

The Feminization of Poverty: Has Legal Services Failed to Respond?

by Douglas J. Besharov

Editor's Note: This article is based on material taken from chapter one, "Client Priority Setting," of Legal Services for the Poor: Time for Reform (D. Besharov ed. 1990), published by the American Enterprise Institute for Public Policy Research. This book is available for \$32 from the University Press of America, (301) 459-3366.

I. Introduction

Institutions work best when their orientation reflects the problems that they are meant to address. The federal legal services program is not sufficiently oriented to the apparent needs of poor people. It has not recognized or responded to the increased feminization of poverty and the related increased need for assistance in family law. In large part, this unresponsiveness is caused by a priority-setting process that is overly dominated by lawyers.

II. Lawyer-Dominated Priorities

Like all citizens, the poor need access to the legal system. But, at all levels of government, funding for legal services is limited, and will remain so for the foreseeable future; we cannot meet all of the legal needs of the poor, no matter how defined. Therefore, it is imperative that existing funds be used as efficiently as possible, thereby increasing the number of poor persons served and the quality of services they receive. It is also important that these funds be targeted to the most important needs of the poor. As De Miller, the Director of the New Jersey Legal Services Program, warned: "The specter of dissipating scarce resources on less significant matters is simply too real and too disturbing."¹

Since legal services agencies cannot meet all of the legal needs of the poor, priorities must be established. LSC regulations set forth the required procedures for establishing priorities for the allocation of resources.² Under these regulations, lawyers make the necessary decisions.³ Although the procedures require appraisal of the needs of clients, the priority-setting system is not based on clients' preferences. Thus, it is necessary to examine whether the needs of individual clients are ignored or given insufficient attention.

1. Unless otherwise attributed, all quotations are from the transcript of a conference sponsored by the American Enterprise Institute for Public Policy Research (AEI), "Maximizing Access to Justice for Poor Persons: Greater Efficiency through Innovation, Performance Monitoring, and Competition for Funds" (Nov. 12, 1986).

2. 45 C.F.R. § 1620.2(a).

3. *Id.* at § 1607.3(b), (d).

III. New Problems But Not New Priorities

The available data indicate that the present system of lawyer-dominated priority setting, instead of creating a flexible planning mechanism, acts to preserve the status quo. LSC data indicate that between 1975 and 1987 field programs hardly changed their priorities—even in the midst of major funding shifts.

About 80 percent of the cases closed in 1987 involved family, housing, income maintenance, and consumer/finance matters. Tables showing the distribution of cases closed are located at the end of this article. As table 1 shows—with the significant exception of family cases—cases in these top four problem areas have remained in just about constant proportions since 1975. The only exceptions are a decline in family cases handled and an increase in housing cases. Tables 2 through 5 reveal that this remarkable consistency reaches down to the subcategories of each of the four problem areas. It is important to note that this troubling phenomenon is not limited to the Reagan board's tenure. It seems to date back to 1975.

This is a remarkable absence of change. Of course, it is possible that the data are wrong. Indeed, LSC officials have warned that the data may be unreliable. Some have suggested that the corporation has analyzed the data incorrectly; others have attributed the stability to perfunctory recordkeeping by field programs.⁴ From our own interviews, however, we believe that these data are fairly accurate.⁵ In 1981, the pre-Reagan Legal Services Corporation implicitly recognized the problem:

The greatest effect at the local level will be on priority-setting. We have to admit that priority-setting has produced mixed results in the past. Many programs have been bogged down in the process without any results that clearly determine program operations. Conflict among participants and inadequate participation have often plagued priority-setting processes. Many programs have failed to make a serious effort in this area because of fear of the results.⁶

At the same time, we found considerable weakness in the

4. Since case service reporting forms are apparently filled out only quarterly, it is possible for a project director to fill out the form for one year by looking to see what was reported for the same period the year before. Most people interviewed, however, felt that projects do tabulate caseload statistics.

5. The author and Paul N. Tramontozzi, former research assistant at AEI, conducted extensive interviews as part of the basic research for this report on ways to maximize the effectiveness of federal legal services funds.

6. LEGAL SERVS. CORP., A PLAN FOR THE FUTURE 47-48 (1981) (adopted by LSC Board).

data. For example, 1985 data could not be used even though they have been widely disseminated in draft form, because they were not consistently reported in two different LSC documents. Moreover, the staff of LSC cautioned us against using the 1985 data. Data for 1986 are not available. Finally, caseload data for 1987, although usable, are more limited than in previous years; for instance, data on the subcategories of the major problems, as portrayed in tables 2, 3, 4, and 5, are not available for 1987. Therefore, in our full report,⁷ we recommend that the corporation make major efforts to improve and expand the data it collects.

IV. Female-Headed Families and the Poverty Rate

The most striking fact that emerges from these thirteen years of data is the relative decline in family cases handled. The proportion of the caseload devoted to family issues fell from 35 percent in 1975 to 29.7 percent in 1987, a decline of 15 percent.⁸ Yet, during the same period, most poverty experts came to realize that family problems play a signally important role in the lives and well-being of the poor.

The nature of poverty has changed dramatically in the past 25 years. The poverty that mobilized action in the 1960s—caused largely by economic deprivation and racial discrimination—has been transformed into a poverty increasingly marked by family breakdown and dysfunctional behavior. A growing proportion of poverty is caused not directly by racial discrimination, or by structural deficiencies in the economy, but rather by a major—and troubling—change in the behavior of American parents.⁹ As Blanche Bernstein comments: “The new poverty, to a considerable degree, reflects patterns of social behavior that seriously constrict the family’s or individual’s

Overall, absent fathers are not supporting their children financially; legal advocacy for these LSC clients, obtaining and enforcing child support awards, could improve their economic well-being.

potential for achieving even modest success.”¹⁰

Poverty is increasingly a problem of family breakdown—that is, divorce and illegitimacy. Encapsulated in the term “the feminization of poverty,” this new poverty has become a major concern to social welfare thinkers, and with good cause.¹¹

In 1987, the median income for female-headed families was about 23 percent of that of intact families. The median family income for children living with both parents was \$35,532; for children living with their father only, it was \$19,420; but for children living with their mother only, it was \$8,134.¹²

In 1987, female-headed families with children under eighteen were almost three times as likely to be poor as other families with children. For all families with children, the poverty rate was 16.2 percent.¹³ For female-headed families with children, it was 46.1 percent.¹⁴ While female-headed families accounted for only about 21 percent of all families with children,¹⁵ they made up 60 percent of all such families that fell below the poverty line.¹⁶

7. See complete text of LEGAL SERVICES FOR THE POOR: TIME FOR REFORM (D. Besharov ed. 1990).

8. LEGAL SERVS. CORP., 1987-1988 FACT BOOK 67 (1989).

9. Here is how Bernstein put it:

While large differences in mean income occur between whites and blacks, much larger differences are found between two-parent and female-headed families within the same race. Between 1967 and 1984, the median income of black and white two-parent families narrowed: incomes of blacks in intact households equaled 80 percent of white income compared to 68 percent in the earlier year. But for all families, the income gap remained unchanged because of the large shift among blacks toward female-headed families. The improvement in the economic status of two-parent families among all ethnic groups in 1984 compared to 1967 was largely due to the increased income contributed by the wife. In 1967 wives contributed 10.6 percent of white two-parent incomes, while the comparable figure for blacks was 19.4 percent and for Hispanics, 14.4 percent. By 1984, the respective percentages were 18, 31.1, and 19.4, nearly doubling in some cases. Among younger families with two wage earners, the discrepancy between white and black family income has practically disappeared.

B. BERNSTEIN, SAVING A GENERATION 7-8 (New York: Twentieth Century Fund 1986) (citing S. Danziger & P. Gottshalk, How Have Families with Children Fared?, at 9-11, 33, table II (Nov. 1985) (paper prepared for Joint Economic Committee)).

10. *Id.* at 2-3.

11. Mary Jo Bane, *Household Composition and Poverty*, in FIGHTING POVERTY 209-231 (S. Danziger & D. Weinberg eds., Harvard University Press 1986); S. Danziger, *Antipoverty Policy and Welfare Reform* (paper presented at the Rockefeller Foundation Conference on Welfare Reform, Williamsburg, Va., Feb. 16-18, 1988); P. Gottschalk & S. Danziger, *Macroeconomic Conditions, Income Transfers and the Trend in Poverty*, in THE SOCIAL CONTRACT REVISITED 185-217 (D. Lee Bawden ed., Urban Institute Press 1984).

12. BUREAU OF THE CENSUS, U.S. DEPT OF COMMERCE, CURRENT POPULATION REPORTS, SERIES P-20, NO 433, MARITAL STATUS AND LIVING ARRANGEMENTS: MARCH 1988, at 42, table 9 (1989).

13. BUREAU OF THE CENSUS, U.S. DEPT OF COMMERCE, CURRENT POPULATION REPORTS, SERIES P-60, NO. 161, MONEY INCOME AND POVERTY STATUS OF FAMILIES AND PERSONS IN THE UNITED STATES: 1987, at 36, table 19 (1988) [hereinafter MONEY INCOME AND POVERTY STATUS 1987].

14. *Id.* at 37, table 19.

15. *Id.* at 29-30, table 19.

16. *Id.*

In 1984, about 60 percent of female-headed families were receiving AFDC or another means-tested benefit.¹⁷ In 1985, fully 85 percent of the children on AFDC were eligible because their mothers were unwed, divorced, or separated.¹⁸ Mary Jo Bane and David T. Ellwood, studying 1968-1979 data from the Panel Study of Income Dynamics, found that "three-fourths of all spells of AFDC began with a relationship change whereby a female-headed family with children was created."¹⁹ Similarly, Sara McLanahan "found that having lived in a mother-only family approximately triples the probability of becoming a welfare recipient, for whites as well as blacks: for whites from 0.01 to 0.03, and for blacks from 0.05 to 0.14."²⁰

Female-headed families account for a disproportionate share of the poverty in this country. In 1987, 52 percent of the 32.5 million Americans living below the poverty line were in female-headed households (16.9 million).²¹ Most of the female-headed families below the poverty line include children (3.3 million or 91 percent).²² See tables 6-8, which show the distribution of poor persons, at the end of the article.

Between 1972 and 1987, the relative composition of poor persons changed as follows (table 6):

- *nonelderly male-headed families, from 42.1 percent to 35.1 percent, down 16.6 percent;
- *nonelderly female-headed families, from 32.0 percent to 36.3 percent, up 13.4 percent;
- *elderly, from 15.3 percent to 10.7 percent, down 30.1 percent;

- *nonelderly unrelated individuals, from 10.6 percent to 14.1 percent, up 33.0 percent.²³

If race is added to the analysis over the same period, the following changes occurred in the distribution of poor persons (tables 7-8):

- *white nonelderly male-headed families, from 30.8 percent to 28.1 percent, down 8.8 percent;
- *white elderly, from 12.6 percent to 8.0 percent, down 36.5 percent;
- *black nonelderly female-headed families, from 16.5 percent to 17.5 percent, up 6.1 percent;
- *black nonelderly male-headed families, from 10.3 percent to 6.0 percent, down 41.7 percent;
- *white nonelderly female-headed families, from 14.7 percent to 17.8 percent, up 21.1 percent;
- *white nonelderly unrelated individuals, from 8.1 percent to 10.5 percent, up 29.6 percent;
- *black elderly, from 2.6 percent to 2.5 percent, down 3.8 percent; and
- *black nonelderly unrelated individuals, from 2.1 percent to 3.1 percent, up 47.6 percent.²⁴

The Working Seminar on the Family and American Welfare Policy, an ad-hoc welfare reform task force sponsored by the American Enterprise Institute for Public Policy Research, found that

Census Bureau data show that if the nation had had the same proportion of female-headed households in 1985 as in 1959, there would have been about 5.2 million fewer persons in poverty. A special analysis by the Census Bureau showed that the poverty rate for black families would have been 20 percent in 1980, rather than its actual

17. BUREAU OF THE CENSUS, U.S. DEPT OF COMMERCE, CURRENT POPULATION REPORTS, SERIES P-70, No. 3, ECONOMIC CHARACTERISTICS OF HOUSEHOLDS IN THE UNITED STATES: FIRST QUARTER 1984, at 21, table 5 (1985).

18. U.S. DEPT OF HEALTH & HUMAN SERVS., CHARACTERISTICS AND FINANCIAL CIRCUMSTANCES OF AFDC RECIPIENTS: 1985, at 43, table 15 (1988).

19. Mary Jo Bane & David T. Ellwood, *The Dynamics of Dependence: The Routes to Self-sufficiency*, Contract No. HHS-100-82-0038, at 19 (Dep't of Health & Human Servs. 1983). Bane and Ellwood report that only 12 percent of the female household heads who entered AFDC in their study entered because of declines in income rather than changes in family status. Moreover, many of those who entered AFDC because of declines in income were former recipients whose first spell as AFDC recipients resulted from changing family circumstances. *Id.* at 17-19.

20. I. Garfinkel & S. McLanahan, *Single Mothers and Their Children* 30 (Urban Institute 1986) (citing S. McLanahan, *Family Structure and Dependency: Early Transitions to Female Household Headships* (1986) (Univ. of Wis.-Madison Institute for Research on Poverty (IRP) paper 807-86)).

21. *MONEY INCOME AND POVERTY STATUS 1987*, *supra* note 13, at 28-29, table 16 (1988).

22. *Id.* at 37, table 19.

23. BUREAU OF THE CENSUS, U.S. DEPT OF COMMERCE, CURRENT POPULATION REPORTS, SERIES P-60, No. 163, *POVERTY IN THE UNITED STATES 1987*, at 7-8, 29-31, tables 1 & 7 (1989); BUREAU OF THE CENSUS, U.S. DEPT OF COMMERCE, CURRENT POPULATION REPORTS, SERIES P-60, No. 144, *CHARACTERISTICS OF THE POPULATION BELOW THE POVERTY LEVEL: 1982*, at 42-44, table 11 (1983); BUREAU OF THE CENSUS, U.S. DEPT OF COMMERCE, CURRENT POPULATION REPORTS, SERIES P-60, No. 119, *CHARACTERISTICS OF THE POPULATION BELOW THE POVERTY LEVEL: 1977*, at 13-15, 50-52, tables 1 & 11 (1979); BUREAU OF THE CENSUS, U.S. DEPT OF COMMERCE, CURRENT POPULATION REPORTS, SERIES P-60, No. 91, *CHARACTERISTICS OF THE LOW-INCOME POPULATION: 1972*, at 90-91, table 24 (1973); BUREAU OF THE CENSUS, U.S. DEPT OF COMMERCE, CURRENT POPULATION REPORTS, SERIES P-60, No. 98, *CHARACTERISTICS OF THE LOW-INCOME POPULATION: 1973*, at 13-15, table 1 (1974).

24. See documents cited *id.*

29 percent, if black family composition had remained as it was in 1970.²⁵

V. Increased Need for Family Law

Family cases are the largest category of cases handled by local programs—but this merely attests to their singular importance. One would expect a system sensitive to clients' needs to respond to this upheaval by spending a larger proportion of its resources on the problems of family breakdown. As family breakdown has become a major cause of poverty, family legal problems have taken on even greater importance. However, at a time when the poverty caused by family breakdown is at an all-time high, LSC programs seem to be spending less time on

25. MICHAEL NOVAK, *et al.*, THE NEW CONSENSUS ON FAMILY AND WELFARE: A COMMUNITY OF SELF-RELIANCE 48 (AEI 1987), citing for the first estimate, BUREAU OF THE CENSUS, U.S. DEPT OF COMMERCE, CURRENT POPULATION REPORTS, SERIES P-60, NO. 154. MONEY INCOME AND POVERTY STATUS 1985, table 16 (1986), and, for the second estimate, GORDON GREEN & EDWARD W. WELNIAK, CHANGING FAMILY COMPOSITION AND INCOME DIFFERENTIALS (Bureau of the Census, U.S. Dep't of Commerce 1982).

See also CONG. RESEARCH & CONG. BUDGET OFFICE, 99TH CONG., 1ST SESS., CHILDREN IN POVERTY 7 (Comm. on Ways & Means May 22, 1985) [hereinafter CHILDREN IN POVERTY]:

The number of female-headed families with children rose 160 percent from 1959-1983, but the number of male-headed families with children increased only 7 percent. By 1983 one out of every five families with children was headed by a woman; in 1959 the share was 1 out of 11. If the proportion of children in female-headed families had not increased in the past 25 years, it is estimated that the number of poor children in 1983 might have been almost 3 million, or 22 percent lower, than it actually was.

See also CHILDREN IN POVERTY, *supra*, at 104, citing P. Gottschalk, unpublished work prepared for the Food & Nutrition Serv., U.S. Dep't of Agriculture, Oct. 1984:

If the prevalence of never-married mothers in the population had not increased over the decade [1967 to 1979], overall poverty rates might have been 5 percent lower (11.1 vs. 11.7 percent). Poverty among all persons in female-headed families with children might have also been 5 percent lower (41.2 vs. 43.6 percent).

See also Levin, *Feminism, Stage Three*, COMMENTARY 28 (Aug. 1986) stating that the Census Bureau estimates that, had family composition remained

constant through the 1970s, white median family income would have risen by three percent instead of the actual figure of .8 percent, . . . and black median family income would have risen by five percent instead of falling 11 percent. Had the rate of family break-up not increased, there would have been 4,200,000 families below the poverty line in 1980, instead of the 6,217,000 . . . of that 2,017,000 surplus, 1,377,000 [were] female headed. At the margin, in other words, over 68 percent of those becoming poor are single mothers and their children.

Such estimates are fraught with methodological difficulties and subjective assumptions. They are presented here to demonstrate the effect of the increase in female-headed families, not to establish its exact effect on poverty rates. See generally CHILDREN IN POVERTY at 93, citing Mary Jo Bane, Household Composition and Poverty (Univ. of Wis.-Madison IRP conference paper presented at Williamsburg, Va., Dec. 6-8, 1984).

family matters. As Laurie Woods, director of the National Center on Women and Family Law, complains:

Family law has traditionally been the area of legal work with the lowest status. Many attorneys in local offices where there was no specialization among the attorneys refused to handle family law cases. I was in such an office. In fact, I was initially able to handle family cases only because I agreed to do so while still handling a "regular caseload" and sitting on "regular intake."²⁶

This does not mean that the other legal issues are unimportant; it simply means that family issues loom large as the ones that shape the lives of the poor. Is it unreasonable to expect legal services providers to reflect this reality?

Perhaps this failure to deal with family matters should not be surprising. Although family breakdown is a major cause of poverty, it is not one of the classic targets of the legal services movement, such as discrimination and inadequate government benefits. Family cases are, to be blunt, less interesting. There is less opportunity for law reform, or at least that is the impression. Furthermore, such cases are often frustrating, especially because they require a relatively intense and long-term relationship with a sometimes emotionally distressed client.

It is noteworthy that, in a period of scarce funding, legal services attorneys handle almost as many name change cases as paternity cases. For instance, in 1984, the latest year for which data are available, LSC field programs closed 8,841 paternity cases (0.7 percent of the caseload), and 6,647 name changes (0.5 percent).²⁷

A. A Neglected Women's Issue

Some legal services lawyers have also stated that they detect a degree of male chauvinism in the failure to handle more family matters. Male attorneys, we are told, seem to have no appetite for going after low-income fathers, who, after all, are ordinarily within the program's client pool. As Laurie Woods explains:

It is perhaps more to the point that legal services has neglected women's issues. The feminization of poverty, long a fact of poor America, has not been acknowledged by legal services staff until recently—we have seen the trees but not the forest. Women have always made up two thirds of legal services clients. Yet this fact and its significance have long been ignored. This statistic had to be brought to the attention of the legal services community by women staff who were members of "the women's movement."

Such neglect has occurred at many levels in many ways. LSC has historically been an organization run by men. The leadership (project directors, managing attorneys, litigation directors, etc.) has traditionally been white and male or, to a much lesser extent, minority and male. Ironically, it is only recently, during the Reagan Administration's attempt to eliminate legal services, that women have advanced significantly into these positions.²⁸

26. Woods, *Challenges Facing Legal Services in the 1990s: Perspectives of Women and Family Law Advocates*, 22 CLEARINGHOUSE REV. 457, 458 (Oct. 1988).

27. LEGAL SERVICES CORPORATION, 1985 FIELD PROGRAM DATA 40.

28. Woods, *supra* note 26, at 457-458 (footnotes omitted).

Staffing patterns in local programs also contribute to the stability in the distribution of caseloads. If a certain percentage of a program's attorneys specializes in housing matters—and is under no requirement to handle other kinds of cases—then the program will continue to expend the same proportion of its resources on housing matters. The same is true for consumer matters, income maintenance matters, and so on.

B. Child Support

This failure to focus on family issues has a real impact on poverty. Consider child support. Overall, absent fathers are not supporting their children financially; legal advocacy for these LSC clients, obtaining and enforcing child support awards, could improve their economic well-being.

Much could be done. Women with incomes below the poverty level—nearly a third of all women with children from absent fathers—are simply not being served by the child support system. In 1985, only 40 percent of poor women even had child support awards.²⁹ Of those women, only 42 percent received all of what they were due, 24 percent received only partial payments, and 34 percent received nothing at all. This means that of all eligible poor women, only 14 percent got full payments, 8 percent received only partial payments, and 78 percent received nothing at all.³⁰

In contrast, women with incomes above the poverty level fare better. In 1985, about 71 percent of these women with children from an absent father had court orders to receive child support payments.³¹ Of these women, about 50 percent received all of what was due to them; 26 percent received only partial payments, and 24 percent received nothing at all.³² This means that, of all eligible women with incomes above the poverty level, 28 percent got full payments, 15 percent received only partial payments, and 57 percent received nothing at all.³³

Heightened child support enforcement could both improve the economic situation of individual families and raise needed revenues. The amount of uncollected child support is enormous. Estimates of what noncustodial parents could pay in child support range from \$22 billion to \$30 billion.³⁴ In contrast,

noncustodial parents actually paid only \$7.2 billion in 1985.³⁵ By reducing the costs of AFDC, for example, such efforts could make additional public resources available for other efforts. Not surprisingly, the 1988 welfare reform law, the Family Support Act,³⁶ besides providing expanded job training and support services such as child care and transportation, emphasized stronger child support efforts.

To those who ask why legal services lawyers should concern themselves with child support enforcement when government agencies are responsible for assisting poor families, we would ask, in return, why should legal services be involved in welfare issues if government agencies are responsible for helping poor people. To ask this question, we think, is to answer it. Legal services should help poor people exercise their legal rights whenever government agencies fail.

Some will blame this apparent failure to respond to the needs of clients on the political controversies and budget cuts during the Reagan era. However, the problem predates the Reagan years. In any event, corrective action is needed. As the National Legal Aid and Defender Association and the Project Advisory Group concluded in their recent planning document on how to improve the legal services program:

Legal services programs must be responsive to the legal needs that clients identify as most pressing. Mechanisms to assure accountability to eligible clients must be revisited. Client involvement in program governance must be revitalized. Programs' advocacy efforts must be more focused to empower clients to lead more knowledgeable, productive, and independent lives.³⁷ The legal services program should be revitalized through a commitment to client empowerment, that is, access to the legal system for the issues that clients—not lawyers—deem most important. Such a commitment must include a new focus on responding to the feminization of poverty.

29. *Derived from* BUREAU OF THE CENSUS, U.S. DEP'T OF COMMERCE, CURRENT POPULATION REPORTS, SPECIAL STUDIES, SERIES P-23, NO. 152, CHILD SUPPORT AND ALIMONY: 1985, at 5, table E (advance data from Mar.-Apr. 1986 Current Population Surveys) [hereinafter CHILD SUPPORT AND ALIMONY: 1985].

30. *Derived from* Percent of Child Support Payments Received in 1985, by Selected Characteristics of All Women and Women with Incomes below the Poverty Level in 1985 (unpublished Census Bureau data) [hereinafter Child Support Payments Received].

31. CHILD SUPPORT AND ALIMONY: 1985, *supra* note 29, at 5, table E.

32. *Id.* at 13, table 3.

33. *Derived from* Child Support Payments Received, *supra* note 30.

34. See Irwin Garfinkel & Donald Oellerich, Noncustodial Fathers' Ability to Pay Child Support (1986) (Univ. of Wis.-Madison IRP Discussion Paper 815-86); Ron Haskins, Andrew W. Doblestein, John S. Akin, & J. Brad Schwartz, Estimates of National Child Support Collections Potential and the Income Security of Female-headed Families, contained in OFFICE OF CHILD SUPPORT ENFORCEMENT, SOCIAL SEC. ADMIN., U.S. DEP'T OF HEALTH & HUMAN SERVS., FINAL REPORT, GRANT 18-P-00259-4-01 (1985).

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35. CHILD SUPPORT AND ALIMONY: 1985, *supra* note 29, at 6.

36. Family Support Act of 1988, Pub. L. No. 100-485, 102 Stat. 2343 (1988).

37. National Legal Aid & Defender Ass'n & Project Advisory Group, *Future Challenges: A Planning Document for Legal Services*, 22 CLEARINGHOUSE REV. 628, 640 (Nov. 1988).

TABLE 1
Cases Closed, by Type, 1975-1987
(percent)

Case type	1975	1976	1977	1979	1980	1981	1982	1983	1984	1987
Family	35.0	35.0	31.0	33.7	29.7	29.1	27.5	28.4	129.2	29.7
Housing	15.0	15.0	18.0	18.3	17.2	18.3	19.3	18.4	19.1	21.3
Income maintenance	15.0	15.0	19.0	13.4	17.3	18.3	19.3	19.4	18.2	17.7
Consumer/finance	15.0	15.0	14.0	12.1	13.2	13.6	14.0	13.2	12.4	12.0
Other	20.0	20.0	18.0	22.5	22.6	20.7	19.9	20.6	21.1	19.3

NOTE: Data for 1978, 1985, and 1986 are not available.

SOURCES: Legal Services Corporation, *Facts Concerning Legal Services Programs Funded by the Legal Services Corporation* (April 1978), p. 6; *The Legal Services Corporation and the Activities of Its Grantees: A Fact Book* (Spring 1979), p. 22; *Legal Services Corporation Annual Report 1980* (no date), p. 11; *1984 Fact Book* (May 1984), p. 12; *1985 Field Program Data* (no date), pp. 38 and 40; and *1987-1988 Fact Book* (1989), p. 67.

TABLE 2
Family Problems,
Distribution of Cases Closed, 1982-1984

Problem	1982	1983	1984
Adoption	6,705 (2.1)	7,555 (2.1)	6,992 (1.9)
Custody, visitation	52,315 (16.7)	61,326 (16.9)	59,973 (16.7)
Divorce, separation	157,826 (50.4)	181,001 (50.0)	179,357 (50.0)
Guardianship, conservatorship	11,140 (3.6)	12,969 (3.6)	13,351 (3.7)
Name change	6,872 (2.2)	6,994 (1.9)	6,647 (1.9)
Parental rights termination	2,390 (0.7)	2,549 (0.7)	2,765 (0.8)
Paternity	6,601 (2.1)	8,230 (2.3)	8,841 (2.5)
Spouse abuse	21,134 (6.8)	24,453 (6.7)	23,416 (6.5)
Support	28,769 (9.2)	35,955 (9.9)	35,169 (9.8)
Other family	19,305 (6.2)	21,288 (5.9)	22,341 (6.2)
Total	313,057 (100.0)	362,320 (100.0)	358,852 (100.0)

NOTE: Percentages of the numbers of cases are given in parentheses. More recent data are not available.

SOURCES: Legal Services Corporation, *Characteristics of Field Programs Supported by the Legal Services Corporation* (February 1983), p. 10; *Characteristics of Field Programs: 1983* (May 1984), p. 17; and *1985 Field Program Data* (no date), p. 40.

TABLE 3
Housing Problems,
Distribution of Cases Closed, 1982-1984

Problem	1982	1983	1984
Federal	17,024 (7.8)	20,248 (8.7)	22,242 (9.5)
Home Ownership/real property	33,004 (15.2)	30,596 (13.1)	27,694 (11.8)
Landlord/tenant	134,796 (62.1)	148,093 (63.3)	151,645 (64.8)
Other public housing	12,847 (5.9)	12,693 (5.4)	11,717 (5.0)
Other housing	19,536 (9.0)	22,232 (9.5)	20,881 (8.9)
Total	217,207 (100.0)	233,862 (100.0)	234,179 (100.0)

NOTE: Percentages for the numbers of cases are given in parentheses. More recent data are not available.

SOURCES: Legal Services Corporation, *Characteristics of Field Programs Supported by the Legal Services Corporation* (February 1983), p. 10; *Characteristics of Field Programs: 1983* (May 1984), p. 17; *1985 Field Program Data* (no date), p. 40.

TABLE 4
Income Maintenance Problems,
Distribution of Cases Closed, 1982-1984

<i>Problem</i>	<i>1982</i>	<i>1983</i>	<i>1984</i>
AFDC and other welfare	59,552 (27.1)	68,730 (27.8)	61,025 (27.3)
Black lung	1,000 (0.4)	945 (0.4)	912 (0.4)
Food stamps	18,326 (8.3)	21,415 (8.7)	21,044 (9.4)
Social security	40,117 (18.3)	46,751 (18.9)	44,186 (19.8)
SSI	43,248 (19.7)	44,984 (18.2)	43,693 (19.6)
Unemployment compensation	35,324 (16.1)	42,236 (17.1)	32,402 (14.5)
Veterans' benefits	3,880 (1.8)	3,858 (1.6)	3,466 (1.6)
Worker's compensation	3,929 (1.8)	4,191 (1.7)	3,987 (1.8)
Other income maintenance	14,250 (6.5)	13,883 (5.6)	12,462 (5.6)
Total	219,626 (100.0)	246,993 (100.0)	223,177 (100.0)

NOTE: Percentages for the numbers of cases are given in parentheses. More recent data are not available.

SOURCES: Legal Services Corporation, *Characteristics of Field Programs Supported by the Legal Services Corporation* (February 1983), p. 10; *Characteristics of Field Programs: 1983* (May 1984), p. 17; and *1985 Field Program Data* (no date), p. 40.

TABLE 5
Consumer/Finance Problems,
Distribution of Cases Closed, 1982-1984

<i>Problem</i>	<i>1982</i>	<i>1983</i>	<i>1984</i>
Bankruptcy	26,817 (16.7)	28,575 (17.0)	24,733 (16.1)
Collection	56,377 (35.2)	63,017 (37.6)	59,504 (38.8)
Contracts/warranties	19,682 (12.3)	21,398 (12.8)	19,919 (13.0)
Credit access	1,321 (0.8)	1,163 (0.6)	1,157 (0.8)
Energy	2,215 (1.4)	1,798 (1.1)	1,517 (1.0)
Loans/installment purchases	4,688 (2.9)	4,029 (2.4)	3,532 (2.3)
Public utilities	19,491 (12.2)	20,608 (12.3)	17,345 (11.3)
Unfair sales	3,644 (2.3)	3,868 (2.3)	6,220 (4.1)
Other consumer/finance	25,898 (16.2)	23,361 (13.9)	19,275 (12.6)
Total	160,133 (100.0)	167,817 (100.0)	153,202 (100.0)

NOTE: Percentages for the numbers of cases are given in parentheses. More recent data are not available.

SOURCES: Legal Services Corporation, *Characteristics of Field Programs Supported by the Legal Services Corporation* (February 1983), p. 10; *Characteristics of Field Programs: 1983* (May 1984), p. 17; and *1985 Field Program Data* (no date), p. 40.

TABLE 6
Distribution of Poor Persons, 1972-1987
(thousands)

<i>Family Type</i>	<i>1972</i>	<i>1977</i>	<i>1982</i>	<i>1987</i>
Nonelderly female-headed	7,829 (32.0)	8,994 (36.4)	11,412 (33.2)	11,821 (36.3)
Nonelderly male-headed	10,309 (42.1)	9,335 (37.8)	14,464 (42.0)	11,412 (35.1)
Elderly (over 65) ^a	3,734 (15.3)	3,177 (12.9)	3,748 (10.9)	3,487 (10.7)
Nonelderly unrelated individuals	2,588 (10.6)	3,215 (13.0)	4,183 (12.2)	4,602 (14.1)
Total^b	24,460 (100.0)	24,720 (100.0)	34,398 (98.3)	32,546 (96.2)

NOTES: Percentages are given in parentheses.

a. This includes elderly persons living alone and in families.

b. The figures reflect the total number of poor persons living below the poverty level—and not the sum of poor persons in the categories above. Beginning in 1979, members of unrelated subfamilies (persons who live in families but who are not related to any of the persons they live with) are not shown separately but are included in the total; therefore some percentages do not total 100. (For earlier years, unrelated subfamily members are included in family categories.)

SOURCES: U.S. Department of Commerce, Bureau of the Census, *Poverty in the United States, 1987*, Current Population Reports, Series P-60, no. 163 (1989), pp. 7-8 and 29-31, tables 1 and 7; *Characteristics of the Population below the Poverty Level: 1982*, Current Population Reports, Series P-60, no. 144 (1983), pp. 42-44, table 11; *Characteristics of the Population below the Poverty Level: 1977*, Current Population Reports, Series P-60, no. 119 (1979), pp. 13-15 and pp. 50-52, tables 1 and 11; *Characteristics of the Low-Income Population: 1972*, Current Population Reports, Series P-60, no. 91 (1973), pp. 90-91, table 24; and *Characteristics of the Low-Income Population: 1973*, Current Population Reports, Series P-60, no. 98 (1974), pp. 13-15, table. 1.

TABLE 7
Distribution of Poor White Persons, 1972-1987
(thousands)

<i>Family Type</i>	<i>1972</i>	<i>1977</i>	<i>1982</i>	<i>1987</i>
Nonelderly female-headed	3,604 (22.2)	4,383 (26.7)	5,527 (23.5)	5,780 (27.0)
Nonelderly male-headed	7,535 (46.5)	7,172 (43.7)	11,413 (48.5)	9,144 (42.7)
Elderly (over 65) ^a	3,072 (19.0)	2,426 (14.8)	2,867 (12.2)	2,592 (12.1)
Nonelderly unrelated individuals	1,993 (12.3)	2,434 (14.8)	3,249 (13.8)	3,406 (15.9)
Total^b	16,204 (100.0)	16,415 (100.0)	23,517 (98.0)	21,409 (97.7)

NOTES: Percentages are given in parentheses.

a. This includes elderly persons living alone and in families.

b. The figures reflect the total number of poor persons living below the poverty level—and not the sum of poor persons in the categories above. Beginning in 1979, members of unrelated subfamilies (persons who live in families but who are not related to any of the persons they live with) are not shown separately but are included in the total; therefore some percentages do not total 100. (For earlier years, unrelated subfamily members are included in family categories.)

SOURCES: U.S. Department of Commerce, Bureau of the Census, *Poverty in the United States, 1987*, Current Population Reports, Series P-60, no. 163 (1989), pp. 7-8 and 29-31, tables 1 and 7; *Characteristics of the Population below the Poverty Level: 1982*, Current Population Reports, Series P-60, no. 144 (1983), pp. 42-44, table 11; *Characteristics of the Population below the Poverty Level: 1977*, Current Population Reports, Series P-60, no. 119 (1979), pp. 13-15 and pp. 50-52, tables 1 and 11; *Characteristics of the Low-Income Population: 1972*, Current Population Reports, Series P-60, no. 91 (1973), pp. 90-91, table 24; and *Characteristics of the Low-Income Population: 1973*, Current Population Reports, Series P-60, no. 98 (1974), pp. 13-15, table. 1.

TABLE 8
Distribution of Poor Black Persons, 1972-1987
(thousands)

<i>Family Type</i>	1972	1977	1982	1987
Nonelderly female-headed	4,029 (52.3)	4,482 (58.0)	5,579 (57.5)	5,687 (58.7)
Nonelderly male-headed	2,516 (32.6)	1,847 (23.9)	2,415 (24.9)	1,949 (20.1)
Elderly (over 65)*	640 (8.3)	700 (9.1)	812 (8.4)	809 (8.3)
Nonelderly unrelated individuals	524 (6.8)	697 (9.0)	778 (8.0)	1,018 (10.5)
Total ^b	7,710 (100.0)	7,726 (100.0)	9,697 (98.8)	9,683 (97.7)

NOTES: Percentages are given in parentheses.

a. This includes elderly persons living alone and in families.

b. The figures reflect the total number of poor persons living below the poverty level—and not the sum of poor persons in the categories above. Beginning in 1979, members of unrelated subfamilies (persons who live in families but who are not related to any of the persons they live with) are not shown separately but are included in the total; therefore some percentages do not total 100. (For earlier years, unrelated subfamily members are included in family categories.)

Sources: U.S. Department of Commerce, Bureau of the Census, *Poverty in the United States, 1987*, Current Population Reports, Series P-60, no. 163 (1989), pp. 7-8 and 29-31, tables 1 and 7; *Characteristics of the Population below the Poverty Level: 1982*, Current Population Reports, Series P-60, no. 144 (1983), pp. 42-44, table 11; *Characteristics of the Population below the Poverty Level: 1977*, Current Population Reports, Series P-60, no. 119 (1979), pp. 13-15 and pp. 50-52, tables 1 and 11; *Characteristics of the Low-Income Population: 1972*, Current Population Reports, Series P-60, no. 91 (1973), pp. 90-91, table 24; and *Characteristics of the Low-Income Population: 1973*, Current Population Reports, Series P-60, no. 98 (1974), pp. 13-15, table 1.

Clearinghouse Review

NATIONAL CLEARINGHOUSE FOR LEGAL SERVICES, INC.



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