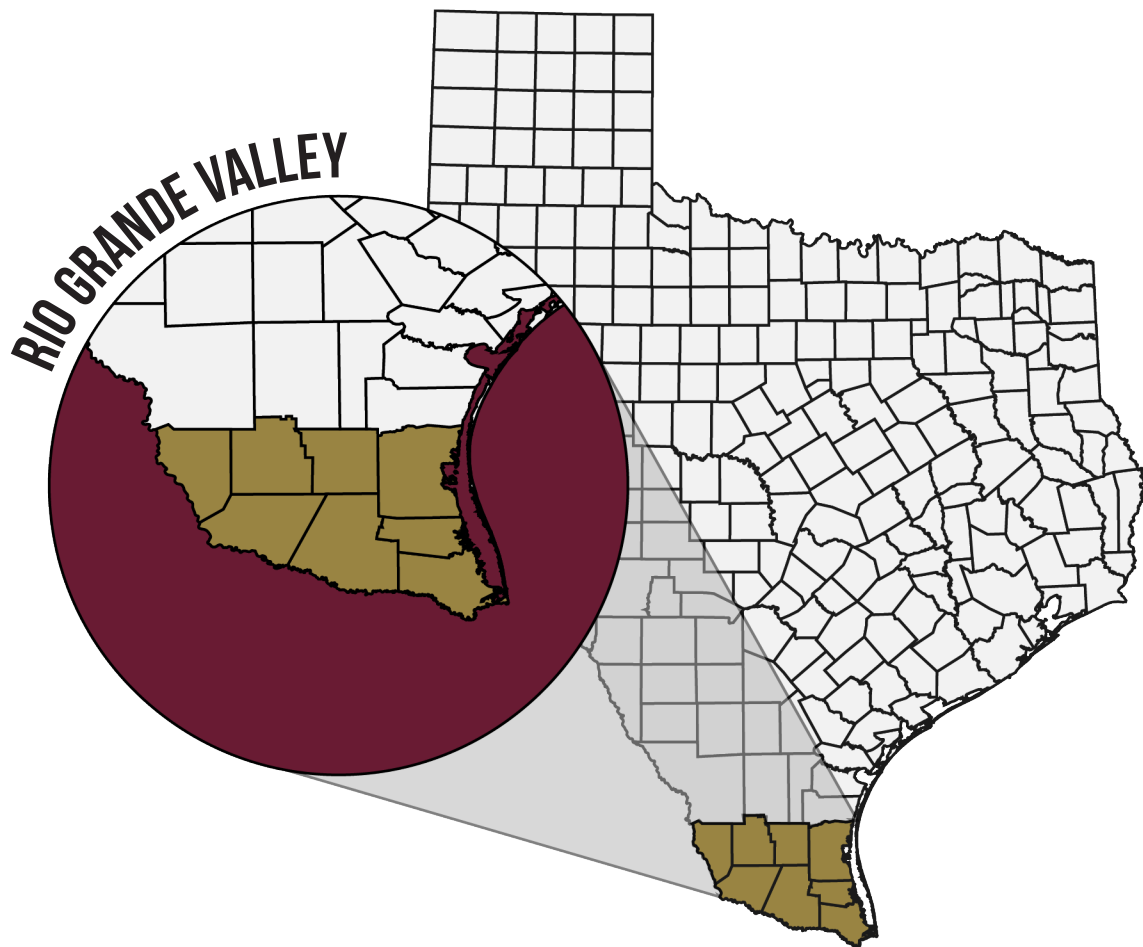


Texas A&M University T3 Grants

LEGAL SERVICES NEEDS ASSESSMENT FOR RIO GRANDE VALLEY RESIDENTS IN TEXAS

A COMPREHENSIVE T3 REPORT





- Rio Grande Valley in South Texas -

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ABOUT T3 PROJECT & STUDY TEAM COLLABORATION

This project is funded by the Texas A&M Triads for Transformation (T3) grant - a multidisciplinary seed-grant program that is part of the President's Excellence Fund. The T3 grant is designed to advance Texas A&M University's commitments to "enhancing discovery and innovation and expanding impact on our community, state, nation, and world." ¹ The grant enabled an interdisciplinary team to design and conduct long-term research and scholarship collaborations. The T3 program provided \$30,000 to a multidisciplinary team of three Texas A&M University faculty members: Professor Amber Baylor, Professor Luz Herrera, and Professor Felipe Hinojosa. In addition, the faculty engaged the assistance of research scientist Nandita Chaudhuri at the Public Policy Research Institute. The research team also engaged students in the project. ²

KEY STUDY PERSONNEL

AMBER BAYLOR is an Associate Professor of Law and Director of the Criminal Defense Clinic at Texas A&M University School of Law. Her most recent scholarship focuses on the impact of local criminal regulation and the criminalization of poverty. Her work prioritizes studies immersed in the experiences of directly affected communities. Prior to joining Texas A&M, Prof. Baylor was a Visiting Assistant Professor and Director of the Veterans Law Clinic at Widener University Delaware Law and a clinical teaching fellow and supervising attorney at The Community Justice Project at Georgetown University School of Law. She has held positions as a staff attorney at Neighborhood Defender Service of Harlem, a community-based public defense office in New York, and a trial attorney at Federal Defenders of San Diego, Inc. Prof. Baylor was also a Kathryn Wadia fellow at the Ramallah and Jenin offices of the International Legal Foundation, where she worked with Palestinian public defense attorneys.

NANDITA CHAUDHURI, a research scientist at the Public Policy Research Institute at Texas A&M University, has deep domain expertise in securing, designing, implementing, and evaluating multi-site public program reforms and evidence-based interventions, especially in the areas of public health, higher education, and criminal justice. She has an extensive background in targeted stakeholder engagement and synergistic partnerships with varied special populations such as veterans, seniors, legal service providers, higher education STEM reformers and instructors, developmental and adult students, Medicaid and Medicare recipients, nurses, physicians, counselors and social workers. Her policy research and/or program evaluation project funders include the National Science Foundation, National Institute of Health, Texas Health and Human Services Commission, Texas Department of State Health Services, Texas

Department of Aging and Disability Services, Center for Disease Control, Health Resources and Services Administration, Texas Veterans Commission, Administration for Community Living, National Crime Victims Law Institute, Office for Victims of Crime, Texas Education Agency, Texas Higher Education Coordinating Board, Department of Education, and the World Health Organization.

LUZ HERRERA is a Professor of Law and Associate Dean for Experiential Education at Texas A&M School of Law. Before entering academia, Prof. Herrera ran her own practice and founded Community Lawyers, Inc., a non-profit organization that encourages access to affordable legal services and develops innovative opportunities for legal professionals in underserved communities. These experiences have influenced her scholarship that promotes legal “low bono” service delivery models and post-graduate support programs for lawyers starting their own law firms. Prof. Herrera currently serves as a special advisor for the American Bar Association’s Commission on Hispanic Legal Rights and Responsibilities. Prior to her current position, Prof. Herrera was the Assistant Dean for Clinical Education, Experiential Learning and Public Service at UCLA School of Law. She has also taught as a visiting clinical professor at the University of California, Irvine School of Law, an assistant professor at Thomas Jefferson School of Law, a visiting professor at Chapman University School of Law and a Senior Clinical Fellow at Harvard Law School. In her various academic positions, Prof. Herrera encouraged innovation and promoted access to justice through experiential learning. Prof. Herrera is a graduate of Stanford University and Harvard Law School.

FELIPE HINOJOSA is an Associate Professor of History at Texas A&M University. His research and teaching interests include Latina/o and Mexican American Studies, American Religion, Social Movements, Gender, and Comparative Race and Ethnicity. He is co-founder of the Latina/o Studies Working Group, sponsored by the Melbern G. Glasscock Center for the Humanities Research, is the director of the Carlos H. Cantu Hispanic Education and Opportunity Endowment, and serves as editor for the interdisciplinary, peer-reviewed, and online moderated forum *Latinx Talk*. Born and raised in Brownsville, Texas, Prof. Hinojosa received his bachelor’s degree in English from Fresno Pacific University, his master’s degree in History at the University of Texas Pan American, and his PhD in History from the University of Houston. His most recent book, *Apostles of Change: Latino Radical Politics, Church Occupations, and the Fight to Save the Barrio* (University of Texas Press, 2021) explores the history of Latinx radicalism and religion in urban America.

01 EXECUTIVE SUMMARY

This report presents the findings of a legal needs assessment and oral history project that was simultaneously undertaken from August 2019 to September 2020 in the Rio Grande Valley region of Texas. The purpose of the research is to provide a detailed discussion about access to legal information and to document the pertinent legal needs in the Rio Grande Valley. The project documented respondents' perceptions of the area's legal assets and needs.

The report captured information from more than 600 individuals who participated in surveys, focus groups, and interviews to create an overview of the historic legal-resource environment that exists for residents of the region. This study found that information and services related to immigration, family, and property law are major needs in the area. It also found that the cultural and political context of the region, particularly as it relates to immigration status, are significant obstacles to accessing information and assistance from the legal system. In addition, individuals who did not have training in legal education expressed little to no knowledge of free online resources available to navigate legal matters. Based on the findings, the recommendations are the following:

- Expand resources to existing, local organizations and community workers.
- Determine how local legal education and awareness can assist in meeting gaps.
- Develop accessible online directories of existing legal services in the region.
- Introduce new service models to offer free and affordable legal services.
- Strategize statewide collaboration to deliver legal services in the region.

The transition of the Rio Grande Valley from a primarily agricultural community to one of the fastest-growing metropolitan areas in the state makes it an ideal site to study the process of developing Latinx lawyers and the respective legal needs of Latinxs that live in both rural,³ micropolitan,⁴ and metropolitan statistical areas (MSAs).⁵

An oral history component also highlighted the importance of investing in educational resources to build stronger infrastructure that addresses the existing needs. It captures the historic legal-resource desert that exists for rural residents of the Rio Grande Valley.

02 INTRODUCTION

The Rio Grande Valley region has unique qualities that require individualized study and a set of solutions specific to its counties and its residents. Both rural and urban communities in Texas' Rio Grande Valley face lower than average ratios of lawyers per person.⁶ The area does not have a law school, which traditionally plays a role in examining and helping to address access to justice issues. A community-based study of legal needs is an important tool for communities in the RGV in identifying needs and barriers to justice. A legal needs assessment may play a critical role in gaining support for efforts to address injustice in the region.

Latinxs currently account for 18 percent of the U.S. population. Texas has the second-largest Latinx population in the country, with more than 11.5 million Latinos that comprise 39 percent of the total state population.⁷ The Rio Grande Valley, which is comprised of Hidalgo, Cameron, Willacy, and Starr counties, is more than 90 percent Latinx.⁸ Texas is the state with the highest number of Latinos living in rural communities.⁹

Majority Latinx rural communities lag behind in the number of lawyers per population. The four-county region has one lawyer for every 807 people.¹⁰ In comparison, Harris County reports one lawyer for every 196 people, Dallas County reports one lawyer for every 158 people, Travis County reports one lawyer for every 117 people and Bexar County has one lawyer for every 318. When we look at the two rural counties in the Rio Grande Valley, the number of lawyers per population is even starker. In Starr County, there is 1 lawyer for every 1,373 people and Willacy County has 1 lawyer for every 2,689 people.¹¹

Despite their demographic prominence, Latinxs are still substantially underrepresented in the legal profession. The American Bar Association reports that only 5 percent of all attorneys in the U.S. are Latinx.¹² The State Bar of Texas reports that Latinx attorneys comprise 10 percent of the state's bar.¹³ While Texas does much better than the national average in its Latinx representation,¹⁴ the core population of the state's Latinx bar members does work within the rural areas of the Rio Grande Valley and analogous communities.

Understanding the under-development of legal services and the abundant legal needs of Latinxs in the Rio Grande Valley requires an exploration of the region's history in advocating for higher education. The Mexican American Legal Defense and Educational Fund (MALDEF) sued Texas in 1987 for denying Mexican American residents in South Texas adequate access to higher education.¹⁵ The case alleged that Texas discriminated against Latinos by not providing sufficient funding to the South Texas region to support colleges and universities. The Texas Supreme Court heard the case and ruled against the plaintiffs, but the case helped spark the South Texas Border Initiative - a series of legislative efforts that provided funding for higher education along the Texas-Mexico Border.

Despite advocacy from local politicians, community leaders, and law students, the fight to operate a

law school in the Rio Grande Valley has not been successful. Since the 1980s, the area has continually been denied the necessary funding and political support for an accredited law school in the region. The lack of legal education resources and overwhelming legal needs of the area's residents raise important questions about the continued marginalization of this border region and its residents. Through a mix of oral histories and archival research, this project investigates the long and complex fight for a law school in the Rio Grande Valley as a way to document the long-neglected legal needs of Mexican Americans in South Texas.

This research seeks to better understand the actual legal needs in the Rio Grande Valley by conducting a legal needs assessment. Among other things, we believe the data can inform the development of a law school pipeline program that increases the quality and availability of legal services in the Rio Grande Valley.

03 STUDY CONTEXT

The four-county region that constitutes the Rio Grande Valley was selected because it is a region with both urban and rural communities.¹⁶ The region is over 90% Latinx – primarily of Mexican descent.¹⁷ Despite the tremendous growth of the Latinx population in Texas and the United States, there is no legal needs assessment that focuses on this population. While the region is not all Latinx,¹⁸ it is the only part of the country with a large majority Latinx population with both rural and metropolitan characteristics. The Rio Grande Valley is relatively young compared to the national and state median age.¹⁹ The median age of the Rio Grande Valley population in 2019 was between 29 to 33 years.²⁰ Education levels in the region are lower than the state average. Table 1 shows the percentage of high school graduates and individuals with a bachelor's degree or higher.²¹

Table 1: Educational Attainment by County ²²

County	High School Graduate or Higher	Bachelor's Degree or Higher
Cameron	67.2%	17.3%
Hidalgo	62.5%	18.4%
Starr	51.5%	10.3%
Willacy	65.9%	10.1%

The Rio Grande Valley is located on the southernmost point of the U.S. Mexico border. It includes the cities of Brownsville, Raymondville, Harlingen, Weslaco, Pharr, McAllen, Edinburg, Mission, San Juan, and Rio Grande City. The RGV has 38 cities, 9 towns, 1 village, 192 Census designated places, and 7 unincorporated communities.²³ In addition, there are 900 colonias (residential areas that lack municipal infrastructure and services) in the Rio Grande Valley.²⁴ The most recent population estimates report more than 1.4 million individuals live in the counties of Cameron, Willacy, Hidalgo, and Starr.²⁵ However, leaders in the area report that the population has been historically underreported by as much as 300,000.²⁶ The region borders two metropolitan areas in Mexico – Matamoros and Reynosa/Rio Bravo area. The region is largely bilingual.²⁷ The region's history includes ties to the early Coahuiltecan people, Spain, and Mexico.²⁸ The border region of the Valley has also long had a higher number of the foreign-born population. According to the American Community Survey, the foreign-born population in Starr, Hidalgo, and Cameron counties is higher than the state average of 17 percent.²⁹

The Rio Grande Valley was once an agriculture-based rural economy. Population growth,³⁰ and international retail and trade³¹ transformed the region into a crucial trade and binational center.³² While citrus, cotton, sugarcane, vegetable, and sorghum continue to be important agricultural staples in Texas,³³ international agreements also opened the door to factories known as “maquiladoras.”³⁴ In addition, the region’s semi-tropic climate attracts tourism to the beach community of South Padre Island and to the various nature preserves that are filled with a variety of birds and butterflies.³⁵ The warmer weather and proximity to more accessible Mexican healthcare also draws seniors from the Midwestern states, referred to as “Winter Texans,” during the colder months.³⁶

New industries have emerged in the Rio Grande Valley in the last 50 years.³⁷ The health care and education sectors have also seen significant growth in the last twenty years.³⁸ These sectors are responsible for 47 percent of job growth in the McAllen House Market Area.³⁹ Five private clinics and regional medical centers account for the ten largest employers in Hidalgo County.⁴⁰ In August 2014, Space X announced the creation of a port for space exploration in Boca Chica, near Brownsville.⁴¹ The Brownsville Economic Development Council projected that Space X would create 500 jobs and bring in \$85 million to the city, generating \$51 million in annual salaries.⁴²

While the Rio Grande Valley offers great economic promises, the four counties are amongst the poorest in Texas.⁴³ Willacy County had the highest poverty rate in Texas – 35 percent in 2018. The county with the lowest poverty rate in the region is Cameron, at 27.9 percent. Table 2 shows the eight counties with the highest poverty rates in the state.

Table 2: County Poverty Rates

County	Percent (%)	County	Percent (%)
Cameron County	27.9	Zavala County	32
LaSalle County	29.6	Zapata County	32.1
Hidalgo County	30	Starr County	33.2
Brooks County	31	Willacy County	35

Despite the poverty levels, Hidalgo County was ranked as the 14th highest in terms of state GDP in 2018, and Cameron County was ranked 33.⁴⁴ Out of the 254 Texas Counties, Starr was ranked 112th and Willacy 176th for GDP output that same year.

The most recent U.S. wage statistics show that Cameron and Hidalgo counties are amongst the lowest-paying large counties in the nation.⁴⁵ Large counties are those with annual average employment levels of at least 75,000 people. The national wage amongst large counties was \$1,093 per week.⁴⁶ Meanwhile Cameron County wages were \$659 per week (the lowest wages of large counties) and Hidalgo County wages were \$683 per week (the third lowest of large counties).⁴⁷ The average national hourly wage was \$25.72 in May 2019.⁴⁸ However, the hourly wage for workers in the Brownsville-Harlingen MSA was \$16.85.⁴⁹ This 34 percent discount in wages was slightly lower in the McAllen-Edinburg-Mission MSA where the average hourly wage was \$18.04—or 30 percent less than the national figure.⁵⁰ Lower wages impact nearly all occupations.

Table 3: Number of Legal Profession Workers in RGV MSAs

	Brownsville MSA	McAllen MSA	Total
Legal Occupations	660	1,220	1,880
Lawyers	320	580	900
Paralegals & Legal Assistants	160	420	580

Source: U.S. Bureau of Labor Statistics, US Dept' of Labor (May 18, 2020)

The most recent Texas State Bar research on the attorneys in Texas shows that in 2018, 315 lawyers were practicing in the state for every Texan living in the state.⁵¹ The data demonstrates that the more least populated, or more rural, counties have fewer attorneys. This is also true in the Rio Grande Valley, where the more sparsely populated Starr and Willacy counties had fewer attorneys. Willacy County reported only 21 attorneys for a population of 21,515 individuals.⁵² This means there is one attorney for every 2,689 people in that county.⁵³ The Brownsville-Harlingen MSA, which also accounts for Cameron County, has the best attorney to population ratio at 1 attorney for every 744 persons. Still, when compared to other MSAs throughout the state, we find that only the McAllen-Edinberg-Mission MSA, the Laredo MSA, and the Odessa MSA have greater ratios.⁵⁴

Table 4: Population, Attorney Population, Percentages, and Ratios in RGV Counties

	2018 Population	% of Texas Population	Attorneys	% of Attorneys	Ratio of Attorneys to Population
Cameron County & MSA	423,908	1.48%	570	0.62%	1:744
Hidalgo County & MSA	865,939	3.03%	1,082	1.19%	1:800
Starr County	64,525	0.22%	47	0.05%	1:1,373
Willacy County	21,515	0.07%	21	0.01%	1:2,689
Texas	28,701,845	100%	91,244 ⁵⁵	88%	1:315

Source: State Bar of Texas

04 RESEARCH QUESTIONS

The purpose of the research is to provide a detailed discussion about access to justice and pertinent legal needs in the Rio Grande Valley. The project documents legal needs to better inform interested parties about the need for investment to provide greater legal services to the region and create pipelines for legal education.

Some of the qualitative key constructs of the study are to:

- Identify the various legal needs, including co-existing and overlapping ones, for various types of residents of Rio Grande Valley
- List the range and types of legal assistance mechanisms available
- Discern the breadth and quality of legal services available
- Pinpoint gaps or unmet needs in the current legal services delivery system
- Map the existing linkages and disconnects among legal and non-legal service providers
- Detect the existing barriers to accessing legal services, particularly among underserved populations
- Identify important historical events or trends to provide a context for understanding existing legal needs
- Develop a historical understanding of the efforts to establish and sustain a law school in the Rio Grande Valley that began with the Reynaldo Garza School of Law in Brownsville and Edinburg, 1983-1990.

Among the questions asked of participants in the survey and the focus groups include:

1. When people have a legal need in the RGV region, where (that is, which people or organizations) do you think they turn to first?
2. In your opinion, what are the 3 types of legal services that are most readily available in the RGV region?
3. What, in your opinion, are the two biggest unmet legal needs in the RGV region?
4. Do you think the RGV region has adequate legal services and attorneys available to handle the legal needs of the RGV residents?
5. Which types of the following legal services are available in the RGV region?
6. In accessing legal services, what are the biggest barriers faced by people in the RGV region?
7. What do you think is needed to improve the legal services in the RGV region?
8. What factors in the history or context of your community might impact these legal needs?

Oral history interviewees participated in an in-depth interview on the history of the Garza Law School. Questions included:

1. When did you decide to pursue a law degree?
2. What were some of the obstacles you faced in deciding to attend law school?
3. What law schools did you apply to?
4. Why did you decide to attend the Reynaldo Garza School of Law? Why not leave the RGV to attend an accredited law school?
5. How much did you pay in tuition at the Garza school?
6. Were you working full-time at the time?
7. Talk us through a typical class. Who was your professor? Where were classes held? What books did you use?
8. Why do you think there was so much opposition by state leaders to provide formal accreditation to the Garza school in the RGV?
9. How did you manage to convince the Texas Supreme Court to allow your class to have a chance to take the bar exam, especially since the Garza school was unaccredited?
10. What do you think is the greatest legacy of the Garza School of Law?

The research team was able to address some of the key questions but were limited by time, funding, and the access constraints imposed by the emergence of COVID-19. Additional interviews, focus groups, and assessment of court and government entity data can provide a more complete assessment of the legal needs and resources available in the Rio Grande Valley.

05 METHODOLOGY

This project centers on a multi-stage mixed-methods approach that integrates the following: literature review, quantitative data gathered from two-panel survey instruments, qualitative data collected from twelve focus groups, targeted key informant interviews, selected document reviews and oral history chronicles. As in any rigorous needs assessment studies, data analysis involved triangulation of all the quantitative and qualitative information collected by the researchers. The study tools were developed collaboratively, based on a detailed literature review, and all protocols were reviewed and approved by Texas A&M IRB.⁵⁶ Collected data were analyzed based on state-of-the-art software where necessary.

Literature & Document Review

This study and subsequent scholarship link approaches from existing research threads to develop a methodology that sheds light on (1) the legal needs of majority Latinx communities, (2) in rural and metropolitan communities, and (3) the importance of investing educational resources in those communities. To situate the current research, the research team reviewed scholarly articles and reports on access to justice, legal needs assessments, access to legal services for marginalized sectors including rural and Latinx communities. In addition, the literature review explored assessments of non-legal needs, particularly in public health studies, the role of law schools in addressing access to legal services, and the history of higher education in the Rio Grande Valley.

Despite the tremendous growth of the Latinx population in Texas and the United States, there has been no systemic assessment of this population or communities where this population is the majority. Outside of access to paralegals and lawyers for the Latinx immigrant population, there are few reports focused specifically on Latinx communities' legal service needs or contrasting rural, majority Latinx legal service needs with majority Latinx urban centers.⁵⁷

A 2017 Justice Gap Report by the Legal Services Corporation gave special attention to rural Americans as a distinctly vulnerable population.⁵⁸ Scholars emphasize that each location is unique, but some common obstacles appear within rural communities. Scholars have emphasized the role of legal needs and access to justice studies as critical for addressing systemic justice issues.⁵⁹ Increasingly, researchers have developed studies on legal needs and access to justice in under-focused regions and communities, specifically rural parts of the U.S. and Latinx communities.⁶⁰ There is no general legal needs assessment focused on the Rio Grande Valley which encompasses rural areas, and has a majority population comprised of Latinx community members, both indicators of barriers in access to justice across the country.⁶¹

Most of the research on non-legal needs dedicated to rural areas focuses on public health needs in the Rio Grande Valley.⁶² Those reports highlight the important role of promotoras and the promotora-organizing model in distributing information to community members.⁶³ The model centers on the local development of community workers – who provide a link between underserved residents and services.⁶⁴

Additional research into the promotora model revealed that these community workers are trained, certified, and paid to educate their peers on critical issues related to public health.⁶⁵

The literature review also explored the role of higher education in the region. Some of literature available focuses on the South Texas Border Initiative - an effort to bring higher legal education to the region. Within the higher education scholarship, there was limited literature on the role that legal education has played or can play in addressing access to justice concerns in the Rio Grande Valley or other rural or Latinx communities.

Quantitative Methodology

The first pre-COVID survey as well as the COVID related survey followed a panel sample methodology. The first was implemented by Qualtrics from mid-August to mid-September 2019 and the second was implemented by Qualtrics in September 2020. The first yielded 281 total responses and the second, 220 total responses. In a panel, a pre-arranged pool of respondents who agree to be contacted for incentives respond to surveys. For this study, Qualtrics aggregated a pre-screened group of Rio Grande Valley residents who expressed a willingness to participate in the survey for a monetary incentive. In principle, the validity of research using online panels is a function of the internet penetration in the population being studied.⁶⁶ Generally speaking, the higher the internet penetration of the target population, the greater the chance that a panel might reflect the entire target population's subtraits. The 2019 survey comprised of 12 questions and was systematically designed to capture information on various aspects of local legal resources, gaps in legal services, and suggestions for improvement. The 2020 survey capture information on how the same issues were affected by the onset of the pandemic. It consisted of 11 questions. All survey data was analyzed with the help of state-of-the-art statistical software.

Qualitative Methodology

Focus group participants for the project were systematically recruited through several local RGV contacts: community organizations and their umbrella coalitions, constituent relations staff from the RGV offices of elected state legislators, legal service providers, attorney bar networks, charter schools and other educational contacts. Following a structured protocol approved by Texas A&M, each focus group session was led by a two-member team who facilitated participants through free-flowing discussions. Facilitators allowed participants to comfortably consider important details about local historical context and contemporary challenges related to the accessibility of legal services in the region. The discussions began with the facilitation team's introductory greetings, an explanation of the IRB approval and the confidentiality process, the purpose of the sessions and the collection of signed consent forms from the session attendees. The structured protocol questions allowed the participants to talk about legal service quality, related gaps and barriers, and ideas on improving the services by combining forces and capabilities from within and outside the community.

Facilitation ensured that discussions remained focused on the session goals and maximized participation by all the attendees. Participant input was captured with the help of audio tapes and flip charts/posters. The sessions were audio-recorded for the purposes of note-taking, later thematic analysis of the qualitative data, record keeping and documentation. Light refreshments helped create a comfortable environment for participants and encouraged in-depth, thoughtful, and focused discussion. After each

session, the two-member facilitation team created a summary of the session and followed validation processes to consolidate or refine statements on needs constructs so that there was conceptual clarity for the prioritized needs within the given community contexts. Thematic analysis of the qualitative data from a total of twelve focus group sessions involved coding, recoding, validity checking and analytic induction.

Oral History Methodology

The methodology includes a mix of oral history interviews and archival research (on hold because of COVID-19). Oral history enables individuals to share their stories in their own words, with their own voices, through their own understanding of what happened and why. The goal of centering on recorded interviews between a narrator with personal experience of historically significant events and a well-informed interviewer, to add information to the historical record that might not be included in the archival documents or other primary sources. It is also a process that allows the narrator to provide a first-person account of the events and historical experiences they lived through. In this study, our goal is to conduct interviews with participants who graduated from the Garza School of Law and that are currently practicing law in South Texas. Conducting oral history interviews adds to our overall mixed methods approach by documenting people's personal experiences along with capturing the stories of women, many of whom tend to be silenced in the primary documents found in the archives. Moreover, it provides the researchers an opportunity to gain insights from marginal students within the Garza School of Law that otherwise might not have had such a prominent voice at the time. Conducting oral histories expands our reach and provides the researchers an opportunity to narrate a complete history.

Targeted Key Informant Interviews

Before undertaking the project, researchers developed new relationships and built on existing ones to get a better understanding of the region, possible focus group participants, and individuals. Interviews with key informants began as an effort by the then new Texas A&M University School of Law to develop relationships in the region. A member of this research team made several trips to the region, beginning in 2016, to meet with community leaders, government officials, and judges. It was these meetings that spurred interest in additional information about legal needs. The information gathered over group meetings and individual interviews of approximately 50 individuals provided sufficient information to structure this project. The meetings and gatherings that predated the project also involved personnel at Texas A&M Health Sciences Center, the A&M AgriLife Extension Program, the Colonias project, judges, and legal aid lawyers. The research team also had the benefit of having one research assistant and one faculty member who are from the region. Their personal and professional relationships proved helpful in opening doors to recruit individuals to participate in the research.

06 ORAL HISTORY: KEY FINDINGS

This part of the Legal Needs Assessment in the Rio Grande Valley takes a historical approach by examining the movement to establish a Law School in South Texas. Specifically, we focus on the rise and fall of the Reynaldo G. Garza School of Law, which operated unaccredited from 1984 to 1990 in the Rio Grande Valley.⁶⁷ To date, nine oral histories have been conducted. Participants were selected because of their connection to the Garza School of Law either as former students or former staff members.⁶⁸

Those who know the history of the Reynaldo G. Garza School of Law simply call it “the Milagro Law School” (the Miracle Law School). The Rio Grande Valley has historically had some of the highest poverty rates in the entire nation. As a border region, it was often left out of Texas's higher education funding. When the Reynaldo G. Garza School of Law started, it was the only professional school in the entire region in South Texas. The closest Law School was in San Antonio, more than 250 miles away.⁶⁹

The need for such a law school in the Rio Grande Valley was obvious to many in higher education in the 1980s. In 1984, when the Law School first opened, there was 1 lawyer for every 1250 people in the Rio Grande Valley. Across the state of Texas, there was 1 lawyer for every 350 people. The need was, and continues to be, great.

Key Findings from Oral Histories:

Some of the key findings from the interviews conducted as part of the oral history project include:

- Mexican Americans who attended the Garza School of Law were all first-generation college students. For many, going to college was facilitated by the growth and development of Pan American College (now University of Texas, Rio Grande Valley). All of those interviewed came from poor backgrounds, and most grew up as migrant farmworkers. The interviewees were part of a post-civil rights generation of Mexican Americans that started attending college in large numbers in the late 1970s.
- The students who studied at the Garza School of Law understood the risks that since the law school was unaccredited, they might never have the opportunity to take the bar exam. They enrolled regardless. The sliver of hope to gain a license was enough for many people who sacrifice their time and resources to attend Garza School of Law.
- The oral histories make clear the tremendous sacrifice that students made to study law. They worked full-time jobs during the day (as teachers or healthcare workers) and attended class in the evenings. On the weekends they sacrificed time away from family to study and prepare for class the following week. They sat in hot classrooms with no air conditioning, worried about possibly

having to relocate classrooms quite frequently, and they served as their own advocates as they sought accreditation. The work and pace of it all took a toll on them, but with their support systems (family and classmates) they thrived.

- The oral histories recount the Texas Higher Education Coordinating Board and the University of Texas at Austin's efforts accreditation and funding for the Garza School of Law.
- Most Garza students were children in the heyday of the Chicano movement of the late 1960s. They cited the era as providing the inspiration needed to fight for their right to take the bar exam.
- The Garza School of Law opened up new possibilities for Mexican American women to attend law school. For the women interviewed, and many of their peers, attending law school outside of the Rio Grande Valley was simply not an option. Leaving the Rio Grande Valley was especially difficult for single women.
- The Garza School of Law closed in the early 1990s, but its legacy lives through 41 of the attorneys listed as graduates of the school on the Texas State Bar website.⁷⁰

07 NEEDS ASSESSMENT SURVEY: KEY FINDINGS

The survey asked participants to choose from a list of people or organizations who they believe residents in the RGV area turn to first when they have a legal need in the RGV region.

As seen in Table 5 below, majority (44.49 percent of total participants) believe that “lawyers” are the first people to turn to if they have a legal need. The second highest chosen response to this question is “Friends and Family,” with 65 participants (28.63 percent) having chosen this response.

Both “Churches” and “Government Offices” had 20 participants (8.81 percent) each, “Community Leaders” had 10 responses (4.41 percent), and “Health Professionals” had 9 responses (3.96 percent). Both “Legal Aid-Free Services” and “Notary” only had 1 response (0.44 percent) each.

Table 5: People or Organizations that RGV Residents First Turn to When in Need of Legal Assistance

	Freq.	Percent (%)
Lawyers	101	44.9
Churches	20	8.81
Health Professionals	9	3.95
Government Office	20	8.81
Community Leaders	10	4.41
Friends and Family	65	28.63
Legal Aid-Free Service	1	0.44
Notary	1	0.44

Participants were asked to list three types of legal services that, in their opinion, are most readily available in the RGV region. The table below (Table 6) provides a breakdown of these responses categorized into themes. The most common response to this question (indicated that legal services dealing with “government officials and public concerns” are most readily available in the RGV region. This is followed by legal aid, with 23 responses. Services dealing with “social services and government programs,” “lawyers (with no specific specialization)” and “other” (which contained services that didn’t fall in any other category created) each had 22 responses.

**Table 6: Legal Services Most Readily
Available in the RGV Region**

	Freq.
Government Officials/Public Services/Community Concerns	36
Legal Aid	23
Social Services/Gov't Programs	22
Lawyers (General)	22
Other	22
Healthcare	13
Domestic Relations	11
Financial	10
Property	8
Immigration	6
Criminal (General)	5
Civil (General)	5
Workforce	4
Automobile	4
Human Rights/Social Issues	3
Education	1
Drugs	1

Survey participants were asked to list, in their opinion, the two biggest unmet legal needs in the RGV area. As seen in Table 7, the open-ended responses were categorized into separate “themes” based on common concerns. The five most commonly mentioned concerns that participants listed as the biggest unmet legal needs in the RGV area include: “Government Officials and Community Concerns” (21 responses), “Financial Needs” (20 responses), “Lawyers (General)” (18 responses), and “Healthcare Needs” (14 responses). The “Other” category, which contained concerns that didn’t fall under any of the other “themes,” had 26 responses as outlined in Table 7.

Table 7: Biggest Unmet Legal Needs in the RGV Region

	Freq.
Government Officials/Public Services/Community Concerns	21
Financial	20
Lawyers (General)	18
Healthcare	14
Social Services/Gov’t Programs	13
Workforce	12
Criminal (General)	11
Immigration	10
Domestic Relations	10
Education	9
Legal Aid	7
Human Rights	6
Drug Issues	6
Property	5
Civil (General)	4

Table 8: Biggest Unmet Legal Needs in the RGV Region *cont.*

	Freq.
Automobile	3
Don't Know/NA	2
Other	26

When asked if participants believed that the RGV region has adequate legal services and attorneys available to handle the legal needs of the RGV residents, nearly half (112 responses or 48.48 percent) of the participants said “Yes”, whereas 75 participants (32.47 percent) said “No”. However, 44 participants (19.05 percent) said they “Did Not Know” if the RGV region has adequate legal services and attorneys available to handle the legal needs of the area.

Table 9: Does the RGV Region have Adequate Legal Services and Attorneys Available to Handle Legal Needs of Residents

	Freq.	Percent (%)
Yes	112	48.48
No	75	32.47
Don't Know	44	19.05

Table 10 (on the next page) details the breakdown of the types of legal services participants identified as available in the RGV region. As seen below, “direct services – full representation in litigation” was most commonly identified as a legal service available in the RGV region by participants, with 124 responses (19.41 percent). This was followed by “transactional work or advice” with 96 responses (15.02 percent) and “legal aid clinics” with 79 responses (13.36 percent). Alternatively, only 45 participants (7.04 percent) said ‘self-help materials’ were available in the RGV region and 35 participants (5.48 percent) mentioned mobile legal advice clinics as an available service.

Table 10: Legal Services Available in the RGV Region

	Freq.	Percent (%)
Direct services-full representation in litigation	124	19.41
Transactional work or advice (e.g. drafting contracts, wills, tax matters, etc.)	96	15.02
Legal Advice Clinics	79	13.36
Referrals to volunteer or pro bono attorneys	73	11.42
Limited advice	56	8.76
Compensation assistance	56	8.76
Advice phone lines	53	8.29
Self-help materials	45	7.04
Mobile legal advice clinics	35	5.48
None of the above	14	2.19
Other (please specify) ⁷¹	8	1.25

The table below (Table 11) details the common barriers that RGV residents face when accessing legal services. A majority (140 responses or 22.69 percent) of participants mentioned “Immigration status” as the biggest barrier. “Lack of money to access services” was the second most commonly agreed upon barrier that people face, with 123 responses (19.94 percent). “Language barriers” was the third most commonly agreed upon barrier, with 73 responses (11.83 percent).

Other barriers listed, in order from most to least commonly agreed upon, include: “Not financially eligible to access legal services” (54 responses or 8.75 percent), “Feel intimidated by the legal system” (53 responses or 8.59 percent), and “Don’t know when/how to access services” (48 responses or 7.78 percent). Both “Lack of transportation” and “Services are limited” each received 29 responses (4.70 percent).

The five least agreed upon barriers to legal services that RGV residents face include: “Have to be at work when services are open” (26 responses or 4.21 percent), “Lack of child care” (18 responses or 2.92 percent), “Disability” (17 responses or 2.76 percent), “Other”, which includes not being sure (4 responses or 0.65 percent) and finally, “Lack of time to access services” (3 responses or 0.49 percent).

**Table 11: Barriers RGV Residents Face
When Accessing Legal Services**

	Freq.	Percent (%)
Immigration status	140	22.69
Lack of money to access services	123	19.94
Language barriers	73	11.83
Not financially eligible to access legal services	54	8.75
Feel intimidated by the legal system	53	8.59
Don't know when/how to access services	48	7.78
Lack of transportation	29	4.70
Services are limited	29	4.70
Have to be at work when services are open	26	4.21
Lack of child care	18	2.92
Disability	17	2.76
Lack of time to access services	3	0.49

Respondents were asked to choose up to three of the most useful ways for residents of RGV to receive self-help materials and information about important legal topics and resources. As detailed in Table 12 below, a majority (101 responses or 16.92 percent) of respondents claimed that social media sites (e.g. Facebook, Twitter) are the most useful way of receiving self-help information, followed by community workshops or community group sessions (91 responses of 15.24 percent) and mailed information (86 responses or 14.41 percent).

Table 12: Most Useful Methods for RGV Residents to Receive Self-Help Materials and Information about Legal Topics and Resources

	Freq.	Percent (%)
Social media sites (e.g., Facebook, Twitter)	101	16.92
Community workshops or community group sessions	91	15.24
Mailed information	86	14.41
Informational brochures	83	13.90
Videos posted on the internet	51	8.58
Newspaper	43	7.20
Law library in the community	38	6.37
Informational emails	37	6.20
Telephoned information	37	6.20
Text messages	21	3.52
Other (please specify) ⁷²	9	1.51

Finally, participants were asked what they thought is needed to improve the legal services in the RGV region. As seen in Table 13, open-ended responses were categorized into “themes” based on common ideas. The most frequently (22 responses) mentioned need for improvement was an “increase in public awareness on information for legal services.” Besides the “Other” category, which had 20 responses that didn’t fit into the other themes constructed from the responses, the following themes with the most frequent responses include “ethics and community improvement” with 16 responses, and an “Increase in accessibility and availability” with 13 responses. Other themes commonly brought up include: “Increase affordability/cost transparency” (10 responses), “Cultural competency accommodation” (7 responses), and there were 3 responses that stated “Nothing” needed improvement.

Table 13: Improvements Needed for Legal Services in RGV

	Freq.
Increase public awareness on information for legal services	22
Other	20
Ethics and Community Involvement	16
Increase Accessibility/Availability	13
Affordability/Cost Transparency	10
Cultural Competency Accommodation	7
Nothing	3

08 NEEDS ASSESSMENT FOCUS GROUPS & INTERVIEWS: KEY FINDINGS

The following report details the focus group session data collected for the 'Understanding Legal Needs in the Rio Grande Valley' project. This project is both led and funded by Texas A&M University.

Data was collected from the following twelve focus groups throughout the RGV region (in chronological order):

- Starr County Legal Community | Rio Grande City, TX
- Texas A&M University Health Science Center | McAllen, TX
- ProBar | Harlingen, TX
- IDEA Schools | Hidalgo County, TX
- Elected Officials' Representatives | Brownsville, TX
- Proyecto Azteca | San Juan, TX
- Texas A&M University, College of Architecture, Colonias Project | Weslaco, TX
- Texas Rio Grande Legal Aid (TRGLA) | Edinburg, TX
- Casa Adobe | Rio Grande City, TX
- Cameron County Promotoras | Brownsville, TX
- Housing Working Group | Weslaco, TX
- Willacy County Leaders | Raymondville, TX

The information gathered from each focus group session was qualitatively analyzed using a deductive coding approach that helped to thematically categorize the responses. To achieve this, a codebook was developed in order to outline the definitions and guidelines by which responses were subsequently grouped. Tables 14, 15, 16, and 17 illustrate which thematic issue was mentioned in the focus group sessions with a filled blue box.

FOCUS GROUPS KEY

Focus Group	Letter
Starr County Legal Community	A
Texas A&M university Health Science Center	B
ProBar	C
IDEA Schools	D
Elected Officials' Representatives	E
Proyecto Azteca	F
TAMU College of Architecture, Colonias Project	G
Texas Rio Grande Legal Aid (TRGLA)	H
Casa Adobe	I
Cameron County Promotoras	J
Housing Work Group	K
Willacy County Leaders	L

Feedback Highlights

Theme: Legal Needs Issues

- The coinage “immigration status” was frequently brought up by focus group participants. The RGV area is described as having a high number of undocumented residents as well as mixed-status families. Participants frequently mentioned a high need for immigration issues to be addressed, but there is a lack of immigration attorneys in the RGV region.
- Issues dealing with property were also frequently brought up by focus group participants. Participants commented that many RGV community members dealt with land ownership issues due to having land in both the US and Mexico. Some participants describe land title issues resulting from jurisdictional control in the RGV changing from Spain, to Mexico, to the US. Additionally, one participant mentioned poor housing conditions for migrant workers.

“Issues with migrant workers and their housing and the status of their housing...very poor housing for migrants”

- Participants mentioned that because of culture, many RGV community members handled contracts orally rather than through legal documentation, as well as citing a lack of documentation of wills and estate ownership.
- Participants cited language barriers as a major issue when accessing legal services. Many mentioned that there aren’t enough bilingual services offered in the region.
- Across all focus groups, participants cited family law as an unmet legal needs issue in the RGV region. Participants brought up a high demand for lawyers that specialized in domestic violence cases, child support and custody, and marriage and divorce.
- Lack of access to information was also cited as a common issue that many faced in the RGV. Community members often do not know who or where to turn to when seeking legal aid.
- Other examples of responses included: lack of attorneys that deal with vulnerable groups (including older adults, LGBTQ+ communities, veterans, and racial and ethnic minorities), workers’ rights cases (in which cases workers’ are either underpaid or abused by employer), consumer rights, health cases (such as medical malpractice and health fraud), poor infrastructure, lack of available social service providers (to meet the terms of criminal law probation), lack of resources (e.g. medical, mental health), a need for local treatment programs, and a lack of understanding the differences in legal systems between the US and Mexico.

“Some people work in labor, and they don’t have documents, and they work hours. To complain to the labor department, they have to pass many barriers. And if you’re not a resident, then you can’t complain. They rob them lots of money”

Table 14: Needs Mentioned by Each Group

FOCUS GROUPS

Needs	A	B	C	D	E	F	G	H	I	J	K	L
Immigration												
Property												
Family												
Health												
Worker's Rights												
Infrastructure												
Bilingual Services & Cultural Competency												
Access to Information												
Vulnerable Populations												
Consumer Right												
Criminal Laws												
Oversight of Government Abuse												

Feedback Highlights

Theme: Socio-Economic/Regional Context

- The coinage “immigration status” was frequently brought up in the focus groups. Many participants described the RGV region as having a high number of undocumented residents as well as mixed-status families. Thus there is a culture characterized by a certain degree of fear and distrust of authorities. According to the focus group participants, lack of documented status goes hand in hand with other challenges such as a high level of uninsured and low socioeconomic status, not seeking medical or legal aid, etc.
- As an unexpected corollary to distrust of authorities, participants also describe an over-acquiescence to authority, linking this to tenuous status (economically or due to immigration status), limited education and reliance on personal and community networks.
- Additionally, the issue of being geographically “trapped” in the RGV region due to immigration checkpoints was discussed. Undocumented residents are unable to cross the checkpoints to reach necessary resources or opportunities.
- One participant mentioned that because of low income and education, some members may not be able to access or know how to use the internet as a resource.

“We are in a digital divide; if you go into a location, they’ll tell you you have to apply online, but there are people who don’t have that access. The people who are trying to apply don’t have the experience to do so, they don’t have Skype; they don’t know all that.”

- Citing high costs as one reason for the high uninsured population among RGV residents and the popularity of Pronto in the area, one participant said

“I have a vehicle that I’m insuring, my wife and I – it’s no big deal. I include my 19-year-old son, it skyrockets. So la raza says, I’m gonna exclude my son from this policy, but at the end of the day, junior will have to be at the end of the wheel at some point. So yeah that car insured when someone gets hit, but the person driving it wasn’t. So that’s why Pronto is so popular here.”

- Linguistic challenges and cultural differences in perceiving the US legal system also play a big role in how community members utilize and approach the legal services available to them. Spanish is cited as a dominant language in certain regions of the RGV but with the recent influx of Central American immigrants seeking asylum, there is now a greater demand for translation services of other indigenous languages as well. Language challenges emerge as a key hurdle for community members who need to seek any type of legal service. This is exacerbated by the fact that the region lacks specialized attorneys due to a larger lack of funding.

- Individuals born in the US with the aid of midwives may not be properly recorded and documented, so they may often find themselves blacklisted later in life when trying to access resources or documents such as passports, licenses, etc. These subsequently lead to other interconnected issues, such as the inability to obtain jobs, ultimately leading to lower socioeconomic status among several RGV area residents.
- Because of the influence of home country culture, many RGV residents may neither question the authority nor trust the system due to fear of deportation or abuse.
- Participants referred to a culture of "machismo," resulting in legal issues typically being kept within the family and hesitance to seek outside help.
- Participants discussed issues obtaining social services. Many participants felt isolated from treatment centers that were farther away, and some discussed issues obtaining referrals to necessary services.

Table 15: Social Context Described by Each Focus Group

Social Context	FOCUS GROUPS											
	A	B	C	D	E	F	G	H	I	J	K	L
Immigration Status												
Socio-economic Status												
Culture as a Barrier												
Resource Availability												
Border Presence												
Discrimination												

Feedback Highlights

Theme: *Barriers*

- The key barrier discussed was affordability. This barrier was explained in terms of a lack of pro bono attorneys, high fee structures of the existing attorneys, low socioeconomic status, and low educational levels of RGV residents compared to other Texas regions.
- Another barrier that was more commonly mentioned was the general lack of information and knowledge of rights among community members. This barrier was explained in terms of absence of centralized resources in the area or one-stop shops as well as a general lack of understanding of laws and legal rights due to low educational levels. These factors are intertwined with existing fears about authority figures from whom legal knowledge could be obtained.
- Community members, specifically those who still hold strong cultural values from Mexico, maintain a certain degree of distrust and fear against authority figures in the US. Participants in the focus group frequently reference fear of deportation, the unknown, or government retaliation as a cause for this distrust. This ties with the issue of “immigration status”, where participants specifically listed an individual’s immigration status as a barrier that prevents community members from being eligible for legal services.
- Participants additionally cited an issue with certain misconceptions that many RGV residents may have about legal mechanisms in the US. This has been tied back to individuals’ previous knowledge of how Mexico’s legal system functions. For example, many participants mentioned the differences in a notary’s role in Mexico versus the US. In order to qualify as a notary in Mexico, one must also be an attorney. This is not a prerequisite in the US, yet RGV residents still seek legal aid from notaries that would typically be required by an attorney.
- Language was also discussed as a major barrier. As previously mentioned, because of its location near the US-Mexican border, the RGV region has a high Spanish-speaking population. Although Spanish is oftentimes the only language spoken by many community members in certain cities of the RGV, indigenous languages spoken by Central American immigrants are either not considered or emerge as an unmet need in legal services translations.
- Accessibility in terms of public transportation and time conflicts was also discussed by participants.

“Most of these resources are available when these people work. We’re in a highly low - income area, so these people can’t take time off to get 2-3 hours of legal help. Attorney fees, some charge \$500/hr others charge \$150/hr. There’s no standard, but whatever it is, it’s still high. Transportation issues, sometimes they don’t have a way to get from Point A to Point B.”
- The transition from in-person services to online services has negatively impacted individuals with low computer, web, and reading literacy.

Table 16: Barriers Listed by Each Focus Group

Barriers	A	B	C	D	E	F	G	H	I	J	K	L
Affordability												
General Lack of Information & Knowledge of Rights												
Distrust of System & Fear of Authority												
Language												
Immigration Status												
Difference in Cultural Values & Perceptions												
Low Accessibility of Legal Services												
Low Education												

Feedback Highlights

Theme: Solutions to Address Issues

- Many focus group participants recommended increasing community awareness on how and where to access legal resources through the use of one-stop shops, educational campaigns, and self-help centers. Additionally, they recommended simplification of legal jargon, better use of media as an outreach tool, and collaboration with community leaders such as the church leaders.
- Because culture is so influential in how members view and utilize legal services, participants recommended having more culturally competent awareness programs. These include: tailoring methods in which the different regions and demographics access information such as radio, television, social media, etc., providing bilingual services, and incorporating culturally-sensitive language.
- By having a law school established within the RGV region, focus group participants suggested this would bring in more specialized attorneys to deal with high demand issues such as immigration. They also referenced the use of legal clinics and law students that could aid in providing affordable legal aid.
- This then ties in with the theme of affordability. Participants brought up increased funding for free or affordable programs particularly for those that are already established in the region rather than funneling money into developing new programs.
- Furthermore, participants brought up increasing accessibility of resources by means of improving public transportation, having lawyers available either outside of normal work hours or by phone and improving court calendaring.

Table 17: Solutions Described by Each Focus Group

Solutions	FOCUS GROUPS											
	A	B	C	D	E	F	G	H	I	J	K	L
Increase Affordability												
Provide More Higher Education Opportunities												
Law School in Area												
Increase Awareness of Legal Resources												
Increase Cultural Competency												
Increase Resource Accessibility												

Theme: Primary Social Support

- The majority of focus group participants cited family and friends as the people they turn to first when they have a legal need in the RGV community. This ties back into the social context that was previously mentioned: Hispanic families in the RGV tend to deal with issues within the family network.
- Typically, health care providers were seen as the least likely group in the community whom participants would turn to in this situation.
- Other responses included Lawyers, Churches, Government Elected Officials/Offices, Community Leaders, and Other.
- For Other, some people or groups that participants mentioned included: notaries, the internet, social media, university agencies, the media, social service groups, and psychologists.

Enough Lawyers?

- Most participants believed that although there are too many attorneys in the area, there aren't enough attorneys specialized in immigration, which is the high demand in the region. Participants made similar statements about scarcity of family and probate attorneys.
- Furthermore, members mentioned the need for more competent attorneys that can effectively help address legal needs without exploiting RGV residents for money, which is the most common perception RGV community members have of the attorneys providing services in the area.
- Participants often referred to a high number of advertisements for personal injury attorneys but discussed few attorneys to assist residents of limited financial means.

Legal Needs Issues

Immigration Law

Responses fall under theme of immigration status, deportation, the need to address lack of immigration attorneys, high need for immigration issues to be addressed.

Property Law

This theme entails the need to address property rights, issue of land ownership (both in the US and across the border), issue of oral contracts, wills, and estates.

Family Law

Family law encompasses domestic violence, child support, child custody, marriage, and divorce.

Health/Health Law

The theme of "Health and Health Law" encompasses health rights, including mental and emotional health. In addition, responses may include acknowledgment of a lack of attorneys that deal with medical malpractice, health fraud, etc.

Worker's Rights

Responses under "Worker's Rights" included lack of understanding worker's rights, lack of attorneys that deal with this issue, underpaying or abuse of workers, etc.

Infrastructure

Infrastructure entails city planning, drainage, roads, and community conditions.

Bilingual Services + Culturally Competent Services

Responses under this theme include: lack of bilingual services offered for legal services, lack of understanding the cultural differences community members might hold, lack of understanding the differences in legal systems between the US and across the border, etc.

Access to Information on Legal Services

"Access to Information on Legal Services" entails community members' lack of information on where and how to access legal services in the RGV.

Vulnerable Populations (Not including undocumented persons)

For the purpose of this project, vulnerable groups entail the elderly, disabled, LGBTQ+ groups, low SES individuals, and other minority groups that have been historically marginalized (i.e. race and ethnicity).

Consumer Rights

Responses under this theme were for the most part "consumer rights," however, small businesses and business activities also fell under this theme.

Socio-Economic/Regional Context

Immigration Status

Responses under this theme dealt with: immigration status, undocumented/illegal, seeking asylum, fear of deportation, and issues dealing with DACA.

Socioeconomic Status

For the purpose of this analysis, socioeconomic status entails the education, income, and occupation at the individual and community level.

Culture

Responses under this category portrayed how the differences in culture of individuals in the RGV would present unique barriers to seeking legal services. For the purpose of this analysis, culture encompasses the beliefs, norms, and values of the community. This also includes language, religion, and family dynamics.

Resource Availability/Accessibility

For the purpose of this analysis, resource availability and accessibility include: transportation, infrastructure, and funding. It also includes responses that illustrate a lack of legal services (i.e. lawyers, legal clinics, etc.) in the area.

Information on Legal Resources & Rights

Includes responses that convey a lack of knowledge on where and how to access legal services. Also includes individuals' lack of understanding their own rights in this country.

Border Presence

Focus groups specifically mentioned how the presence of the border influenced a big part of the culture and attitudes between individuals and the authority. Responses that specifically mentioned the "border" were placed into this category.

Discrimination/Distrust of Authority

Responses under this category conveyed focus groups' experience with discrimination and general feelings of distrust between authority and community members. Unless a response included an elaboration as to why there may be a sense of distrust, these types of responses were placed into this category.

Barriers

Affordability

Responses under this category deal with money, costs, funding, and affordability.

General Lack of Information on Resource Availability & Legal Rights

Focus groups pointed to a general lack of information on access legal services available to community members. This category also includes responses that deal with a general lack of understanding how the legal system works in the US. Lack of information is separate from education because individuals who have higher education may still lack access to obtain information about legal services.

Distrust of the System + Fear of Authority

**note: responses that simply stated "fear" as a barrier fall under this category. General fear of authority in the community may stem from immigration status or from views of authority adopted from homeland, but because not specified, responses were grouped here.*

Language Barrier

Responses that convey a lack of bilingual services as a barrier fall under this category. Because language was specifically listed as a barrier by several focus groups, "language barrier" is separate from "difference in cultural values and legal mechanisms."

Immigration Status

Any response that mentions immigration status and/or fear of deportation as a root cause for why individuals avoid seeking legal service aid would fall under this category.

Difference in Cultural Values & Perceptions

This category includes not understanding the differences between an individual's home country and the US in the context of legal services. It also entails an individual's norms, beliefs, and values (i.e. trusting family above authority) presenting themselves as a barrier when seeking legal services.

Low Accessibility of Legal Resources

For the purpose of this report, low legal resource accessibility entails a lack of legal resources physically available in the area (i.e. lack of legal clinics, low number of attorney specialists, etc.). Also includes a lack in transportation services and infrastructure set-up that prevent or limit an individual's access to legal services.

Low Education

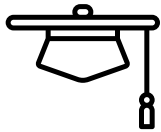
Responses that convey a lack of higher education among community members fall within this category. Although a lack in higher education may be a social determinant that governs an individual's socio-economic status, the need for higher education opportunities in the RGV was specifically expressed several times amongst focus groups.

Solutions



Increase Affordability

Responses under this category deal with money, costs, funding, and affordability.



Provide More Higher Education Opportunities

Focus groups mentioned the need for higher education opportunities and how the lack thereof represents a barrier for the community.



Law School in Area

Responses in this theme illustrated need for a law school in the area to increase number of quality resources.

Considering that legal clinics are typically run by law schools, responses that conveyed need for legal clinics and law student aid fell under this category.



Increase Awareness of Resources

Focus groups mentioned the need to increase awareness of the resources available in the community. This also includes improving existing outreach initiatives and tailoring messaging campaigns for the audience (i.e. translating into appropriate language, developing culturally-competent message, etc.).

09

LEGAL ASSETS & NEEDS DURING COVID-19

The RGV region has been heavily impacted by the COVID-19 pandemic.⁷³ During the summer of 2020, hospitalizations in the RGV increased by over 1000%.⁷⁴ As a result of the pandemic, unemployment across RGV counties tripled over the summer months.⁷⁵

As part of an overall effort to identify neglected legal needs in the RGV region of Texas, a short survey was administered to a sample of 220 current residents of the RGV as a follow-up to a previous survey to determine how COVID-19 has impacted the legal needs of RGV residents.

- **Adequacy of Current Services:** Of the residents surveyed, 44.1 percent indicated that the RGV region has adequate legal services and attorneys available to meet the needs of RGV residents during the corona virus pandemic. An additional 29.1 percent indicated that the services were inadequate, and 26.8 percent indicated that they did not know about the adequacy of the legal services in the RGV region.
- **Legal Services Available in the RGV Region During the Coronavirus Pandemic:** Services indicated as readily available in the RGV region varied greatly and included services such as attorneys, immigration related services, family-related services (e.g., family and divorce lawyers), services for accidents and injuries, the Legal Aid organization, and criminal lawyers.
- **Unmet Legal Needs During the Coronavirus Pandemic:** When asked to indicate the biggest unmet legal needs in the RGV region during the coronavirus pandemic, there was little collective agreement on a small subset of needs. Unmet needs varied and included needs pertaining to immigration-related services, family-related services, affordable services, and work-related services.
- **Barriers to Accessing Legal Services During the Coronavirus Pandemic:** When asked to indicate the biggest barrier faced by people in the RGV region during the coronavirus pandemic, two main barriers emerged. Respondents most frequently indicated that the cost of services was the biggest barrier to accessing legal needs due to loss of jobs and or low income, followed by COVID-19 safety-related concerns. To a lesser degree, respondents also mentioned that the availability of services and the length of wait times to get an appointment were barriers to accessing legal services.

Although a large proportion of respondents believe that the RGV region has adequate legal services available to meet the legal needs of RGV residents, many residents agree that there are still barriers to accessing those services (e.g., cost of services and availability of services) which the effects of the coronavirus pandemic may have exacerbated.

Legal Services Available During the Coronavirus Pandemic

When asked to rate the adequacy of legal services and attorneys available to meet the legal needs of residents residing in the RGV during the coronavirus pandemic, 44.1 percent of respondents indicated that the RGV does have adequate legal services (n = 97), whereas 29.1 percent of respondents (n = 64) indicated that it does not. Additionally, 26.8 percent of respondents (n = 59) indicated that they did not know whether the legal services available were adequate to meet residents' needs in the RGV.



Figure 1: Available Legal Services

When asked to list the specific types of legal services most readily available in the RGV during the coronavirus pandemic responses varied greatly. Unsurprisingly, 31.4 percent of respondents reported that they were not aware of the types of legal services available during the coronavirus pandemic. However, services reported varied from services related to accidents and injuries such as attorneys for personal injury claims and lawsuits to legal services related to immigration. Of the 220 respondents, 70 (31.8 percent of respondents) indicated that they did not know which services were readily available, and 24 listed responses unrelated to legal services. Many of the responses listed (n = 33) either indicated that more general legal services such as attorneys were available or that, “all legal services” or “everything” was available. On the contrary, some respondents (n = 16) stated that there were little to no services available. In this regard, responses included comments such as, “none that I have seen” and “very under par.”

Although not to a very large extent, one specific program, Legal Aid, was mentioned multiple times (n = 7) as a readily available source for legal services in the RGV. Unlike many other services, Legal Aid, which provides free legal services throughout many counties in Texas, was the only legal service organization mentioned by name amongst all of the responses.

Unmet Legal Needs During the Coronavirus Pandemic

In addition to listing the legal needs that were readily available in the RGV during the coronavirus pandemic, respondents were asked to list the two biggest unmet legal needs in the RGV during the pandemic. Once again, a large portion of the respondents (n = 72, 32.7 percent) mentioned that

they were unaware of the two biggest unmet needs, and 15 percent of responses (n = 34) were not applicable to the question. Although no one need was mentioned very frequently, a number of needs were mentioned with similar frequency (i.e., the needs mentioned account for 10% to 16% of responses). These needs included legal services related to immigration such as assistance with Deferred Action for Childhood Arrivals (DACA), migration issues, naturalization rights, and immigration violations. Legal needs also included family-related services such as services to address domestic violence, child abuse, child support, and divorce as well assistance with accessing legal services. Multiple respondents mentioned that there is a justice gap in accessing legal services such that individuals earning less income cannot afford legal services. Respondents mentioned the need for more pro bono services, services accessible for individuals experiencing homelessness, and services generally accessible to individuals with less income.



Figure 2: Unmet Legal Needs

Respondents also mentioned the need for services catering to legal needs related to the workplace. Responses touched on employment rights, hazard pay, and protection/compensation for essential workers. Uniquely in relation to the coronavirus pandemic, there was one response related to the enforcement of safety policies in public spaces. This respondent specifically mentioned a need for the "enforcement of capacity [limits] in restaurants."

Barriers to Accessing Services During the Coronavirus Pandemic

To better understand the specific issues impacting access to legal services in the RGV during the coronavirus pandemic, respondents were asked to indicate the biggest barrier to legal services faced by people in the RGV region during the pandemic.

The issue most often mentioned as a barrier was the cost of legal services. Pertaining to the cost of legal services, responses specifically included comments such as, "no money because of [no] work," "financial barrier/can't afford it," "low income/losing jobs," and "affordability—we are struggling to make payments for essentials."

Safety concerns specifically in relation to the coronavirus were also frequently indicated as the biggest barrier to accessing services. Respondents were concerned about potential exposure to the coronavirus due to people not wearing masks, not following guidelines, face to face communication, waiting in

public spaces, etc. Respondents were also concerned about social distancing and that many people were not taking the coronavirus pandemic seriously in their area. As a result of the coronavirus pandemic, many people are unable to, or uncomfortable, accessing legal services as many services have generally been offered in-person prior to the pandemic.



Figure 3: Barriers to Services

Now that many businesses have closed or modified their hours due to the coronavirus pandemic, it is unsurprising that the availability of services and waiting periods for scheduling appointments were also mentioned as barriers to accessing legal services. In relation to scheduling appointments and the availability of services, respondents made comments such as, “having to make an appointment and waiting,” “not knowing what offices are available during lockdown,” “finding a legal office that is taking new clients,” and “not being able to access [the] courthouse.”

To a lesser extent, respondents also mentioned that a lack of information about services available and concerns about one’s citizenship or immigration status also posed a potential barrier to accessing legal services. Some individuals also mentioned that not having the time available to access services either due to familial responsibilities or other reasons, also posed a barrier to accessing legal services. Issues most frequently indicated as barriers to accessing legal services for people in the RGV were the same regardless of age, gender, annual household income, and county of residence. Regardless of whether respondents indicated that they thought the RGV region had adequate legal services and attorneys available to meet the needs of the RGV residents during the coronavirus pandemic, the cost of legal services was still the most frequently mentioned as the biggest barrier to accessing legal services in the RGV region during the pandemic.

10 CONCLUDING INSIGHTS & NEXT STEPS

- **Immigration, family, and property law are major needs in the area.** Respondents commonly identified these as areas of need. Diverse specialization was a general concern, particularly as it relates to immigration and property transfer matters. The need for pro bono and low bono attorneys applied also to these areas of law. While some respondents stated that the area had sufficient attorneys, further probing uncovered that the impression of attorney saturation was specific to personal injury representation. Far-and-away, the most common legal needs noted by respondents included issues of family law, such as divorce and custody. Many agencies are prepared to assist with protective order paperwork, but lack the personnel or expertise to pursue family law matters.
- **More affordable and accessible legal services.** There was an overwhelming sense that there are plenty of attorneys in the region but not enough that offer affordable or accessible services. While this request came through mostly as a need for more free services, there were also discussion about affordability of the services based on the ability of individuals in the region to pay.
- **Services must be responsive to unique regional context.** The importance of service and outreach tailored to the local context was emphasized by participants. This may include use of community hubs, language access, understanding binational aspects of region. In more rural counties, like Willacy County, one concern expressed was that the limited amount of clients able to pay made it impossible for lawyers to make a living in the area. Many people with low-flexibility jobs have trouble accessing services during work hours. Of importance is understanding local cultural contexts, including reluctance to ask for legal assistance, family networks, and local political networks.
- **Social media is a way to distribute information about legal services.** Many people identified social media as the best form of outreach, to inform people of existing legal services.
- **Access to technology and internet complicate delivery of remote services.** Respondents mentioned the difficulty of accessing information about legal services online. Financial restrictions may prevent people from having necessary technology to download and print documents. Internet access is also difficult for people in rural regions with irregular service or none at all. It is important to consider how to make legal information available through existing community networks and smartphone technology which is much more prevalent in these communities.
- **Concerns over immigration status creates a barrier in access to services.** Concerns about immigration status affects residents in a number of ways. Many households in the area are mixed-status families. Vulnerability due to immigration status enables worker abuse and discourages victims from reporting employers. People with vulnerable status may distrust authority, and be hesitant in seeking help from courts, agencies, and even attorneys.
- **Family networks and church have a central role in accessing legal services.** Like other studies reveal, this study confirmed that trusted individuals, such as friends, family, and church leaders are often the first stop when a legal problem emerges.

- **Government transparency listed as major legal issue.** The issue of corruption and lack of transparency appeared in most of the focus group discussions. Community members and attorneys interviewed discussed the role that family and political connections often play in getting legal matters resolved in local courts and government agencies.
- **Continued interest in opportunities for legal education in the region.** There continues to be interest in having higher education options in the region. Most of the interest seems to call for a part-time law school program that would permit individuals in the region to attend law school as a way to advance in their careers or become lawyers.

Next steps and future research should include these priorities:

- **Expanding resources to existing, local organizations and community workers.** Respondents emphasized further supporting local organization and developing culturally and regionally specific outreach efforts rather than bringing in new organizations from the outside. Community health workers (promotoras) should be trained in assisting colonias residents in identifying legal needs and helping connect residents to services. Explore use of local community centers as hubs for clinics and legal service outreach. Other efforts should include popular radio and television shows. Information should include methods for individuals with immigration concerns, or families with mixed immigration status, to access legal services.
- **Determine how local legal education can assist in meeting gaps.** Develop further analysis on how a law school in the region may help meet gaps in legal needs, including numbers of local attorneys with diverse specialties and provision of pro bono services through experiential education programs. Paralegal programs in the region may also utilized in providing services within the region.
- **Develop online-accessible directories of existing legal services.** As respondents emphasized, many residents did not know about existing services. Developing a platform that included a regularly updated directory of services or referrals is necessary to maximize existing legal services. Making the referrals accessible online is the most effective way of reaching referral networks.
- **Introduce new models to offer free and affordable legal services.** Residents in the region discussed paying fees for legal work to notarios and to tax preparation services. While these services are not free, individuals perceive them to be more affordable than the rates attorneys in the region charge. There may be opportunities to introduce limited scope representation models that can address the request for more affordable services.
- **Statewide collaboration to deliver legal services. Infrastructure, such as internet availability and transportation are necessary for residents to have access to necessary legal services.** Residents also need courts, state agencies, and pro bono offices to develop further innovations specific to rural areas. They should include innovations to maintain a presence in rural, low population areas and hours that are accessible for residents with low-flexibility in the work schedules.

We hope the study is helpful in outlining common areas of legal need, pertinent history and regional context related to legal services, support ethical, participatory, and community-led research, and identify needs leading to improvement or additional funding for services.

A more nuanced discussion of these issues will be printed in an article in Volume 36 of the Notre Dame Journal of Law, Ethics and Public Policy.

ENDNOTES

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- 18 Cameron County is 8.6% White, 0.8% Asian, 0.8% Black, 0.7% American Indian, and 0.6% two or more races; Hidalgo County is 5.9% White, 1% Asian, 0.9% Black, 0.5% American Indian, and 0.5% two or more races. Starr County is 3.3% White, 0.4% Black, 0.2% Asian, 0.4% American Indian, and 0.3% two or more races; Willacy County is 8.5% White, 2.7% Black, Asian 0.9%, American Indian 0.7%, and 0.6% two or more races. *Id.*
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68 The findings reported in this section come from 9 oral histories conducted with former students from the Garza School of Law: Michael DeMoss, Arnoldo Cantu, Fred Garza, Jaime Palacios, Rodolfo Gonzalez, Anna De Leon, Dalinda Garcia, Pablo Almaguer, and Omar Maldonado. More Garza School graduates will be contacted beginning in January 2021 to continue collecting oral histories.

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