



## ASSESSMENT OF LEGAL NEEDS IN ALBANIA

TLAS and ELSA Albania are please to share their work on the “Assessment of Legal Needs in Albania” implemented as part of the action plan of the Coalition –Justice for All.

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*Thank you!*

*Raimonda Bozo*

*Executive Director, TLAS.*

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## Foreword

This report is published by Tirana Legal Aid Society (TLAS), in partnership with the European Law Students Association (ELSA), with the support of the United States Agency for International Development (USAID), as one of the first ever theoretical framework for the assessment of the legal needs in Albania. Since 1999, TLAS has endeavored to advance the fairness and equity in the justice system and to improve access to justice, especially for socially and economically disadvantaged people. This survey is intended to be used by researchers, policy-makers, governments, the legal community, and other parties interested in the assessment of legal needs and access to law and justice.

The assessment of the legal needs can be seen as a valuable mean to advance fairness and equity in the justice system and to improve access to justice, especially for socially and economically disadvantaged people. This survey becomes particularly important in the wake of the new justice reform, which among other things, seeks to redress the state of inequality and unfairness that had veiled our country during the last three decades. This study examines the prevalence and nature of legal problems, the pathways to their resolution, and the demographic groups that struggle the most with the weight of their legal issues. The main concern is to provide valuable evidence-based data to inform and offer policy directions concerning legal services provision and access to justice in the country.

Given the scarcity of information, it was a challenging project, which employed various qualitative and quantitative methodologies. The only available data for comparison came from Albanian Institute of Statistics (INSTAT), databases of district courts, and TLAS own database. Our findings were mostly in line with the existing data. However, the former provided new depth and breadth regarding the evaluation of legal needs.

# **1. Aim**

The provision of legal services in any territory requires first a comprehensive understanding of the legal problems that people face and the coping methods they choose. In this light, this is one of the first surveys that deal with key questions that go to the heart of understanding the legal needs across Albania by evaluating the legal problems, their nature, and the pertaining legal strategies used by the population. Through telephone interviews and written questionnaires, it appraises:

1. the prevalence of legal problems among economically disadvantaged.
2. the nature of the legal problem(s) among economically disadvantaged and individuals, who have experienced at least one legal problem in the last 12 months.
3. the strategies used by both groups in response to their legal problems.
4. the type of legal advice sought for the legal problem(s) and the reasons behind this choice.
5. the outcome of the legal problem(s).
6. the consequences of the legal problem(s) on the everyday life.
7. the influence that various demographic and socio-economic indicators, like age, gender, employment status, etc., have on the points above.

## **1.1 Main Findings**

While we will present in detail the findings in the following chapters, some of the most salient revelations are:

1. Economically disadvantaged people are particularly vulnerable to legal problems.  
Almost 70% of the respondents in our sample declared to have faced at least one accident during the last year, that, according to them, could raise or has raised a legal issue.
2. Economically disadvantaged people suffer primarily legal issues related to rights (including problems with civil registration or economic aid and social housing), family



- (including divorce and parental responsibility cases), and employment. These three fields cover more than 70% of all the identified legal problems through telephone interviews.
3. Among the economically disadvantaged people, the most vulnerable categories to legal issues (the most vulnerable of the vulnerable) are individuals with disabilities and Roma people.
  4. Among individuals who have faced at least one legal issue during the last year, the most pervasive problems are those related to crime and family, while the least frequent are those related to rights, personal injury, and housing.
  5. 95% of the economically disadvantaged individuals who had experienced at least one legal problem in the last year asserted that the latter had had some adverse effects on their everyday lives. Almost one-quarter of this group reported these consequences as severe.
  6. The questionnaire found that among individuals who had faced at least one legal issue last year, 85% had experienced complications in their lives due to these problems, and these adversities were classified as severe by 22% of the respondents.
  7. Among economically disadvantaged people, only 26% of the respondents sought legal help to address their problems. The rest either attempted self-reliant solutions (26%) or did not employ any strategy in response to their legal problems (48%).
  8. Regarding point 7), groups that tend most often to not seek external legal aid are the Roma people, individuals without a high-school diploma, unemployed, and people who do not reside in Tirana.
  9. Regarding point 7), lack of financial resources explains 61% of the cases for whom legal aid was not sought. Other 30% of cases are explained by the distrust of the economically disadvantaged individuals toward institutions (including private and public lawyers, NGOs) that offer legal aid.
  10. Regarding point 9), more than 63% of individuals who did not seek legal advice due to financial constraints were not aware (or had limited knowledge) on the opportunity to receive free legal aid from the state or the relevant NGOs.
  11. The proportions referred in point 7) were substantially different for the other sample. Individuals, who had experienced at least one legal problem in the last year, did not seek external aid “only” for 42% of the cases.

12. Regarding point 11), groups that tend most often do to not seek external legal aid are the Roma people, individuals, whose household's income falls below the mean of Albania's GDP per capita, and individuals with disabilities.
13. Regarding point 11), lack of financial resources explains 53% of the cases for whom legal aid was not sought. Out of this number, approximately 34% of the respondents had no (or limited) knowledge on the opportunity to receive free legal aid from the state or the relevant NGOs.
14. Among economically disadvantaged individuals, three-quarters claimed not to have been able to solve any of the legal problems experienced in the last 12 months.
15. Among economically disadvantaged individuals, groups, most likely to not solve their legal problems are people who do not seek external legal aid, individuals without a high school diploma, and Roma people.

## **2. Report Structure**

The body of this study is structured in the following way. The next chapter delineates the methodological approach, including data collection and analysis. Chapter 4 provides an overview on the prevalence of legal issues, as well as their nature and influencing factors. Chapter 5 analyzes the adverse consequences that these problems might have on the everyday lives of the subjects. Next, we turn to the strategies adopted by the respondents to cope with their legal concerns. The seventh chapter evaluates the outcomes of these concerns and the underlying causes that affect these outcomes. Chapter 8 concludes by providing a holistic approach to promote fairness and equity in the justice system.

## **3. Methodology**

The survey included approximately 1000 (1007) telephone interviews and 1000 (1002) written questionnaires that were administered between October and December 2018.

## **3.1 Sampling**

### **3.1.1 Telephone interviews**

The 1007 interviewees were selected from a snowball sample. Snowball sampling refers to a non-random sampling technique where the study subjects are identified through the help of a small group of initial subjects. In other words, the researcher asks his first study subject(s) for information on his/her acquaintances, who are used as additional subjects. The latter are also asked for their acquaintances, and as this chain process goes on, it resembles a rolling snowball.

Our initial group comprised TLAS' former clients, who, given that cannot afford paid legal aid, are classified automatically as economically disadvantaged individuals. We asked them for the telephone number of three acquaintances that the former could intuitively assess as economically disadvantaged. The potential subjects were asked whether they could afford a legal process if they had one, and in case of negative response, they were classified as economically disadvantaged. This process was repeated until we had a working sample of approximately 1000 interviewees. The exploration of each of the new referrals in the exact same way is formally known as exponential non-discriminative snowball sampling.

This sampling method permits the assessment of the legal problems and needs of one of the most vulnerable groups in society (Currie, 2005; Dale, 2009; Legal Services Corporation, 2017). However, this type of sampling has certain limitations. First, it is inherently non-representative of the general population as it reflects the population of economically disadvantaged. Second, the subjects are self-selected (we trust their judgment and honesty on their ability to afford a legal process) and outside the control of the researcher. In simple words, we had to rely on the assessment of the interviewees and their acquaintances regarding the economic status of the subjects.

The reasons behind this choice are threefold. First, as aforesaid, it enables the first recorded evaluation of the legal needs of the most vulnerable.<sup>1</sup> Second, the data provided by the INSTAT are not sufficient to determine a random sample regarding main demographic and socio-economic variables. The INSTAT supplies data on individual demographic and socio-economic aspects but not on their respective combinations, e.g., we may know the number of women or unemployed in the Republic of Albania, yet we lack the number of unemployed women who have received a university degree.

Third, a random sampling of the entire population was not possible, due to logistic reasons. The Albanian telecommunications companies do not disclose the numbers of their clients, so the only way to carry out random digit dialing was by calling landline phone numbers. We attempted a pilot study in this direction during September 2018, but it failed to produce a satisfactory result. The telephone book of Albania has not been updated in the last years, and the response rate was below 40%. Low response rates often generate biased samples (Smith 2009). In our case, the risk was that of underrepresentation of economically disadvantaged people. As the phone book was not updated, the interviewees would have to be residents in a house for more than one year, which entails a certain degree of economic stability. Moreover, given that the landline phone number is connected to a specific address and identity, subjects were reluctant to share sensitive information, especially data related to their income and wealth.<sup>2</sup> In fact, none of the subjects of the pilot study claimed to have had a legal problem in the last 12 months.

Given these difficulties, we evaluated that exponential non-discriminative snowball sampling was the best viable strategy for data collection. Nonetheless, it is essential to recall its limitations during the process of data analysis. We conducted 1007 successful interviews with a response rate of 92% (from 1095 total calls). The characteristics of our working sample and the

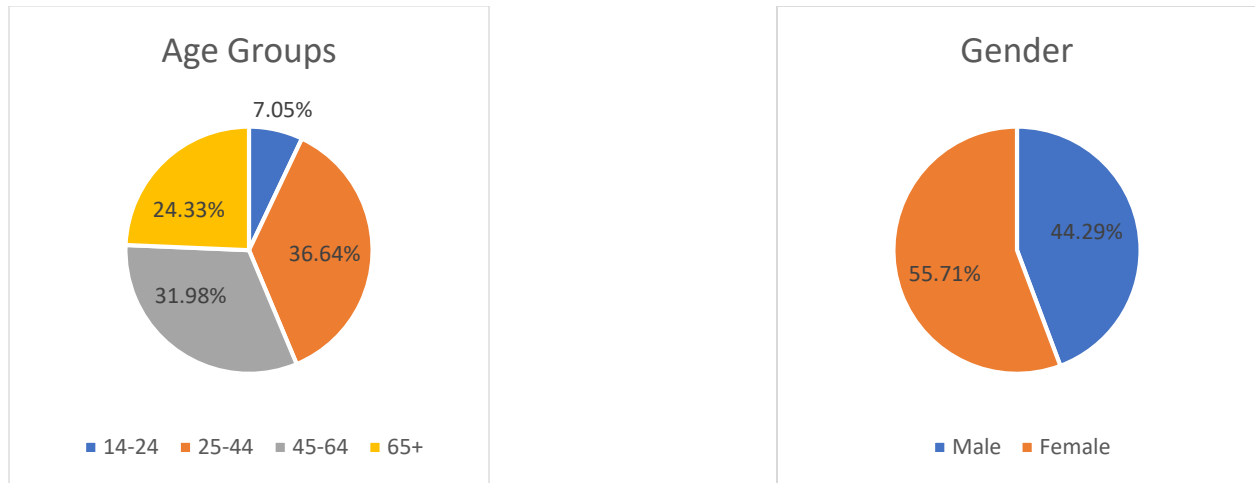
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<sup>1</sup> Regarding the self-selection, the choice was based on logistic considerations. To have a controlled sample of economically disadvantaged people, we would have to retrieve data from public employment offices. However, this approach could engender biased samples, given that some people who register are not among the poorest in the country and some people who do not register are. For example, from the TLAS database, we know that an absolute majority of Roma do not register (sometimes cannot as they are not registered).

<sup>2</sup> While the low response rate inhibits simple random sampling, incomplete data from INSTAT and unwillingness of respondents to provide certain type of data do not allow for stratified sampling, thus preventing us from working with probability samples.

interview structure can be found respectively in Appendices 1 and 2. The charts below provide an overview of the features of the interview sample.

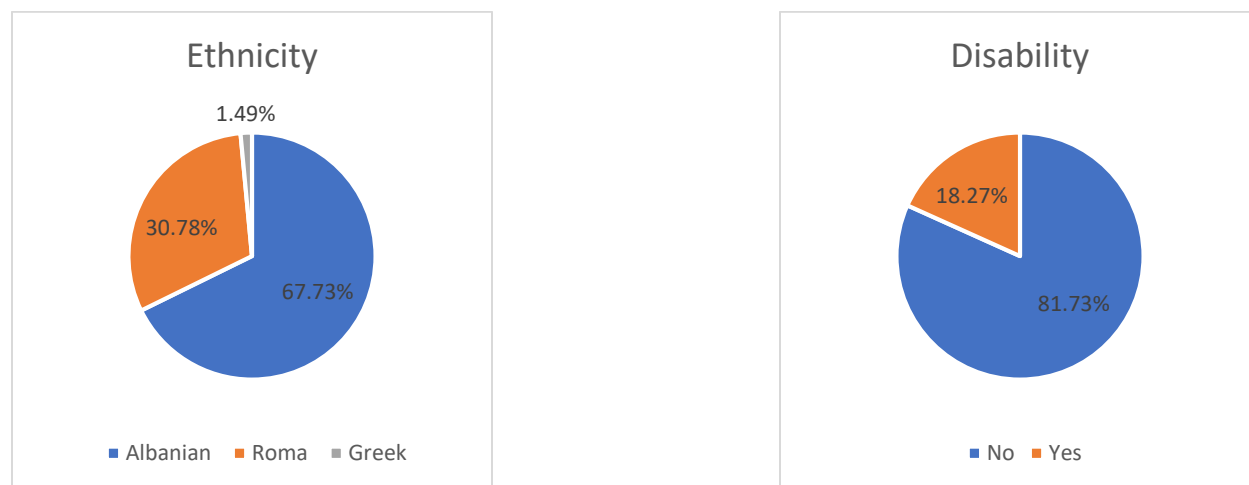
*Figures 1: Interview Sample According to Age Groups and Gender*



*Figure 2: Interview Sample According to Employment and Education*



Figure 3: Interview Sample According to Ethnicity and Disability



### 3.1.2 Written Questionnaires

1002 written questionnaires were distributed at the major district courts of Albania, Berat, Durrës, Elbasan, Fier, Korçë, Shkodër, Tirana, Vlorë, according to the size of the population of each district (as asserted by INSTAT).<sup>3</sup> This is a type of convenience sampling, which is particularly apt for pilot studies — albeit our survey represents, what we believe to be a complete survey on the assessment of legal needs in Albania, it remains only one of the first serious attempts in this regard, and further efforts are necessary for the future.

Given that the questionnaires were distributed at district courts, it was obvious that almost all the subjects would be affected by at least one legal issue. Thus, being aware that we could deal with a strongly biased sample regarding the prevalence of legal problems, we decided to remove the latter as a response variable — section 3.4.2 explains what response variables are. In fact, question 11 (check Appendix 2) of the questionnaire eliminates from consideration those subjects that had not faced at least one legal issue in the last 12 months.

<sup>3</sup> Berat 53 respondents, Durrës 115, Elbasan 115, Fier 122, Korçë 87, Shkodër 84, Tirana 349, Vlorë 77.

To avoid clustering (asking people of the same family or people facing the same problem), we adopted an arbitrary version of systematic sampling. “Systematic sampling is a type of probability sampling method in which sample members from a larger population are selected according to a random starting point and a fixed periodic interval. This interval, called the sampling interval, is calculated by dividing the population size by the desired sample size. Systematic sampling is thought of as being random if the periodic interval is determined beforehand and the starting point is random.” (Gravetter and Wallnau, 2012, p.39). In our case we could not determine the size of the population, individuals that had encountered at least one legal issue in the last 12 months, beforehand, so we chose an arbitrary sampling interval of 4. This sampling interval implies that only one in every four individuals accessing the respective court was asked to fill the questionnaire.

The characteristics of the questionnaire sample and the questionnaire structure can be found respectively in Appendices 1 and 2. The charts below present an overview of the features of the questionnaire sample.

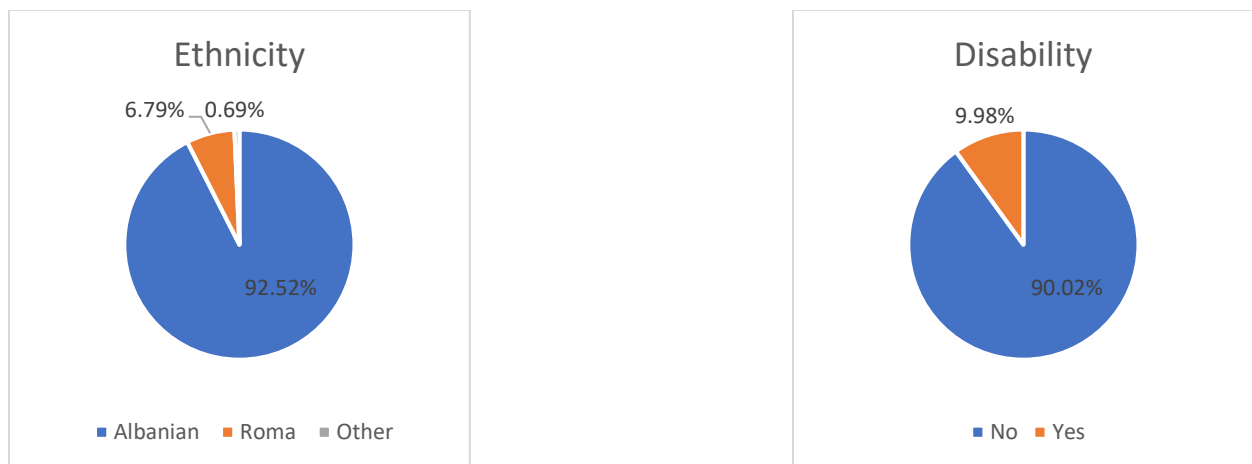
*Figure 4: Questionnaire Sample According to Age Groups and Gender*



Figure 5: Questionnaire Sample According to Employment and Education



Figure 6: Questionnaire Sample According to Ethnicity and Disability



### 3.2 Reference Period

Reference period stands for the time under consideration in the survey, i.e., how old can the legal problem be to be included in the survey. We have chosen a reference period of one year, to avoid, on one hand, understatement of legal problems, due to memory lapses (which are more common for longer reference periods), and, on the other, mixing the prevalence of legal problems with the incidence of new legal problems (for shorter reference periods). In this respect, we have followed the approach of Coumarelos and Ramsey (2012).



### 3.3 Classification of Legal Problems

Both the telephone interview and the written questionnaire structure allowed people to describe their legal problem(s) in their words. The reason behind this choice was to avoid underrepresentation of the relevant issues, as some individuals may lack the knowledge to classify properly the problem they are facing or have faced. Nonetheless, for statistical purposes — data collection and analysis — we classified the relevant issues into eight major groups:

1. Crime
  - a. Crime Offender
    - i. Domestic Violence
    - ii. Illegal Construction
    - iii. Theft
    - iv. Other
  - b. Crime Victim
    - i. Domestic Violence
    - ii. Theft
    - iii. Other
2. Employment
  - a. Termination
  - b. Employment Conditions
  - c. Other
3. Family
  - a. Child Custody
  - b. Divorce

- c. Parental Responsibility
  - d. Other
- 4. Housing
  - a. Rent
  - b. Other
- 5. Money
  - a. Bankruptcy
  - b. Debts and Mortgages
  - c. Wills
  - d. Other
- 6. Personal injury
- 7. Property
- 8. Rights
  - a. Civil Registration
  - b. Economic Aid
  - c. Other

### **3.4 Data Analysis**

The data gathered from the survey were processed using descriptive statistics and inferential statistics. The descriptive statistics refer to the presentation of the collected data in an organized and understandable way, e.g., charts in the sections 3.1.1 and 3.1.2. On the other hand, the inferential statistics include all those methods that use sample data to draw general conclusions on populations' parameters, i.e., how possible is for the effects recognized in the

sample to represent those in the general population and not sampling error.<sup>4</sup> Keep in mind that this report does not analyze the population of the Republic of Albania, as we do not have a random sample of that population. Our findings are relevant to the self-identified poor individuals and people who had experienced at least one legal issue in the last year. The inferential statistics used in this study is a type of multivariate analysis (i.e., analysis involving more than one explanatory variable), known as binary logistic regression.

### **3.4.1 Multivariate analysis**

Generally, multivariate analyses evaluate the relationship between more than two variables. At this point, a brief digression to discuss variable types, independent (IV) and dependent variables (DV), is necessary.

Researchers often study how one or more variables affect another. For example, economists may want to assess the effect that a tax has on investment, political scientists, the effect of electoral systems on the political stability, and so on. The influencing variables, e.g., tax rate or type of electoral system, are known as independent, explanatory, or exogenous variables. On the other hand, the influenced variables, e.g., amount of investment or political stability, are referred as the dependent, response, or endogenous variables. Using statistical methods, e.g., multivariate or bivariate analyses, one can examine the relationships between these variables.

Yet, the labels above are assigned arbitrarily and are used to simplify the understanding of what the scientist is attempting to test. Inferential statistical analyses assess only the correlation between variables, i.e., how much they move together in contrast of moving separately. Who is the response or the dependent variable (the effect) and who are the explanatory or the independent variables (the causes) is asserted either by simple logic or by evaluating existing literature. So, a bivariate analysis can confirm that a certain electoral system moves together with political stability, but it cannot distinguish whether it is this particular electoral system that spurs political stability or vice versa.

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<sup>4</sup> Sampling error is not a mistake that could be avoided by the researcher. Not all the samples of a population are the same, and sampling error refers to the possibility of choosing, unwittingly, a very rare sample that represents poorly the general population.

Turning back to our study, we want to assess how certain demographic and socio-economic factors affect the prevalence of (types) legal problems, strategies used in response, or the outcome. Fortunately, in this case, the classification of variables into dependent and independent is quite straightforward and does not require any additional information beyond common logic, e.g., it is reasonable to claim that age, gender, education status, or ethnicity can affect the prevalence of legal problems and not vice versa.

There are several types of multivariate analyses, including linear, logistic, log-linear, MANOVA, and so on. In principle, all of them answer the question we addressed above, how much the relevant variables move together in contrast of moving separately. The differences between these analyses are related to the assumptions they make. For example, multivariate linear regression, which is the most stringent in this regard, assumes linear relationships between variables, normal distribution of the residuals, homoscedasticity, and no multicollinearity.<sup>5</sup>

This study uses binary logistic regression for two reasons. First, it does not require many of the key assumptions that linear regressions do, e.g., linear relationships, normal distribution of the residuals, and homoscedasticity.<sup>6</sup> However, binary logistic regressions demand that the dependent variable is dichotomous (more on this in the following paragraphs), independent observations (which we attempted to achieve through systematic sampling), little multicollinearity (which we tested through variance inflation factors), and a significant sample (at least 100 observations).

Second, the choice of this method was influenced by the variables' level of measurement. A variable can have one of the four different levels of measurement: nominal, ordinal, interval, or ratio. Variables with nominal levels of measurement refer to those variables that take only a limited number of values, which do not have a sense of inherent order, e.g., hair color. On the other hand, variables with an ordinal level of measurement take only a limited number of values, which have a sense of inherent order, e.g., the highest level of education attained. Ratio and interval level of measurements are not limited, or are less limited, in the range of possible values

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<sup>5</sup> The explanation and implications of these terms are beyond the scope of this paper. Nonetheless, if interested, one can find various papers and books that explicate them in detail. We suggest an elegant paper by Osborne and Waters (2002).

<sup>6</sup> Since this is one of the first studies (if not the first) to collect data from these particular populations (economically disadvantaged and people who have experienced at least one legal problem in the last year in Albania), we do not have reliable information on the distribution of the data, so making too many assumptions can prove inaccurate.

— this is why they are labeled as continuous measurements. The only difference between these categories is the assignment of an arbitrary zero in the case of interval levels of measurement, e.g., the temperature in Celsius, and the existence of a real zero in the case of ratio levels of measurement, e.g., weight.

As aforesaid, bivariate logistic regressions demand a dichotomous dependent variable. A dichotomous variable can only take two levels, so, it can only be a variable with a nominal level of measurement. Our report employs several of these variables, e.g., the prevalence of legal problems (whether one has or has not experienced a legal issue in the last year), the outcome of legal problems (whether the problem was finalized or not), external legal advice (whether it was sought or not). An additional reason to use logistic and not linear regression is the nature of the independent variables. Linear regressions work only with continuous variables, and all of our IV (see the next section for more detail) are discrete.

### **3.4.2 Interviews and Focus Groups**

In addition to the quantitative assessment of the legal needs through these two types of survey, this report also comprises the qualitative analysis of the legal problems and potential solutions. This analysis is based on five interviews with key decision makers working in the legal aid system and five focus groups with relevant stakeholders and beneficiaries. The interviews were conducted with General Director of State Agency for Child Rights and Protection, Ms. Ina Verzivolli, Minister of Health and Social Care, Ms. Ogerta Manastirliu, Deputy Minister of Justice, Mr. Toni Gogu, Vice Chair of the Parliament, Ms. Vasilika Hysi, and Secretary of the Law Commission, Human Rights, and Public Administration in the Parliament, Ms. Klotilda Ferhati. The meetings of focus groups were held in Fier, Rrëshen, Laç, Shkodër, and Elbasan. The details on the interviews and focus groups are found in Appendix 3.

## **3.5 Choice of Independent Variables**

As independent (explanatory) variables, this study uses seven demographic and socioeconomic indicators for each model, i.e., for citizens that have experienced at least one legal issue in the last year and for economically disadvantaged individuals. In the first case, we

use age, gender, employment status, the highest level of education attained, ethnicity, disability status, and household's income level. These factors were chosen due to their general salience but also because the existing literature — studies from other countries on the assessment of legal needs — suggests that they influence the prevalence and the nature of legal problems, e.g., Australia (Coumarelos and Ramsey, 2012), Bulgaria (Gramatikov, 2008), Canada (Currie, 2005), China (Michelson, 2007), the Netherlands (van Velthoven, 2004), Northern Ireland (Dignan, 2006), and so on.

These independent variables are coded in the following way. The variable age is divided into four age groups: 14-24 years old, 25-44, 45-64, and above 65 years old.<sup>7</sup> Gender is a dichotomous variable with male and female as the only possible values — albeit we understand that gender is a continuum and our surveys allowed the respondents to provide other answers, male and female were the only observations identified. Employment status was also coded as a nominal variable distinguishing between employed, unemployed, retirees, and students. The highest level of education attained differentiated between three categories, persons without a high school diploma, persons with a high school diploma but without a college degree, and those with a college degree. Regarding ethnicity, the subjects were allowed to self-report their identity, yet, due to responses' structure, ethnicity almost turned to a variable with only two categories, Albanian and Roma. On the other hand, disability status and household's income were coded as dichotomous variables. We distinguished between individuals who had at least one disability and those who did not and between people whose household level of income was below the mean (measured as Albanian GDP per capita)<sup>8</sup> and those whose household level of income was above the mean.<sup>9</sup>

As for the telephone interviews, we used the same set, with the exception that we substituted income level with the residency of the subject — it would have been pointless to include income level as an explanatory factor for a self-selected low-income sample. The residency of the subject referred to the city in which the respondent lived at the time of the interview and was coded as a binary variable, individuals residing in Tirana and outside Tirana.

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<sup>7</sup> The variable is coded as a discrete to avoid problems with binary logistic regressions, i.e., all other variables are not continuous so given that we could not use linear regressions, we had to code this variable as ordinal as well.

<sup>8</sup> (World Bank, 2017)

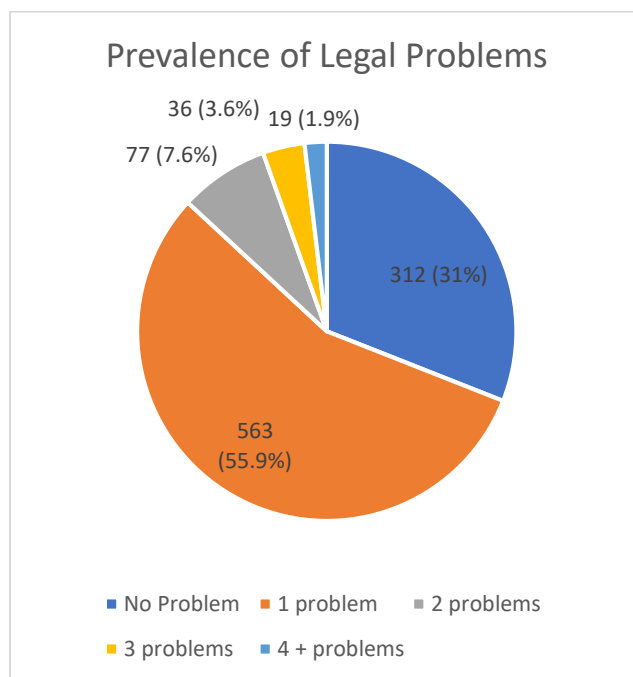
<sup>9</sup> The coding of this variable was affected by the same considerations as those for the variable age.

## 4. Prevalence of Legal Problems

### 4.1 Telephone Interviews

Respondents were asked about legal problems they had experienced in the last year prior to the interview. From 1007 respondents, 695 (69%) of them asserted to have faced at least one accident that, according to them, could raise a legal issue. Among this group, we recorded 563 individuals (81%) with a single legal issue, 77 (11.1%) with two, 36 (5.2%) with three, and only 19 (2.7%) respondents had endured four or more legal problems in the last 12 months.

*Figure 7: Prevalence of Legal Problems (Telephone Interviews)*



*Table 1: Cumulative Frequency Distribution of Legal Problems (Telephone Interviews)*

Problems for respondent	All respondents		All problems	
	N	Cumulative %	N	Cumulative %
0	312	31		
1	563	86.9	563	61
2	77	94.5	154	77.7
3	36	98.1	108	89.4
4	7	98.8	28	92.4
5	5	99.3	25	95.1
6	3	99.6	18	97
7	4	100	28	100
Total	1007		924	

As the table above shows, a small number of subjects account for a disproportionate number of legal problems encountered. For example, only 5.5% of the individuals faced more than 2 legal issues last year, yet their experiences comprise almost one-quarter (22.3%) of the whole group.

#### **4.1.1 Different Types of Legal Problems**

As mentioned in the third chapter, we allowed the respondents to describe in their own words their legal problem(s), which was (were) later classified in one of the following categories:

1. Crime
  - a. Crime Offender
    - i. Domestic Violence
    - ii. Illegal Construction
    - iii. Taxes
    - iv. Theft
    - v. Other
  - b. Crime Victim
    - i. Domestic Violence
    - ii. Theft
    - iii. Other
2. Employment
  - a. Termination



- b. Employment Conditions
  - c. Other
- 3. Family
  - a. Child Custody
  - b. Divorce
  - c. Parental Responsibility
  - d. Other
- 4. Housing
  - a. Rent
  - b. Other
- 5. Money
  - a. Bankruptcy
  - b. Debts and Mortgages
  - c. Wills
  - d. Other
- 6. Personal Injury
- 7. Property
- 8. Rights
  - a. Civil Registration
  - b. Economic Aid and Social Housing
  - c. Other

The following table delineates the composition of the 924 legal issues by problem group. There is an obvious disproportionate number of legal issues associated with family and rights issues. The sum of these categories makes up 57.7% of the entire group of cases identified through telephone interviews. In a way, this should not be surprising. After all, our sample was self-selected among disadvantaged individuals. Given the relatively high number of Roma and disabled individuals in our sample, issues like civil registration, economic aid, and divorce had to be ubiquitous. On the other hand, the less popular issues were those related to money and housing. These results can be explained by the scarce ability of the subjects in our focus sample to rent or borrow money.

Table 2: Legal Problems by Problem Group (Telephone Interviews)

Problem Group	N	%
Crime	69	7.5
Employment	125	13.5
Family	211	22.8
Housing	23	2.5
Money	27	2.9
Personal Injury	52	5.6
Property	95	10.3
Rights	322	34.9
Total	924	100

#### 4.1.2 Factors Influencing the Prevalence of Legal Problems

After describing the number and groups of the identified legal problems, we turn our attention to the demographic and social factors that influence the chances of facing a legal issue. For this reason, we use a binary logistic regression regarding the prevalence of legal problems. Our dependent variable is the experience of at least one legal issue in the last twelve months (which can receive only two values “0” for “No” and “1” for “Yes”) and several demographic and socio-economic indicators serve as independent variables. In other words, we want to find which categories are more inclined and how much more to face a legal issue. The table below shows the factors that are independently statistically significant<sup>10</sup> and their respective effects on frequency of legal problems. The variables under consideration are age, gender, employment status, the highest level of education attained, ethnicity, disability, and residence.

Table 3: Regression Summary regarding Prevalence of Legal Problems (Telephone Interviews)

Variable	Categories Compared	Odds Ratio
Age Groups	14-24  64+	1.7
	25-44  64+	1.4
	45-64  64+	1.3

<sup>10</sup> Our chosen level of statistical significance is  $p < 0.05$ . In layman terms, it implies that with 95% certainty the effects captured in our sample hold true for the respective general population as well. On the other hand, these results are 5% likely to be the consequences of inherent and unavoidable sampling errors.

Gender	Female  Male	1.5
Employment Status	Unemployed  Employed	1.9
	Retiree  Employed	0.7
Ethnicity	Roma  Albanian	2.6
Disability	Disability  No disability	3.1
Non-significant variables include highest level of education attained and residence <sup>11</sup>		
N = 924		

An odds ratio higher than 1 entails that the first category has higher chances of facing legal issues than the second (reference) category, and vice versa. The absolute value of the odds ratio stands for the likeliness of the first group to possess the dependent variable (in our case to have experienced a legal problem in the last 12 months) compared to the reference group. For example, an odds ratio of 2.0 entails that the first group is twice more likely to experience legal problems than the reference group.<sup>12</sup> Regarding Table 3, the first odds ratio implies that individuals between 14 and 24 years old are 1.7 times more likely than people above 64 years old to experience legal problems. Keep in mind that our sample represents economically disadvantaged individuals, and these relationships refer only to this category. Individuals between 25-44 years and those between 45-64 are respectively 1.4 and 1.3 times more prone to legal issues than older people. Women are 50% more vulnerable than men, and unemployed almost twice more affected than employed individuals. Roma community faces on average 2.6 times more challenges than those with an Albanian origin, while individuals with disabilities have significantly higher odds, 3.1, to face legal challenges.

Therefore, the most vulnerable individuals among economically disadvantaged, in a decreasing order, are:

1. Individuals with disabilities
2. Roma people
3. Unemployed
4. Individuals between 14 and 24 years old

<sup>11</sup> The level of statistical significance for these variables is  $p > 0.05$ , which does not allow to conclude with this level of certainty (95%) that there is an effect.

<sup>12</sup> Reference groups are chosen arbitrarily for purely convenience reasons, i.e., to have most of odds ratios higher than 1.

5. Females
6. Employed
7. Individuals between 25 and 44 years old
8. Individuals between 45 and 64 years old

### 4.1.3 Factors Influencing the Type of Legal Problems

To assess which factors influence each type of legal problem, 8 binary logistic regressions, with a different dependent variable (DV) representing each category, are necessary. However, logistic regressions require a sample of at least 100 observations (Peduzzi et al., 1996). For this reason, the only legal problem groups that we can analyze are those related to rights, family, and employment.

#### 4.1.3.1 Rights, Family, and Employment

*Table 4: Regression Summary regarding Prevalence of Rights Problems (Telephone Interviews)*

Variable	Categories Compared	Odds Ratio
Age Groups	14-24  64+	2.1
	25-44  64+	1.5
	45-64  64+	1.9
Gender	Female  Male	0.9
Employment Status	Unemployed  Employed	2.4
Ethnicity	Roma  Albanian	3.9
Disability	Disability  No disability	3.7
Highest Level of Education	Primary  University	1.3
Non-significant variables include residence		

N = 322

The explanations to these odds ratios are not different from those given for Table 3. We notice that certain factors are now more important in predicting the chances to face a legal problem related to rights than legal problems in general. For example, being a Roma makes one 3.9 times more vulnerable to this group of legal issues than one identified in the majority group of Albanians. People with disabilities face problems with rights 3.7 times more often than people without disabilities. The age group with the highest odds to experience potential violation of

rights is that of young people (14-24 years old). On the other hand, regarding only legal issues related to rights, males are more vulnerable than females. Another difference from the Table 3 is that one category of the variable “Highest Level of Education” has become a statistically significant factor in predicting the occurrence of legal problems. Individuals who had not received a high-school diploma by the time of this survey had odds of experiencing legal problems related to violation of rights 1.3 times as high as those with a college degree.

The most vulnerable groups among economically disadvantaged regarding the violation of rights, in a decreasing order, are:

1. Roma people
2. Individuals with disabilities
3. Unemployed
4. Individuals between 14 and 24 years old
5. Individuals between 45 and 64 years old
6. Individuals between 25 and 44 years old
7. Individuals without a high-school diploma
8. Males

Tables 5 and 6 emulate the work done for problems related to violation of rights for problems related to the fields of family and employment. Thus, we consider further explanations to be redundant.

*Table 5: Regression Summary regarding Prevalence of Family Problems (Telephone Interviews)*

Variable	Categories Compared	Odds Ratio
Age Groups	14-24  64+	1.4
	25-44  64+	1.7
Gender	Female  Male	2.3
Employment Status	Unemployed  Employed	1.1
Ethnicity	Roma  Albanian	3.5
Disability	Disability  No disability	1.3
Non-significant variables highest level of education attained and residence		

N = 211

The most vulnerable groups among economically disadvantaged regarding family issues, in a decreasing order, are:

1. Roma people
2. Females
3. Individuals between 25 and 44 years old
4. Individuals between 14 and 24 years old
5. Individuals with disabilities
6. Unemployed

*Table 6: Regression Summary regarding Prevalence of Employment Problems (Telephone Interviews)*

Variable	Categories Compared	Odds Ratio
Age Groups	14-24  64+	1.9
	25-44  64+	1.8
	45-64  64+	2
Gender	Female  Male	1.1
Employment Status	Unemployed  Employed	2.3
Ethnicity	Roma  Albanian	1.7
Disability	Disability  No disability	1.5
Non-significant variables include highest level of education attained and residence		

N = 125

The most vulnerable groups among economically disadvantaged regarding employment issues, in a decreasing order, are:

1. Unemployed
2. Individuals between 45 and 64 years old
3. Individuals between 14 and 24 years old
4. Individuals between 25 and 44 years old
5. Roma people
6. Individuals with disabilities
7. Females

## 4.2 Written Questionnaires

This section repeats the work done previously for the data received from the written questionnaires. The only difference is that we did not study the general prevalence of legal problems and its influencing factors. The latter would be meaningless, given that, as aforementioned, to avoid an extremely biased sample, we decided to limit our sample and cover only individuals who had faced at least one legal issue in the last 12 months. Thus, the prevalence rate in this sample is 100%. Yet, we can still analyze the presence of multiple legal problems and their distribution by problem groups.

The cumulative distribution table delineates how a small number of subjects account for a disproportionate number of legal problems encountered. For example, only 7.4% of the individuals faced more than 2 legal issues last year, yet their experiences comprise 17.7% of the whole group.

*Table 7: Cumulative Frequency Distribution of Legal Problems (Written Questionnaires)*

Problems for respondent	All respondents		All problems	
	N	Cumulative %	N	Cumulative %
1	714	71.3	714	51.5
2	213	92.6	426	82.3
3	58	98.4	174	94.8
4	13	99.7	52	98.6
5	4	100	20	100
Total	1002		1386	

### 4.2.1 Different Types of Legal Problems

This section follows the same classification as that used in section 4.1.1. The following table delineates the composition of the 1386 legal issues by groups. The most pervasive group of legal problems that individuals in our sample faced was that related to crime, including crime offenders and victims. This category made up for almost one-quarter of the observations of the whole sample. Other frequent legal issues were those related to family and

property. On the other hand, housing, personal injury, and rights issues were less problematic for our relevant sample.<sup>13</sup>

*Table 8: Legal Problems by Group (Written Questionnaires)*

Problem Group	N	%
Crime	355	25.6
Employment	148	10.7
Family	254	18.3
Housing	69	5
Money	151	10.9
Personal Injury	89	6.4
Property	223	16.1
Rights	97	7
Total	1386	100

#### 4.2.2 Factors Influencing the Type of Legal Problems

To assess which factors, influence each type of legal problem, 8 binary logistic regressions, with a different dependent variable (DV) representing each category, are necessary. Yet, as said before, logistic regressions require a sample of at least 100 observations, so the only legal problem groups that we can analyze are those related to crime, family, property, money, and employment.

##### 4.2.2.1 Crime, Family, Property, Money, and Employment

*Table 9: Regression Summary regarding Prevalence of Crime Issues (Written Questionnaires)*

Variable	Categories Compared	Odds Ratio
Age Groups	14-24  64+	1.9
	25-44  64+	1.5
	45-64  64+	1.1

<sup>13</sup> Given that these results are mostly in line with the statistics provided by district courts on the spread of legal problems by type, we are confident that our working sample is representative of the individuals who have faced at least one legal problem during the last year.



Gender	Female  Male	0.7
Employment Status	Unemployed  Employed	2.1
Highest Level of Education	Primary  University	1.4
Household Income	Below Mean  Above Mean	1.4
Disability	Disability  No disability	0.5
Non-significant variables include ethnicity		
N = 355		

The interpretation of the results of Table 9 is similar to the analyses carried in the former sections. Unemployed are twice more likely to face issues related to crime, either as crime offenders or victims, than employed.<sup>14</sup> Males have odds of experiencing legal problems related to crime 1.4 times as high as females.

The most vulnerable groups, among people who have experienced at least one legal problem related to crime in the last year, in a decreasing order, are:

1. Unemployed
2. Individuals without disabilities
3. Individuals between 14 and 24 years old
4. Individuals between 25 and 44 years old
5. Males
6. Individuals, whose household's income falls below the mean of Albania's GDP per capita
7. Individuals without a high-school diploma
8. Individuals between 45 and 64 years old

*Table 10:Regression Summary regarding Prevalence of Family Issues (Written Questionnaires)*

Variable	Categories Compared	Odds Ratio
Age Groups	14-24  64+	0.8
	25-44  64+	1.6
Gender	Female  Male	1.9
Employment Status	Unemployed  Employed	1.8

<sup>14</sup> Keep in mind the general population on which we are drawing inferences on. These results hold true for people who have faced at least one legal issue last year.

Ethnicity	Roma  Albanian	1.3
Household Income	Below Mean  Above Mean	1.7
Non-significant variables include highest level of education attained and disability		
N = 254		

The most vulnerable groups, among people who have experienced at least one legal problem related to family in the last year, in a decreasing order, are:

1. Females
2. Unemployed
3. Individuals, whose household's income fall below the mean of Albania's GDP per capita
4. Individuals between 25 and 44 years old
5. Roma people
6. Individuals older than 64 years old

*Table 11:Regression Summary regarding Prevalence of Property Issues (Written Questionnaires)*

Variable	Categories Compared	Odds Ratio
Age Groups	14-24  64+	0.8
	25-44  64+	1.3
	45-64  64+	1.6
Gender	Female  Male	0.4
Ethnicity	Roma  Albanian	0.3
Disability	Disability  No disability	0.7
Non-significant variables include highest level of education attained, employment status, and level of household income		
N = 223		

The most vulnerable groups, among people who have experienced at least one legal problem related to property in the last year, in a decreasing order, are:

1. People with Albanian ethnicity
2. Males
3. Individuals between 45 and 64 years old

4. Individuals without disabilities
5. Individuals between 25 and 44 years old
6. Individuals older than 64 years old

*Table 12: Regression Summary regarding Prevalence of Money Issues (Written Questionnaires)*

Variable	Categories Compared	Odds Ratio
Age Groups	14-24  64+	0.9
	25-44  64+	1.1
Employment Status	Unemployed  Employed	1.5
Household Income	Below Mean  Above Mean	1.6
Non-significant variables include gender, ethnicity, highest level of education attained, and disability		
N = 151		

The most vulnerable groups, among people who have experienced at least one legal problem related to money in the last year, in a decreasing order, are:

1. Individuals, whose household's income fall below the mean of Albania's GDP per capita
2. Unemployed
3. Individuals between 25 and 44 years old
4. Individuals older than 64 years old

*Table 13: Regression Summary regarding Prevalence of Employment Issues (Written Questionnaires)*

Variable	Categories Compared	Odds Ratio
Age Groups	14-24  64+	1.2
	25-44  64+	1.7
	45-64  64+	1.5
Gender	Female  Male	1.4
Ethnicity	Roma  Albanian	0.8
Household Income	Below Mean  Above Mean	1.2
Disability	Disability  No disability	1.2
Non-significant variables include highest level of education attained and employment status		
N = 148		

The most vulnerable groups, among people who have experienced at least one legal problem related to employment in the last year, in a decreasing order, are:

1. Individuals between 25 and 44 years old
2. Individuals between 45 and 64 years old
3. Females
4. Roma people
5. Individuals, whose household's income fall below the mean of Albania's GDP per capita
6. Individuals with disabilities
7. Individuals between 14 and 24 years old

## **5. Detrimental Consequences of Legal Problems**

### **5.1 Telephone Interviews**

Respondents were asked about the potential adverse consequences that legal problems had on their everyday lives. During telephone interviews, we allowed subjects to describe these effects in their own words, and then we classified them into four categories: none, slight, moderate, and severe. Out of 695 respondents that had faced at least one accident in the last 12 months, 37 reported that the problem(s) had no effects on their personal lives, 215 reported slight effects, 278 moderate consequences, and 165 severe ones.

Figure 8: Detrimental Effects of Legal Problems (Telephone Interviews)

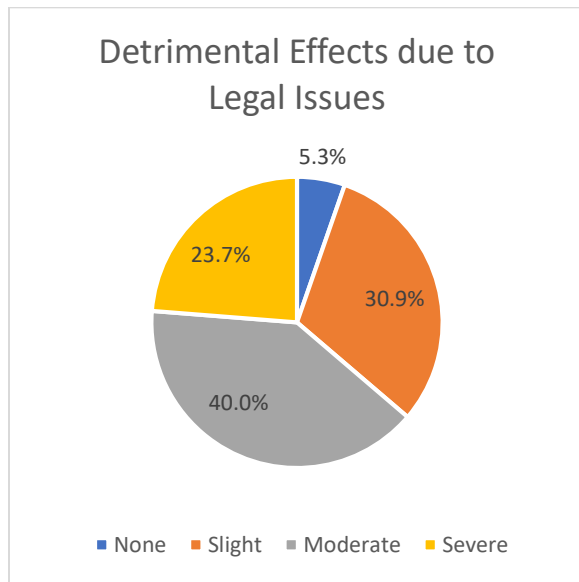
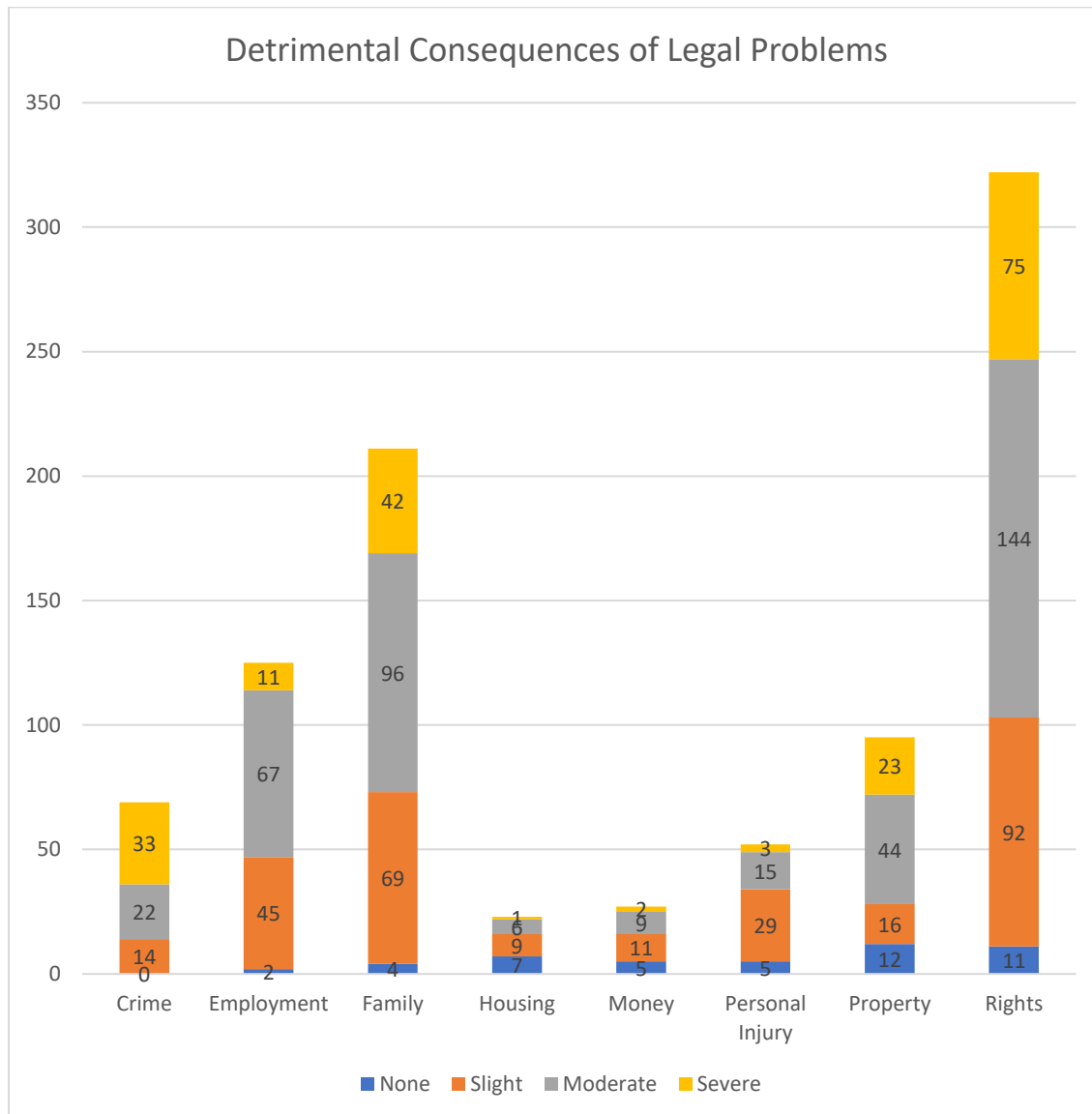


Figure 9 delineates the composition of these effects by problem group. Not surprising, all the individuals facing legal problems related to crime reported some adverse consequences on their everyday life. Issues related to money and housing generate, relatively, less detrimental consequences.

Figure 9: Detrimental Consequences of Legal Problems by Problem Group (Telephone Interviews)<sup>15</sup>



## 5.2 Written Questionnaires

Similarly, the question no. 20 of the questionnaire asked the subjects to rate the adverse consequences that legal problems had caused in their everyday lives. As in the telephone interviews, we asked subjects to classify their response on a four-item scale. Out of 1002

<sup>15</sup> One can notice that the sum of all groups in this figure is 924, while in the last paragraph we mentioned 695 recordings, one for each respondent. Keep in mind that some respondents had experienced more than 1 legal issue in the last year, and we asked them to give a general assessment of the consequences of all the problems.

subjects, 144 reported that the problem(s) had no effects on their personal lives, 299 reported slight effects, 340 moderate consequences, and 219 severe ones.

*Figure 10: Detrimental Effects of Legal Problems (Written Questionnaires)*

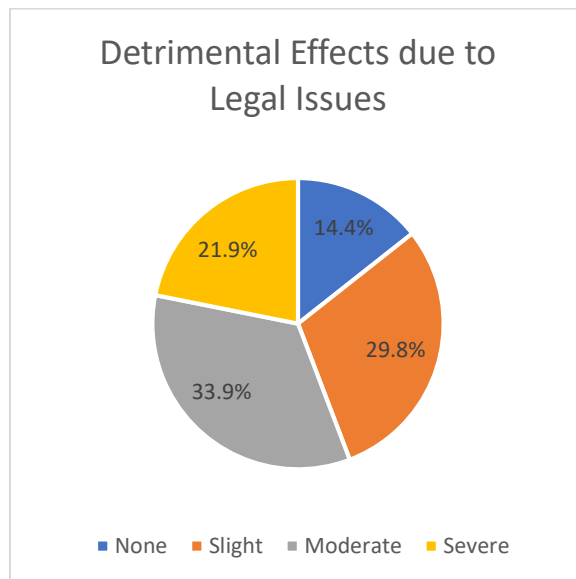
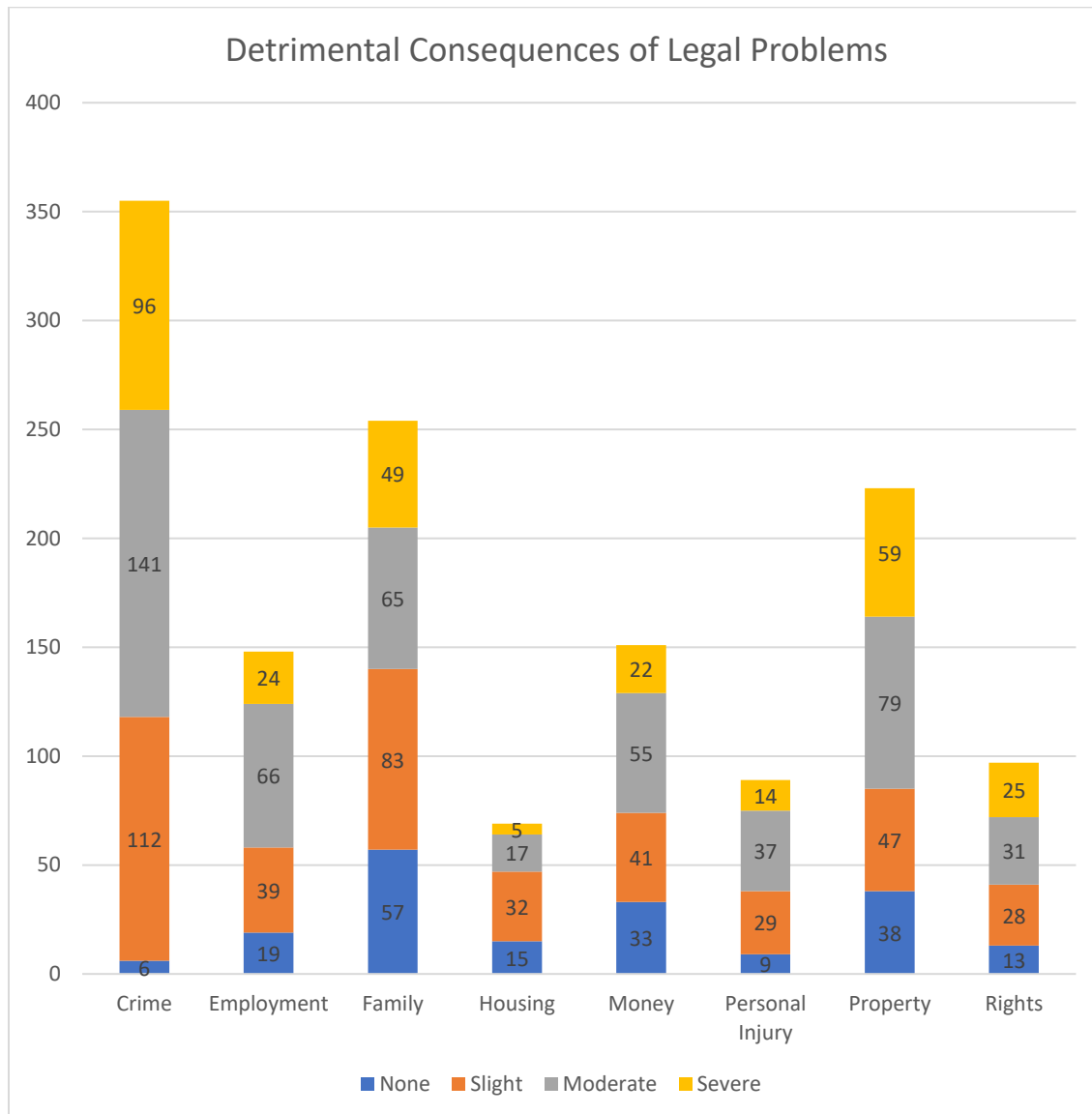


Figure 11 shows the composition of these effects by problem group. The results of our working sample confirm that people, who had at least one legal issue last year, suffered more in their lives from issues related to crime and property compared to housing or money.

Figure 11: Detrimental Consequences of Legal Problems by Problem Group (Written Questionnaires)<sup>16</sup>



## 6. Responses to Legal Problems

### 6.1 Telephone Interviews

<sup>16</sup> Similar discussion as above, the discrepancy between 1002 and 1386 observations is explained by the prevalence of multiple legal problems.



After assessing the respondents' legal issues in the past year, we asked them on the employed responsive strategies. We categorized their responses into three main groups:

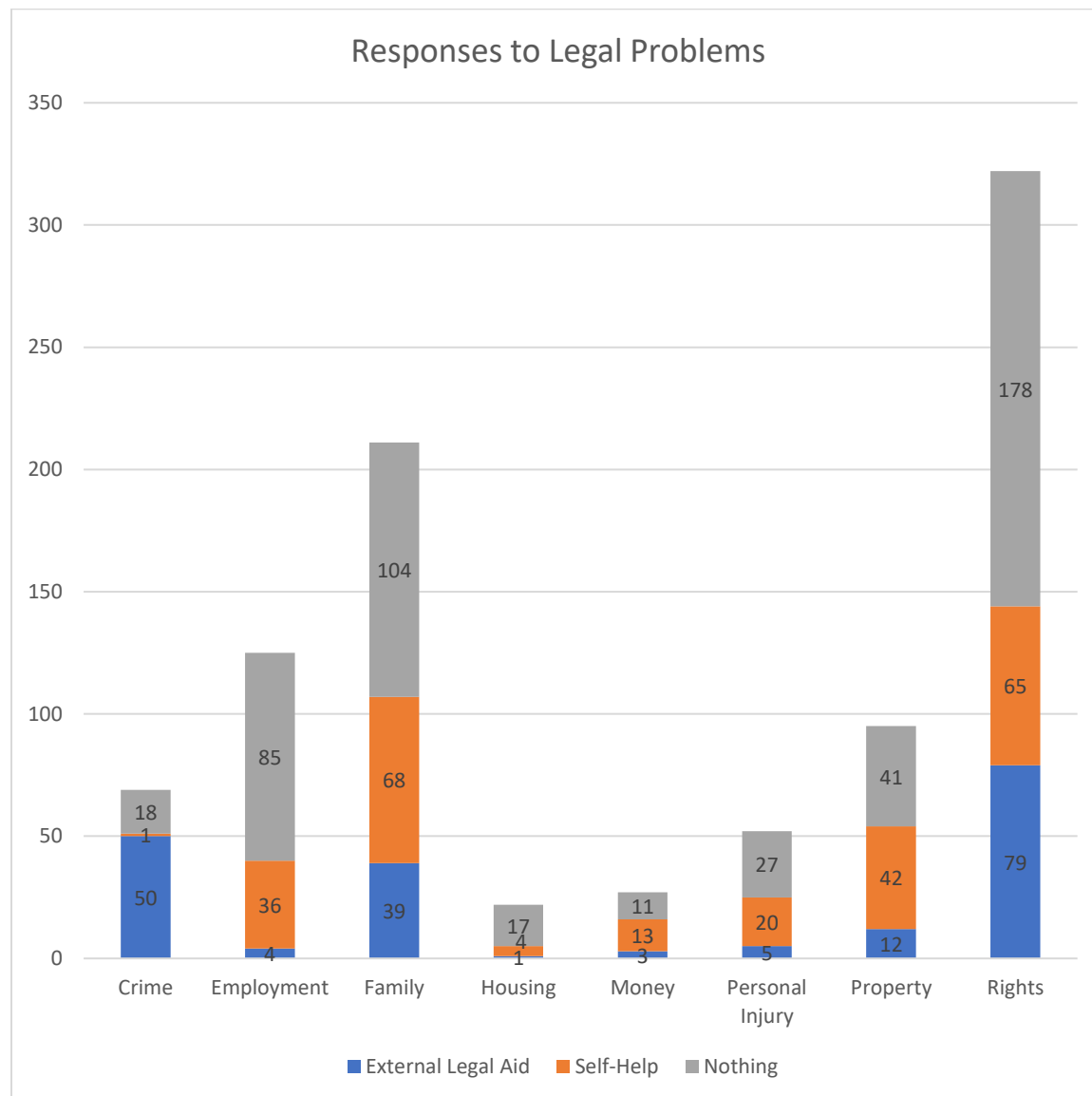
1. Seeking legal aid from other persons
  - a. Paid lawyer
  - b. Public defender
  - c. Unpaid adviser (friend or relative)
  - d. NGOs offering free legal aid
2. Self-help (through websites or guide books)
3. Nothing

The distribution of the 695 responses is reflected in the table below. It is worth mentioning that all people with multiple legal issues followed the same strategy for all their cases. Our working sample demonstrates that only 5 individuals used a paid lawyer — which is fully in line with our conditions for a self-selected sample of individuals who cannot afford a legal dispute. Almost 26% of the respondents asked for help from external sources — most of them (17.5%) from NGOs offering free legal services. Another 26% attempted to address these problems by themselves, and a staggering 48% did not employ any strategy in response to their legal problems.

*Table 14: Type of Response to Legal Problems (Telephone Interviews)*

Type of response	N
Seeking legal aid from other persons	
Paid lawyer	5
Public defender	48
Unpaid adviser	9
NGOs	122
Self-help	179
Nothing	332
Total	695

Figure 12: Responses to Legal Problems by Problem Group (Telephone Interviews)



### 6.1.1 Demographic and Socio-Economic Factors Influencing Responses to Legal Problems

The last section demonstrated that only a small part of economically disadvantaged people seeks legal aid to address their problems. For this reason, this sub-chapter and the following will analyze the reasons behind this choice. First, we use binary logistic regression, as we did in the fourth chapter, to assess the demographic and socio-economic factors behind this choice. The next subsection turns to logistics problems and personal choices that were analyzed through the other questions of the interview.

Our binary logistic regression uses as the dependent variable (DV) the response to legal problems. This DV was coded as a dichotomous variable, distinguishing between those people that sought legal aid from other persons and those who did not, including those who used a self-help strategy and those who did not employ any strategy. The independent variables (IV) are the same as the ones used in Chapter 4, age, gender, employment status, the highest level of education attained, disability status, ethnicity, and residence. We still use a level of significance of 0.05,  $p < 0.05$ , which to recall, entails that with 95% certainty our sample's findings represent the mechanisms of the general population correctly.

*Table 15: Regression Summary regarding Responses to Legal Problems (Telephone Interviews)*

Variable	Categories Compared	Odds Ratio
Age Groups	14-24  64+	1.3
Gender	Female  Male	1.4
Employment Status	Unemployed  Employed	1.7
	Retiree  Employed	1.1
Ethnicity	Roma  Albanian	2.3
Disability	Disability  No disability	1.4
Highest Level of Education	Primary  University	1.9
Residence	Not in Tirana  Tirana	1.5

N = 924

Recall that an odds ratio higher than 1 implies that the first category has higher chances of achieving the DV than the second (reference) category, and vice versa. Given our choice of reference categories and to not confuse the reader with odds ratios smaller than 1, we decided to recode our DV. Thus, the odds ratios of Table 15 reflect the likelihood of not seeking external legal aid. The opposite (the likelihood to seek external legal aid) can be calculated by dividing 1 with each of the odds ratios.

Table 15 asserts that the Roma people are 2.3 times more likely not to seek legal aid than their Albanian counterpart. Individuals that do not live in Tirana have odds 1.5 times as high as those who reside in Tirana to not use external aid. In conclusion, among economically

disadvantaged individuals, groups, most likely to not seek external legal aid, in a decreasing order, are:

1. Roma people
2. Individuals without a high-school diploma
3. Unemployed
4. Individuals who do not reside in Tirana
5. Females
6. Individuals with disabilities
7. Individuals between 14 and 24 years old
8. Retirees

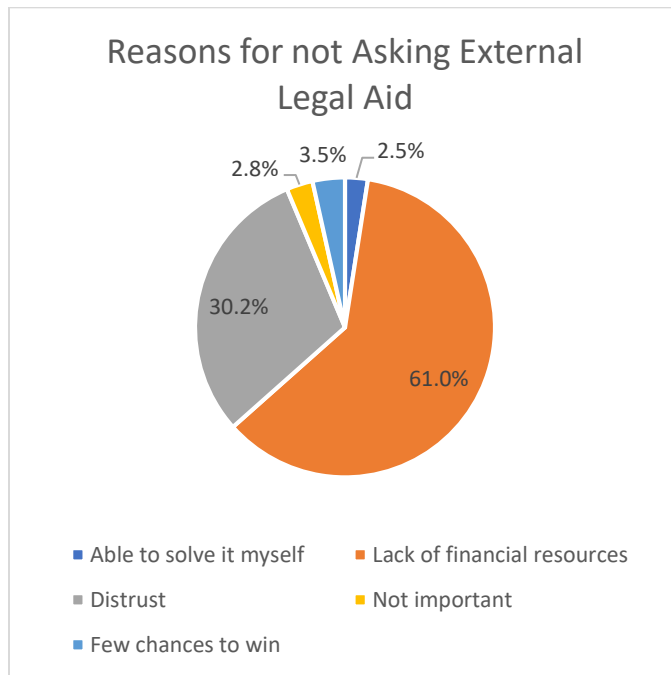
### **6.1.2 Logistics Factors Influencing Responses to Legal Problems**

The respondents that had not seek external aid to address their issues (N = 511) were asked a series of other questions to unravel their motives behind this choice. First, we asked them to name the reasons behind their decisions, in their own words. We classified their reasons into five categories:

1. Able to solve it myself
2. Lack of financial resources
3. Distrust in institutions providing external legal help
4. Case not that important to seek external help
5. Few chances to win

The chart below delineates the motivations of those individuals that chose not to seek aid. Most cases were not addressed properly due to lack of financial resources. The second most popular reason for not seeking aid was distrust. Ability to solve a case oneself, scarce chances to win, or the non-importance of the particular case were insubstantial factors as they accounted for less than 9% of the observations.

Figure 13: Reasons for not Asking External Legal Aid (Telephone Interviews)<sup>17</sup>

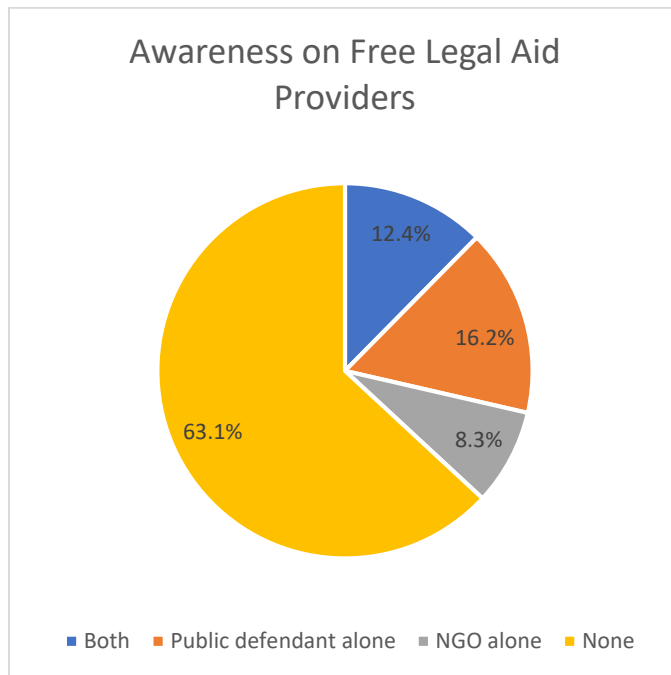


We went one step further and asked individuals who answered, “lack of financial resources” to the question above, whether they had knowledge on the opportunity to receive free legal aid from public defenders and specialized NGOs. As Figure 14 shows, more than 60% of these respondents did not have any knowledge (or had insufficient knowledge) on either of these structures. On the other hand, approximately 12% were aware of the opportunities provided by

<sup>17</sup> The sample represented by this graph is larger than 511 (774), given the multiple legal issues faced by some individuals, and, also, the multiple reasons behind the decision of some other people.

both types of institutions, 16% only of public defendants, and 8% only of NGOs offering free legal aid services.

*Figure 14: Awareness on Institutions that Provide Free Legal Aid (Telephone Interviews)*



## 6.2 Written Questionnaires

Questions no. 15 and 16 of the questionnaire asked for the strategies employed by the subjects in response to each of the legal issues encountered, during the last twelve months. Using the results of the telephone interviews, we allowed for the following options to be checked:

1. Seeking legal aid from other persons
  - e. Paid lawyer
  - f. Public defender
  - g. Unpaid adviser (friend or relative)
  - h. NGOs offering free legal aid

2. Self-help (through websites or guide books)
3. Nothing

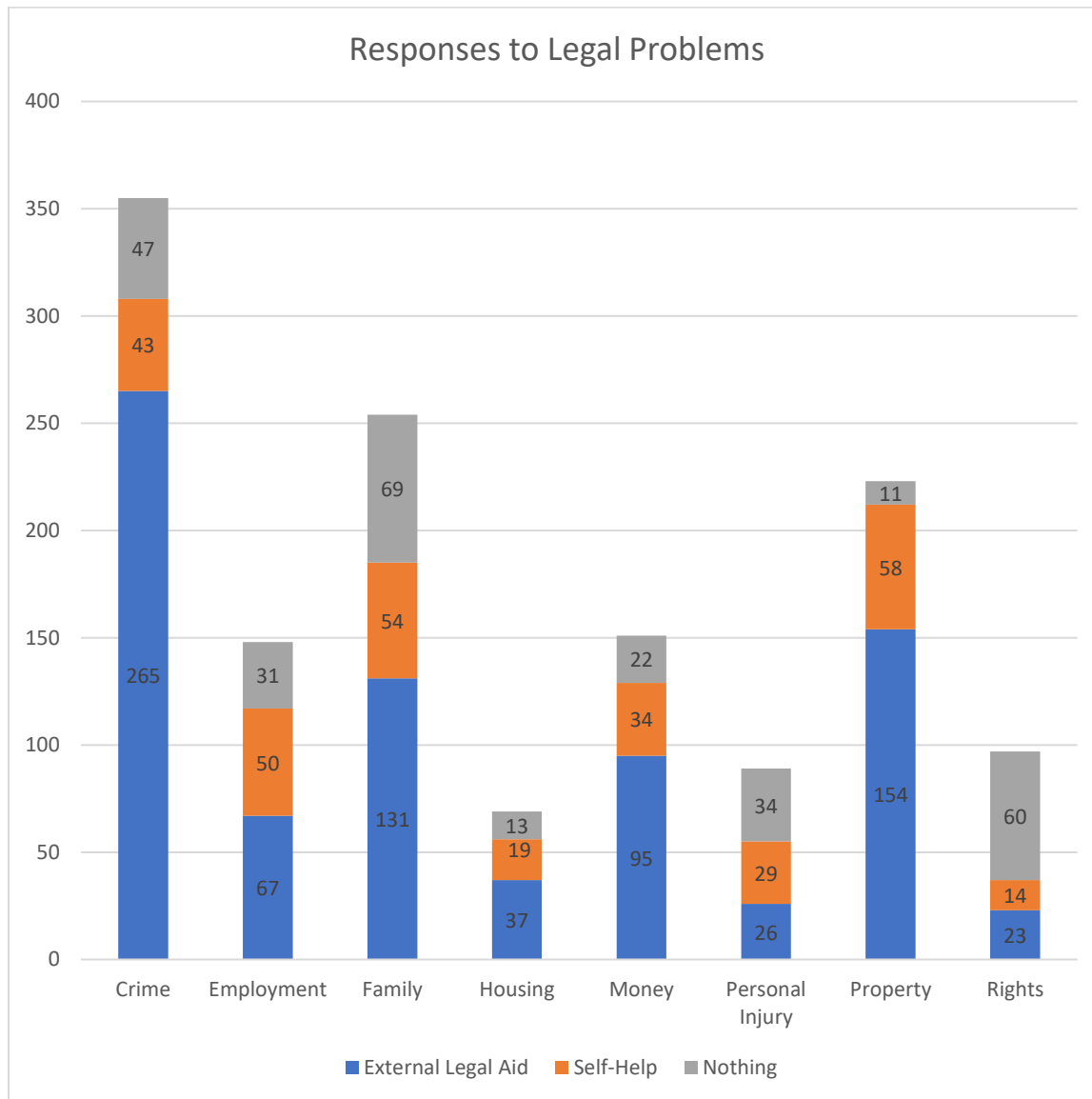
Table 16 tells us that contrary to the economically disadvantaged, paying a lawyer is a common — the most common — strategy among Albanians that have faced at least one legal issue in the last year. Almost 40% of the identified cases<sup>18</sup> were addressed to a private lawyer. More than 10% of the cases were served by a public defender, and “only” for 42% of the cases, the subjects did not seek external legal aid. Among the latter, we distinguish between those cases that were responded with a self-made strategy (21.7%) and those cases that were not addressed at all (20.7%).

*Table 16: Types of Response to Legal Problems (Written Questionnaires)*

Type of response	N
<b>Seeking legal aid from other persons</b>	
Paid lawyer	550
Public defender	148
Unpaid adviser	12
NGOs	88
Self-help	301
Nothing	287
Total	1386

<sup>18</sup> We talk about cases, not about individuals, because several individuals with multiple legal problems in our sample admitted having used different strategies for different cases (in contrast to the respondents in the other sample).

Figure 15: Responses to Legal Problems by Problem Group (Written Questionnaires)



### 6.2.1 Demographic and Socio-Economic Factors Influencing Responses to Legal Problems



As in section 6.1.1, we use binary logistic regression to estimate the effects of the demographic and socio-economic factors on the strategies used in response to legal problems. Our binary logistic regression uses as the dependent variable (DV) the response to legal problems. This DV was coded as a dichotomous variable, distinguishing between those people that sought legal aid from other persons and those who did not, including those who used a self-help strategy and those who did not employ any strategy. The independent variables (IV) are the same as the ones used in Chapter 4, age, gender, employment status, the highest level of education attained, disability status, ethnicity, and household level of income. We still use a level of significance of 0.05,  $p < 0.05$ , which to recall, entails that with 95% certainty our sample's findings represent the mechanisms of the general population correctly.

*Table 17: Regression Summary regarding Responses to Legal Problems (Written Questionnaires)*

Variable	Categories Compared	Odds Ratio
Gender	Female  Male	1.1
Employment Status	Unemployed  Employed	1.9
Ethnicity	Roma  Albanian	3.2
Disability	Disability  No disability	2.1
Income	Below Mean  Above Mean	2.4
Non-significant variables include age and highest level of education attained		
N = 1386		

As for Table 15, given our choice of reference categories and to not confuse the reader with odds ratios smaller than 1, we decided to recode our DV. Thus, the odds ratios of Table 17 reflect the likelihood of not seeking external legal aid. The opposite (the likelihood to seek external legal aid) can be calculated by dividing 1 with each of the odds ratios.

Among individuals that have faced at least one legal problem in the last year, groups, most likely to not seek external legal aid, in a decreasing order, are:

1. Roma people
2. Individuals, whose household's income falls below the mean of Albania's GDP per capita

3. Individuals with disabilities
4. Unemployed
5. Females

### 6.2.2 Logistics Factors Influencing Responses to Legal Problems

Questions no. 17 – 19 of the questionnaire attempt to unravel the reasons that might have led the subjects not to seek legal aid for their problems. The following graphs provide a comprehensive picture of the underlying mechanisms. Out of the 588 cases for which no external aid was sought, more than half (312) were incited by financial constraints. From this number, only 34% (106) did not have knowledge (or had partial knowledge) on institutions that provide free legal aid, state nor NGOs.

*Figure 16: Reasons for not Asking External Legal Aid (Written Questionnaires)*

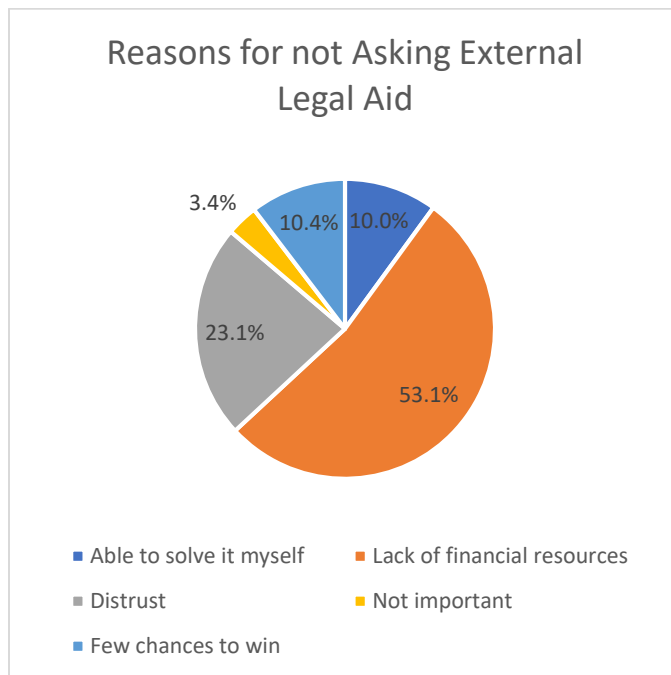
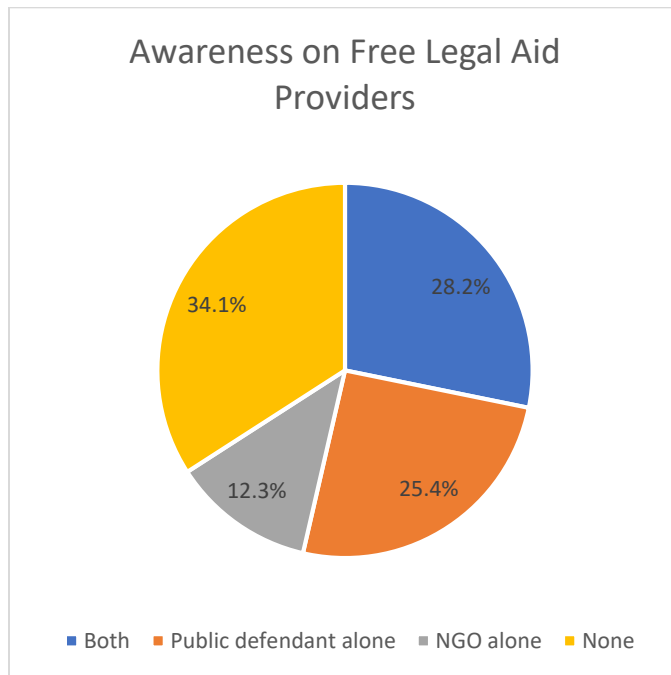


Figure 17: Awareness on Institutions that Provide Free Legal Aid (Written Questionnaires)



## 7. Outcome of Legal Problems

The last question to be addressed by this survey relates to the outcome of the legal problems.

Were they finalized? How many of them were solved in total and for each problem group?

Which factors affected the outcome? These are some of the questions, which Chapter 7 aims to address.

### 7.1 Telephone Interviews

Out of the 695 subjects that had dealt with at least one legal issue last year, only 148 stated to have solved all their problems. 27 respondents claimed to have solved only a part of their issues, and an overwhelming majority, 520 individuals, asserted that they had not been able to solve any of their legal concerns.

Figure 18: Outcome of Legal Issues (Telephone Interviews)

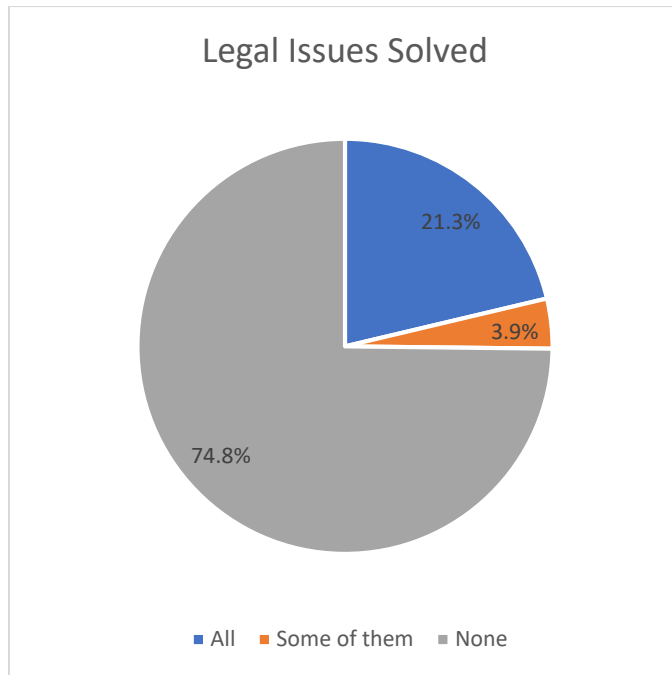
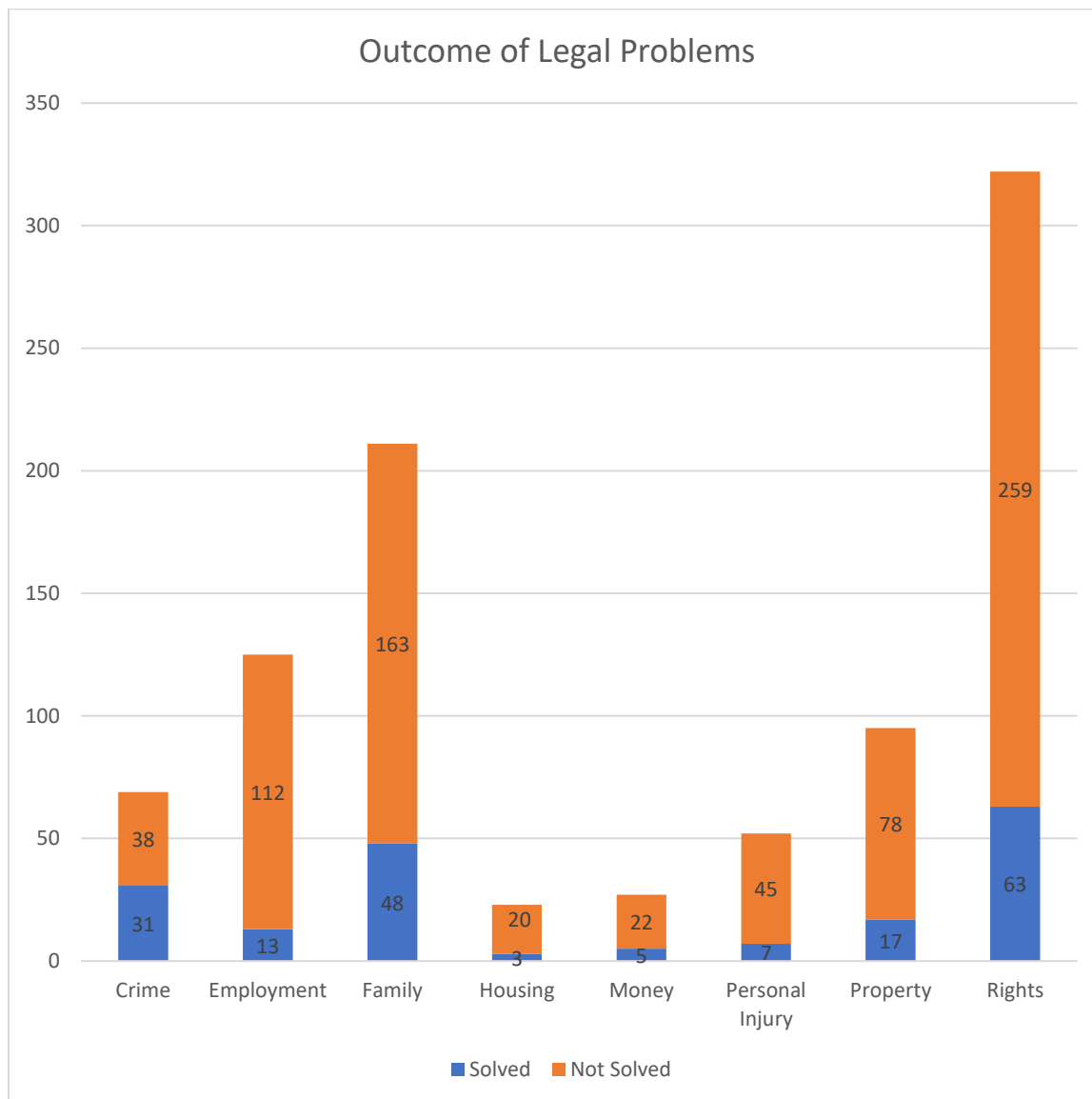


Figure 19: Outcome of Legal Problems by Problem Group (Telephone Interviews)



### 7.1.1 Factors Influencing Responses to Legal Problems

As with the prevalence of legal problems and responses to them, we carry a multivariate analysis to evaluate the factors that affected their outcome. The relevant binary logistic regression uses as the dependent variable (DV) the outcome of legal problems. This DV was coded as a dichotomous variable, distinguishing between solved and unsolved cases. The independent variables (IV) include age, gender, employment status, the highest level of education attained, disability status, ethnicity, and residence, but also the DV of Chapter 6,

seeking or not external aid. The inclusion of the latter reflected our belief that people who sought legal help had better chances to solve their legal problems. We used even in this case a level of significance of 0.05,  $p < 0.05$ .

*Table 18: Regression Summary regarding Outcome of Legal Problems (Telephone Interviews)*

Variable	Categories Compared	Odds Ratio
Age Groups	14-24  64+	1.3
	25-44  64+	1.1
Response Strategy	Legal Aid  No Legal Aid	2.7
Employment Status	Unemployed  Employed	1.3
Ethnicity	Roma  Albanian	1.7
Highest Level of Education	Primary  University	1.8
	Secondary  University	1.4
Non-significant variables include residence, disability, and gender		

N = 924

Given our choice of reference categories and to not confuse the reader with odds ratios smaller than 1, we decided to recode our DV. Thus, the odds ratios of Table 18 reflect the likelihood of not finalizing their legal problems. The opposite (the likelihood to solve the legal issues) can be calculated by dividing 1 with each of the odds ratios.

Among economically disadvantaged individuals, groups, most likely to not solve their legal problems, in a decreasing order, are:

1. People who do not seek external legal aid
2. Individuals without a high school diploma
3. Roma people
4. Individuals without a college degree
5. Unemployed
6. Individuals between 14 and 24 years old
7. Individuals between 25 and 44 years old

## 7.2 Written Questionnaires

Out of the 1002 subjects that had dealt with at least one legal issue last year, the largest part, 498, stated to have solved all their problems, 93 claimed to have solved only a part of their issues, and 411 individuals asserted that they had not been able to solve any of their legal concerns.

*Figure 20: Outcome of Legal Issues (Written Questionnaires)*

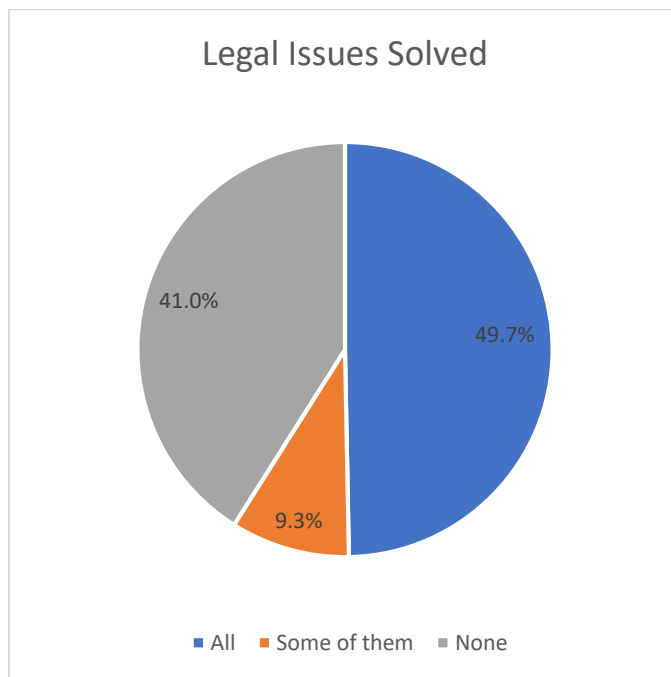
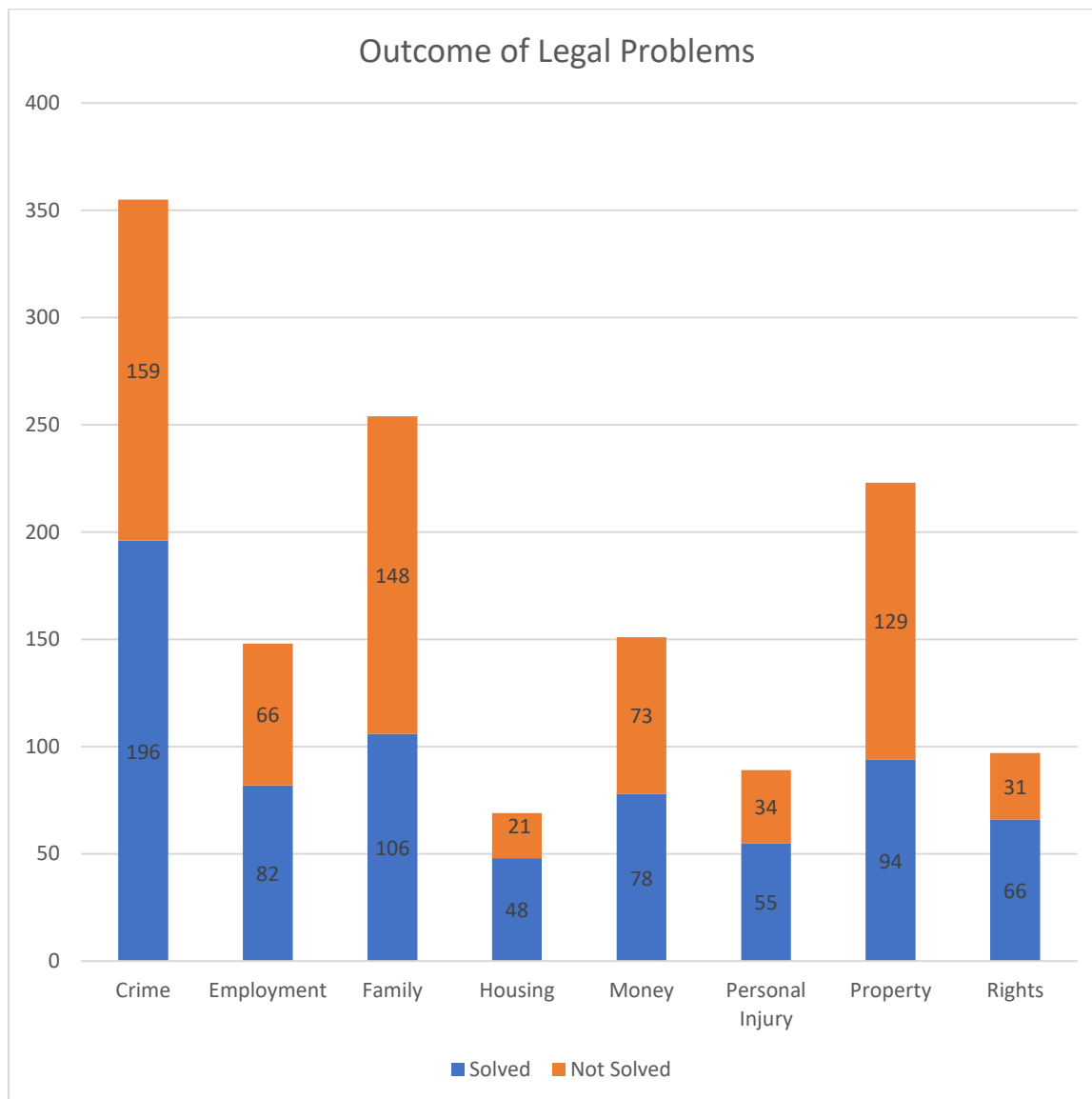


Figure 21: Outcome of Legal Problems by Problem Group (Written Questionnaires)



### 7.2.1 Factors Influencing Responses to Legal Problems

As with the prevalence of legal problems and responses to them, we carry a multivariate analysis to evaluate the factors that affected their outcome. The relevant binary logistic regression uses as the dependent variable (DV) the outcome of legal problems. This DV was coded as a dichotomous variable, distinguishing between solved and unsolved cases. The independent variables (IV) include age, gender, employment status, the highest level of



education attained, disability status, ethnicity, and household income, but also the DV of Chapter 6, seeking or not external aid. We used even in this case a level of significance of 0.05,  $p < 0.05$ .

*Table 19: Regression Summary regarding Outcome of Legal Problems (Written Questionnaires)*

Variable	Categories Compared	Odds Ratio
Age Groups	14-24  64+	1.3
Response Strategy	Legal Aid  No Legal Aid	1.9
Ethnicity	Roma  Albanian	1.6
Household Income	Below Mean  Above Mean	2.2
Non-significant variables include disability status, highest level of education, employment status, and gender		
N = 1386		

Given our choice of reference categories and to not confuse the reader with odds ratios smaller than 1, we decided to recode our DV. Thus, the odds ratios of Table 19 reflect the likelihood of not finalizing their legal problems. The opposite (the likelihood to solve the legal issues) can be calculated by dividing 1 with each of the odds ratios.

Among individuals who have faced at least one legal problem last year, groups, most likely to not solve their legal problems, in a decreasing order, are:

1. Individuals whose household income level is below the mean
2. People who do not seek external legal aid
3. Roma people
4. Individuals between 14 and 24 years old

## 8. Conclusion: A Holistic Approach to Justice

This survey assessed the legal needs of Albanian citizens through telephone calls and written questionnaires. It represents the largest, yet, qualitative and quantitative study committed in this respect for Albania. Using various statistics instruments, we uncovered salient characteristics on the prevalence and nature of legal issues, strategy used to address them, their

outcome, and consequences. This survey confirmed the existence of considerable heterogeneity regarding the prevalence, response strategies, outcome, and repercussions of the legal problems. This diversity entails that no single strategy will successfully achieve justice for all people. Rather, the approach to justice must be multifaceted and must integrate a series of strategies to accommodate different needs.

In spite of this diversity, the survey asserted that access to justice for disadvantaged people should stay a priority. Economically disadvantaged people remain particularly vulnerable to legal issues, as 70% of all the respondents from this group had experienced at least one legal problem in the last year. Among the latter, Roma people, individuals with disabilities, and women are the most susceptible categories. Not only are the economically disadvantaged more prone to legal problems, but they are also more likely to suffer more from them. 95% of those who had experienced at least one legal problem in the last twelve months asserted that these problems had had some adverse effects on their everyday lives. Almost one-quarter of this group ranked these consequences as severe.

Part of these adversities is caused by the lack of legal aid. Through binary logistic regression, we asserted a strong positive relation between the lack of external aid with the inability to finalize a legal issue. The proportion of economically disadvantaged people, who had not sought external aid in response to their legal problems last year, was dreadfully high. In fact, only 26% of the respondents sought legal help to address their problems. Within the most vulnerable, groups that tended most often to not seek external legal aid were the Roma, the undereducated, the unemployed, and people who did not live in Tirana. The major cause behind this inaction was the lack of financial resources, which explained 61% of the cases for whom legal aid was not sought. Other 30% of the cases were spurred by the distrust of the economically disadvantaged individuals toward institutions (including private, public lawyers, and NGOs) that offer legal aid.

In addition to these quantitative surveys, this report analyzed the situation of the legal needs of the vulnerable groups more in-depth by conducting interviews and focus groups. They validated to a large degree the story delivered by the surveys' figures and provided additional personal narratives on the gaps and potential solutions of the legal aid system. As part of the justice reform, the new law on legal aid has launched encouraging signals that this picture can

change in the near future. Less stringent conditions for the potential beneficiaries of the secondary legal assistance and more service providers for primary legal assistance can ameliorate the situation. The interviews conducted with high-ranked legislative and executive representatives corroborated our thesis, i.e., the legal situation of many people, particularly of economically disadvantaged, is precarious and the justice reform aims to improve quantitatively and qualitatively the catering of free legal assistance.

However, there are two more issues, which need to be addressed more thoroughly. First, lack of (complete) information on free legal aid providers is a powerful hindrance toward effective ways to solve legal issues. More than 63% of individuals who did not seek legal advice due to financial constraints were not aware (or had limited knowledge) on the opportunity to receive free legal aid from the state or the relevant NGOs. Thus, for disadvantaged groups, information and education campaigns that help them to identify their legal problems and signpost them to appropriate legal services are likely to prove helpful. In this respect, the new project of the Ministry of Justice (the establishment of a pilot office specialized in offering legal aid within the Ministry) can be the first step toward an improved communicative scheme.

Second, the diversity of legal problems, their outcome, and consequences demand a holistic approach to justice that is both multifaceted and integrated. It must be multifaceted in that it comprises multiple strategies to cater for the diverse needs of the whole community. It must also be integrated in that it provides more tailored, intensive assistance across both legal and other human services for disadvantaged people who have intertwined legal and non-legal needs. The providers of primary legal assistance should be aware of this heterogeneity of needs and responses and act accordingly.

For example, other studies conducted for other countries on the assessment of legal needs suggest that primary legal assistance is particularly efficient if it targets demographic groups that have high levels of legal knowledge and capability (Coumarelos and Ramsey 2012).<sup>19</sup> On the other hand, undereducated individuals would be better off, if represented by public attorneys.

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<sup>19</sup> This would be an interesting relationship to test, which unfortunately could not be carried in this survey. To assess how education interacts with self-help to the successful finalization of legal issues requires to analyze the combined effects of the independent variables. This was not possible in our case, given the sample size.

The proper diagnosis of distinct cases is important not only for the welfare of the relevant individual, but also for the optimal allocation of available funds. Limited funds are usually the major obstacle to the provision of free legal aid, both from a quantitative and a qualitative standpoint. Furthermore, the Secretary of the Law Commission, Human Rights, and Public Administration in the Parliament, Ms. Klotilda Ferhati, asserted that the improvements of the system of legal aid are expected to produce high costs, which will be partly supported by higher courts fees. Setting legal service priorities to optimize the mix of strategies necessary to facilitate legal resolution throughout the community is therefore crucial.

# Appendix 1

## Telephone Interviews Complete Sample

### *Table Legend*

#### Age

- 14-24 → Subject is between 14-24 years old.
- 25-44 → Subject is between 25-44 years old.
- 45-64 → Subject is between 45-64 years old.
- 64+ → Subject is older than 64 years old.

#### Gender

- M → Subject identifies himself as male.
- F → Subject identifies herself as female.

#### Highest Level of Education Attained

- P → Subject has not graduated from high-school.
- S → Subject has a high-school diploma but does not have a university degree.
- U → Subject has a university degree.

#### Employment Status

- U → Subject is unemployed.
- E → Subject is employed.
- R → Subject is a retiree.
- S → Subject is a student.

#### Ethnicity

- A → Subject identifies him/herself as a member of the Albanian community.
- R → Subject identifies him/herself as a member of the Roma community.
- E → Subject identifies him/herself as a member of the Egyptian community.

- G → Subject identifies him/herself as a member of the Greek community.
- M → Subject identifies him/herself as a member of the Macedonian community.

#### City

- T → Subject resides in Tirana.
- NT → Subject resides outside Tirana.

#### Disabilities

- Y → Subject has physical and/or mental disabilities.
- N → Subject does not have physical or mental disabilities.

Age	Gender	Highest Level of Education Attained	Employment Status	Ethnicity	City	Disabilities	Number
14-24	M	P	U	A	T	N	4
14-24	M	P	U	A	T	Y	5
14-24	M	P	U	R	T	N	3
14-24	M	P	U	R	NT	N	2
14-24	M	P	E	A	T	N	1
14-24	M	P	E	A	NT	N	1
14-24	M	P	U	R	T	Y	2
14-24	M	S	U	A	T	N	4
14-24	M	S	U	R	T	N	2
14-24	M	S	U	A	NT	N	3
14-24	M	S	U	A	T	Y	2
14-24	M	S	S	A	NT	N	1
14-24	F	P	S	A	T	N	4
14-24	F	P	S	A	T	Y	1
14-24	F	P	S	R	T	N	2
14-24	F	P	U	A	T	N	7
14-24	F	P	U	A	T	Y	2
14-24	F	P	U	R	T	N	6
14-24	F	P	U	A	NT	N	5
14-24	F	P	U	A	NT	Y	1
14-24	F	P	U	R	NT	N	1
14-24	F	S	S	A	T	N	1

14-24	F	S	U	A	T	N	3
14-24	F	S	U	A	NT	N	3
14-24	F	S	U	R	T	N	4
14-24	F	S	U	R	NT	N	1
25-44	M	P	U	A	T	N	43
25-44	M	P	U	A	T	Y	6
25-44	M	P	U	A	NT	N	9
25-44	M	P	U	R	T	N	13
25-44	M	P	U	R	T	Y	3
25-44	M	P	U	R	NT	N	3
25-44	M	P	E	A	T	N	13
25-44	M	P	E	A	NT	N	2
25-44	M	P	E	R	T	N	5
25-44	M	P	E	R	NT	N	1
25-44	M	P	E	G	T	N	1
25-44	M	S	U	A	T	N	19
25-44	M	S	U	A	T	Y	4
25-44	M	S	U	A	NT	N	7
25-44	M	S	U	R	T	N	6
25-44	M	S	U	R	NT	N	2
25-44	M	S	E	A	T	N	13
25-44	M	S	E	A	NT	N	4
25-44	M	S	E	R	T	N	6
25-44	M	U	E	A	T	N	2
25-44	F	P	U	A	T	N	37
25-44	F	P	U	A	T	Y	5
25-44	F	P	U	A	NT	N	4
25-44	F	P	U	A	NT	Y	2
25-44	F	P	U	R	T	N	17
25-44	F	P	U	R	T	Y	2
25-44	F	P	U	R	NT	N	6
25-44	F	P	U	R	NT	Y	1
25-44	F	P	E	A	T	N	20
25-44	F	P	E	A	NT	N	3
25-44	F	P	E	R	T	N	4
25-44	F	S	U	A	T	N	24
25-44	F	S	U	A	T	Y	2
25-44	F	S	U	A	NT	N	5
25-44	F	S	U	R	T	N	8
25-44	F	S	U	R	T	Y	1
25-44	F	S	U	R	NT	N	3
25-44	F	S	E	A	T	N	26
25-44	F	S	E	A	T	Y	4

25-44	F	S	E	A	NT	N	7
25-44	F	S	E	A	NT	Y	1
25-44	F	S	E	R	T	N	11
25-44	F	S	E	R	T	Y	3
25-44	F	S	E	R	NT	N	5
25-44	F	U	E	G	T	N	2
25-44	F	U	E	G	NT	N	2
25-44	F	U	E	A	T	N	2
45-64	M	P	U	A	T	N	21
45-64	M	P	U	A	T	Y	7
45-64	M	P	U	A	NT	N	3
45-64	M	P	U	R	T	N	11
45-64	M	P	U	R	NT	N	2
45-64	M	P	E	A	T	N	19
45-64	M	P	E	A	T	Y	3
45-64	M	P	E	A	NT	N	2
45-64	M	P	E	R	T	N	5
45-64	M	S	U	A	T	N	9
45-64	M	S	U	A	T	Y	3
45-64	M	S	U	A	NT	N	3
45-64	M	S	U	R	T	N	5
45-64	M	S	U	R	T	Y	3
45-64	M	S	U	R	NT	N	2
45-64	M	S	U	R	NT	Y	1
45-64	M	S	E	A	T	N	18
45-64	M	S	E	A	T	Y	3
45-64	M	S	E	A	NT	N	1
45-64	M	S	E	A	NT	Y	1
45-64	M	S	E	R	T	N	6
45-64	M	S	E	R	NT	N	2
45-64	M	U	U	A	T	N	3
45-64	M	U	U	A	T	Y	2
45-64	M	U	U	A	NT	N	1
45-64	M	U	E	A	T	N	3
45-64	M	U	E	A	NT	N	1
45-64	F	P	U	A	T	N	22
45-64	F	P	U	A	T	Y	14
45-64	F	P	U	A	NT	N	1
45-64	F	P	U	A	NT	Y	2
45-64	F	P	U	R	T	N	11
45-64	F	P	U	R	T	Y	16
45-64	F	P	U	G	NT	Y	1
45-64	F	P	E	A	T	N	16



45-64	F	P	E	A	NT	N	4
45-64	F	P	E	R	T	N	4
45-64	F	P	E	R	NT	N	1
45-64	F	S	U	A	T	N	23
45-64	F	S	U	A	NT	N	9
45-64	F	S	U	A	T	Y	6
45-64	F	S	U	A	NT	Y	1
45-64	F	S	U	R	T	N	17
45-64	F	S	U	R	T	Y	4
45-64	F	S	U	R	NT	Y	2
45-64	F	S	E	A	T	N	16
45-64	F	S	E	A	NT	N	2
45-64	F	S	E	R	T	N	3
45-64	F	U	U	G	T	N	2
45-64	F	U	U	A	T	N	2
45-64	F	U	E	A	T	N	3
65+	M	P	R	A	T	N	9
65+	M	P	R	A	T	Y	12
65+	M	P	R	A	NT	N	2
65+	M	P	R	A	NT	Y	1
65+	M	P	R	R	T	N	5
65+	M	P	R	R	T	Y	6
65+	M	P	U	A	T	N	12
65+	M	P	U	A	NT	N	3
65+	M	P	U	R	T	N	8
65+	M	P	U	R	NT	N	1
65+	M	P	U	G	T	N	2
65+	M	S	R	A	T	N	2
65+	M	S	R	A	T	Y	5
65+	M	S	R	A	NT	Y	1
65+	M	S	R	R	T	Y	4
65+	M	S	U	A	T	N	19
65+	M	S	U	A	NT	N	3
65+	M	S	U	A	T	Y	5
65+	M	S	U	R	T	N	6
65+	M	S	U	R	T	Y	2
65+	M	S	U	R	NT	N	1
65+	M	U	E	G	T	N	2
65+	M	U	U	A	T	N	3
65+	F	P	U	A	T	N	18
65+	F	P	U	A	NT	N	4
65+	F	P	U	A	T	Y	4
65+	F	P	U	R	T	N	15

65+	F	P	U	R	T	Y	9
65+	F	P	U	R	NT	N	2
65+	F	P	U	R	NT	Y	2
65+	F	P	R	A	T	N	9
65+	F	P	R	A	T	Y	5
65+	F	P	R	A	NT	N	2
65+	F	P	R	R	T	N	4
65+	F	S	U	A	T	N	19
65+	F	S	U	A	NT	N	2
65+	F	S	U	R	T	N	13
65+	F	S	U	R	NT	N	2
65+	F	S	R	R	T	Y	11
65+	F	S	R	R	NT	Y	1
65+	F	S	R	G	T	N	2
65+	F	U	R	G	T	N	1
65+	F	U	R	A	T	N	6

## Written Questionnaire Complete Sample

### *Table legend*

#### Age

- 14-24 → Subject is between 14-24 years old.
- 25-44 → Subject is between 25-44 years old.
- 45-64 → Subject is between 45-64 years old.
- 64+ → Subject is older than 64 years old.

#### Gender

- M → Subject identifies himself as male.
- F → Subject identifies herself as female.

#### Highest Level of Education

- P → Subject has not graduated from high-school.
- S → Subject has a high-school diploma but does not have a university degree.
- U → Subject has a university degree.

### Employment Status

- U → Subject is unemployed.
- E → Subject is employed.
- R → Subject is a retiree.
- S → Subject is a student.

### Ethnicity

- A → Subject identifies him/herself as a member of the Albanian community.
- R → Subject identifies him/herself as a member of the Roma community.
- E → Subject identifies him/herself as a member of the Egyptian community.
- G → Subject identifies him/herself as a member of the Greek community.
- M → Subject identifies him/herself as a member of the Macedonian community.

### Household income

- BM → The income per capita of the subject's household is below the population average.
- AM → The income per capita of the subject's household is above the population average.

### Disabilities

- Y → Subject has physical and/or mental disabilities.
- N → Subject does not have physical or mental disabilities.

Age	Gender	Highest Level of Education Attained	Employment Status	Ethnicity	Household Income	Disabilities	Number
14-24	M	P	U	A	BM	N	8
14-24	M	P	U	A	BM	Y	1
14-24	M	P	U	R	BM	N	7
14-24	M	P	E	A	BM	N	3
14-24	M	S	U	A	BM	N	12
14-24	M	S	U	R	BM	N	2
14-24	M	S	E	A	BM	N	9
14-24	M	S	E	A	AM	N	3

14-24	M	U	U	A	BM	N	2
14-24	F	P	U	A	BM	N	3
14-24	F	P	U	A	AM	N	1
14-24	F	P	U	R	BM	N	4
14-24	F	P	U	R	BM	Y	1
14-24	F	S	U	A	BM	N	3
14-24	F	S	U	A	AM	N	2
14-24	F	S	E	A	BM	N	1
14-24	F	U	U	A	BM	N	3
14-24	F	U	E	A	BM	N	2
25-44	M	P	U	A	BM	N	16
25-44	M	P	U	A	BM	Y	2
25-44	M	P	E	A	BM	N	47
25-44	M	P	E	A	BM	Y	2
25-44	M	S	E	A	BM	N	52
25-44	M	S	E	A	BM	Y	4
25-44	M	S	U	A	AM	N	19
25-44	M	S	U	R	BM	N	4
25-44	M	S	E	R	BM	N	1
25-44	M	U	U	A	BM	N	9
25-44	M	U	U	A	BM	Y	3
25-44	M	U	E	A	BM	N	7
25-44	M	U	E	A	AM	N	44
25-44	F	P	U	A	BM	N	27
25-44	F	P	U	A	BM	Y	4
25-44	F	P	U	R	BM	N	7
25-44	F	P	U	R	BM	Y	1
25-44	F	P	E	A	BM	N	5
25-44	F	S	U	A	BM	N	18
25-44	F	S	E	A	BM	N	11
25-44	F	S	U	M	BM	N	1
25-44	F	U	U	A	BM	N	7
25-44	F	U	U	A	AM	N	2
25-44	F	U	E	A	BM	N	3
25-44	F	U	E	A	AM	N	29
25-44	F	U	E	G	AM	N	2
45-64	M	P	U	A	BM	N	49
45-64	M	P	U	A	BM	Y	3
45-64	M	P	U	A	AM	N	1
45-64	M	P	U	R	BM	N	4
45-64	M	P	U	R	BM	N	1
45-64	M	P	E	A	BM	N	79
45-64	M	P	E	A	BM	Y	2

45-64	M	P	E	A	AM	N	14
45-64	M	P	E	R	BM	N	2
45-64	M	P	E	G	BM	N	1
45-64	M	S	U	A	BM	N	21
45-64	M	S	U	A	BM	Y	3
45-64	M	S	U	R	BM	N	8
45-64	M	S	E	A	BM	N	14
45-64	M	S	E	A	AM	N	36
45-64	M	S	E	R	BM	N	2
45-64	M	S	E	R	AM	Y	1
45-64	M	U	U	A	BM	N	7
45-64	M	U	U	A	BM	Y	3
45-64	M	U	U	R	BM	N	1
45-64	M	U	E	A	BM	N	3
45-64	M	U	E	A	BM	Y	1
45-64	M	U	E	A	BM	N	12
45-64	M	U	E	A	AM	N	23
45-64	M	U	E	R	AM	N	1
45-64	F	P	U	A	BM	N	22
45-64	F	P	U	A	BM	Y	4
45-64	F	P	U	R	BM	N	1
45-64	F	P	U	R	BM	Y	2
45-64	F	P	U	A	AM	N	2
45-64	F	P	E	A	BM	N	15
45-64	F	S	U	A	BM	N	10
45-64	F	S	U	A	BM	Y	4
45-64	F	S	U	A	AM	N	2
45-64	F	S	U	R	BM	N	3
45-64	F	S	E	A	BM	N	5
45-64	F	S	E	A	AM	N	31
45-64	F	S	E	G	AM	N	1
45-64	F	S	E	R	AM	N	2
45-64	F	U	U	A	BM	N	6
45-64	F	U	U	A	BM	Y	3
45-64	F	U	U	R	BM	N	1
45-64	F	U	E	A	BM	N	3
45-64	F	U	E	A	BM	Y	2
45-64	F	U	E	A	AM	N	39
45-64	F	U	E	R	BM	N	1
45-64	F	U	E	R	AM	N	2
65+	M	P	U	A	BM	N	4
65+	M	P	U	A	BM	Y	3
65+	M	P	U	R	BM	N	1

65+	M	P	U	R	BM	Y	2
65+	M	P	E	A	BM	N	2
65+	M	P	E	A	AM	N	1
65+	M	P	R	A	BM	N	17
65+	M	P	R	A	BM	Y	11
65+	M	P	R	R	BM	N	2
65+	M	P	R	R	BM	Y	2
65+	M	P	R	G	BM	N	1
65+	M	S	U	A	BM	N	8
65+	M	S	U	A	BM	Y	6
65+	M	S	U	R	BM	N	1
65+	M	S	E	A	BM	Y	1
65+	M	S	E	A	AM	N	2
65+	M	S	R	A	BM	N	13
65+	M	S	R	A	BM	Y	8
65+	M	U	R	A	BM	N	9
65+	M	U	R	A	BM	Y	6
65+	M	U	R	A	AM	N	2
65+	F	P	U	A	BM	N	4
65+	F	P	U	A	BM	Y	5
65+	F	P	U	R	BM	N	1
65+	F	P	E	A	BM	N	4
65+	F	S	U	A	BM	N	6
65+	F	S	U	A	BM	Y	3
65+	F	S	U	A	AM	N	1
65+	F	S	R	A	BM	N	6
65+	F	S	R	A	BM	N	2
65+	F	U	R	A	BM	N	9
65+	F	U	R	A	BM	Y	4
65+	F	U	R	G	AM	N	1
65+	F	U	E	A	BM	N	4
65+	F	U	E	A	BM	Y	3

## Appendix 2

### Telephone Interview Structure

Good morning/afternoon/evening. I'm [SAY NAME] calling from the Tirana Legal Aid Society. We received your number from [SAY NAME]. We are conducting a study on the legal needs of people with economic adversities. We are interviewing people 15 or over, who cannot afford a legal process, in case they have one or had one.

Are you over 15? (If no, thank the responder and end the interview). Do you think that you have the economic resources to afford a legal process? (If yes, thank the responder, end the interview, and ask whether s/he is willing to provide you with some numbers of his/her acquaintances that s/he thinks cannot afford one). Are you willing to respond to a few short questions? (If no, thank the responder, end the interview, and ask whether s/he is willing to provide you with some numbers of his/her acquaintances).

[IF RESPONDENT SAYS THEY DON'T HAVE ANY LEGAL PROBLEMS]: That's OK. We are interested in both people who have legal problems and people who do not.

[IF NECESSARY]: The interview takes 5–10 minutes for most people. I will try to be as quick as possible.

[IF NECESSARY]: Would it be more convenient if I made an appointment to speak to you in the next day or so?

Otherwise, start with the questions:

#### *Part 1: Demographics*

1. How old are you?
2. How would you best describe your gender?
3. What city are you living in?

4. What is the highest level of education you have completed? (If it is not university), are you a student right now?
5. Are you currently employed right now? (If not), how would you describe your status?
6. How would you best describe your ethnicity?
7. Do you suffer from any permanent or long-lasting disability?

*Part 2: Assessing the legal needs*

7. Have you had any problems or accidents in the last 12 months that may raise, or has raised, legal issues? (If no, thank the interviewee and end the phone interview)
8. How many problems or accidents have you had in the last 12 months that may raise, or have raised, legal issues?
9. How would you describe the topic(s) of this(these) legal issue(s)?
10. How many of these issues have already been solved?
11. What steps did you take to tackle the problem(s)? If the interviewee is unable to respond to this question, provide some alternatives e.g. external help (legal adviser), self-help (internet or books), or nothing.
12. If the interviewee employed a legal adviser was it paid or unpaid? If unpaid was s/he a public defender, a friend that worked as a legal adviser, or one provided by an NGO?
13. (If the interviewee did not use external help), what was the reason behind it?
14. (If the answer to the later question was related to financial constraints), was the interviewee aware of the free legal aid offered by the state or by various NGO-s?
15. (If the interviewee was aware), why did s/he decided not to employ such resources?
16. How would you describe the impact that this legal problem or these legal problems have had on your everyday life?



## Written Questionnaire Structure

Please answer the following questions by ticking the correct box (if more than one answer applies, select all the relevant answers).

### Part 1: Demographics

1. Which one of these age groups do you belong to?

- ☐ 14-24 years      ☐ 25-44 years      ☐ 45-64 years      ☐ Over 64 years

2. Cilës gjini i përkisni?

- ☐ Mashkull      ☐ Femër      ☐ Transgender      ☐ Not sure

3. Do you have a university degree (or equivalent degree)?

- ☐ Yes      ☐ No      ☐ Ongoing studies      ☐ Not Sure

4. If you answered “No” to question 4, what is the highest level of education you have completed?

- ☐ Primary school (or less)    ☐ Secondary school    ☐ Post-secondary school (technical training)

5. Are you currently . . . ?

- ☐ Employed      ☐ Retired      ☐ Self-employed      ☐ Student      ☐ Unemployed

6. Approximately, what your household annual income level (in new “Lek”)?

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7. How many members does your household have?

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8. How would you best describe your ethnicity?

- ☐ Albanian      ☐ Roma      ☐ Greek      ☐ Not sure      ☐ Other

9. If your answered “Other” to question 9, please specify:

10. Do you suffer from any permanent or long-lasting disability?

☐ Yes

☐ No

☐ Not Sure

**Part 2: Assessing the legal needs**

11. Have you had any problems or accidents in the last 12 months that may raise, or has raised, legal issues (If no, please disregard the other questions)?

☐ Yes

☐ No

☐ Not Sure

12. How many problems or accidents have you had in the last 12 months that may raise, or have raised, legal issues?

☐ One

☐ Two

☐ Three

☐ More than three

13. How would you describe the topic of this legal issue, using 1-5 keywords (if more than 1 issue, describe all of them)?

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14. How many of these issues have already been solved?

☐ All of them

☐ A part of them (if more than 1)

☐ None of them

15. What steps did you take to tackle the problem(s)? — if you had more than 1 issue and solved them in different way, instead of ticking the pertaining box, put the number of issues solved in that way in the respective box.

☐ Seeking external help

☐ Self-help (through internet, books, etc.)

☐ None

16. If you answered “seeking external help” to question 17, what kind of external help did you ask for? — if you had more than 1 issue and solved them in different way, instead of ticking the pertaining box, put the number of issues solved in that way in the respective box.

☐ Paid adviser    ☐ Public defender    ☐ Unpaid adviser (Friend)    ☐ Unpaid adviser (NGO)

17. If you answered “self-help” or “none” to question 17, why did you take this course of action toward this issue? — if you had more than 1 issue and solved them in different way, instead of ticking the pertaining box, put the number of issues solved in that way in the respective box.

☐ Able to solve it myself    ☐ Lack of financial resources    ☐ Distrust in external legal help  
☐ Not that important to seek external help    ☐ Slight chances to win

18. If you answered “lack of financial resources” to question 19, are you aware of the existence of . . ?

☐ Public defenders    ☐ NGO-s that offer free legal aid

19. If you ticked any of the boxes in question 20, why did not you use any of them?

☐ Out of distrust    ☐ Out of physical reach    ☐ Refusal of the aforementioned offices

20. What impact have this legal problem, or these legal problems had on your everyday life?

☐ None    ☐ Slight    ☐ Moderate    ☐ Severe

## Appendix 3

### Interviews

In addition to the five following interviewees, we would like to thank the General Director of Civil Status Office, Mr. Bledar Doracaj, the Chairperson of National Social Services, Ms. Elteva Bisha, and the Vice-chair of National Social Services, Ms. Lida Leskaj, who spent their time to provide us with valuable clues and information on this project. For logistic reasons, their interviews were not covered directly by this section, but their thoughts were considered carefully during the preparation of the recommendations.

*General Director of State Agency for Child Rights and Protection, Ms. Ina Verzivolli, 3 October 2017*

On 3<sup>rd</sup> of October, we conducted an interview with Ms. Ina Verzivolli. She emphasized the importance of the law no. 18/2017 and the National Agenda for Children's Rights 2020 regarding the protection of children rights. Among other, she asserted:

“The law no. 18/2017 has delineated clearly the responsibilities of children protection units to assist children, who lack access to basic rights, e.g., civil registration, education, healthcare. A substantial part of this law deals with the establishment of an efficient protection and prevention system against any form of children violence, exploit, or negligence. In this respect, the law follows the best European standards and procedures to guarantee children protection in every situation, within the family, within the institutions, online, etc.

The law recognizes the figure of the Employee for Child Protection and obliges each municipality, in whose territory live more than 3000 children, to hire at least one employee specialized in this field (working 100% for the children protection). This requirement will increase substantially the number of employees helping children, given that the majority of the Albanian territory is not yet covered. The children protection service must be active 24 hours per day as we cannot expect that children do not require assistance outside the working hours.

For the first time, this law specifies the measures that these employees can apply in case they recognize precarious circumstances for the child due to violence, abuse, negligence, or exploit. These measures include emergency responses to protect the child from situations of imminent danger, as are the cases of homeless or heavily neglected children. In other situations, measures can be undertaken to remove the child from the family and put him/her in alternative custody, when the family, itself, endangers the integrity and the security of the child. This is an important point that turns the child safety principles into something tangible.

These measures can be validated by the courts according to certain procedures but is essential to establish the necessary mechanisms for child protection as soon as possible. This is necessary also because getting restraining orders has traditionally been difficult. There have been cases that children have risked their lives due to the lack of a restraining order, as the courts have applied a narrow concept of the violence against child. For example, child neglect is a form of violence, which is often not understood as such. However, negligence can often engender extreme consequences, e.g., a sick child who does not receive the proper medical attention, due to parents' neglect, can even die.

Another important platform for the protection of children rights is exemplified by the Albanian National Agenda for the Children's Rights 2017-2020. The legal obligations that follow from domestic law and international conventions have been translated into a concrete plan for the four following years. This agenda is based on three pillars: 1) good governance for children, which aims to strengthen the capacity of government structures that work in this field, proper data collection, continuous monitoring, and budgeting; 2) elimination of all forms of violence against children through the establishment of an integrated and coordinated system for children protection; 3) installation of children-friendly systems and services in healthcare, education, social services, and justice.

The categories that are expected to benefit most from these changes are homeless children, children engaged in inappropriate forms of labor for their age, children with disabilities, and children experiencing violence and sexual abuse. It is also important to protect children from violence in schools and other residential institutions through special programs that address particularly bullying. Furthermore, the new global challenge, protecting children online, requires specific capabilities and attention.

In this respect, the cooperation with the civil society organizations is crucial. They represent the most consolidated structures of this field in Albania. During the last 4 years, the partnership between public institutions and NGOs has intensified. For example, some of the positive models adopted by the law on child rights and protection have been proposed by various NGOs.”

*Minister of Health and Social Care, Ms. Ogerta Manastirliu, 16 October 2017*

On 16<sup>th</sup> of October, the Minister was present at the roundtable organized by TLAS (“Invest in children, guarantee the future”) regarding the potential improvement of the sub-legal acts on the protection of children’ rights that are being drafted by TLAS experts. Ms. Manastirliu explained the new reforms undertaken by the government aiming to enhance access to justice and to ensure protection of the human rights, particularly those related to children and their families. The full word of the Minister follows:

“I am proud to sit at this table and discuss the future of our children with people who have fought to protect children rights for years. I believe that the goals of this table are twofold: 1) To confirm the continuous cooperation between the Ministry and the partner NGOs that deal with children issues, 2) To present to these organizations the process on the consultation and finalization of the sub-legal acts for the Law on Child Rights and Protection, ensuring full transparency and inclusiveness. The protection of children rights is one of the priorities of this government. The Ministry will address the concerns raised by the NGOs specialized in this field, as it has done before with the two open letters sent to the Prime Minister, in order to confirm the willingness of this government to promote the protection of children and the implementation of their rights.

Particularly, we would like to reconfirm our engagement to the proper execution of the Law 18/2017 and the implementation of the relevant principles for guaranteeing children protection. Regardless of the rearrangement of the ministries’ structures, the government is fully committed to adhere to the United Nations Convention on the Rights of the Child, which served as the basis for the approval of the law on children protection and rights. Our aim is that each step undertaken by the government reflects and considers children rights as defined by this law.

Moreover, we would like to reassert our engagement toward the implementation of the National Agenda for Children's Rights 2020, as a detailed plan for the materialization of legal acts into concrete responsibilities and budget processes. As requested by various NGOs, the Ministry will attempt to strengthen this structure to create an agency able to respond to the needs and precarious situations that affect vulnerable children.

A considerable number of children needs, whom the NGOs have also addressed directly to the PM through open letters, are cross-sectoral and request the intervention of different public sectors, most important among which are healthcare and social protection, education, order, and justice. Our ministry is committed to regulating the cooperation between the relevant line ministries to ensure that children lives remain the main focus of our work.

The law on Child Rights and Protection defines precisely the children rights and the respective guarantees for the implementation of these rights. Children rights have been reformulated to address the actual economic, social, and legal situation. These changes have transformed children rights from declarative statements to accessible rights.

I want to state clearly the Ministry message. We need to implement these legal obligations, especially at the local level, where children live and face difficulties and uncertainties, and particularly among the communities, schools, and institutions. We also believe that strong cooperation with the relevant NGOs and a concentration of our forces are necessary to support this action. Among others, I want to mention international organization with branches in Albania, which have supported the Ministry for the improvement of relevant policies and projects, such as *Save the Children*, *Terre des Hommes*, *World Vision* etc., and local organizations that offer direct services to the families and children, such as *TLAS*, *Shkej*, *QSHPLI*, *Arsis*, *Alo 116* etc. In this respect, we would need the collaboration of all the civil society organizations to assists and incite the municipalities to achieve the standards defined by the law.

Obviously, the relevant NGOs must remain independent in setting their aims and modus operandi. However, this does not inhibit the articulation of a common message. This government is committed to doing anything necessary to promote children rights and has demonstrated that it understands the existing problems. Thus, we do not need further advocacy campaigns or status reports to be convinced. What we need is a continuous partnership to promote effectively the

protection of children rights by implementing contemporary models, which have shown to be successful in this respect. Thank you very much for your attention!”

*Deputy Minister of Justice, Mr. Toni Gogu, 1 November 2017*

The interview with Mr. Toni Gogu was held at the Ministry of Justice on 1st of November 2017. The main focus of the meeting was the effects of the justice reform and the new law on legal aid. His full word follows below:

“We are perfectly aware on the gaps regarding the provision of legal aid and hope that the new law, and the justice reform, in general, will provide the expected relief. Our most urgent goals, as reflected in the law, are the expansion of the group of beneficiaries and the improvement of legal aid quality. At this moment, the number of vulnerable people surpasses considerably that of people served with free legal aid. Among other reasons, the lack of financial resources plays a key role in engendering this deficiency. Therefore, the Ministry of Justice aims to provide more efficient financial mechanisms and a larger budget regarding legal aid services.

In addition to enlarging the base of beneficiaries, the new law focuses on the enhancement of the service quality. Accordingly, the Ministry of Justice has established a special structure responsible for service control. This structure is materialized as a directory under the authority of the Ministry which monitors the quality of the legal services offered with the assistance of the National Chamber of Advocacy of Albania. Furthermore, we rely on the support of the NGOs that offer free legal aid. These organizations have extensive experience, particularly in the fields of law related to family and children, and we hope to share this experience with new organizations that will be established in response to the new law on legal aid.

I believe that it is also important to spend a few words on the installation of the new office that will offer for the first-time legal aid within the Ministry of Justice. This is the first step of a program that aims to promote the concept of a state that is close to its citizens to serve their legal needs. This office will also serve as a pilot project for the establishment of other offices and university legal clinics, which are prescribed in the new law on legal aid. The primary beneficiaries of this office will be ex-prosecuted people by the communist regime, disadvantaged individuals, and people facing social hardships due to their legal problems. We



hope that civil society organizations, starting from yours, can assist with this project, given your long experience in the field.”

*Vice Chair of the Parliament, Ms. Vasilika Hysi, 3 November 2017*

On 3<sup>rd</sup> of November 2017, we had the opportunity to converse with Ms. Vasilika Hysi and Ms. Klotilda Ferhati at their corresponding offices in the Parliament. Their respective interviews follow:

“As a member of the civil society for many years — sometimes I still consider myself as part of the civil society — I was aware of the precarious legal situation that many vulnerable groups faced in Albania, even before engaging in politics. The first stage of the justice reform, which was focused on the assessment of legal problems and needs, strengthened my belief that a radical transformation was necessary. The existing scheme on the provision of legal aid was deficient both quantitatively and qualitatively. It failed to cover a large number of susceptible people, who necessitated free legal aid, and the offered service was far from the acceptable European standards.

Therefore, a radical reform regarding the law and the general approach to legal aid was as essential as in the other fields of justice. The second stage of the justice reform addressed many of the concerns identified during the first phase, and we are optimistic that the impact of these changes in the everyday lives of disadvantaged people will be substantial. As aforesaid, I have been part of the civil society for a long time, and I am well aware of the capabilities and experience that many existing NGOs can provide in support of this process. In fact, the second stage of the reform has been conducted in close collaboration with many civil society organizations. For example, I am sure that you know how much the relevant NGOs were involved in choosing the respective candidates for the High Councils of Judges and Prosecutors, given that TLAS has been one of the most active organizations in this respect.

Nonetheless, I believe that even stronger cooperation is required to achieve the best possible outcomes. Particularly, I am a strong advocate of the involvement of the civil society organizations throughout the legislative process. The experience of these NGOs is an invaluable asset that has to be optimized during the decision-making phase. For this reason, we are trying to

expand the communication channels with these NGOs (hence increasing their lobbying power) and to facilitate their participation in relevant parliamentary sessions or meetings.”

*Secretary of the Law Commission, Human Rights, and Public Administration in the Parliament, Ms. Klotilda Ferhati, 3 November 2017*

“Before the outset of the justice reform, the system of legal aid provision was in a disastrous position. According to our assessments during the first phase of the reform, profound changes in the legislation were necessary to bring the legal aid services close to the standards of those offered in the EU countries. First, the new law on legal aid puts less stringent conditions for the potential beneficiaries of the secondary legal assistance and thus increases the number of the recipients of legal aid. Furthermore, this law adds new structures for the provision of primary legal assistance, e.g., university clinics. In addition to better coverage, the justice reform also aims to improve the quality of the offered services through better training of the relevant personnel. These improvements are expected to beget additional costs, which are to be covered partly by a larger state budget and partly by higher courts fees. In a way, the society and the people who use the courts are to pay for their less fortunate peers.

To bring about a positive change regarding the provision of legal aid, we have also amended the laws on mediation, lawyers, and notaries. The judges must promote mediation as a preferred solution when possible, given that, all else being equal, more cases solved through mediation promote a more peaceful society, cost efficiency, and general economic and social development. We have also intervened to reduce the fees of notaries for economically unfortunate individuals.

Moreover, the legislators must come closer to their constituents to assist the homeless, the unemployed, the poor, children and their families with legal problems that the latter may face. In this respect, cooperation with the NGOs that offer free legal aid is crucial. They have years of experience, trained staff, and information on the legal situation of the economically disadvantaged. These resources must be used optimally by the legislators to bring the best possible outcome for the people in need.”

## Focus Groups

The first focus group was organized in Fier on 13th of October 2017. In addition to TLAS director, lawyers, and volunteers, 24 individuals, including representatives of local administrative units, employees of Child Protection Units and Social Services, representatives of other NGOs, concerned lawyers, beneficiaries of free legal aid, and students, participated in this meeting. The focus of discussion was the assessment of legal needs, particularly those of the most vulnerable groups, and access to justice. Participants' concerns corroborated our statistical findings in section 1.1 and provided a more detailed analysis of the problems and potential solutions, which have been reflected in the conclusion of this report.

*Photo 1: Fier, 13 October 2017*



The second focus group was organized in Rrëshen on 18th of October 2017. In addition to TLAS director, lawyers, and volunteers, 22 individuals, including representatives of local administrative units, employees of Child Protection Units and Social Services, representatives of other NGOs, concerned lawyers, beneficiaries of free legal aid, and students, participated in this meeting. The focus of discussion was the assessment of legal needs, particularly those of the most vulnerable groups, and access to justice. Participants' concerns corroborated our statistical findings in section 1.1 and provided a more detailed analysis on the problems and potential solutions, which have been reflected in the conclusion of this report.

*Photo 2: Rrëshen, 18 October 2017*



The third focus group was organized in Laç on 12th of January 2018. In addition to TLAS director, lawyers, and volunteers, 18 individuals, including representatives of local administrative units, employees of Child Protection Units and Social Services, representatives of other NGOs, concerned lawyers, beneficiaries of free legal aid, and students, participated in this meeting. The focus of discussion was the assessment of legal needs, particularly those of the most vulnerable groups, and access to justice. Participants' concerns corroborated our statistical findings in section 1.1 and provided a more detailed analysis on the problems and potential solutions, which have been reflected in the conclusion of this report.

*Photo 3: Laç, 12 January 2018*





The fourth focus group was organized in Shkodër on 12th of January 2018. In addition to TLAS director, lawyers, and volunteers, 20 individuals, including representatives of local administrative units, employees of Child Protection Units and Social Services, representatives of other NGOs, concerned lawyers, beneficiaries of free legal aid, and students, participated in this meeting. The focus of discussion was the assessment of legal needs, particularly those of the most vulnerable groups, and access to justice. Participants' concerns corroborated our statistical findings in section 1.1 and provided a more detailed analysis on the problems and potential solutions, which have been reflected in the conclusion of this report.

*Photo 4: Shkodër, 12 January 2018*



The fifth focus group was organized in Elbasan on 16th of January 2018. In addition to TLAS director, lawyers, and volunteers, 32 individuals, including representatives of local administrative units, employees of Child Protection Units and Social Services, representatives of other NGOs, concerned lawyers, beneficiaries of free legal aid, and students, participated in this meeting. The focus of discussion was the assessment of legal needs, particularly those of the most vulnerable groups, and access to justice. Participants' concerns corroborated our statistical findings in section 1.1 and provided a more detailed analysis on the problems and potential solutions, which have been reflected in the conclusion of this report.

*Photo 5: Elbasan, 16 January 2018*



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