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Lenard W. Kaye

Jennifer A. Crittenden

Melissa Adle

David C. Wihry

Jaye L. Martin

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

Lenard W. Kaye, DSW/PhD; Jennifer A. Crittenden, MSW; Melissa Adle, MSW; David C. Wihry, MPA; Jaye L. Martin, JD

University of Maine Center on Aging and Maine Legal Services for the Elderly

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 2004. All six 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^[iv]. 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. A total of 4,970 cases were opened during this 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.

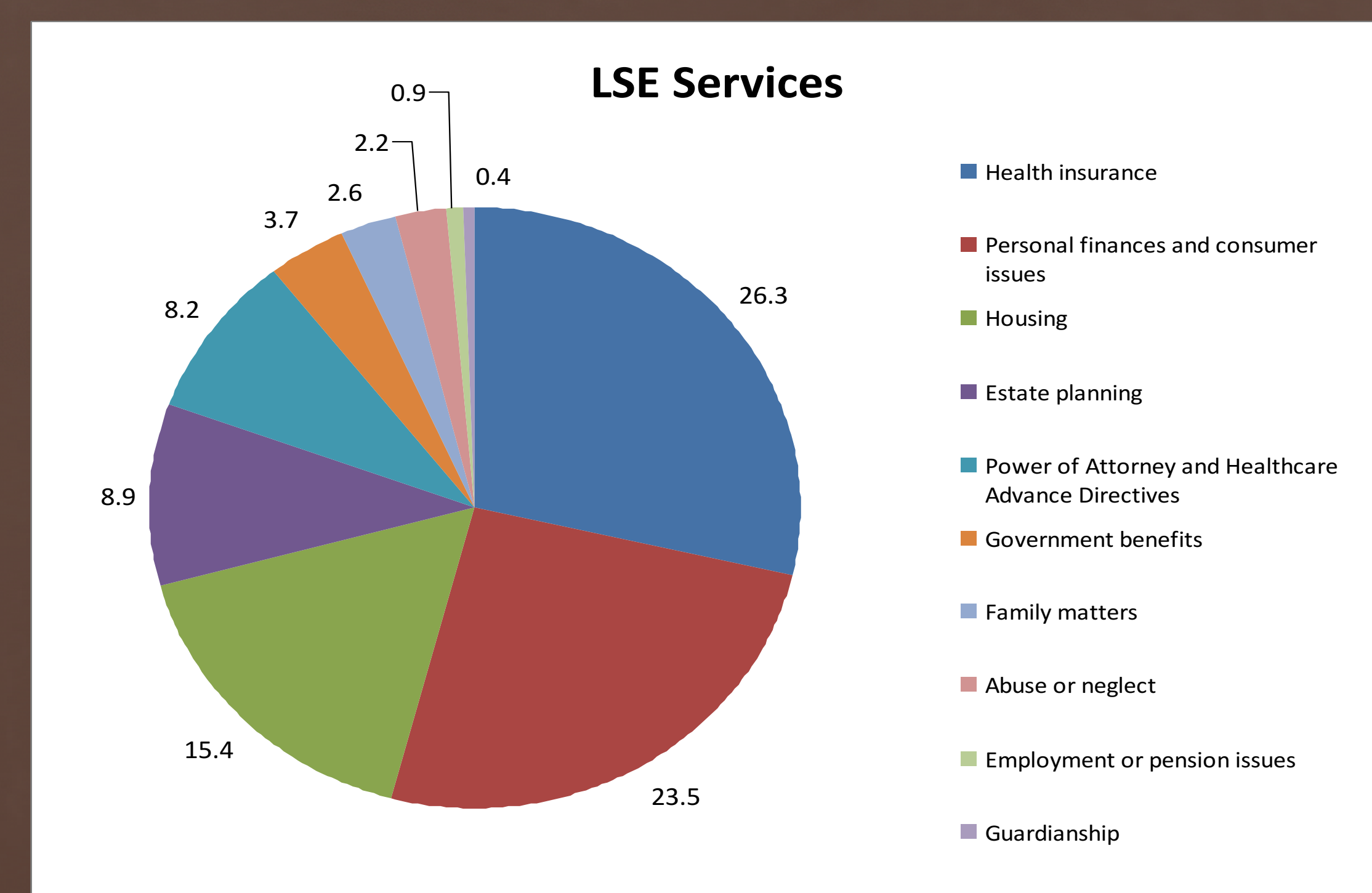
• Findings from each state study were then grouped into categories to permit comparisons of the studies.

Maine: 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)^[i].

• 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^[ii].

• Maine's median income is also below the national average. In some rural counties, the median income was even 20% lower than the state as a whole. Therefore, individuals living in the most rural counties of Maine tend to have lower incomes and higher rates of poverty compared even to individuals living in less-rural southern Maine^[iii].



Results

High-level service needs include help with:

- Health insurance
- Government benefits
- Estate planning
- Personal finances and consumer issues

Moderate-level service needs include help with:

- Housing
- Powers of Attorney and Healthcare Advance Directives
- Abuse and neglect

Lower-level service needs include help with:

- Family matters
- Employment and pension issues
- Guardianship

High-Level Service Needs

• 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 represents 3.6% of cases served by Maine Legal Services for the Elderly. This area was explored as a possible area for increased service provision and outreach in Maine.

• In Maine, help with financial issues was the second-most frequently 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.

Moderate-Level Service Needs

• More than 15% of cases addressed by Maine Legal Services for the Elderly involved housing issues, and 10% of those involved foreclosures. Housing issues may also be increasing for older adults compared to findings from research conducted just two to three years earlier.

• 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.

References

- [i] US Census Bureau (n.d.) American FactFinder. Downloaded November 2011 from <http://factfinder2.census.gov/>.
- [ii] US Census Bureau (n.d.) American FactFinder. Downloaded March 2010 from <http://factfinder.census.gov/>.
- [iii] Margaret Chase Smith Policy Center (2006). *Poverty in Maine*. University of Maine, Orono.
- [iv] US Census Bureau (n.d.) American FactFinder. Downloaded March 2010 from <http://factfinder.census.gov/>.

Next Steps

A legal needs survey will be distributed to key 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.

Legal Services Need Rankings: Maine vs. Comparison States

Category	National Ranking	Maine Ranking
Health Insurance	1	1
Government Benefits	2	6
Estate Planning	3	4
Personal Finances and Consumer Issues	4	2
Housing	5	3
Power of Attorney and Healthcare Advance Directives	6	5
Abuse or Neglect	7	8
Family Matters	8	7
Employment or Pension Issues	9	9
Guardianship and Power of Attorney	10	10

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



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Project research carried out by: University of Maine Center on Aging
Camden Hall, 25 Texas Avenue, Bangor ME 04401-4324
Phone: (207) 262-7920 | Fax: (207) 262-7921 | Web: www.mainecenteronaging.org

