Expanding Civil Legal Aid: Strategies for Branding and Communications

Highlights of 2013 Public Opinion Research by Lake Research Partners and The Tarrance Group

Commissioned by

Public Welfare Foundation

THE KRESGE FOUNDATION

for

Voices for Civil Justice
Introduction

Goals

• Assess current state of public opinion toward Civil Legal Aid.
• Make recommendations to inform strategic messaging strategy.

Process

• Focus groups and nationwide telephone survey.
• Update of opinion research in 2000 by Belden Russonello & Stewart.
Summary of Findings

- Civil Legal Aid continues to be an invisible issue. This is similar to the finding of the Belden Russonello & Stewart research in 2000.

- Words that work:
  - Civil Legal Aid
  - Fairness

- Important to connect with voters’ values rather than describing the program.

- Helpful to give examples of services

- There are two potential attacks to worry about: 1) the middle-class being left out and footing the bill and 2) the perception that the program is open to abuse by those who would needlessly take advantage of and over-burden it
Context

• There are “twin tsunamis” that frame the debate, giving rise to **attitudes that are complex and often contradictory:**

  • The public’s **diminished faith in government** to manage public affairs wisely and efficiently; and
  
  • The profound sense of **economic insecurity.**
• There are three things we know:
  
  • People are not as aware of the civil justice system as they are of the criminal justice system.
  
  • People believe it is important to have access to legal representation.
  
  • The “thirty-second sound bite” is now only nine seconds long. We need to convey in one sentence our values-oriented message. We also need a two-minute message – when we have more time – to convey our values-oriented message and provide some information about what the program does.
Our Program Is Civil Legal Aid

We Assure Fairness for all in the Justice System

Civil Legal Aid assures fairness for all in the justice system, regardless of how much money you have.
Civil Legal Aid assures fairness for all in the justice system, regardless of how much money you have. It provides access to legal help for people to protect their livelihoods, their health, and their families. Civil Legal Aid makes it easier to access information—whether through easy-to-understand forms, including online forms; legal assistance or representation; and legal self-help centers—so people can know their rights. Civil Legal Aid also helps streamline the court system and cuts down on court costs. When we say the Pledge of Allegiance we close with “justice for all.” We need programs like Civil Legal Aid to ensure that the very principle our founding fathers envisioned remains alive: justice for all, not the few who can afford it.
A LOOK INTO THE RESEARCH
Civil Legal Aid remains a largely invisible issue. However, voters who are familiar with the program like it.

36% of voters have never heard of or cannot give an opinion of Civil Legal Aid

“I didn’t even know it was available”
– white man, Riverside

“How would you find out about the Civil Legal Aid if you didn’t even know about it? How do they know where it is and what it is?”
– white woman, Richmond
There is discontent with the job the civil justice system is doing. Fully 6 in 10 voters believe it is doing a job that is just fair or poor.

How would you rate the job the civil justice system is doing? Is it doing an excellent, good, just fair, or poor job?

Darker colors indicate intensity.
People believe civil legal representation is important but often difficult to access.

- **82%** Believe it is important to ensure everyone has access to legal help or legal representation for civil matters.
- **60%** Believe the **POOR** have a difficult time.
- **43%** Believe the **MIDDLE CLASS** have a difficult time.
In the survey’s first ballot, voters support increasing funding for Civil Legal Aid even if it requires an increase in taxes. However, this support could be stronger. To grow support and help people make up their minds, we will have to 1) talk about Civil Legal Aid in a way people can best connect with, and 2) calm concerns about the program with regard to taxes and accessibility.
Values-based messaging works best to sell ideas. Fairness is the value associated with Civil Legal Aid. This is especially true among undecided voters. Equality is important to our core supporters.

After hearing all of this information about civil legal aid, what do you most associate with the program?
Fairness and equality resonated with focus group participants…

“I think if you are um, a resident of the United States, local resident and can't afford legal help then you should be able to get assistance.”
– white woman, Richmond

“I think that everybody do[es] deserve equal rights”
- African-American participant, Richmond

“I liked that all Americans have equal access to justice. There shouldn’t be you know just because they’re rich have more access than others”
– white woman, Riverside
The most effective positive messages center around a theme (and value) of fairness.

The most effective positive messages center around a theme (and value) of fairness.

Now I am going to read you messages in support of increasing funding for civil legal aid. Please tell me whether the statement I read is a very convincing, somewhat convincing, not too convincing, or not at all convincing reason to support this. If you are not sure how you feel about a particular item, please say so. Is that a VERY convincing, SOMEWHAT convincing, NOT TOO convincing, or not AT ALL convincing reason to support increasing funding for civil legal aid?
<table>
<thead>
<tr>
<th>Text of Tier 1 Supporter Messages</th>
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<tbody>
<tr>
<td><strong>Equal Access:</strong> Civil legal aid ensures equal access to justice under the law. It provides access to legal help for people who cannot afford it otherwise, especially when it’s necessary to protect their livelihood, their health or their family. The quality of justice should not depend on how much money you have. Civil legal aid provides the fairness and equal access to justice that all Americans deserve.</td>
</tr>
<tr>
<td><strong>Justice for All:</strong> When we say the Pledge of Allegiance we end it with quote “justice for all” unquote. However, today, too many people are left without access to justice. Civil legal aid exists to make sure every American has access to civil legal justice. We need programs like civil legal aid to ensure the very principle our founding fathers envisioned remains alive: justice for all not the few who can afford it.</td>
</tr>
<tr>
<td><strong>Level Playing Field:</strong> Civil legal aid levels the playing field for everyone. It provides access to legal help for people who cannot afford it otherwise, especially when it’s necessary to protect their livelihood, their health or their family. The quality of justice should not depend on how much money you have. Civil legal aid provides the fairness and access to justice that all Americans deserve.</td>
</tr>
<tr>
<td><strong>Protects Vulnerable:</strong> Civil legal aid protects people with nowhere else to turn. Civil legal aid groups provide legal representation for victims of domestic violence, families dealing with threats or neglect from absentee landlords, as well as children, seniors, and veterans who are denied access to health care or benefits. Ensuring that civil legal aid is adequately funded means that we are not turning our back on the most vulnerable.</td>
</tr>
<tr>
<td><strong>David vs. Goliath:</strong> Civil legal aid helps people without legal knowledge or resources stand a fair chance against big corporations, institutions, or the government. Too many times people are forced to live with their rights trampled and their economic livelihoods put at risk simply because they cannot afford legal advice and help. Civil legal aid gives the little guy—and gal—the people without money and power, the opportunity to defend themselves against unlawful behavior.</td>
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The key in describing Civil Legal Aid is to provide illustrations of the types of services while spending less time defining the program.

Civil Legal Aid Provides...

- Provide easy-to-understand forms, including online forms, that people can use in civil legal proceedings.
- Provide legal assistance, including legal self-help centers, so people can know their rights.
- Provide legal representation to those who cannot afford it—because justice should not depend on how much money you have.
Our services increase ease of access to information and assistance to know your rights.

**Top Services Provided by Civil Legal Aid**

<table>
<thead>
<tr>
<th>Service</th>
<th>Strongly Favor</th>
<th>Total Favor</th>
</tr>
</thead>
<tbody>
<tr>
<td>Provide easy to understand forms that people can use to file their lawsuit</td>
<td>73</td>
<td>92</td>
</tr>
<tr>
<td>Provide legal assistance so people can know their rights</td>
<td>69</td>
<td>94</td>
</tr>
<tr>
<td>Provide online legal assistance so people can know their rights and remedies</td>
<td>68</td>
<td>93</td>
</tr>
<tr>
<td>Provide legal representation to those who cannot afford it</td>
<td>68</td>
<td>89</td>
</tr>
<tr>
<td>Provide easy to understand online forms that people can use to file their lawsuit</td>
<td>66</td>
<td>91</td>
</tr>
</tbody>
</table>

Each asked of ⅓ the sample. Darker colors indicate intensity.

Now I will read a list of services provided by civil legal aid organizations. Please tell me for each item, whether you strongly favor, somewhat favor, somewhat oppose, or strongly oppose each service. Do you strongly favor, somewhat favor, somewhat oppose, or strongly oppose providing this service.
We do not recommend using population groups in the short sound bites. However, populations served can be used in longer explanations and to respond to attacks.

Groups That Should Receive Civil Legal Aid:

- Children
- Veterans
- Seniors
- Ill or disabled people
- Women who are victims of domestic violence
Reference to population groups is effective in response to the toughest questions because it puts a face on the services provided.

### Groups That Should Receive Civil Legal Aid – Tier 1

<table>
<thead>
<tr>
<th>Group</th>
<th>Importance Score</th>
</tr>
</thead>
<tbody>
<tr>
<td>For children who are not in a stable home</td>
<td>68</td>
</tr>
<tr>
<td>For veterans and military families who are denied lawful benefits</td>
<td>67</td>
</tr>
<tr>
<td>For women who are victims of domestic violence</td>
<td>64</td>
</tr>
<tr>
<td>For children who need a stable home or special education</td>
<td>59</td>
</tr>
<tr>
<td>For ill or disabled people who are denied lawful benefits</td>
<td>59</td>
</tr>
<tr>
<td>For seniors who are denied lawful benefits</td>
<td>58</td>
</tr>
<tr>
<td>For seniors who are denied lawful benefits like social security and Medicare</td>
<td>58</td>
</tr>
<tr>
<td>For children and parents who are denied child support</td>
<td>51</td>
</tr>
</tbody>
</table>

On a scale from 0-10, where 10 means extremely important, 0 means not important at all, and you can be anywhere in between, how important do you think it is to have civil legal help or representation in the following circumstances? If you are not sure how you feel about a particular item, please say so. Here's the first one. How important do you think it is to have civil legal help or representation in that circumstance?
Civil Legal Aid assures fairness for all in the justice system, regardless of how much money you have. The program serves Americans of all backgrounds and ages, including families, children, veterans, seniors, ill or disabled people, and women who are victims of domestic violence. Civil Legal Aid provides access to legal help for people to protect their livelihoods, their health, and their families. It provides access to legal aid self-help centers, makes it easier to access information through easy-to-understand forms and online information, and provides legal assistance so people can know their rights. Civil Legal Aid assures fairness in the justice system that all Americans deserve.
Responding to Attacks: 

**Abuse and Taxpayer Burden**

*We tested two separate messages in this research but they can easily be combined by our opponents

(Abuse raises doubts for 58% of respondents, 33% serious doubts;
Tax sensitivity raises doubts for 57% of respondents, 31 % serious doubts)

RESPONSE:

Civil Legal Aid is part of the solution, not the problem. Civil Legal Aid assures fairness for all in the justice system, regardless of how much money you have. The program serves Americans of all backgrounds and ages, including families, children, veterans, seniors, ill or disabled people, and women who are victims of domestic violence. Civil Legal Aid provides access to legal help for people to protect their livelihoods, their health, and their families. It provides access to legal aid self-help centers, makes it easier to access information through easy-to-understand forms and online information, and provides legal assistance so people can know their rights. Civil Legal Aid provides expert legal advice, mediation, negotiation, and problem-solving techniques that streamline the court system, reduce the number of frivolous lawsuits, cut down on court costs and staff overtime, and save us all money.
Once the program is positively positioned, attacks on it do little to weaken support for Civil Legal Aid. Opposition gains little traction throughout the survey, and those who were initially undecided move in our favor.
ANY QUESTIONS?
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