

SUBJECT INDEX

- Aboriginal people, 13
abortion, 164
Access to Justice, 1–2, 37–38, 43, 45, 67, 70, 89, 97–101, 103, 105–107, 109–112, 115–116, 119, 145, 167, 171, 196, 203, 216, 226, 231, 250–251, 255–259
access to justice programs, 258
accidents, 49, 52–54, 58–59, 169, 195, 199, 208, 210, 213
acculturation, 139
acquiescence bias, 46
acquittal, 133–134
adjudication, 71–73
administrative agencies, 169
Administrative Office of the United States Courts, 101–102
admissibility of evidence, 84
adverse consequences, 36, 48, 51–54, 58, 60–62
advice organisations, 61
advice-seeking, 48, 173
alternative dispute resolution, 257
American Bar Association, 7, 256
American Lawyer, 156, 165
American Lawyer rankings, 156
American Tort Reform Association (ATRA), 208–209
amounts at stake, 192–194, 200
anti-social behaviour, 49
appellate work, 154
Argersinger v. Hamlin, 94
arraignment, 113
articulation and labeling, 236
assault, 49, 133
associates, 154–155, 158, 161, 163
asylum, 160
atrocities, 242
attitudes, 35, 70–71, 73, 84, 119, 121, 126, 128–131, 136, 138–139, 207–208, 226
attitudinal differences, 131, 138
attribution theory, 247
autobiographical memory, 43–44
autobiographical memory, failure of, 43
autonomy, 69, 149–150
bar associations, 167, 169–170, 172, 182, 194–196, 199
bar examination, 168, 194–195
barriers to action, 12–13
Beaulac, 112, 116
belief amplification, 240
Belton v. New York, 93
billable hours, 158–159
Bordenkircher v. Hayes, 95
breakdown model, 238–239
breakdown theory, 238
Brennan, Justice, 75, 83
business development, 161
business plan, 154, 157, 162
California v. Greenwood, 93
case law system, 112
case screening, 206–208, 225–227
case selection, 206–208, 220, 227
circumstantial evidence, 80
civil Gideon, 146, 165
civil justice, 1–3, 5–10, 19, 21, 35, 43–46, 48, 58, 60–61, 169, 204, 209, 226, 256

- Civil Justice Research Project, 169
 civil justice system, 8, 204, 226
 civil law problems, 1, 89
 civil law system, 112
 civil laws, 2
 civil legal assistance, 147
 Civil Litigation Research Project, 236
 Civil Rights Act, 100
 client relations, 153, 155
 Clinton, President, 100
 Colorado Civil Justice League, 209
 common law systems, 98, 107, 114, 116
 compensable injury, 204
 competition, 149–150, 152, 154, 159,
 163, 194, 196, 248–249
 Comprehensive Legal Needs
 Study, 3, 7–8
 conciliation, 197–198
 conciliators, 175, 177, 180, 182
 confidentiality, 46
 conflicts of interest, 153, 160, 162, 164
 consensual encounter doctrine, 75
 consent search, 75–76, 89–90
 Consortium for State Court Interpreter
 Certification, 104–105
 Consortium on Legal Needs Research,
 35
 consultation fees, 180
 consultations, 185
 consumer dissatisfaction, 243
 consumers, 6–7, 10, 12–15, 18, 23–24,
 26–29, 32–33, 47, 49, 52–54, 58–61,
 63, 160, 165, 168, 173–174, 176, 179,
 181–182, 192, 196, 199–200, 203–204,
 213, 215, 225, 243
 contingent fee, 197
 continuum of service, 36–37
 contributory negligence, 216, 222, 225
 coordination, 158–159
 corporate liability, 203, 205, 207, 209,
 211, 213, 215, 217, 219, 221, 223,
 225, 227
 corporate social responsibility, 204,
 219–221
 corporations, 163, 203–204, 209,
 216–218, 225–226
 cost effectiveness, 158
 court interpretation, 97–99, 102, 106,
 111, 114–115
 court interpreters, 97–116
 Court Interpreters Act, 101–102, 105,
 115
 court officials, 129, 175, 177, 180,
 182
 court reforms, 257
 courtrooms, 97–98, 109, 113–115
 courts, state, 98–99, 102–106, 110–111,
 113–116, 121
 court system, federal, 99, 101, 105, 108
 criminal defendants, 71, 78–79, 86, 130,
 165
 criminal investigations, 67, 71–73
 criminal procedure, 67–69, 71–77, 79,
 81–90
 cross sectional, 137
 cross-sectional analyses, 136

 death penalty, 122, 130, 159
 debt collection, 114
 decision making, 48, 71, 77, 119–121,
 129, 131–133, 134–136,
 138–139, 226
 deliberation, 131–132, 134–135, 138
 Department of Justice, 100
 disability, 6, 10, 13, 15, 18, 21–26,
 30–31, 33, 36, 49, 69
 disability benefits, 23–24
 discrimination, 6, 10, 12–13, 15, 23–24,
 26–27, 29, 33, 49, 52–54, 59, 100, 122,
 162–163, 228, 243
 dispute resolution, 37, 169, 232, 251,
 257
 disputing, 169, 172–174, 176–179,
 181–184, 195, 205–206, 208, 227,
 235–236, 248, 257

- disputing behavior, 169, 172–174,
 176–179, 181–184, 195, 257
 Disputing Behavior Survey, 169,
 172–174, 176–179, 181–184, 195
 disputing process, 205–206, 208, 227,
 235
 disputing pyramid, 205
 distrust of authority, 69
 divorce, 49, 52–54, 59, 62, 114, 160, 164,
 168, 175, 198–199, 242
 dog and pony shows, 159
 domestic violence, 23, 49–50, 52–54,
 59, 198
 dominance behavior, 132
 drug criminalization, 130
 due process, 86–87, 97, 100, 103,
 109, 113

 efficiency, 150, 161
 employment, 2, 6–7, 10, 12–13, 15, 18,
 23–24, 26–28, 33, 49, 51–54, 116,
 162–163, 174, 176, 179, 181–182,
 192, 196, 204, 243–244, 251
 English and Welsh Civil and Social
 Justice Survey, 43, 45, 48
 equal justice, 153
 Equal Protection Clause, 109
 eviction, 61, 160
 exclusion, 1, 21–22, 25, 30, 36, 49,
 71–72, 80, 82
 exclusionary rule, 80, 82
 expert witnesses, 205, 207–208
 exponential functions, 47

 fairness, 12, 18, 31–34, 36, 71, 85, 116,
 245, 251
 fairness, outcome, 71
 fairness, perceptions of, 71, 85
 family, 6, 10, 15–16, 18, 23–29, 33, 59,
 61–62, 78, 114, 160, 164–165, 168,
 173–174, 176, 179, 181–182, 185, 187,
 189–190, 192, 196, 198–200, 210,
 212, 221

 family law, 10, 15–16, 18, 23, 25–26,
 28–29, 33, 165
 Federal Court Interpreter Certification
 Examination (FCICE), 101, 105
 field studies, 138
 Fifth Amendment, 82–83, 89
 financial resources, 7, 85, 106, 147, 152,
 171
 firm marketing, 155
 fixed fee system, 194
 focus group, 145, 148, 153, 155, 165
 forgetting curves, 46–48, 51, 55–59, 61
 foundation, 4, 149–150, 152, 161, 206,
 257
 Fourteenth Amendment, 75, 86, 100
 Fourth Amendment, 72–73, 75, 78–79,
 83, 86, 89–90
 frame alignment, 240–241
 frame amplification, 240
 frame bridging, 240
 frame extension, 240–241
 frame transformation, 240–241
 frames, diagnostic, 241
 frames, motivational, 241
 frames, prognostic, 241
 framing, 102, 110, 227, 237, 240–242,
 247, 250
 framing, diagnostic, 241
 framing, motivational, 241
 framing, movements, 242
 framing, prognostic, 241
 freedom of speech, 69
 frivolous lawsuits, 207
 funder interests, 152
 Funding Code, 45
 funding sources, 150
 fungible, 129

Georgia v. McCollum, 120, 122–123
Gideon v. Wainwright, 81
 governmental support, 145
 green form scheme, 62
 grievance identification, 237, 239

- grievances, 205, 234, 237–241, 243–244, 247, 250–251
grievances, suddenly imposed, 239
- harassment, sexual, 69, 73, 243–244
harassment, verbal, 73
hazard, 214, 219–220
helping resources, 259
Hernandez v. New York, 109
hierarchy, 212, 214, 219, 258–259
homelessness, 23, 49, 52–54, 59
hospitalizations, 47
hospital treatment, 6, 10, 12–16, 25–26, 33
housing, 2, 6, 10, 15, 18, 21–26, 33, 36, 49, 52–54, 61, 139, 160, 164–165
housing-related issues, 160
- I-Jury, 137
Illinois v. Rodriguez, 94
image, 153, 155, 169
immigration, 6, 10, 13, 15, 18, 23–24, 26, 33, 49, 52–54, 160
impracticality, 69
industrial conflict, 246, 248, 250
industrial relations, 232
inequality, 258–259
injurious experience, perceived, 235
injurious experience, unperceived, 235
institutional behavior, 128, 137
institutional bilingualism, 108, 111–112
institutionalization, 147, 151, 257
institutional reputation, 153
insurance agencies, 169, 178, 186, 195
insurance, private, 174, 176, 179, 181
insurance, public, 174, 176, 179, 181
Internet, 4, 17, 137, 185, 187, 255
interpreter, 97, 100–111, 113–114, 116
interpreter certification programs, 104
interpreter, court-appointed, 104–105
interpreter, qualified, 94, 101–106, 116
interpreters, 97–116
interpreters, certified, 101, 102, 104–105, 110, 115
interrogation, 90, 245
- Japan Federation of Bar Associations (JFBA), 169–170, 182, 190, 195–196, 198–200
Japan Judicial Support Center, 183, 199
joint and several liability, 205, 208–209
judge-jury agreement, 130, 140
Judicial Reform Council, 168, 195
judicial scrivener, 172–173, 186, 199
juries, mixed-race, 120, 133–134
jurisprudence, 68, 74, 81–83, 88, 109
juror pay, 122, 129, 137–138
juror yield, 124–128, 136
jury, all-white, 120, 133
jury composition, 119–121, 123, 129–131, 137, 140
jury conscription, 122
jury deliberation, 131
jury nullification, 130
jury panels, 137
jury participation, 119–121, 123, 125, 127, 129, 131, 133, 135–139
jury pools, 124
jury representativeness, 119, 121
jury service, 119, 121–124, 126–129, 136
Jury Service and Selection Act, 122
jury venires, 122
justiciable event, 8
- Kennedy, Justice, 89
key-man systems, 122
Kyllo v. U.S., 94
- labor disputes, 168
labor market, 168, 228
labour unions, 17
language barriers, 97–98, 102, 106–107, 109, 111
language matching, 98, 110, 112, 115
lateral hires, 154

- Law and Society Association, 257
 law firms, 151, 153
 law offices, 167, 170, 183–185, 188, 190, 192–194, 196
 law school graduates, 154, 168, 195
 law schools, 148, 154–155, 168, 195, 209, 228, 256
 lawyer screening, 205–206
 lawyers, access to, 167–169, 171, 173, 175, 177, 179, 181, 183–185, 187, 189–191, 193, 195, 197, 199
 lawyers, personal injury, 203–204, 208, 226–227
 lay jurisprudence, 68, 74, 81–83, 88
 lease terms, 49
 legal action, threat of, 6, 10, 15, 24, 26–28, 33
 Legal Advice at Law Office Survey, 170
 legal advice bureau, 180, 197
 legal advice centers, 167, 169–171, 173, 175, 177, 179–185, 187–191, 193–197, 199
 Legal Advice Center Survey, 169
 legal advice centres, 45
 legal advice, free, 175, 183, 185–186, 199
 legal aid, 18, 38, 43–45, 62, 147, 165, 171, 175, 178, 180, 182–183, 186–187, 196–197, 199, 257
 legal aid, civil, 44–45
 legal aid expenditure, 45
 legal aid, expenditure on, 43–44
 legal aid office, 175, 178, 180, 182, 199
 legal aid reform, 45
 legal aid services, delivery of, 44
 legal assistance, 11, 15–19, 146–147, 164
 legal competence, 196
 legal consciousness, 67–69, 72, 88, 206, 235, 243
 legal consultation, 169–170, 173, 178, 180, 182–185, 187, 190, 192, 195–196, 199
 legal consultation bureau, 180, 183, 185
 legal education, 37, 176, 178, 181, 187–188
 legal empowerment, 255–256
 legal environments, 207, 215, 226–227
 legal iceberg, 251
 legal idealism, 257, 259
 legal knowledge, 74, 77, 79, 171
 legal needs, 3, 7–8, 35, 38, 45, 48, 61–62, 145–146, 149–151, 160–161, 164, 195–196, 236, 256–259
 legal needs survey, 151, 160
 legal problems, 1–3, 5, 7–9, 11, 13, 15, 17, 19, 21, 23, 25, 27, 29–31, 33, 35, 37, 39, 45, 74, 146, 151, 164, 168–169, 171–172, 178, 196, 199
 legal professional, connections with a, 167, 172–173, 175, 177–178, 183, 194, 197–198
 legal representation, 37–38, 81, 114, 146, 165
 legal service market, 169, 178, 185, 190, 194
 legal service programs, 147
 legal service providers, 103, 145, 147–151, 155–156, 158
 legal service providers, private, 145, 147–148
 legal services, 4, 8, 37, 45, 62, 145–153, 155, 157–159, 161, 163–164, 167, 169, 171, 190, 194–195, 199, 250, 257–259
 legal services, access to, 145, 147, 164, 167, 171
 legal services, allocation of, 150
 legal services, availability of, 153
 legal services, barriers to accessing, 45
 legal services, delivery of, 148–149, 151–152
 legal services market, 145, 148, 171, 195
 legal services, private practice, 145, 147–148
 legal services, privatization of, 146–147, 164
 legal services, privatized, 147–148, 151

- libel, 228
- linguistic access, 98
- litigation, 69, 154, 160, 197, 199,
204–205, 209, 220, 236, 245–246, 251
- logistic regression analysis, 173–176,
179, 181
- low-income households, 146
- lumping it, 232–233, 245–246, 250
- meaningful access*, 100, 106
- mediation, 37
- medical malpractice, 206–209
- memory, 43–44, 46–47, 50, 52–61
- memory, decay of, 47
- mental health, 28, 49, 52–54, 59–60
- Miranda*, 75, 77, 80–83, 86, 89–90
- Miranda v. Arizona*, 75, 89–90
- misdemeanor, 77, 79, 81
- moral panics, 232
- Moran v. Burbine*, 94
- movement mobilization, 237–240,
247–248
- municipal government, 180, 183–184,
199
- municipal offices, 183–184, 186
- naming, blaming, and claiming, 88, 206,
232, 235–238, 241, 243, 246–247, 250
- negligence, 49, 52–54, 58–59, 216, 222,
225
- negligent, 49, 52–54, 58–59, 226
- non-legal assistance, 15–19
- non-profit entities, 145–146, 149
- non-profits, 259
- OECD, 256
- Official Languages Act of Canada*, 107
- OLA, 107–108
- organizational conflict, 231, 233, 242,
247
- organizational legitimacy, 259
- organizational quality, 231, 233, 242,
247
- organizational resistance, 243
- outcome satisfaction, 89
- own-race bias, 130–131, 134
- pain and suffering, 204, 208
- paradigm assumptions, 7–8
- Paths to Justice*, 3–4, 8, 35, 48
- penal code, 83
- pen registries, 78–79
- perceived control, 237
- peremptory challenges, 109, 123–124
- peremptory strikes, 129–130
- Perovich v. United States*, 100
- personal connections, 167–168, 171,
173, 177–178, 185, 196, 198
- personal injury, 6, 10, 15–16, 18, 23–28,
33, 114, 203–205, 207–208, 226–228
- personal injury law, 203–205, 208,
226–228
- personal injury lawyers, 203–204, 208,
226–227
- personal injury litigation, 204
- personal introductions, 172, 190, 194
- personal responsibility, 203, 205, 207,
209, 211, 213, 215, 217, 219, 221,
223–227
- philanthropies, 152
- philanthropy, 149, 164
- physical intrusion, 82, 94
- PIE, 235–236, 240, 242, 247
- plaintiffs, 127, 139, 163, 204, 206, 209,
216–217, 223–226, 245–246
- polarization effects, 134
- police action, 6, 10–13, 15, 18, 23–27,
32–33
- police behavior, 89, 131
- police deception, 94–95
- police officer, 73, 75–104, 175, 177,
180, 182
- police searches, 94
- political process approach, 238
- politics, 163, 208, 251, 258
- positional conflicts, 162–164

- power functions, 47
- powers of attorney, 6, 10, 15–16, 18, 25–27, 33
- preventative investigation, 76
- private actors, 145, 147
- private funders, 148
- private resources, 147, 149, 152, 159, 164
- privatization, 146–147, 164
- probable cause, 72, 80, 86
- problem, civil justice, 1–3, 5–7, 9–10, 21, 35, 43–46, 48, 58, 60–61, 256
- problem clusters, 22–23, 28
- problem, debt, 7, 13, 21, 24, 26–28, 61
- problem incidence, 43
- problem, physical health, 28–29
- problem severity, 43–44, 46, 58, 61
- problem, social, 1, 28–31, 35–37, 231–233, 241–242, 245–247, 249, 251, 257–259
- problems, civil justice, 1–3, 5–7, 9–10, 21, 35, 43–44, 46, 48, 58, 60–61, 256
- problems, civil law, 1, 89
- problems, clusters of, 36
- problems, consumer, 7, 12–15, 23–24, 27–29, 47, 58, 60–61, 63, 165, 173, 200
- problems, credit, 196
- problems, emotional, 28
- problems, employment, 12–13, 15, 18, 23–24, 26–27, 196
- problems, family related, 159
- problems, justiciable, 1–5, 7–8, 11, 15, 20–22, 25, 28–31, 35–37
- problems, money, 192
- problems, neighborhood, 173
- problems, non-legal, 30
- problems, perceptions of, 259
- problems, prevalence of, 44
- problems, property, 171
- problems, recall of, 57, 61
- problems, relationship
 - breakdown, 18
 - problems, rented apartment, 173
 - problems, reporting of, 60
 - problems, seriousness of, 61
 - problems, social, 1, 29–31, 35–37, 231–233, 241–242, 245–247, 251, 257–259
 - problems, trigger, 25–26, 28
 - problems, unresolved, 22–23
 - problems with children, 29
 - pro bono, 145, 147–149, 151–165, 257, 259
 - pro bono committee, 157
 - pro bono coordinator, 152, 154–155, 157–158
 - pro bono partners, 148, 157, 163
 - pro bono program, 152, 157–158, 160
 - pro bono, voluntary, 147, 257
 - procedural justice, 71–72, 83, 88
 - product safety, 212, 214, 216, 219
 - products liability, 203–204, 206–209, 211–212, 216–217
 - professional associations, 147
 - professional development, 161
 - professional ideology, 255–259
 - professionalism, 165
 - professional organizations, 151
 - professional responsibility, 153
 - propensity to omit, 50, 52
 - property rights, 255–256
 - pseudo-lawyer, 178
 - public arenas model, 242
 - public defenders, 81, 165
 - public funding, 146
 - public funds, 146
 - public interest groups, 147
 - public interest organizations, 161
 - public service, 38
 - punitive damages, 209
 - quality of life, 28, 153, 228
 - quasi-legal specialists, 195
 - quodidian disruption, 239

- race, 49, 84, 88, 90, 100, 109, 119–140, 211, 259
 race-salience, 134
 racial diversity, 119, 134
 racial equality, 89
 racial representativeness, 120, 123, 136, 139
 racial salience, 134
Rakas v. Illinois, 94
 rational choice model, 206
 rationality, 150
 reasonable doubt, 130
 recall accuracy, 44
 recall, accuracy of, 62
 recall failure, 44, 48, 60
 recall patterns, 44, 57, 61
 referral, 172, 184, 199
 relative deprivation, 237–238
 repeat players, 196
 residential stability, 125, 139
 resolution, 7, 11, 32, 37, 50–52, 56, 58, 113, 169, 190–191, 194, 198, 231–233, 245, 251, 257
 resolution strategy, 50–52, 56, 58
 resource mobilization, 237
 resource providers, 149–151, 153, 164
 right, consciousness of, 70
 right, latent, 86
 right, manifest, 86
 rights assertions, 72, 84–85, 88
 rights, citizenship, 70, 88
 rights claims, 73
 rights consciousness, 67–77, 79, 81–85, 87–89, 255
 rights consciousness inquiry, 67
 rights consciousness, procedural, 67, 72, 81, 88
 rights, constitutional, 71–73, 75, 77–79, 81, 83, 86, 88, 100
 rights, disability, 69
 rights knowledge, 73–74, 76–77, 84, 87–90
 rights, knowledge of, 84
 rights, language, 98, 107–112
 rights, legal, 70, 147, 164, 243–244, 249, 258–259
 rights litigation, 69
 rights mobilization, 70–71
 rights, myth of, 69
 rights, natural, 70, 88
 rights of way, 49
 rights, procedural, 67, 72, 74, 77, 81, 83, 85, 88
 rights revolution, 257
 rights, situational, 86
 rights, ubiquitous, 86
 right to counsel, constitutional, 146
 right to privacy, 79
 risk assessment, 247

Schneckloth v. Bustamonte, 75, 89
 school exclusion, 49
Scott v. Illinois, 94
 searches and seizures, 75, 90
 searches incident to arrest, 87
 self-help, 14–16, 36–37, 232
 service providers, 103, 145, 147–152, 155–156, 158–163
 severity indices, 43
 Sixth Amendment, 73, 75–77, 79, 83, 87, 89, 100
 skills development, 161
 slander, 228
 small claims courts, 114, 250
Smith v. Maryland, 79
 social assistance, 6, 10, 14–15, 18–19, 21–26, 30–31, 33
 social cohesion, 36
 social desirability, 46, 50
 social disadvantage, 37
 social disorganization, 238–239
 social exclusion, 1, 21–22, 25, 30, 36
 social impacts, 5, 29
 social location, 69, 81, 84
 social movement mobilization, 237, 247

- social movements, 231–233, 237–240, 242, 245–252, 257
 social network, 194
 social spending, 44
 social welfare law, 62
 sociology of troubles, 231, 233–235, 237, 239, 241, 243, 245–251, 259
 Spanish-language courtrooms, 113
 start fee, 198
 state constitutions, 102
 status distinctions, 132
 statutory federal law, 100
 subjectivity, 8, 246
 success fee, 197–198
 summoning, 122, 124
 summons, 18, 124, 126–129, 136–138
 summonses, 124–125
 support groups, 17
 Supreme Court, 71, 75, 77, 90, 100, 103, 106–109, 112, 122, 195, 216
 survey methodology, 46

 talent, 154–155
 targeting of resources, 43
 telescoping of memories, 47
 thermal imaging device, 77, 82
 Thomas, Justice, 120, 123
Thornton v. U.S., 87
 Title VI, 100
 tortfeasors, 204
 tort law, 205, 227–228
 tort reform, 139, 203–205, 207–209, 215–217, 220, 225–227
 torts, 204, 228, 245
 Traffic Accident Consultation Centers, 170

 traffic accidents, 165, 195, 199
 traffic stop, 76, 89
 training, 104, 106, 110, 115, 145, 153–155, 158–160
 trustworthiness, 188, 194, 200

 ubiquitous right, 86
 UNDP, 256
 unemployed, 30–31
 unions, 17, 232
 unPIE, 235–236, 240, 247
 urbanization, 168
U.S. v. Patane, 93
U.S. v. Pollard, 95

 value amplification, 240
 vehicle search, 76
 venue change, 209
 verdicts, 108, 113, 119, 121, 129–132, 134–136, 138–140
 victimization, 7
 violence, 7, 23, 28–29, 49–54, 59, 198
 vulnerability, 25, 30
 vulnerable groups, 13, 30

 warrant, 72, 77, 80, 82
 Warren, Chief Justice, 90
 welfare service, 44
 whistle-blowers, 244
 whistle-blowing, 244
 wills, 6, 10, 15–16, 18, 23–27, 33
 World Bank, 255–256
 World Justice Forum, 256