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An Analysis of Current and Projected Rural Older Adult Legal Services Needs

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Project Description

- A legal needs assessment of older adults in Maine was conducted by analyzing the findings from recent research conducted in six other states and service data from Maine Legal Services for the Elderly over a one-year time period.
- States studied included Kentucky, Michigan, Nevada, North Dakota, Ohio, and Utah.
- The findings from each state’s studies were grouped into categories to permit comparisons across the studies.
- Key high-level, moderate-level, and lower-level needs were identified based on the analysis of state studies and data provided by Maine Legal Services for the Elderly.
- Information was analyzed about preferred legal services and preferred methods of receiving legal information as identified by older adults.

Methodology

- Analyzed existing reports on legal needs of older adults and corresponding data from six states with characteristics similar to Maine, which had recently performed major legal needs assessments. States included:
  - Kentucky
  - Michigan
  - Nevada
  - North Dakota
  - Ohio
  - Utah
- The studies took place between 2007 and 2009, except for Utah’s study, which was completed in 2006. All of the states have significant rural areas, and Nevada, North Dakota, and Utah are less densely populated than Maine. Like Maine, Michigan, North Dakota, and Ohio all have a higher-than-average proportion of adults ages 65 and older. A total of more than 7,300 older adults completed legal needs surveys in these states.
- Service data from the Maine Legal Services for the Elderly database from October 1, 2008 through September 31, 2009 were analyzed. An estimated 4,970 cases were opened during the twelve-month time period.
- An examination and analysis of the six studies led to the identification of ten common areas of legal need across the majority of the studies.
- Findings from each state study were then grouped into categories to permit comparisons of the studies.

Results

Malise: The Demographic Context

- Maine is now the oldest state in the nation, with a median age of 42.7 years and adults ages 65 and older already comprising approximately 15.9% of the state’s population (compared to 13% nationally).
- Maine is also one of the most rural states, ranking 38th in population density with only about 41 people per square mile. Nearly 60% of all Mainers live in rural areas.
- Maine’s median income is also below the national average. In Maine, help with financial issues was the second most common service, compared to fourth nationally.
- In Maine and nationally, elders are not seeking help when facing abuse or exploitation. Elder abuse was the primary issue in 2.2% of Maine Legal Services for the Elderly cases, which is consistent with data from other states, but like other states, Maine appears to be addressing only a fraction of the need. Less than 2.5% of older adults report abuse to authorities, but 6%-12% self-identify as being abused. About five times that number report indicators of abuse when surveyed.

High-Level Needs

- High-level services include help with:
  - Health insurance
  - Government benefits
  - Estate planning
  - Personal finances and consumer issues

Moderate-Level Needs

- Moderate-level services include help with:
  - Housing
  - Powers of Attorney and Healthcare Advance Directives
  - Abuse and neglect

Lower-Level Needs

- Lower-level services include help with:
  - Family matters
  - Employment and pension issues
  - Guardianship

High-Level Services

- Help with health insurance was the greatest need nationally, and 25% of services from Maine Legal Services for the Elderly were for health care issues—more than in any other area. About half of those cases involved Medicare Part D.
- Benefits help was the second-highest area of need nationally, but only approximates 3.6% of cases served by Maine Legal Services for the Elderly were for Medicare Part D.
- In Maine, help with financial issues was the second-most commonly provided type of service, compared to fourth nationally. More than half of those cases involved collections and 10% were for help with debt relief or bankruptcy.
- About 25%-45% of older adults need help with estate planning, most commonly with creating or changing a will.

Legal Services Need Rankings: Maine vs. Comparison States

<table>
<thead>
<tr>
<th>Category</th>
<th>National Ranking</th>
<th>Maine Ranking</th>
</tr>
</thead>
<tbody>
<tr>
<td>Health Insurance</td>
<td>1</td>
<td>1</td>
</tr>
<tr>
<td>Government Benefits</td>
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<td>6</td>
</tr>
<tr>
<td>Estate Planning</td>
<td>3</td>
<td>4</td>
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<tr>
<td>Personal Finances and Consumer Issues</td>
<td>4</td>
<td>2</td>
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<tr>
<td>Housing</td>
<td>5</td>
<td>3</td>
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<tr>
<td>Power of Attorney and Healthcare Advance Directives</td>
<td>6</td>
<td>5</td>
</tr>
<tr>
<td>Abuse or Neglect</td>
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<td>8</td>
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<tr>
<td>Family Matters</td>
<td>8</td>
<td>7</td>
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<tr>
<td>Employment or Pension Issues</td>
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<td>9</td>
</tr>
<tr>
<td>Guardianship and Power of Attorney</td>
<td>10</td>
<td>10</td>
</tr>
</tbody>
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Next Steps

A legal needs survey will be distributed to hard-to-reach populations in Maine, including individuals 70+ older adults who have low literacy, older adults with limited English proficiency, as well as individuals who are homebound, and those who received a recent Medicaid reduction or denial.

The full report, Legal Needs Assessment of Older Adults in Maine is available online at http://mainecenteronaging.umaine.edu/publications

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