the other hand, it could result from the income inequality in these areas that disproportionately affects Blacks over other races, thereby making more Black people eligible for services. On the other hand, a few counties

serve no Black clients, or “under serve” the Black population. Those counties are predominantly rural, such as Stark, Putnam, Mercer and Marshall, and they have fewer clients in general.

Graph 2 demonstrates the level of service to Hispanics in each of the 36 counties in PSLS service area. Boone, DuPage, Kane, Kendall, Lake, McHenry and Will counties serve a higher percentage of Hispanic clients than the average percent of Hispanics that seek assistance for domestic violence according to the ICJIA report (18.33%). They also have a significantly higher proportion of Hispanic clients compared to the proportion of Hispanics in the county according to the American Community Survey. In this case, the differences are most likely attributed to staff availability at these offices (Spanish-speaking staff, outreach to the Hispanic community, etc). Overall, the trend of service to Hispanics more evenly matches the proportion of Hispanics in the community than service to Blacks.

Recommendations

The preceding analysis shows small variations in services provided to applicants seeking services for domestic violence cases by race. It also shows the reach of PSLS to minority groups compared to the overall demographic census data of the service area. While a deeper analysis is needed to determine in this level of service is acceptable or biased, another important next step is to analyze the prevalence of domestic violence cases as a percent of the total number of cases. Exhibit 12 shows that 9.79% of closed cases from 2013-2014 were for domestic violence services. Interestingly, 14.58% of clients responded yes when asked if they were a victim of domestic violence¹. Of those, 30.8% were Hispanic, 7% Black, and 14.94% White (Exhibit 13). These numbers do not match the racial breakdown of applicants for domestic violence assistance from 2012-2014. This discrepancy could be attributed to fear and the cycle of abuse that may have caused clients to pursue legal services for an issue other than domestic violence specifically.

Furthermore, an analysis of the outreach report from 2013-2014 shows that only 11.1 hours were spent on domestic violence specific outreach (See Graph 3). While the domestic violence services may have been explained during presentations on general PSLS services, very few hours were dedicated to raising awareness about how PSLS can help victims of domestic violence. As the ICJIA report shows that most victims are referred to a DV shelter by a friend or by the police, it is highly possible that PSLS would not reach the population in need with formal outreach anyway. However, if PSLS has a goal of increasing its level of service in this area, I recommend each office develop a relationship with the local domestic violence clinics (a list is provided in the ICJIA report). This is particularly important to increase services to the Hispanic community. Developing a culturally diverse and multilingual staff takes time, and many offices do not have the capacity to have interns or staff attorneys spend the necessary time to build trust in the Hispanic community, but these organizations often already have that trust. Research shows that approximately 30% of Hispanic women have experienced domestic violence, but that documentation issues and fear of deportation prevent them from seeking services². With the proper information, local organizations can effectively refer clients to PSLS for legal services.

Conclusion

Overall, PSLS demonstrates equitable treatment of applicants for domestic violence services regardless of race. Small discrepancies in service level, service provided, and total staff hours could be the result of

¹ It should be noted that some staff asked if the client had ever been a victim of domestic violence in their life, even though the question was meant to capture if DV was the reason the client was seeking services.

² <http://www.nationallatinonetwork.org/learn-more/facts-and-statistics/>

many different factors. In order to determine conclusively why these variations occur, leadership at PSLS should take a closer look at the circumstances in each office. Another mechanism to clarify any discrepancies in the use of codes in legal server would be to formalize staff attorney training. If the code options are not mandatory fields, or do not have explanations for when they should be used and how the code affects case processing, attorneys may be tempted to use their own judgement that is not uniform across the service area. Comparisons of the racial composition of domestic violence clients compared to the representative total population show that PSLS does reach minority groups well, and in fact may over-serve in some communities. Increased outreach and shared best practices across offices regarding the development of relationship in the community and clear communication of organizational capacity could eventually lead to more uniform service provision proportional to the community composition.

Further analysis of total staff hours for all closed cases, for bias in the treatment of clients with disabilities, and to determine the impact of income could all reveal more information about the level of services provided by PSLS.

Exhibit 1: Legal Services Corporation 2015 Income Guidelines *

Size of Household	Illinois
1	\$14,713
2	\$19,913
3	\$25,113
4	\$30,313
5	\$35,513
6	\$40,713
7	\$45,913
8	\$51,113

For each additional member of the household in excess of 8, add: \$5,200

* The figures in the table represent 125% of the poverty guidelines by household size as determined by HHS (Department of Health and Human Resources).

*Source: pslegal.org

Exhibit 2: Close Reason by Race

Close Reason	Race			Total
	Black	Hispanic	White	
A - Counsel and Adv..	44.51	39.32	44.74	43.48
B - Limited Action ..	5.67	2.50	2.98	3.20
F - Negotiated Sett..	0.72	0.00	0.25	0.25
G - Negotiated Sett..	10.13	19.13	19.23	18.08
H - Administrative ..	0.60	0.00	0.16	0.18
IA - Uncontested Co..	18.58	16.37	12.47	14.11
IB - Contested Cour..	4.34	4.47	8.69	7.19
IC - Appeals	0.12	0.00	0.05	0.04
L - Extensive Servi..	4.95	3.16	4.06	3.96
Y - Services Provid..	0.24	0.20	0.34	0.30
Z - No Legal Assist..	10.13	14.86	7.04	9.19
Total	100.00	100.00	100.00	100.00

Exhibit 3: Generated "Accepted"

Rejection Reason	Accepted		Total
	0	1	
	0	7,150	7,150
Applicant Has Attor..	33	0	33
Conflict	29	0	29
Criminal Case	2	0	2
Fee Generating	3	0	3
Ineligible Alien	16	0	16
No Further Contact/..	273	0	273
No Show	172	0	172
Not Interviewed	223	0	223
Other	108	0	108
Out of Jurisdiction	16	0	16
Outside Priorities	25	0	25
Over Assets	44	0	44
Over Income	231	0	231
Resolved prior to P..	2	0	2
Unknown	3	0	3
Unmeritorious Claim	10	0	10
Unsuccessful in rea..	5	0	5
Total	1,195	7,150	8,345

Exhibit 4: Percent of Clients by Race

Race	Freq.	Percent	Cum.
Black	1,069	12.71	12.71
Hispanic	1,903	22.63	35.35
White	5,436	64.65	100.00
Total	8,408	100.00	

Exhibit 5: Summary of Demographic Data

Variable	Obs	Mean	Std. Dev.	Min	Max
AgeatIntake	8345	36.47585	12.1028	0	113
. sum TotalStaffHours					
Variable	Obs	Mean	Std. Dev.	Min	Max
TotalStaff~s	8345	9.139573	18.88261	0	419.5
. sum PercentageofPoverty					
Variable	Obs	Mean	Std. Dev.	Min	Max
Percentage~y	8345	70.89573	69.31533	0	927.19
. sum TotalHousehold					
Variable	Obs	Mean	Std. Dev.	Min	Max
TotalHouse~e	8345	2.695386	8.852253	0	801

Exhibit 6: Acceptance Rate by Race

Accepted	Race			Total
	Black	Hispanic	White	
0	17.36	12.59	14.33	14.32
1	82.64	87.41	85.67	85.68
Total	100.00	100.00	100.00	100.00

Exhibit 7: Rejection Reason by Race

Rejection Reason	Race			Total
	Black	Hispanic	White	
	12.25	23.02	64.73	100.00
Applicant Has Attor..	3.03	30.30	66.67	100.00
Conflict	20.69	13.79	65.52	100.00
Criminal Case	50.00	0.00	50.00	100.00
Fee Generating	33.33	33.33	33.33	100.00
Ineligible Alien	0.00	100.00	0.00	100.00
No Further Contact/..	20.88	19.05	60.07	100.00
No Show	20.93	20.35	58.72	100.00
Not Interviewed	14.35	15.70	69.96	100.00
Other	14.81	30.56	54.63	100.00
Out of Jurisdiction	12.50	12.50	75.00	100.00
Outside Priorities	24.00	24.00	52.00	100.00
Over Assets	6.82	15.91	77.27	100.00
Over Income	9.09	12.99	77.92	100.00
Resolved prior to P..	0.00	50.00	50.00	100.00
Unknown	33.33	66.67	0.00	100.00
Unmeritorious Claim	10.00	30.00	60.00	100.00
Unsuccessful in rea..	0.00	0.00	100.00	100.00
Total	12.70	22.56	64.73	100.00

Exhibit 8: Close Reason by Race

Close Reason	Race			Total
	Black	Hispanic	White	
A - Counsel and Adv..	44.51	39.32	44.74	43.48
B - Limited Action ..	5.67	2.50	2.98	3.20
F - Negotiated Sett..	0.72	0.00	0.25	0.25
G - Negotiated Sett..	10.13	19.13	19.23	18.08
H - Administrative ..	0.60	0.00	0.16	0.18
IA - Uncontested Co..	18.58	16.37	12.47	14.11
IB - Contested Cour..	4.34	4.47	8.69	7.19
IC - Appeals	0.12	0.00	0.05	0.04
L - Extensive Servi..	4.95	3.16	4.06	3.96
Y - Services Provid..	0.24	0.20	0.34	0.30
Z - No Legal Assist..	10.13	14.86	7.04	9.19
Total	100.00	100.00	100.00	100.00

Exhibit 9: Priority Code by Race

Priority	Race			Total
	Black	Hispanic	White	
	46.98	49.12	51.20	50.20
1 Serious Risk	22.45	28.47	22.86	24.07
2 Meets Human Needs	14.53	9.29	13.20	12.49
3 Income or Benefits	0.66	0.64	0.83	0.77
4 Children's Prioriti..	0.57	0.48	1.04	0.85
5 Parent Priorities	2.64	2.87	2.59	2.66
6 Self-Sufficiency	0.85	0.64	1.00	0.90
7 Access to Justice	11.32	8.50	7.28	8.06
Total	100.00	100.00	100.00	100.00

Exhibit 10: Service Provided by Race

Service Provided	Race			Total
	Black	Hispanic	White	
	21.60	18.59	18.66	19.02
No Legal Service Pr..	7.83	12.48	5.74	7.53
Representation	31.32	34.68	36.26	35.28
Tools	38.87	33.78	39.00	37.81
Transactions	0.38	0.48	0.33	0.37
Total	100.00	100.00	100.00	100.00

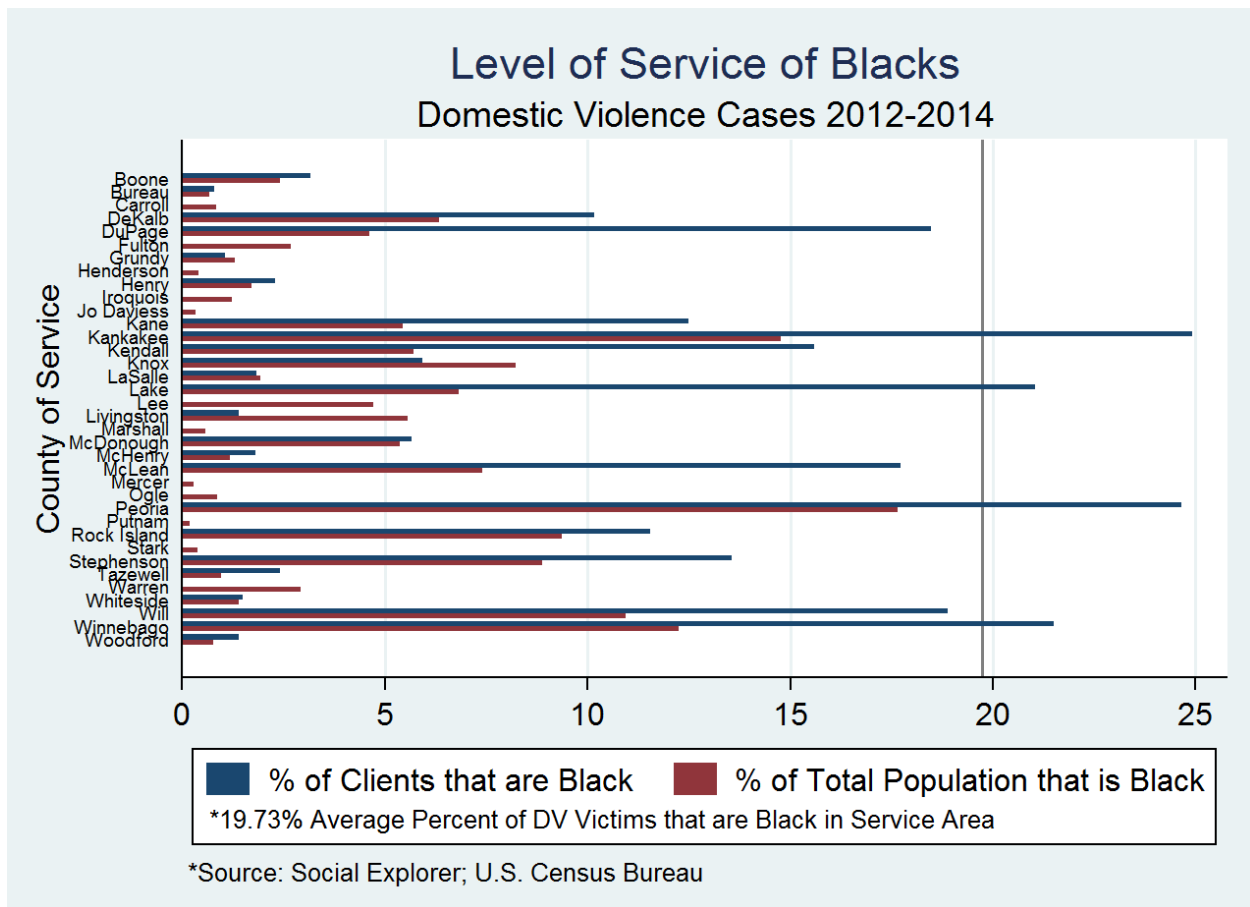
Exhibit 11: Regression

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. reg TotalStaffHours AgeatIntake PercentageofPoverty TotalHousehold Black Hispanic
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Source	SS	df	MS	Number of obs = 8345		
Model	5576.24163	5	1115.24833	F(5, 8339) = 3.13		
Residual	2969502.84	8339	356.098194	Prob > F = 0.0079		
				R-squared = 0.0019		
				Adj R-squared = 0.0013		
Total	2975079.08	8344	356.553102	Root MSE = 18.871		

TotalStaffHours	Coef.	Std. Err.	t	P> t	[95% Conf. Interval]	
AgeatIntake	-.0122658	.0178018	-0.69	0.491	-.0471617	.0226301
PercentageofPoverty	.0016974	.0030883	0.55	0.583	-.0043566	.0077513
TotalHouseholdSize	.0260331	.0233696	1.11	0.265	-.0197771	.0718433
Black	-2.142854	.6345632	-3.38	0.001	-3.386756	-.8989527
Hispanic	-1.197856	.508813	-2.35	0.019	-2.195256	-.2004559
_cons	9.938954	.6962797	14.27	0.000	8.574072	11.30383

Graph 1



Graph 2

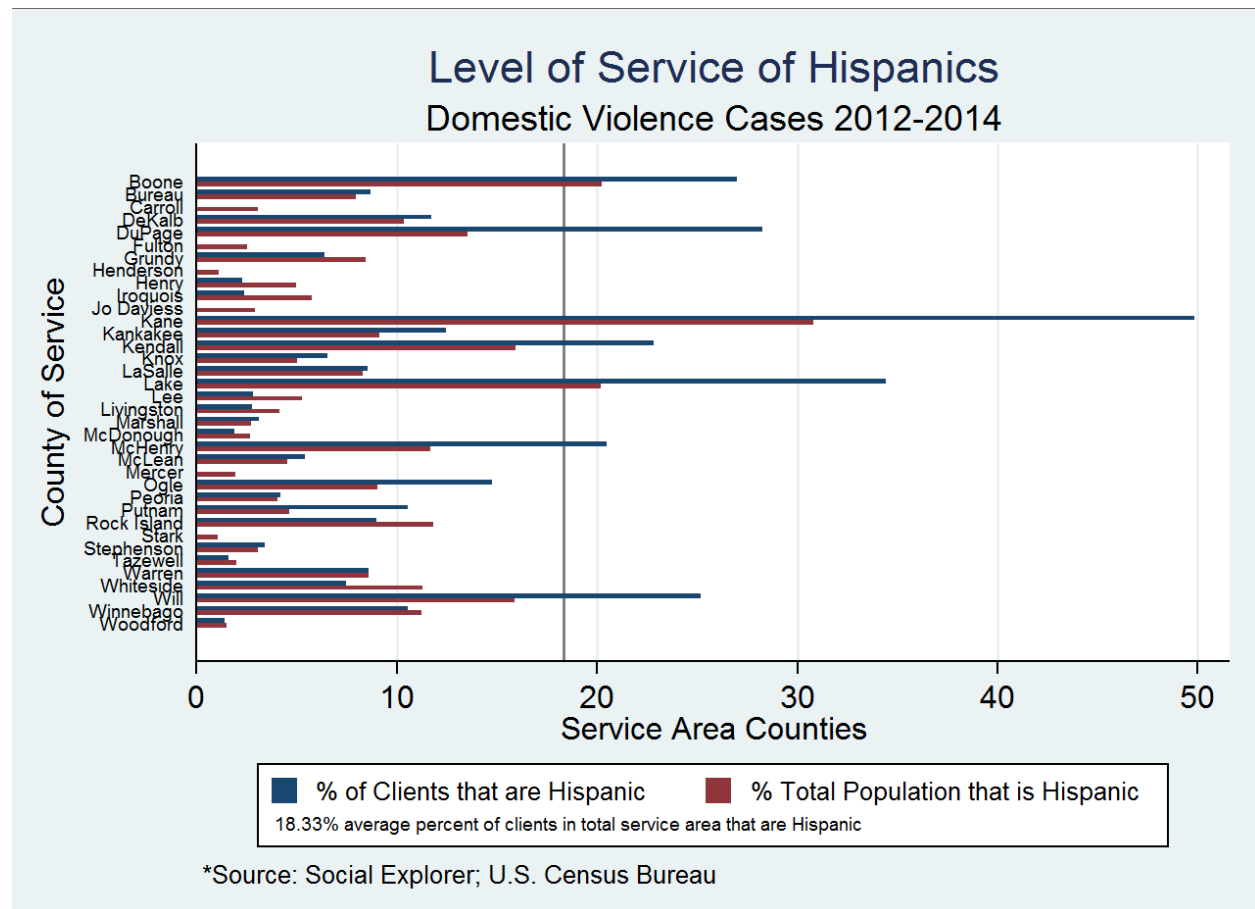


Exhibit 12: Total Closed Cases 2013-2014

Legal Problem Code	Freq.	Percent	Cum.
01 Bankruptcy/Debtor Relief	918	3.00	3.00
02 Collect/Repo/Def/Garnishment	1,288	4.21	7.22
03 Contracts/Warranties	472	1.54	8.76
04 Collection Practices/Creditor Hara..	106	0.35	9.11
05 Predatory Lending Practices (Not M..	4	0.01	9.12
06 Loans/Installment Purchases (Not C..	36	0.12	9.24
07 Public Utilities	271	0.89	10.13
08 Unfair/Deceptive Sales and Practic..	58	0.19	10.32
09 Other Consumer/Finance	124	0.41	10.72
12 Discipline (Including Expulsion an..	45	0.15	10.87
13 Special Education/Learning Disabil..	31	0.10	10.97
14 Access (Including Bilingual, Resid..	6	0.02	10.99
15 Vocational Education	1	0.00	10.99
16 Student Financial Aid	10	0.03	11.02
19 Other Education	36	0.12	11.14
21 Employment Discrimination	90	0.29	11.44
22 Wage Claims&FLSA (Fair Labor Stand..	28	0.09	11.53
23 EITC (Earned Income Tax Credit)	10	0.03	11.56
24 Taxes (Not EITC)	560	1.83	13.39
25 Employee Rights	94	0.31	13.70
29 Other Employment	85	0.28	13.98
30 Adoption	70	0.23	14.21
31 Custody/Visitation	1,065	3.48	17.69
32 Divorce/Sep./Annul.	2,831	9.26	26.95
33 Adult Guardianship/Conservatorship	411	1.34	28.30
34 Name Change	34	0.11	28.41
35 Parental Rights Termination	22	0.07	28.48
36 Paternity	49	0.16	28.64
37 Domestic Abuse	2,994	9.79	38.44
38 Support	355	1.16	39.60
39 Other Family	166	0.54	40.14
41 Delinquent	2	0.01	40.15
42 Neglected/Abused/Dependent	50	0.16	40.31
43 Emancipation	11	0.04	40.35
44 Minor Guardianship/Conservatorship	334	1.09	41.44
49 Other Juvenile	4	0.01	41.45
51 Medicaid	868	2.84	44.29
52 Medicare	79	0.26	44.55
53 Government Children's Health Insur..	11	0.04	44.59
54 Home and Community Based Care	113	0.37	44.96
55 Private Health Insurance	20	0.07	45.02
56 Long Term Health Care Facilities	146	0.48	45.50
57 State and Local Health	6	0.02	45.52
58 Other Health	76	0.25	45.77

Exhibit 13: Domestic Violence Victim by Race

Race	Is client a victim of domestic violence?		Total
	No	Yes	
Black	92.99	7.01	100.00
Hispanic	69.19	30.81	100.00
White	85.06	14.94	100.00
Total	85.42	14.58	100.00

Graph 3: Outreach Hours

