

Evaluation of the Judicare Family Law Pilot Program



Administrative Office of the Courts

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A COLLABORATION BETWEEN:

**MARYLAND ADMINISTRATIVE OFFICE OF THE COURTS,
and**

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UNIVERSITY OF MARYLAND, BALTIMORE
SCHOOL OF SOCIAL WORK**

and

BOWIE STATE UNIVERSITY SCHOOL OF SOCIAL WORK

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Table of Contents

Table of Contents.....	ii
List of Tables.....	iii
Acknowledgements.....	1
Executive Summary.....	2
Judicare Overview.....	5
Evaluation Methodology.....	7
Judicare Grantee Survey Findings.....	10
Referrals.....	11
Eligibility.....	11
Linking Clients to Attorneys.....	12
Grantee Opinions' about the Judicare Reimbursement and Cap.....	13
Perceptions of the Judicare Model.....	13
Distribution of Judicare cases to Attorneys.....	14
Attorney characteristics.....	14
Judicare Client Survey Findings.....	14
Response Rate.....	14
Demographics.....	15
Satisfaction of Judicare Clients.....	18
Access to Services.....	20
Financial Criteria.....	20
Spanish/English Surveys.....	22
Qualitative Findings from the Judicare Client Survey.....	22
Multivariate Analysis for Client Outcomes.....	24
Judicare Attorney Survey Findings.....	29
Response Rate.....	29
Demographics.....	29
Attorneys' Motivation to Accept Judicare Cases.....	31
Attorney's Opinions Regarding Challenges and Rewards of Judicare.....	33
Challenges.....	33
Rewards.....	34
Judges/Masters Survey Findings.....	34
Qualitative Findings for the Evaluation of the Judicare Family Law Pilot Project.....	35
Summary of Evaluation Findings.....	40
Recommendations.....	42
References.....	45

Table of Contents, continued

Appendix A. Grantee Survey.....50

Appendix B. Client Survey.....51

Appendix C. Attorney Survey.....56

Appendix D. Judges/Masters Survey.....61

Appendix E. Regression Table For Client Demographics.....62

Appendix F. Table of Attorney’s Practice Jurisdictions.....63

Appendix G. Coding Schemes For Interviews.....64

Appendix H. Interview Codes.....69

List of Tables

Table 1. Client response rate per Judicare grantee.....16

Table 2. Highest education level achieved for Judicare clients.....16

Table 3. Jurisdiction residency of Judicare clients17

Table 4. Income levels for Judicare client survey respondents.....17

Table 5. Satisfaction variables for Judicare clients.....18

Table 6. Other (non-family law) legal problems Judicare clients wanted to talk about.....19

Table 7. Method of travel to attorney’s office.....20

Table 8. Difference between MLSC and LSC guidelines for Judicare clients.....22

Table 9. Summary of logistic regression analyses for variables predicting client satisfaction
with Judicare.....28

Table 10. Ease of use variable for Judicare clients.....31

Table 11. Other (non-family law) legal problems attorneys indicated clients discussed.....32

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Executive Summary

The Judicare evaluation was designed to examine the processes and process outcomes of the Judicare program. Judicare attorneys, judges/masters, administrators (grantees), and Judicare client recipients were surveyed. Findings from the Judicare evaluation are summarized here and presented in the report that follows. All findings from the evaluation should be interpreted cautiously as they are the result of small samples. There are, however, clear indications that the Judicare Family Law Pilot Program has been successful in terms of perception of positive outcomes and satisfaction among clients, participating attorneys, and grantee administrators.

Highlights

- Recipients of the Judicare client survey (N = 165) indicated they value the legal services and were generally satisfied with their legal representation.
- Judicare attorneys (N = 53) also indicated that they value participation in the program and indicated they would participate in the future as Judicare attorneys.
- Judicare grantees (N = 7) indicated the program is useful, appropriately managed, and provides effective and efficient services to low income clients.

Recommendations

Based on their findings, the evaluators offer the following recommendations:

1. Grantees should continue to utilize the surveys introduced in this study to acquire information from Judicare clients and attorneys. Both groups should be continuously surveyed to collect data to identify ongoing themes or problems that may impact the Judicare program.

2. The number of hours attorneys work over the 20 hour cap appears to need exploration. Statistics regarding the average number of hours Judicare attorneys work on a Judicare case should be documented. According to the Judicare Project FY 2010 mid-year report, the average number of hours that attorneys worked over the 20 hour cap was 13 (Maryland Legal Services Corporation, 2010). Both the Judicare grantees (administrators) and attorneys referenced being challenged and concerned by the number of hours attorneys worked over the cap.
3. Statistics regarding Judicare operations should continue to be collected by MLSC. Such statistics should include number of participating attorneys, number of hours worked on Judicare cases by attorneys, and number of hours billed over the 20 hour cap. If possible, statistics concerning attorney time spent on case activities such as client consultation and court time, should be maintained.
4. Outreach to recruit attorneys to participate in Judicare should take into account the themes identified in this study. This means that attorneys who best “fit” the legal needs of Judicare clients and the challenges they present should be encouraged to participate in the program.
5. The findings from the judges/masters survey were limited given the low response rate. In the future, it is recommended that judges/masters be informed of the Judicare cases on their docket so that their assessments regarding the impact of Judicare on caseloads and case outcomes can be included in continued monitoring of the program.
6. Given that a goal of Judicare is to provide legal representation for those who could not afford it, did not qualify for representation under other programs, or due to wait-lists

could not be served by other programs, future research should focus on case outcomes for clients served by the Judicare program compared to self-represented litigants.

7. It is also recommended that the case outcomes of the Judicare program be assessed for impact for the litigant(s) and for children involved in the Judicare case. For instance, outcomes for children should be considered. Assessing case outcomes and post-adjudication experiences of Judicare clients may assist in assessing the substantive impact of Judicare.
8. Although Judicare grantees report Judicare case activity to MLSC in a standard form, they do not collect individual case data in a standardized format. To give the AOC a better idea of the demand for Judicare services, at minimum grantees should be required to keep records of the number of Judicare applicants who do not qualify for the program.

Judicare Overview

In January 2008 the Maryland Legal Services Corporation (MLSC) and the Administrative Office of the Courts (AOC) established the Judicare Family Law Pilot Project to expand representation in family law matters. Judicare is a legal services program which pays private attorneys reduced fees to serve low-income persons who meet the MLSC financial criteria. Cases involving unrepresented litigants, particularly in matters where only one party is represented by counsel, pose serious legal and ethical problems for trial judges. Without the benefit of counsel, the need for a judge to explain the proceedings at length cause many hearings to become protracted. Initially funding was awarded to legal services organizations serving Allegany, Harford, Prince George's and Washington Counties to administer the project and screen and place cases in cooperation with local bar associations, circuit courts, and pro bono committees. The pilot project was expanded in July 2008 to Baltimore City and Caroline, Dorchester, Kent, Montgomery, Queen Anne's, and Talbot Counties. Six grantees across the State of Maryland participate in the Judicare program. The participating grantees are: Allegany Law Foundation, Inc., Community Legal Services of Prince George's County, Harford County Bar Foundation, Inc., Maryland Volunteer Lawyers, Mid-Shore Pro Bono Project, and Montgomery County Bar Foundation. Private attorneys accepting Judicare cases in family law matters are paid \$80 per hour with a cap of \$1,600 for 20 hours of work. The project pays an additional \$80 an hour, up to an additional \$800 (\$2,400 total cap/30 hours total worth of work on the Judicare case), for every hour over 25 hours that the attorney spends on the case. Therefore, 5 hours must be pro bono (Maryland Legal Services Corporation, 2009). The current evaluation only covers the period of fiscal year 2009 and considers the 134 cases closed during that time period.

The current evaluation was designed to assess the effectiveness of Judicare through consideration of the program's processes and process outcomes. "Process outcomes" refer to the things that the program was designed to do. These outcomes include service to the target population, delivery of intended services and satisfaction of service recipients and providers with the operation of the program.

Evaluation Methodology

The plan for the current evaluation consisted of a mixed methods approach. Judicare attorneys, judges/masters, administrators (grantees), and Judicare client recipients were surveyed. The evaluation focused on examining the process of the Judicare program (e.g., how it was implemented and operates) and process outcomes (e.g., client outcomes, attorney outcomes). The evaluation was focused on Judicare operations between January 1, 2008 to June 30, 2009. Early in the evaluation design phase a Judicare Evaluation Advisory Committee (JEAC) was formed, and a literature review regarding Judicare in the United States with a focus on Maryland was conducted. The JEAC included representation from the AOC, Judicare grantees (administrators), participating attorneys, and MLSC staff. For this study, all quantitative responses are reported in aggregate. Quantitative data analyses were analyzed using PAWS18.0 and qualitative data were analyzed using NVivo 8.0. University of Maryland Institutional Review Board approval was received for the Judicare evaluation plan.

Judicare Grantee Survey Methodology

MLSC provided contact information for all six participating grantees. All grantee administrative personnel who participated in the Judicare program from January 1, 2008 to June 30, 2009 were sent a web-based internet survey (see Appendix A). Judicare grantees provided the names and email addresses of all pertinent administrative staff. The web-based survey and emailing strategy followed recommendations from Dillman (2000). All individuals were sent an email invitation, survey link, and follow-up emails to participate in the administrator survey. The grantee survey was developed in collaboration with the JEAC. The goal of the grantee survey was to ascertain the following: the referral and screening process for Judicare clients, general

management (by the grantees) of the Judicare project, and grantee administrator opinions regarding the Judicare project. The web-based survey was implemented through Qualtrics, a web-based survey program.

Judicare Client Survey Methodology

With input from the JEAC, a Judicare client survey was developed (see Appendix B). The goal of the client survey was to gather demographics (including gender, age, education, income level), assess for client satisfaction, other (non-family law) legal problems, and client opinions regarding their experience with their attorney and the overall Judicare program. A mailed survey was sent to all individuals who received Judicare services from January 1, 2008-June 30, 2009. To ensure confidentiality and anonymity, the Judicare grantees assumed responsibility for mailing all survey materials to the Judicare clients.

As an incentive for participation, a random drawing for 3 Judicare clients (who returned the survey) was held. Prospective participants were informed that three individuals who returned the survey would be randomly selected to receive \$20 as compensation for their time and participation in the Judicare survey.

For the client survey, a modified tailored design method approach was employed that consisted of four mailings (Dillman, 2000). A prenotice letter was mailed explaining the survey and the incentive. A second mailing included a letter explaining the survey, the survey, and a stamped return envelope was mailed approximately 7 days later. A third mailing included a thank you/reminder postcard and was sent approximately two weeks after the second mailing. A fourth and final mailing included a letter explaining the survey with a replacement survey and stamped return envelope. (This mailing was sent only to Judicare clients who had yet to return a

completed client survey). All contact information and mailings were handled through the Judicare grantee agency where the client received legal services. RYC provided the Judicare grantees with the mailing materials. Therefore, RYC staff did not have identifying information regarding Judicare recipients; recipient survey participants were anonymous and all responses are confidential and only reported in aggregate.

Judicare Attorney Survey Methodology

All grantee administrative personnel and participating Judicare attorneys who participated in the Judicare program from January 1, 2008 to June 30, 2009 were sent a web-based internet survey (see Appendix C). With input from the JEAC, the attorney survey assessed for attorney experiences, attorney motivation for participating in the program, and attorney opinions of the program. The web-based survey and emailing strategy followed recommendations from Dillman (2000). MLSC instructed the Judicare grantees to provide the names and email addresses of all participating Judicare attorneys to RYC. Judicare attorneys were sent an invitation, survey link, and follow-up emails to participate in the survey. The web-based survey was implemented through Qualtrics.

Judges/Masters Survey Methodology

The Judicare Evaluation Advisory Committee recommended that judges/masters also be surveyed. A survey was developed and given to the Administrative Office of the Courts to implement (see Appendix D). The AOC administered this survey (by sending out the invitation link) because it had email addresses for all masters and judges. Therefore, the RYC did not have any identifying information for these survey participants. The judges/masters survey was created in Qualtrics and the email invitation link was given to the AOC.

Focus Group Methodology

Focus groups were conducted by Dr. Pam Love-Manning from Bowie State University. Separate focus groups and interviews were held for Judicare recipients, Judicare administrators, and Judicare attorneys. As compensation for time, \$20 was offered to each Judicare recipient (clients only) who participated in the focus groups or interviews.

Judicare Grantee Survey Findings

From the 6 Judicare grantee agencies, 12 individuals were identified as having administrative authority over operations of the Judicare program. Of these 12 individuals, 7 completed the web-based Judicare agency administrator survey. The grantee survey was administered two times (via Qualtrics). The first survey generated six responses. It was suggested by the JEAC that the survey be sent again as it was anticipated that all grantee agencies would respond. The survey was therefore sent to the agencies again and generated one additional response yielding a total response of 7, including responses from all of the participating agencies. Since this is a small sample size, findings should be cautiously interpreted. The following is a descriptive report of the responses given by responding Judicare grantee administrators to seven major topics addressed by the Judicare Agency Survey (see Appendix A). This descriptive report is a combination of sampling, data collection and analysis that includes minimally transformed data/answers (Sandelowski, 2000).

Referrals

Grantees were asked how Judicare clients were referred to their agencies. A significant variance in practices identified through this survey question was that three out of the seven respondents indicated that their agency did not tell clients they were participating in the Judicare

program, while the remaining grantees did tell them. The grantees that did not tell clients about the Judicare program connected these clients with legal services and never explained their participation with the program.

Grantee administrators indicated a variety of sources that referred clients to them specifically for the Judicare program. These sources include the Legal Aid Bureau, House of Ruth, Family Law Self-Help clinics, attorneys and courts, social service agencies, and local community agencies. The grantees have an average of 60 participating Judicare attorneys; however, per responding jurisdiction there is a wide range in the number of participating attorneys (15-180). The grantees (n = 7) indicated that a combined average of 129 (Judicare) cases had been handled by their agencies (open and closed cases); however, per jurisdiction there was a wide range of 38-101. The range in grantee case statistics reflects a variance in the number of attorneys participating per grantee.

Eligibility

All grantees used MLSC guidelines when screening a client's eligibility to participate in the Judicare program. Some grantees used additional criteria such as residency (must reside in the jurisdiction where the grantee is located) and required that clients have required supporting documents for their case. Two grantees indicated that they focus on specific types of cases. One grantee indicated it focuses on cases involving custody; another grantee indicated that it gave priority to cases facing opposing counsel.

All grantees indicated they had applicants who had been screened out of the Judicare program (meaning they did not meet the guidelines). This question, however, was difficult for some grantees to answer because they do not keep data on this dimension. Grantees indicated

that clients are screened out due to several factors: not providing proof of income, having an emergency case, and not having a valid legal issue requiring the services of an attorney. When clients were screened out because of incomes higher than the guideline amounts, they were either referred to a pro bono attorney or told to contact a private attorney. All grantees try to refer screened out clients to other legal service providers such as Legal Aid, Catholic Charities, pro bono attorneys, or volunteer attorneys.

Linking Clients to Attorneys

Judicare grantees vary in terms of how clients are linked to their attorneys. Some grantees provide clients with a list of panel attorneys and a Judicare certificate, with instructions for clients to choose an attorney and call for an appointment. The client and attorney subsequently work out arrangements for their meetings. Other grantees match clients with attorneys directly, with clients not given a choice of attorneys.

Grantee Opinions about the Judicare Reimbursement and Cap

All responding grantee administrators reported that the reimbursement rate (\$80 per hour) was fair. Four of the grantees, however, reported that the Judicare cap was unfair. These respondents expressed a concern that family law cases handled by the Judicare program are often complicated and require more than 30 hours of work. As a result, attorneys do not get adequate compensation for their efforts. Some administrators reported they believe this will eventually affect their recruitment efforts; they fear attorneys will not participate in the Judicare program if they know they will not receive payment beyond the Judicare cap.

Perceptions of the Judicare Model

One of the questions on the grantee administrator survey was, “Did the model work well for your agency?” All grantees responded that the Judicare model works well for their agencies. For this question two respondents indicated that the model is working well now but they are concerned that the pool of attorneys willing to take Judicare clients will dwindle because of the Judicare cap. They reported that family law cases are complex and many attorneys have complained about the amount of time (over the cap) they spent on such cases. All grantees also reported that the Judicare model will work well for non-family law cases. Clients often have housing, bankruptcy, and debt legal matters. The grantees indicated that these issues could be represented through the Judicare model. In addition, four grantees commented that they believe (if non-family law cases were allowed) it would help in two ways. First, it would increase the pool of attorneys since attorneys would be aware they could meet the needs of their clients (outside of family law cases) and receive fair reimbursement. Secondly, grantees noted that taking non-family law cases may help in rural counties where there are fewer attorneys available to do pro bono work.

Distribution of Judicare Cases to Attorneys

Grantees reported use of several methods for assignment of Judicare cases to participating attorneys. Six of the grantees indicated that they attempt to “fairly distribute” the Judicare cases to participating attorneys. This effort to be fair appears to be based on the grantees’ reported interest in protecting participating attorneys from burnout and exhaustion. In addition, the grantees reported that this effort might encourage participating attorneys (or additional attorneys) to take additional Judicare cases. Some grantees, however, find attempting

to fairly distribute cases to participating attorneys difficult, because not all attorneys make themselves available on a regular basis. Attorneys that are available are often given the cases that have immediate need for court hearings and subsequently require more immediate attention. Other grantees reported that there are some attorneys who are not busy with private cases and, as a result, are contacted for Judicare cases. These attorneys tend to readily accept Judicare cases in the interest of building their practices.

Attorney Characteristics

All grantees indicated there are identifiable characteristics of successful Judicare attorneys. They should have some experience or understanding regarding clients who are less educated and have socioeconomic challenges. This understanding assists them in informing clients about the court system and legal proceedings. Grantees reported that family law practitioners generally possess this understanding.

Judicare Client Survey Findings

Response Rate

The Judicare client survey was developed for this study in consultation with the Judicare Evaluation Advisory Committee. The client survey included quantitative and qualitative sections. To increase the response rate, a modified Dillman Tailored Method Design was implemented. Judicare clients were sent four mailings (see Methodology above). RYC was initially given 553 identification numbers for participating Judicare clients. After the first mailing, 59 surveys were returned due to invalid addresses. As a result, the overall study sample was established as 494. Out of 494 surveys, 165 responded yielding an overall response rate of 33.4%. This response rate is somewhat low and findings should be cautiously generalized to the Judicare client population.

The majority of the surveys were returned following the first wave of mailings (78.8%, n = 130). The response rate for each Judicare grantee is detailed in Table 1. All but five participants indicated that they filled out the survey without assistance (97.0%, n = 160). The majority of participants indicated they were female (84.8%, n = 140) with 14.5% (n = 24) indicating they were male (missing data, .6%, n = 1). Literacy limitations may have impacted the survey return rate. Assuming that some survey recipients have literacy limitations, it also should be assumed that the rate of return was suppressed by an undeterminable amount due to such limitations.

Demographics

Judicare survey respondents ranged in age from 19 to 75 with an average age of 41 years (n = 162, SD = 11). In terms of highest educational level achieved, as depicted in Table 1, 80.0% of respondents reported that they completed high school, acquired their GED or completed some college. Half (50.3%, n = 82) of the participants indicated they are Caucasian, while 40.0% (n = 65) identified themselves as African American, 3.0% (n = 5) as being of Hispanic origin, and 6.7% (n = 11) as Other ethnicity. Respondents resided in all jurisdictions in the State of Maryland (see Table 2), with the largest numbers coming from five jurisdictions: Allegany County (n = 21), Baltimore City (n = 33), Harford County (n = 20), Prince George's County (n = 28), and Washington County (n = 25). Table 4 indicates the income levels for Judicare client survey respondents. Over 60% of respondents reported total family household income of less than \$20,000 per year.

Table 1. Client response rate per Judicare grantee

Grantee	Total Number of Clients who were mailed surveys	Number of Return to Sender	Number of Valid Client Participants	Number of Returned Surveys and Response Rate*
Allegany Law Foundation	48	10	38	20 (52.6%)
Community Legal Services of Prince George's County	90	6	84	29 (34.5%)
Harford County Bar Foundation	130	19	111	27 (24.3%)
Maryland Volunteer Attorneys Service	217	18	199	74 (37.2%)
Mid-Shore Pro Bono Project	26	4	22	10 (45.5%)
Montgomery County Bar Foundation	42	2	40	6 (14.3%)
Total	553	59	494	33.4% (n = 165)

* = Response Rate is calculated by dividing the number of returned surveys by the total number of valid participants

Table 2. Highest education level achieved for Judicare clients

Education Level	Number	Percent
Less Than High School	12	7.3
H.S. Diploma/GED	61	37.0
Some College Credits	71	43.0
Advanced Degree	19	11.5
Missing Data	2	1.2
Total	165	100

Table 3. Jurisdiction residency of Judicare clients

Jurisdiction	Number	Percent
Allegany	21	12.7
Baltimore City	33	20.0
Baltimore County	9	5.5
Caroline	7	4.3
Carroll	1	.6
Cecil	5	3.0
Frederick	2	1.2
Harford	20	12.1
Howard	3	1.8
Montgomery	6	3.6
Prince George's	28	17.0
Queen Anne's	1	.6
St. Mary's	1	.6
Talbot	2	1.2
Washington	25	15.2
Washington, D.C.	1	.6
Total	165	100

Table 4. Income levels for Judicare client survey respondents

Income Level*	Number	Percent
Less than \$20,000	100	60.6
\$20,001-23,000	11	6.7
\$23,001-25,000	6	3.6
\$25,000-30,000	20	12.1
\$30,001-49,000	14	8.5
49,001-60,000	5	3.0
Greater than \$60,001	3	1.8
Missing Data	6	3.6
Total	165	100

* Before taxes, what was your total family household income?

Satisfaction of Judicare Clients

Embedded in the Judicare client survey was a satisfaction survey. Three-fourths of the Judicare client survey respondents indicated they were generally satisfied with the Judicare program (75.8%, n = 125), with 15.2% (n = 25) indicating they were somewhat satisfied and 7.9% (n = 13) indicating they were not satisfied (missing data, 1.2%, n = 2). Many respondents wrote in the words “yet” or “so far”, indicating that their cases were still ongoing. A little over half of the respondents indicated that their cases were closed (54.6%, n = 90), with 41.8% (n = 69) indicating their cases were open. Table 5 details the findings for the satisfaction variables.

Table 5. Satisfaction variables for Judicare clients

Satisfaction Question	% No	% Yes	Missing Data	Total
Were you satisfied with the way your attorney handled your case?	17.6% (n = 29)	72.7% (n = 120)	9.7% (n = 16)	100%
Do you think your attorney spent enough time on your case?	24.2% (n = 40)	68.5% (n = 113)	7.3% (n = 12)	100%
Do you think you were treated differently than a paying client?	67.9% (n = 112)	25.5% (n = 42)	6.5% (n = 11)	100%
Do you feel your attorney had experience with cases like yours?	10.9% (n = 18)	83% (n = 137)	6.1% (n = 10)	100%
Would you use these legal services in the future?	7.3% (n = 12)	87.3% (n = 144)	5.4% (n = 9)	100%
Would you recommend these legal services to a friend or family member?	8.5% (n = 14)	88.5% (n = 146)	3.0% (n = 5)	100%
If you were paying your attorney would you use your attorney?	17.6% (n = 29)	74.5% (n = 123)	7.9% (n = 13)	100%

Judicare survey respondents were asked if they would have liked to talk to their attorneys about problems other than their family law cases. A little over half of the respondents (50.9%, n = 84) indicated they did not have any additional problems requiring legal assistance, while 46.7% (n = 77) indicated they did have additional legal problems (missing data, 2.4%, n = 4). Among the primary problem areas they would have liked to talk to their attorneys were divorce, housing/foreclosure, visitation/custody, debt/bankruptcy, and other matters (see Table 6).

Table 6. Other (non-family law) legal problems Judicare clients wanted to talk About*

Other Legal Problem	Number	Percent
Divorce	18	11.8
Landlord/Tenant	5	3.2
Paternity	1	.6
Debt	21	13.8
Housing/Foreclosure	6	4.0
Visitation/Custody	23	15.1
Guardianship	3	2.0
Wills	11	7.2
Social Security	2	1.3
Child Support	23	15.1
Employment	3	2.0
Small Claims	5	3.3
Domestic Violence	6	4.0
Tax	4	2.6
Spousal Support	3	2.0
Other	18	11.8
Total Number of Other Legal Problems	152	100

* = clients were instructed to check all that apply

Access to Services

Judicare client respondents (n = 165) indicated they were referred to their Judicare program attorneys through a variety of means. The most common ways were referral by a community agency (46.1%, n = 76), through court (17.0%, n = 28), by a family member or friend (9.7%, n = 16), and other means of referral (27.2%, n = 45). Approximately three-fourths (n = 122) of clients indicated that their attorneys' offices were conveniently located for them, with 22.4% (n = 37) indicating the offices were not conveniently located (with 3.6%, n = 6 missing data). Table 7 indicates how clients traveled to their attorneys' offices. Over 60% (n = 101) drove themselves. A substantial majority (78.2%, n = 129) of clients indicated that they were not able to pick their attorneys, with 20.0% (n = 33) indicating they were able to pick their attorneys (1.8%, n = 3 missing data). A substantial majority of survey respondents (78.2%, n = 129) also indicated that it did not take a long time to get an appointment with their attorneys and 17.6% (n = 29) reported it was hard to get an appointment (4.2%, n = 7 with missing data).

Table 7. Method of travel to attorney's office

Method	N	Percent
Drove Self	101	61.2
Brought by friend/family	22	13.3
Public Transportation	14	8.5
Walked	2	1.2
Missing Data	26	15.8
Total	165	100

Financial Criteria

The Judicare pilot program employs a financial criterion from the Maryland Legal Services Corporation (MLSC) as part of the eligibility criteria for potential clients to participate

in the program. This criterion is based on the 2009 determination of 50% of the median family income for the State of Maryland (<http://www.mlsc.org/Income.Eligibility09.htm>) and includes family size criterion (number of family members living in the household). A goal of the Judicare program is to reach those individuals that would not financially qualify for legal services under Maryland Legal Aid criteria (e.g., clients seeking legal services would have earned more than the Legal Aid financial criterion). Maryland Legal Aid uses the guidelines determined by the Legal Services Corporation (LSC) to determine financial eligibility. LSC income guidelines are 125% of the Federal Poverty Income Guidelines, and are adjusted for family size (<http://www.mdlab.org/guidelines>). Responses from Judicare clients indicated that the average household size was 3 (range 1-8, SD = 2). A comparison between the MLSC and LSC guidelines was used to determine if there would have been differences in financial eligibility for participation in Judicare and/or other LSC programs for the Judicare client survey participants. Responses indicate that approximately 30% of the respondents for the Judicare client survey were eligible under the MLSC guidelines but would not have been able to receive Legal Aid services under the LSC financial guidelines. Sixty-three percent of respondents would have been eligible under both MLSC and LSC guidelines for representation for their family law matter. It is unknown whether respondents would have received representation through LSC (i.e., if an attorney would have been available for service). Table 8 details the findings for the financial criterion differences.

Table 8. Difference between MLSC and LSC guidelines for Judicare clients

Guidelines	N	%
No Difference between MLSC and LSC Guidelines (both would receive services)	104	63
MLSC Eligible but Not LSC Eligible	49	29.7
Not MLSC or LSC Eligible	4	2.4
Missing Data	8	4.9
Total	165	100

Spanish/English Surveys

Three of the grantees requested survey materials (e.g., all client survey mailings) in Spanish and English. A total of 36 client surveys were sent in Spanish and English. Only 1 of the 36 surveys was returned to sender (not a valid address). Two Spanish surveys were returned and translated. Given the low response rate, the two surveys are not considered representative or generalizable to the primarily Spanish speaking population that was served within the Judicare population. Therefore, results from these surveys are not presented separately. The two surveys were analyzed and included in the analysis of the English language surveys.

Qualitative Findings from the Judicare Client Survey

The Judicare client survey collected qualitative data through open-ended answers for several questions (see Appendix A). Of the 165 client survey respondents, 64 respondents provided write-in answers. Grounded theory, a methodology for developing theory inductively (Strauss & Corbin, 1998) was used to analyze the qualitative portion of the client surveys. Data analysis occurred over a four step process. The write-in portions of the surveys were transcribed and then entered into NVivo 8.0, a qualitative data analysis software program. The second step

involved open coding in which recurring themes in the data were identified and categorized. Third, a constant comparative method, a component of grounded theory (Padgett, 2004) was used to compare the themes that emerged from the data. Constant comparative analysis involves identifying commonalities and differences among the codes. Lastly, the categories and themes from the qualitative data were organized through comprehensive analysis. There were three themes that emerged from the qualitative data: There were no improvements needed with the program; desire for more from the Judicare attorney relationship; and family law experience.

Theme: No improvements needed for the program/attorneys

Over one-third (37.5%, n = 24) of open-ended question respondents indicated that they were satisfied with the program and could not identify any reasons for improvement or change to the Judicare program.

Within the theme of no improvement for the program/attorneys were sub-themes of gratitude and trust on the part of clients toward their attorneys. Responding clients' expressed appreciation for having been listened to and having someone advocate on their behalf. Clients commented that attorneys were prepared and knew the court system. The effort from the attorneys appears to have increased the comfort level of Judicare clients with regard to the court system and legal proceedings.

Theme: Desire for more from the Judicare attorney relationship

Many clients indicated that they would like to have gotten more out of their attorney-client relationships. This theme was referenced by 31 (48.4%) open-ended question respondents. Within this theme there were three major categories: attorneys could have listened to/understood the client more; attorneys could have maintained better communication; and attorneys could have

spent more time with clients. Several clients commented that they had other legal areas of concern they wanted to discuss but were not “allowed” to talk about those with their attorneys. Some clients commented that improvements were needed with regard to a lack of phone calls or response to phone calls.

Theme: Family law experience

Nine open-ended question respondents made comments indicating the need for family law experience. All statements in this category involved comments that indicated the attorneys assigned to their cases did not seem to have expertise concerning their client’s legal matters and/or were not prepared for court proceedings.

Multivariate Analysis for Client Outcomes

All quantitative data from the Judicare client survey were analyzed to assess client outcomes associated with the Judicare program. Given that this can be classified as an exploratory outcomes study, a significance level of $>.1$ was used for all analyses. Client age, grantee origin (the grantee under which clients received services), gender, ethnicity, education level, and income level did not have any impact on overall client satisfaction with the Judicare program (see Appendix E).

A review of the Judicare literature indicates that there were five major criticisms of the 1970’s national (not state specific) Judicare model when compared to Legal Aid Models (see Greeno et al., 2009). These five criticisms included that Judicare offices were not conveniently located and as a result there was not adequate legal representation. In the current study approximately three-fourths, (73.9%, n = 122) of responding clients indicated that their attorneys’ offices were conveniently located for them while 22.4% (n = 37) indicated the offices

were not conveniently located (3.6%, n = 6 missing data). A similar proportion (78.2%, n = 129) indicated that it did not take a long time to get an appointment with their attorney, while 17.6% (n = 29) indicated it was hard to get an appointment and there were 4.2% (n = 7) missing data. A logistic regression analysis was performed to determine if there were differences for the individuals who felt the office was *conveniently located* and their overall satisfaction; the model was significant, [X^2 (1, N = 165) = 9.842, p < .002]. (See table 8 for a list of all predictor variables used in the logistic regression analyses). An analysis of the data indicates that if a client reports that his/her attorney's office is conveniently located, the odds of that client being dissatisfied with their overall Judicare experience decrease by more than half (.56). A multiple regression analysis also indicates that for every point increase indicated for clients' difficulty in *getting connected* to services, the satisfaction with the overall Judicare program decreases by .6, (N = 165, F = 9.459, p < .002). Although only a small group of Judicare client respondents indicated that their attorneys' offices were not conveniently located and/or it was difficult for them to get appointments with their attorneys, it appears that this factor had a notable negative impact on their overall satisfaction with the Judicare program. From this analysis, it cannot be determined if the difficulty in access to services impacted Judicare clients' legal representation. Difficulty with transportation or in obtaining appointments, however, likely would impact client participation in their court proceedings.

A second criticism of the 1970's national Judicare model was that attorneys participating in Judicare programs did not have enough family law legal expertise to adequately represent their clients. In the current study a small percentage of Judicare clients reported that they felt their attorneys did not have legal expertise for their case (10.9%, n = 18, see Table 4). Given the low response rate for this question, a quantitative analysis cannot be performed. It should be noted,

however, that 98% (n = 52) of the responding participating attorneys indicated they felt they had enough legal expertise for their Judicare client's case (See Findings for Attorney Surveys section). It also should be noted that only nine or 5.5% of the client respondents indicated dissatisfaction with the program in the open-ended question portion of the questionnaire.

A third criticism of the 1970's national Judicare model was that Judicare clients could not choose their attorneys and that this lack of choice impacted attorney-client relationships. In the current study a substantial majority (78.2%, n = 129) of clients indicated that they were not able to pick their own attorney, while 20.0% (n = 33) indicated they were able to select their attorneys (1.8%, n = 3 missing data). Two logistic regression analyses were conducted to determine if: Not being able to select their attorney had an impact on the client's overall Judicare experience; and, If not being able to select their attorney impacted the client's satisfaction with his/her attorney. The first model was significant, [X^2 (1, N = 165) = 3.032, p = .082], indicating that for clients who were able to choose their attorneys, the odds of being satisfied with the Judicare program increased by a factor of two-thirds (.67). There were no differences in terms of whether an option to pick the attorneys impacted client satisfaction with their assigned Judicare attorney, [X^2 (1, N = 165) = 1.151, p = .283).

The fourth area of attention found in the literature concerning the 1970's national Judicare approach relates to the extent of legal resources provided to low-income individuals. This area of concern involved having financial criterion that allowed for more clients to be served than would be eligible under the Legal Aid model. (See Quantitative Analysis Section above for a detailed description of the differences in findings regarding the financial criterion between the Judicare and Legal Aid criterion). For the current study sample, approximately 30% of respondents for the Judicare client survey were eligible under MLSC guidelines for legal

services but would not have been able to receive Legal Aid services under LSC financial guidelines. There was not a specific question on the survey that details the number of private attorneys utilized by the grantees.

A final area of concern regarding the 1970's Judicare national model involved clients' ease of use of the program. Critics argued that the Judicare model was not client-friendly and usually required several client visits before seeing Judicare attorneys. For the current study Table 10 details findings regarding ease of use variables. For clients who thought they were treated differently than paying clients, the odds of their being dissatisfied with the Judicare program significantly increased (an increase of 7.3; significant model ($X^2(1, N = 165) = 41.324, p < .0001$). For individuals who felt it took a long time to get an appointment with their attorney, the odds of their being dissatisfied with the overall Judicare program increased by 2.11 times ($X^2(1, N = 165) = 13.096, p < .0001$). Further analysis of this area in the current study involved investigation of whether clients desired to discuss additional legal problems with their attorneys. Findings indicated that 46.7% ($n = 77$) of respondents indicated they had additional legal problems to discuss with their attorneys (See Table 6). For individuals who had additional legal problems to discuss with their attorneys, the odds of their being dissatisfied with the overall Judicare program increased by 1.63, [$X^2(1, N = 165) = 8.117, p = .004$]. In that a large majority of client respondents indicated satisfaction with Judicare, any scheduling or attorney/client communication problems were not great enough to substantially impact overall respondent satisfaction with the program.

Again, the above discussion is in reference to the national model of Judicare as it was implemented in the 1970's. The Millemann report (2007) documents the State of Maryland's

Judicare model during this time period and indicates that many problems experienced nationally were not experienced in Maryland.

Table 9. Summary of logistic regression analyses for variables predicting client satisfaction with Judicare*

Predictor	β	<i>SE</i> β	Wald's X^2	<i>df</i>	<i>p</i> **	e^B (Odds ratio)
Was your attorney's office conveniently located for you?	-.589	-.188	9.842	1	.002	.56
Were you able to pick your own attorney?	-.408	.234	3.032	1	.082	.67
Were you able to pick your own attorney? (outcome of satisfaction with his/her attorney)	.624	.582	1.151	1	.283	1.87
Do you think you were treated differently than a paying client?	1.990	.310	41.324	1	.0001	7.32
Did it take a long time to get an appointment with your attorney?	.747	.207	13.096	1	.0001	2.11
Did you have any other problems that you would like to talk to a lawyer about?	.487	.171	8.117	1	.004	1.63

* = Outcome being measured is general satisfaction with the Judicare program, unless otherwise indicated

** = using *p* is significant at >.1

Table 10. Ease of use variable for Judicare clients

Variable	% No	% Yes	Missing Data	Total
Do you think you were treated differently than a paying client?	67.9% (n = 112)	25.5% (n = 42)	6.5% (n = 11)	100%
Did it take a long time to get an appointment with your attorney?	78.2% (n = 129)	17.6% (n = 29)	4.2% (n = 7)	100%
Did you have additional legal problems to discuss with your attorney?	50.9% (n = 84)	46.7% (n = 77)	2.4% (n = 4)	100%

Judicare Attorney Survey Findings

Response Rate

The Judicare attorney survey used for the current study (see Appendix C) included quantitative and qualitative sections. Each Judicare grantee provided RYC with valid email addresses for participating Judicare attorneys. A total of 181 attorney email addresses were given to the RYC. An invitation email was sent to all email addresses. One attorney asked to opt out of the study, therefore the effective sample size for attorneys was 180. Initial efforts to get attorneys to respond to the survey (email invitations and survey link) were unsuccessful (36 responses out of 180). Based on a recommendation from the JEAC, grantee administrators were asked to encourage their participating attorneys (by emails and/or face-to-face contact) to respond to the Judicare survey invitation emails. Subsequently, RYC sent a second wave of email invitations to the attorneys. This resulted in an additional 17 completed surveys. Therefore 53 out of 180 attorneys responded yielding a low response rate of 29.4%. Given the response rate, findings should be cautiously generalized to all participating Judicare attorneys.

Demographics

A substantial majority (69.8%, $n = 37$) of attorney respondents were female. 58.5% ($n = 31$) of respondents identified themselves as Caucasian, 30.2% ($n = 16$) as African American, and 11.3% ($n = 6$) indicated “Other” as their ethnicity. Responding attorneys indicated the location where they practice law for Judicare cases as 20.8% ($n = 11$) rural, 26.4% ($n = 14$) urban, and 52.8% ($n = 28$) suburban (see Appendix F for a detailed table indicating all jurisdictions where responding attorneys provided Judicare services). The average years of experience reported by responding attorneys was 12 (range 2 – 36, $SD = 8.8$). The average fee per hour for non-Judicare

cases was \$220 (range \$45-\$600, SD = \$72). The average number of Judicare cases accepted by the attorneys was 4 (range 1 -20, SD = 3.5). The average number of Judicare cases closed by the attorneys was 3 (range 0 -10, SD = 3). 18.8% (n = 10) of responding attorneys reported that they fluently spoke a second language. The languages spoken included Spanish (n = 2), German (n = 1), French (n = 1), and Other (n = 6). Almost all of responding attorneys (n = 52) indicated they believe they had enough legal expertise for their Judicare clients. Attorneys further indicated that over half (56.6%, n = 30) of their Judicare clients did not have any other family law or non-family law legal matters to discuss, while 43.4% (n = 23) indicated they did have clients who wanted to discuss other legal matters. Table 11 details the other legal matters attorneys felt their clients would want to discuss. These percentages generally correspond with client responses concerning the need for non-family matters legal assistance.

Overall, responding attorneys were satisfied with their Judicare experience. A substantial majority (96.2%, n = 51) of participating attorneys indicated that they were happy with their overall experience and participation with the Judicare program. Similarly, a large majority of attorneys (98%, n = 52), indicated they would participate as a Judicare attorney again in the future and would recommend participating in the Judicare program to a colleague (94.3%, n = 50).

Table 11. Other (non-family law) legal problems attorneys indicated clients Discussed*

Other Legal Problem	Number	Percent
Divorce	9	8.2
Landlord/Tenant	9	8.2
Paternity	4	3.6
Debt/Bankruptcy	17	15.5
Housing/Foreclosure	5	4.5
Visitation/Custody	9	8.2
Guardianship	6	5.5
Wills	4	3.6
Social Security	3	2.7
Child Support	10	9.1
Employment	5	4.5
Small Claims	5	4.5
Tax	3	2.7
Restraining Orders	9	8.2
Spousal Support	6	5.5
Other	6	5.5
Total Number of Other Legal Problems	110	100

* = attorneys were instructed to check all that apply

Attorneys' Motivation to Accept Judicare Cases

The attorney survey also included several open-ended response questions (see Appendix C). Grounded theory was used to analyze qualitative data gathered through these questions. A detailed description of qualitative analysis procedures used is located in Qualitative Findings from the Judicare client survey. In this section of the attorney survey respondents were asked why they decided to participate in the Judicare program. Three primary themes were identified from the resultant qualitative data.

Theme: Benevolence

The theme of benevolence was the dominant theme that emerged when attorneys were asked why they accepted Judicare cases. This theme was comprised of two sub-themes: helping others and giving back to the community. Attorneys indicated that they felt personally rewarded when they helped individuals who might not have been able to afford legal representation outside of the Judicare program. Attorneys appeared to view helping others as part of their professional and personal obligation to those in need.

Responding attorneys also indicated that in addition to helping others, Judicare is a way for them to give back to their communities. Attorneys responded that they felt that part of their professional responsibility is to better the communities they serve. The Judicare program is viewed as a means for them to fulfill this responsibility.

Theme: Professional Development

Attorneys also indicated that they participated in the Judicare program for professional development reasons. Two sub-themes emerged within this broad theme: they wanted to strengthen their family law skills (a few attorneys referenced having mentors that enriched their experience with the Judicare program); and Judicare reimbursement allowed them the financial ability to take Judicare cases. Judicare reimbursement allowed for overhead and financial support while the attorneys worked on those cases.

Theme: Access to justice

A final theme that emerged from this qualitative data indicated that a desire among responding attorneys to support provision of access to justice is a reason for taking Judicare

cases. They reported that clients do not understand the legal system or their legal rights and the Judicare program offers opportunities to overcome these problems. Responding attorneys noted that family law can be very complicated and individuals who do not have the means to seek private counsel have significant difficulty navigating the legal system without legal representation.

Attorney's Opinions Regarding Challenges and Rewards of Judicare

Challenges

Responding attorneys reported experiencing three primary challenges.

1. Attorneys indicated that the primary challenge they experienced with the Judicare program involved working with difficult clients. A third of responding attorneys (34.0%, n = 18) indicated they had difficult clients. Reported difficulties included having clients who became verbally abusive, were unreasonable, and/or did not follow-up on case-related tasks (e.g., bring in paperwork, return phone calls, and attend court hearings).
2. A second challenge identified by responding attorneys (15.1%, n = 8) was that the cases are often time consuming, resulting in attorneys feeling that they are taken advantage of by Judicare clients. Attorneys commented that Judicare cases tend to be complicated, resulting in an inordinate amount of time committed to cases and clients. Responding attorneys expressed a belief that clients feel that they can contact Judicare attorneys at any time. Several attorneys reported having clients that believe they should have received legal services in excess of the requirements of their family law cases.

3. A third challenge expressed by 13.2% of responding attorneys (n = 7) involves Judicare reimbursement. These attorneys indicated that the cap on the number of hours was not reasonable for some Judicare cases. Some attorneys reported that it took a long time to be reimbursed by the Judicare program which impacts their overall legal practice. Judicare records provide context for this concern. According to the Judicare Project FY 2010 mid-year report, 24% (n = 85) of cases exceeded the 20 hour cap (N = 355). The average number of hours that attorneys worked over the 20 hour cap was 13 (Maryland Legal Services Corporation, 2010). The average number of total hours attorneys reported they worked on Judicare cases¹ was 17.1 for FY 10 and 16.4 for FY 10 (MLSC, 2010).

Rewards

Judicare attorneys were asked to describe the rewards of participating in the Judicare program. There was almost 100% overlap among the reasons given for why attorneys participate in the Judicare program (see above). The only additional theme was that attorneys indicated they participated in the program so that they could work with the Judicare grantee. Attorneys appeared to want to forge a relationship with the Judicare grantee to gain experience and become a referral resource for the grantee.

Judges/Masters Survey Findings

Judges/masters were surveyed regarding their general opinions concerning the Judicare program. The AOC administered this survey. The sample size was very small (n = 11). Since approximately 350 judges or masters received the survey invitation email, the response rate was 3.1%, an extremely low response rate. Therefore responses should be very cautiously interpreted.

¹ Statistics reported on closed Judicare cases only

All 11 participants were aware of the Judicare program. 36.4% (n = 4) indicated that they never knew when a Judicare case was heard in their courtrooms. 18.2% (n = 2) indicated they knew when a Judicare case was heard in their courtrooms a little of the time and 36.4% (n = 4) indicated they knew cases were Judicare-involved some of the time. 72.7% (n = 8) of the responding judges/masters indicated that having representation impacted litigant outcomes. Three judges/masters (27.3%) indicated they or their staff made referrals to the Judicare program while 72.7% (n = 8) indicated that they did not. Responding judges/masters indicated that when they knew a case was a Judicare case, there were no differences in representation between attorneys representing Judicare cases and attorneys representing other clients

Responses to the other questions asked in the Judicare judges/masters survey (see Appendix D) are not valid as the majority of respondents indicated they did not have enough information about the Judicare program to have an opinion.

Qualitative Findings

RYC contracted with Bowie State University (BSU) for qualitative analysis beyond that made possible through the surveys. This qualitative research included interviews and focus groups. Refer to Appendix G for a listing of client coding schemes for the qualitative interviews.

A total of 17 interviews/focus groups were conducted with grantee administrators (face-to-face or by phone), attorneys (face-to-face or by phone), and clients (face-to-face only) between March 31, 2010 and June 3, 2010. The number of interviews conducted, the status of the interviewee, and jurisdiction of the interviews are as follows:

Interviewee Status	Jurisdiction	Number of Interviews Conducted
Administrators	Allegany, Montgomery, and Prince Georges	3
Attorneys	Baltimore City, Harford, Mid-Shore, Montgomery, and Prince Georges	6
Clients	Allegany, Baltimore City, Harford, Mid-Shore, and Prince Georges	7
Legal Assistant	Prince Georges	1

All but two face-to-face interviews were conducted in the office of MLSC Judicare grantees. They were as follows: the Community Legal Services of Prince Georges County, Harford County Bar Foundation, Inc., Maryland Volunteer Lawyers Service (Baltimore City), and the Mid-Shore Pro Bono Project (Easton, Md.). One client interview was conducted at a hotel in Cumberland, Maryland and one at Maryland General Hospital in Baltimore.

In order to maintain the confidentiality of interview participants, each interview was assigned a code. See Appendix H for details regarding the date and jurisdiction of each interview or focus group, the category of interview (e.g. administrator), and the code assigned to each interview. Administrator and attorney interviews were conducted in person or by phone. All client interviews were conducted in person.

A coding scheme was developed for each set of interviews (e. g., administrator, attorney, and clients). The process of developing each coding scheme was iterative and progressive. The transcription from each interview was independently reviewed multiple times by the researcher and a consultant. Once the researcher and consultant agreed on codes, the researcher developed a coding scheme for each set of transcriptions. The researcher developed a descriptive, hierarchical coding scheme for each set of interviews.

General qualitative findings:

Administrators

An interview was conducted with all (n = 4) administrators and their assistants that agreed to be contacted and interviewed. Administrators in Prince Georges and Montgomery Counties reported that they “package” cases. “Packaging” means that assignment of a Judicare case to an attorney also required that the attorney would take a pro bono case. The Prince Georges County and Montgomery County administrators expressed satisfaction in packaging cases and felt that it increases their caseload assignment. Some administrators indicated that at times having limited staff support adversely affected their ability to screen and assign cases to attorneys in a more timely fashion, but all were satisfied that cases were being assigned.

Attorneys

A total of six interviews were conducted with attorneys. A total of 21 attorneys were contacted by email for an interview. Of the 21 attorneys contacted, eight interviews were scheduled. Due to scheduling conflicts, two of the eight were unable to be interviewed.

Attorneys commonly noted their commitment to volunteerism in relation to their work with Judicare. They typically identified a professional commitment to donate their time. As a result of this commitment their services sometimes exceed the maximum hours for which they can be paid. The satisfaction of seeing a positive outcome was expressed by some attorneys.

The security of being paid for their Judicare service was expressed by all of the attorneys as a reason for participating in the program. With the exception of attorneys from one jurisdiction, all attorneys said that the reimbursement rate was below their hourly rate. The state

of the economy, however, seemed to make accepting Judicare cases more desirable to participating attorneys.

Attorneys in two jurisdictions discussed their involvement with Spanish-speaking Judicare clients. In both jurisdictions, the attorneys interviewed said that interpreters were provided. The attorneys demonstrated frustration regarding such cases because of additional time they were perceived to involve.

Some attorneys expressed frustration over opposing parties who could afford attorneys who would drag cases out.

Clients

A total of seven interviews were conducted with a total of eight clients. All of the clients were female. Although male clients were contacted, only one scheduled an interview, but failed to appear or reschedule.

Clients reported a variety of positive and negative reactions to their Judicare program experiences. Some clients stated that they had to handle certain aspects of their case that they felt should have been handled by the assigned attorney. Participating clients confirmed a program characteristic identified earlier in this report; that they generally did not select their attorneys. Some expressed a preference for selecting their attorneys in the future. Some clients confirmed another finding identified earlier in this report; a need for legal assistance in areas other than family law.

Five of the clients interviewed identified positive case outcomes. Other interviewees expressed disappointment with their outcomes. For instance, one client said that her attorney

withdrew representation a day or two before the court date. Another client said she did not know her case outcome. One client said that she was dissatisfied with the case outcome because her attorney was disbarred and a replacement attorney showed little empathy for her situation.

Administrators/Attorneys/Clients

Grantee administrators, attorneys, and clients agreed that the Judicare program provides needed services to clients who otherwise would not be able to pay for attorney services. Most clients did not know that they were part of the Judicare program. Most attorneys said that they did not treat Judicare clients differently than other clients.

There was some concern expressed by attorneys and grantee administrators regarding client expectations. They shared a belief that some clients expect Judicare attorneys to respond on demand to their needs. Clients often expressed feelings of stress, being overwhelmed, or feeling uncertain about the process and outcome of their cases. Some attorneys and clients referred to some level of disrespect. Some attorneys complained that clients call on holidays. Some clients complained that attorneys communicate with other clients in their presence.

Grantee administrators, attorneys, and clients shared an assessment of a need to expand Judicare services to areas other than family law. They also shared a belief that the program should continue. They concurred in an assessment of the value of the program to individuals who could not afford to pay for an attorney. Regardless of case outcome, all indicated appreciation for the program's existence.

Attorneys and clients suggested that funds should be made available to cover the cost of expenses beyond that of attorney time (e.g., process server, copying documents at the courthouse).

Most clients and some attorneys expressed a belief that the Judicare program should be better publicized. None of the clients knew that the program existed prior to obtaining information from a referring source.

Challenges

The evaluation project timeline limited the number of focus groups and interviews that could be conducted. Additional focus groups and interviews might have been scheduled if additional time were available. The evaluation team experienced challenges in contacting clients. In addition to notification letters, numerous phone calls were made to clients to schedule interviews. Attempts to contact clients were unsuccessful due to phone numbers being disconnected, lack of return calls, or no one answering the phone on numerous attempts and no voicemail available. Four out of 12 clients scheduled for interviews or a focus group failed to appear.

There were also challenges encountered in contacting attorneys. Since only an email address was provided for attorneys, contact with them was initiated only through email. All attorneys were emailed multiple times. In addition to the 6 attorneys interviewed, interviews were scheduled with 2 additional attorneys who ultimately could not attend due to personal or business conflicts.

Summary of Evaluation Findings

Since they are the result of small sample sizes, findings from the evaluation should be interpreted cautiously. The analysts can state, however, that there are clear indications that the Judicare Family Law Pilot Program has thus far been successful in terms of perception of

positive outcomes and satisfaction among clients, participating attorneys, and grantee administrators

Concerns regarding the program's operation were expressed in the client surveys and client interviews. Many clients would like for legal matters beyond family law cases to be covered by Judicare services. Some clients expressed a desire to have more of an investment from the attorney in the attorney-client relationship. Some clients would prefer to select their attorneys. Findings from the client survey indicated that when clients did not have a choice in attorney selection, client satisfaction with the Judicare program slightly (but significantly) declined. This finding might in part be explained by findings from the qualitative portion of the client survey as well as from the interviews. Clients expressed interest in having more time with their attorneys, and some clients expressed a belief that their attorneys were not as committed to their case as they would have liked. This may be interpreted as meaning that clients feel by picking their attorneys they would have more "ownership" in their legal representation.

There appear to be many reasons why attorneys participate in the Judicare program. The themes of professional commitment, justice, benevolence, and volunteerism factor into the choice of attorney participation in the program. Findings suggest that attorneys receive personal and professional gain from their Judicare participation. A small portion of attorneys reported that the Judicare cap was inadequate due to the complexity of family law cases and lack of cooperation from some clients.

Judicare grantee administrators overwhelmingly reported that the Judicare program was successful and should be continued in their jurisdictions. In addition, grantees believe that the Judicare model would work well with non-family law cases. Grantees share a concern regarding

the Judicare cap. They report that the cap on the number of hours is too low given the complexity and time-intensity of family law cases. Grantees report concern that working beyond the cap will overburden or burnout their participating attorneys and may result in a reduced pool of attorneys participating in the Judicare program.

Recommendations

As a process/process outcome evaluation, this study should be interpreted as largely exploratory in nature. The intent of this report is to document and analyze evidence acquired from clients, attorneys, grantees and judges concerning the processes and process outcomes of the Judicare Family Law Pilot Program. Framed according to these terms, the evaluators can make the following recommendations:

1. Grantees should continue to utilize the surveys introduced in this study to acquire information from Judicare clients and attorneys. Both groups should be continuously surveyed to collect data to identify ongoing themes or problems that may impact the Judicare program. The need to continue to survey those involved in the program is reinforced by the low response rates seen in this study. For clients, there appears to be a slight difference in program satisfaction between those who choose their attorneys and those who do not. Data should continue to be collected to ascertain if there are differences between these groups. Continued efforts to recruit attorneys to participate in an evaluation should be explored. Attorneys are a valuable component of Judicare. Therefore their experiences and opinions are necessary to the functioning of the program. For grantees, given that there are differences among them in terms of how the program operates, continued efforts to survey grantees in reference to their operations is

recommended. Continued collection of data from grantees will inform policy makers and program managers as to whether expanded outreach efforts will affect client or attorney ease of use, access to services, etc.

2. The number of hours attorneys work over the 20 hour cap appears to need exploration. Statistics regarding the average number of hours Judicare attorneys work on a Judicare case should be documented. According to the Judicare Project FY 2010 mid-year report, the average number of hours that attorneys worked over the 20 hour cap was 13 (Maryland Legal Services Corporation, 2010). Both the Judicare grantees (administrators) and attorneys referenced being challenged and concerned by the number of hours attorneys worked over the cap.
3. Statistics regarding Judicare operations should continue to be collected by MLSC. Such statistics should include number of participating attorneys, number of hours worked on Judicare cases by attorneys, and number of hours billed over the 20 hour cap. If possible, statistics concerning attorney time spent on case activities such as client consultation and court time, should be maintained.
4. Outreach to recruit attorneys to participate in Judicare should take into account the themes identified in this study. This means that attorneys who best “fit” the legal needs of Judicare clients and the challenges they present should be encouraged to participate in the program.
5. The findings from the judges/masters survey were limited given the low response rate. In the future, it is recommended that judges/masters be informed of the Judicare cases on

their docket so that their assessments regarding the impact of Judicare on caseloads and case outcomes can be included in continued monitoring of the program.

6. Given that a goal of Judicare is to provide legal representation for those who could not afford it, did not qualify for representation under other programs, or due to wait-lists could not be served by other programs, future research should focus on case outcomes for clients served by the Judicare program compared to self-represented litigants. For example, information should be collected that will support investigation of whether Judicare clients fair better or worse than self-represented litigants. Data regarding outcomes for these groups should be collected and analyzed.
7. It is also recommended that the case outcomes of the Judicare program be assessed for impact for the litigant(s) and for children involved in the Judicare case. For instance, outcomes for children should be considered. The MLSC 2010 FY 10 Mid-Year report indicates that the outcomes of the family law cases served under Judicare affect hundreds of families, (for example, the report indicates that 623 individuals were affected by obtained or maintained custody of children). Judicare is designed to provide services to individuals who could not otherwise afford legal representation. It is assumed that this legal representation benefits those served. Assessing case outcomes and post-adjudication experiences of Judicare clients may assist in assessing the substantive impact of Judicare.
8. Although Judicare grantees report Judicare case activity to MLSC in a standard form, they do not collect individual case data in a standardized format. To give the AOC a better idea of the demand for Judicare services, at minimum grantees should be required to keep records of the number of Judicare applicants who do not qualify for the program.

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Appendix A

Grantee Survey

Open-ended Web-based survey for Agency Administrators at participating Judicare agencies

1. How are Judicare clients referred to your agency?
2. How many participating Judicare attorneys do you have in your agency?
3. To date, approximately how many Judicare cases have been handled by your agency (includes closed and open cases)?
4. How do you determine a client's eligibility to participate in the Judicare program?
5. Approximately how many clients attempting to use Judicare services have you screened out (refused services through the Judicare program because the client/case did not meet the Judicare criteria)?
6. What were these clients told and where were they referred?
7. Do you agree with the Judicare reimbursement rate and cap? Yes/No. Please explain.
8. Does the Judicare model work well for your agency? Yes/No. Please explain.
9. Do you feel the Judicare model would work well for other non-family law cases for your agency? Yes/No. Please explain.
10. Do you think that the distribution of Judicare cases to the attorneys on your Judicare panel is fair? Yes/No. Please explain.
11. Are there identifiable characteristics you feel a Judicare attorney should have in order to best represent Judicare clients? Yes/No. Please explain.
12. Were there any problems with the Judicare model you would like to share with us? Yes/No. Please explain.

Appendix B

Client Evaluation Survey

1. Where in Maryland do you live? *(please check one)*

- | | |
|---|--|
| <input type="checkbox"/> Allegany | <input type="checkbox"/> Harford |
| <input type="checkbox"/> Anne Arundel | <input type="checkbox"/> Howard |
| <input type="checkbox"/> Baltimore City | <input type="checkbox"/> Kent |
| <input type="checkbox"/> Baltimore County | <input type="checkbox"/> Montgomery |
| <input type="checkbox"/> Calvert | <input type="checkbox"/> Prince George's |
| <input type="checkbox"/> Caroline | <input type="checkbox"/> Queen Anne's |
| <input type="checkbox"/> Carroll | <input type="checkbox"/> St. Mary's |
| <input type="checkbox"/> Cecil | <input type="checkbox"/> Somerset |
| <input type="checkbox"/> Charles | <input type="checkbox"/> Talbot |
| <input type="checkbox"/> Dorchester | <input type="checkbox"/> Washington |
| <input type="checkbox"/> Frederick | <input type="checkbox"/> Wicomico |
| <input type="checkbox"/> Garrett | <input type="checkbox"/> Worcester |

2. Is someone assisting you with answering this survey? *(please check one)*

- Yes No

3. Please write your age _____

4. Please indicate your gender

- Female Male

5. Generally, how did you feel about your experience with the agency that served you? *(please check one)*

- Very Satisfied Satisfied Somewhat Satisfied Not Satisfied

6. How did you get referred to your lawyer? *(please check one)*

Friend/Family Court Agency Referral other participant's lawyer

Advertisement (flyers, etc.) Knew Lawyer before

Other *(please specify)* _____

7. What is your primary language? *(please check one)*

____ English

____ Spanish

____ Other *(please specify)* _____

8. What is the highest educational level you have achieved? *(please check one)*

____ Less than High School

____ High School Diploma/GED

____ Some College Credits

____ Advanced Degree

9. What is your race/ethnicity? *(Check one or more to indicate what you consider yourself to be.)*

Puerto Rican White/Caucasian Black/African American

Chicano/Mexican American Indian/Alaskan Native Asian/Pacific Islander

Other Hispanic/Latino Other race/ethnicity *(please specify)*: _____

10. Before taxes, what was your total family household income last year? *(please check one)*

Less than \$20,000 \$20,001 - \$23,000 \$23,001 - \$25,000

\$25,001 - \$30,000 \$30,001 - \$33,000 \$33,001 - \$35,000

\$35,001 - \$39,000 \$39,001 - \$44,000 \$44,001 - \$49,000

\$49,001 - \$52,000 \$52,001 - \$54,000 \$54,001 - \$60,000

Greater than \$60,001

11. Including yourself, how many members reside in your household? _____

12. Did you feel like having a lawyer made a difference in your case? *(please check one)*

Yes No

13. Were you satisfied with the way your lawyer handled your case? *(please check one)*

Yes No

14. Do you think your lawyer spent enough time on your case? *(please check one)*

Yes No

15. Is your legal case closed? *(please check one)*

Yes No

16. Was your lawyer's office conveniently located for you? *(please check one)*

Yes No

17. How did you get to your lawyer's office? *(please check one)*

Drove self Brought by a friend/family Public transportation Walked

18. Were you able to pick your own lawyer? (A no answer would mean someone assigned a lawyer to you, *please check one*).

Yes No

19. If yes, how did you pick your lawyer?

20. How hard was it for you to get connected to services (actually see a lawyer)? *(please check one)*

Very Hard Hard Somewhat Hard Not At All Hard

Comment:

21. Did it take you a long time to get an appointment with your lawyer? *(please check one)*

Yes No

22. Do you think you were treated differently than a paying client? *(please check one)*

Yes No

23. Other than your case, did or do you have any other problems that you would like to talk to a lawyer about? *(please check one)*

Yes No

24. If Yes, please indicate the other areas you would have wanted to talk about with your lawyer *(check all that apply)*

Divorce Guardianship Employment
 Landlord/Tenant Debt/Bankruptcy Small Claims
 Paternity Wills Domestic Violence
 Debt Social Security Tax
 Housing/Foreclosure Child Support Spousal Support
 Visitation/Custody
 Other *(please specify)* _____

25. Do you feel your lawyer had experience with cases like yours? *(please check one)*

Yes No

26. Would you use these legal services in the future? *(please check one)*

Yes No

27. Would you recommend these legal services to a friend or family member? *(please check one)*

Yes No

28. If you were paying your lawyer would you use your lawyer? (*please check one*)

Yes No

29. How could your lawyer have improved his/her service?

Appendix C

Judicare Attorney Survey

Web-based Survey

30. Where in Maryland do you primarily work with Judicare clients? (Please indicate all that apply)

- | | |
|---|--|
| <input type="checkbox"/> Allegany | <input type="checkbox"/> Harford |
| <input type="checkbox"/> Anne Arundel | <input type="checkbox"/> Howard |
| <input type="checkbox"/> Baltimore City | <input type="checkbox"/> Kent |
| <input type="checkbox"/> Baltimore County | <input type="checkbox"/> Montgomery |
| <input type="checkbox"/> Calvert | <input type="checkbox"/> Prince George's |
| <input type="checkbox"/> Caroline | <input type="checkbox"/> Queen Anne's |
| <input type="checkbox"/> Carroll | <input type="checkbox"/> St. Mary's |
| <input type="checkbox"/> Cecil | <input type="checkbox"/> Somerset |
| <input type="checkbox"/> Charles | <input type="checkbox"/> Talbot |
| <input type="checkbox"/> Dorchester | <input type="checkbox"/> Washington |
| <input type="checkbox"/> Frederick | <input type="checkbox"/> Wicomico |
| <input type="checkbox"/> Garrett | <input type="checkbox"/> Worcester |

31. Please write the number of years experience you have as a attorney _____

32. Please indicate your gender

Female Male

33. How did you learn about the Judicare program? _____

34. Do you fluently speak a second language?

Yes No

35. If yes, please indicate which second language you fluently speak.

(Check all that apply)

Spanish German French Korean Chinese

Japanese other (*please specify*) _____

36. What is your race/ethnicity? (*Check one or more to indicate what you consider yourself to be*).

Puerto Rican White/Caucasian Black/African American

Chicano/Mexican American Indian/Alaskan Native Asian/Pacific Islander

Other Hispanic/Latino Other race/ethnicity (*please specify*): _____

37. What is your hourly rate?

38. Which of the following best describes the geographic location in which your law office is located? (*please check one*)

Urban Suburban Rural

39. How many Judicare cases did you work on from January 1, 2008 to June 30, 2009 (includes cases still open)? _____

40. How many of your Judicare cases are closed? _____

41. Other than their family law case, were there other legal problems that your Judicare clients had? (*please check one*)

Yes No

42. If Yes, please indicate the other areas your clients would have wanted to talk about

(*Check all that apply*)

_____ Divorce _____ Guardianship _____ Employment

_____ Landlord/Tenant _____ Debt/Bankruptcy _____ Small Claims

_____ Paternity _____ Wills _____ Restraining Orders

_____ Debt _____ Social Security _____ Tax

_____ Housing/Foreclosure _____ Child Support _____ Spousal Support

_____ Visitation/Custody

_____ Other (*please specify*) _____

43. Overall, were you happy with your experience and participation as a Judicare attorney? (*please check one*)

Yes No

Please explain: _____

44. Did you feel you had the relevant legal expertise to meet the needs of your Judicare clients?
(*please check one*)

Yes No

45. If no, in what areas did you find your expertise lacking?

46. Is there any additional training that you would find helpful in working with your Judicare clients? (*please check one*)

Yes No

47. Would you participate as a Judicare attorney in the future? (*please check one*)

Yes No

48. Would you recommend participating as a Judicare attorney to a colleague? (*please check one*)

Yes No

49. If no to either question 18 or 19, please explain why.

50. What was the most rewarding part of being a Judicare attorney?

51. What was the most difficult part of participating in Judicare?

52. Please indicate your opinion about the Judicare reimbursement. (*please check one*)

More than Adequate Adequate Inadequate Very Inadequate

53. General Comments

54. In your opinion, for one or more of your Judicare cases, would the result have been the same if an attorney was not present? (*please check one*)

Yes No

Comment: _____

55. Please write a few sentences on why you take Judicare clients.

56. Do you think this program model would work for other cases (non-family law cases)? (*please check one*)

Yes No

Please Explain _____

57. Do you think the Judicare referral and acceptance criteria (to accept a client in the Judicare program) were accurately applied? *(please check one)*

Yes No

Please Explain _____

58. What recommendations do you have for the Judicare program?

We are interested in doing focus groups with participating Judicare attorneys. Are you interested in participating in a focus group? Participating in a focus group would be a one time commitment and would last about two hours. (A yes response means you will be contacted via email for plans to participate in a focus group).

Appendix D



Judicare Judges/Masters Survey

(web-based via Qualtrics)

1. Are you aware of the Judicare program? (Yes/No)
2. How often do you know if the case presented in your court is a Judicare case? (Likert scale: Never, A little of the time, Some of the time, All of the time)
3. Do you or your staff make referrals to the Judicare program? (Yes/No)
 - a. If yes, how often (write-in answer)
4. For instances when you have been aware that an attorney is representing a client through the Judicare program, please make a general comment regarding the attorney's performance in the courtroom? (text box response option)
5. Do you think representation impacted litigant outcomes? (text box response option)
6. Do you think the Judicare program helped with improving the management of your docket? (text box response option)
7. Do you feel Judicare representation assisted with the length of time cases were resolved? (text box response option)
8. Do you have any opinions regarding how the project could be improved? (text box response option)

Appendix E

Judicare Client Demographic Characteristics and Satisfaction with the Judicare Program

Variable	<i>B</i>	<i>SE B</i>	β	<i>t</i>	<i>p</i>
Age	-.003	.007	-.029	-.363	.717
Grantee Origin	1.650	.212	.044	7.767	.575
Gender	-.130	.205	-.050	-.635	.527
Ethnicity	-.029	.056	-.041	-.517	.606
Education Level	.105	.098	.084	1.069	.287
Income Level	-.005	.028	-.015	-.188	.851

* = Separate Multiple Regressions for Judicare Client Demographic Variables. These analyses indicate that the above demographic variables did not have any impact on the client's overall satisfaction with the Judicare program.

Appendix F

*Jurisdiction Where Attorneys Work with Judicare clients**

Jurisdiction	Number	Percent
Allegany	1	1.1
Anne Arundel	2	2.2
Baltimore City	16	18.3
Baltimore County	13	15
Calvert	1	1.1
Caroline	1	1.1
Carroll	0	0
Cecil	1	1.1
Charles	2	2.2
Dorchester	1	1.1
Frederick	5	5.7
Harford	4	5
Howard	2	2.2
Montgomery	11	12.6
Prince George's	17	20
Queen Anne's	0	0
St. Mary's	1	1.1
Talbot	1	1.1
Washington	8	9.1
Washington, D.C.	0	0
Total	87	100

* = Attorneys were instructed to check all that apply

Appendix G
Coding Schemes for Interviews conducted by Bowie State University

Judicare Program

Administrator Interviews Coding Scheme

History of agency participation

- Cycles or trends
 - Pro bono
 - level of attorney volunteerism
 - Available attorneys vs. number of clients

Reason for Judicare participation

- Commitment to indigent people
- *State of the economy Pay for services attracted new attorneys

Cases

- Eligibility criteria
- Intake and screening
- *Packaged

Judicare and pro bono case (1:1)

- Increases number served

*Treatment of Judicare and pro bono cases

- Disclosure of Judicare status
- Varies in length
- Negative feelings about inability to place cases

Expansion of services

Anticipated case placement

Appendix G (*continued*).

Staffing

- Reductions due to funding
- Administrative cost
- Impacts intake and other services

Attorneys

- Experience and capability
- Motive for participating
- Assigned/selected
- Level of commitment to packaged cases
- *frustration
- Equal treatment of Judicare and pro bono clients
- Out of pocket expenses

Compatibility of Judicare and agency structure

- Ability to meet or exceed expectations

Reimbursement rate and cap

- Insufficient for some cases
- Tracking of hours
- Additional funds needed for miscellaneous expenses
- Possible disincentive

*Case closure

- Completion expected
- Tracking hours and Reporting

Appendix G (*continued*).

Program continuation

- Benefit to agency, attorneys, client & public

Judicare Program

Client Interviews Coding Scheme

Introduction to Judicare

- Unplanned/undesirable circumstances
- marketing/promotions

Introduction to attorney

- length and process

Judicare experience

- *relief
- *Emotionally challenging
- Beneficial
- Attorney/client relationship dynamics
- problems
- Reuse services
- Case outcome and status

Perception of attorney

- Level of investment
- Knowledgeable

Appendix G (*continued*).

Perception of Judicare

- Benefits
- Attorney/client partnership
- Requires investment of client resources

Recommendations

- Increase marketing
- Expand services
- *Recognize client limitations
- Continue Judicare

Judicare Program

Attorney Interviews Coding Scheme

History of attorney participation

Important function of Judicare

Impression of program

Benefits

- Affordable
- Serves unserved clients
- Responsive to client needs
- Payment security
- experience for attorneys

Appendix G (*continued*).

Client expectations

Non distinction of case status

Rate cap and reimbursement

- Time sometimes exceeds money (“donut hole”)
- Trade off
- unreimbursed expenses

Attorney experiences

- Equal treatment of clients
- Case outcomes

Recommendations

- Expand services
- Continue program
- Increase the cap

Appendix H

Interview Codes

<u>CODE</u>	<u>DATE</u>	<u>STATUS</u>	<u>JURISDICTION</u>
1-1.17	3.31.10	Administrator	P.G. County
2-4.17	3.31.10	Legal Asst.	P.G. County
3-2.17	3.31.10	Attorney	P.G. County
4.-2.21	4.5.10	Attorney	Mid-Shore
5-1.01	4.7.10	Administrator	Allegany County
6-3.13	4.14.10	Clients	Harford County
7-2.13	4.14.10	Attorney	Harford County
8-3.17	5.5.10	Client	P.G. County
9-2.16	5.12.10	Attorney	Montgomery County
10-2.04	5.12.10	Attorney	Baltimore City
11-2.04	5.12.10	Attorney	Baltimore City
12-1.16	5.15.10	Administrator	Montgomery
13-3.21	5.27.10	Client	Mid-Shore
14-3.04	6.1.10	Client	Baltimore City
15-3.04	6.1.10	Client	Baltimore City
16-3.01	6.2.10	Client	Allegany County
17-3.04	6.3.10	Client	Baltimore City

Key:

1st digit(s) = 2nd digit = status 3rd & 4th digits
 interview # (1=Administrator; = jurisdiction
 2=Attorney; code
 3=Client; 01=Allegany
 4=Other {legal 04=MVLS;
 assistant] 13=Harford Cty;
 16=Montgomery;
 17=P.G.;
 21=Midshore