

## SOAR Proposal for Summer Research 2018

**Project Title:** Estimating the Intersection of Civil Justice and Health: What are the Social Benefits of Civil Justice?

**Faculty Mentor:** James Teufel, MPH, PhD, Director of Public Health

**Student:** Michael Gallo, Biochemistry Major, Public Health Minor (Pre-Med Track), Class of 2019

**Project Duration:** June 4th-August 13th (10 weeks)

**Background:** Access to civil justice varies within and between countries. Policies within countries produce variations in access to justice. For example, in the United States there is a right to counsel, which guarantees prosecuted individuals legal counsel regardless of their ability to afford an attorney, for the majority of criminal cases. However, there is no such provision in civil proceedings such as cases involving evictions, foreclosure, child custody, divorce, public benefits, unfair debt collection, immigration status, or employment discrimination. Based on the World Justice Project's 2016 Rule of Law Index, access and affordability is the area of civil justice in which the United States has the largest room for improvement (tied for 94th out of 113 countries). Due to the high cost of accessing the civil justice system, amongst other factors such as underfunding social service programs, current research states that 86% of the civil legal problems reported by low-income Americans received inadequate or no legal help. Of families reporting civil legal needs, 41% of them had problems directly related to health, while the remaining types of issues such as income maintenance, disability benefits, etc. have the potential to be health harming if left unresolved.

Although they are not medical providers, civil legal aid attorneys are key health care providers in the United States. Their provision of services is unparalleled in their ability to alleviate the burden of the social determinants of health (i.e., income, employment, housing, education, nutrition, violence, social networks, discrimination, and access to care) that correspond to greater than 50% of what drives health status and life expectancy in the United States. Civil legal aid attorneys are addressing issues of absolute deprivation (i.e., resources related to the basic necessities of living) and relative deprivation (i.e., being wrongfully denied services or benefits). Civil legal aid attorneys provide legal services to people typically within 200% of the federal poverty line, a particularly vulnerable demographic that is more likely to experience poorer health, lack health insurance, and have the highest rates of preventable illnesses. Additionally, research supports that the link between income and health has become wider and deeper across the last 40 years, and lower income populations in the United States carry the heaviest burden of the US life expectancy deficiency.

Despite outranking all other economically developed countries on healthcare expenditures per capita and as a total percent of GDP, the United States ranks below comparable countries in most population health measures and has ranked 43<sup>rd</sup> in life expectancy for the last decade. The United States life expectancy has also decreased in the last two years. The last time life expectancy dropped three years in a row in the US was during the combination of World War I and the 1918 influenza pandemic. It has been hypothesized that one of the driving factors of this paradoxical trend of expenditures and outcomes is that the US spends most of its money on the delivery of medical services and treatments while severely

underfunding preventative measures and social services. Moreover, funding for civil legal aid programs has been demonstrated to have incredibly high social returns on investment, more often than not over 600%, meaning that for every dollar invested in civil legal aid there is a six dollar net benefit in either cost savings or direct economic impact for individuals or communities. Many of these estimates generated are conservative in nature, relying solely on concrete economic data, but can be logically extended to less easily quantifiable benefits, pushing the value of investment even higher. There is less research than would be expected, given potential for links between justice and health, that explores the intersections of justice and health within the United States and between countries.

**Proposed Project:** The SOAR student will work both independently and directly with Dr. Teufel on three separate projects throughout the duration of the summer. Two of the three projects will be centered on using existing data that would be pulled from publicly available databases in order to construct our own datasets for testing underexplored statistical relationships between access to justice and health. The first project will consist of predicting population health in the United States based on access to justice using data from the Social Justice Index, America's Health Rankings, and the United States Census. The Social Justice Index was launched in 2014 to monitor access to justice in the United States based on civil legal aid attorney availability, language and disability barriers in the justice system, and issues related to self-representation (pro se). We will examine the ability of these indices to predict key indicators of population health such as life expectancy, infant mortality, obesity, and cardiovascular disease. It is our hypothesis that poorer access to justice will be strongly correlated with any number of poorer health outcomes on the state level. The second project will be similar to the first but differs in that it extends the concept from a domestic analysis to an international scale. We will use components of an index created by the World Justice Project, the *Rule of Law Index*, which quantitatively measures countries' rule of law performance based on factors related to fundamental rights, civil justice, absence of corruption, and criminal justice. Countries will be grouped into similar cohorts such as GDP or income per capita for statistical analyses, assuming that the relationship between justice and health may differ by low, middle, and high income countries. We aim to explore the correlation between more unjust societies and poorer population health. The third project would be centered around estimating the social return on investment through the provision of civil legal aid in Northeastern Pennsylvania (20 counties). Calculating social return on investment for non-profit organizations, such as medical legal partnerships and civil legal aid organizations, is one of Dr. Teufel's areas of nationally and internationally recognized expertise. We would obtain aggregate case outcome data from North Penn Legal Services, the primary legal aid provider in Northeastern Pennsylvania, for this project. We would map on valuation metrics that were previously developed by Dr. Teufel for the state of Delaware to the Northeastern Pennsylvania region. The overarching goal of all three of these projects is scholarship oriented to the study of the intersection of justice and health and the societal value of bridging gaps in access to justice.

**Rationale:** Civil legal aid access and availability is the greatest justice challenge in the United States. Civil law practice also holds promise to impact population health in the United States; an area where the United States under-performs due to social and civil service underinvestment.

Since the relationships being explored through these projects represent an under-researched contextual framework, they will provide a valuable contribution to the public health and social justice research communities, both domestically and abroad. It will also be our hope to present our findings at research conferences to facilitate the spread of the idea of justice being intrinsically related to population health outcomes. The SOAR student will be able to further develop data analysis skills, academic writing skills for publications, and will quantitatively and qualitatively demonstrate evidence for health promoting measures outside of direct medical care.

#### **Expected Roles and Timeline of Project:**

The student and faculty member will work collaboratively on the three projects. The faculty member will enable access to data and guide the student on the analytic plan/procedures. The student will pull, clean, transform, and analyze data. The student will develop preliminary reports based on the analyses. The faculty member will guide the student on the process of creating publicly facing reports, manuscripts, or presentations. The student will draft the reports, manuscripts, or presentations. The student and faculty member will then work iteratively to edit and finalize products.

**Weeks 1-2:** Student will conduct extensive literature review on relevant topics to assess current research base and build references for manuscript writing. Also the student will build upon strong foundational knowledge the history of civil legal aid and factors driving inequality through selected readings. Together with Dr. Teufel, the student will formulate specific research questions to support framework surrounding already existing hypotheses. Additionally, Dr. Teufel will secure aggregate case outcome reports from North Penn Legal Services.

**Weeks 2-5:** The student will create databases for the projects by drawing on publicly available data, run appropriate statistical analysis, and create tables/figures to represent data and statistical relationships/trends. Dr. Teufel will also mentor the student on mapping SROI valuation to legal aid case outcome data.

**Weeks 5-10:** Student will work with Dr. Teufel to draft and revise manuscripts/reports and presentations for each project.

**Post-SOAR:** The student and faculty member will submit to peer-reviewed journals and professional conferences to disseminate findings.

#### **Expected Scholarly Deliverables of the Project:**

It is expected that this project would result in two peer-reviewed publications in health law or public health journals. The products of this SOAR projects would also be integrated into at least 6 local, regional, or national presentations (e.g., Pennsylvania Legal Aid Network, National Medical-Partnership Summit, NCUR, and Undergraduate Research at the Capitol of Pennsylvania). Additionally, the North Penn Legal Services portion of this project would inform the five year evaluation that is submitted to the United States Legal Services Corporation and could be used by the organization to expand needed services. A previous SOAR project supported that approximately 80% of patrons of community health centers have at least one unmet civil legal need but most try to resolve these problems on their own and only a minority receive legal assistance with their case. This discrepancy is not, however, surprising given that half of the people who request legal aid services are turned away due to lack of attorney time that is related to underfunding access to the civil justice in the United States.

## **Student Statement of Purpose**

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**Campus Housing:** Yes

My interdisciplinary education at Moravian College has been instrumental in guiding my career trajectory, expanding my perspectives, and shaping my worldviews. As an undergraduate my academic focus has been twofold, with areas of study in both the physical and social sciences. I have plans to pursue a combined MD/MPH or MD/PhD following my time at Moravian College and as a biochemistry major I have continued to develop the foundational knowledge necessary for understanding the complex physiological processes that govern illness and recovery. My passion for learning about what drives the human disease state on a microscopic level has now been paralleled and complemented by a passion for learning about what drives it on a macroscopic level. Understanding the central economic, social, and political structural forces that drive population health has become my priority as I pursue a career in preventive medicine and a lifelong effort to improve the lives of others.

Dr. Teufel has now been my primary academic mentor for the past two years of my life and has challenged me, as an aspiring physician, to think about treating sickness and promoting health in ways outside of the direct provision of medical care. As prominent social epidemiologist Ichiro Kawachi once said; "Health care can deal with the diseases and illnesses. But a lack of health care is not the cause of illness and disease. It is like saying that since aspirin cures a fever that the lack of aspirin must be the cause of the fever." By focusing on an upstream approach, it is possible to identify and alleviate the social determinants of health that drive the manifestation of many acute and chronic illnesses in the human population. Through classes and an independent study with Dr. Teufel, readings on my time outside of class requirements, and previous summer internship positions, I have gained a deeper level of understanding of the intersection of inequality, justice, and health. This project will serve to further my academic and personal interests in this area of study and allow me to contribute to the emerging research base of something that I strongly believe holds immense potential for improving both human rights and human health.

It is becoming increasingly accepted that addressing issues within the healthcare system alone will not be enough to improve individual and population health when there are broader social and environmental factors driving poor health status. Given my background in biochemistry and understanding of recent scientific developments, it is easy to see how the next decade will bring astonishing advances in genome editing, personalized medicine, and treatments on a molecular level for diseases once thought incurable. However, these scientific advances will not be enough to ensure that everyone is afforded equitable access to healthcare services, health promoting lifestyle choices, and legal remedies to health harming civil issues. Even if there is a magic bullet for genetically driven diseases, for example cystic fibrosis, other

illnesses will still be present as a manifestation of poverty, inequality, or poor access to justice. One of my central motivators for wanting to become a physician is rooted in my desire to improve the lives of others, most particularly society's most vulnerable. Through my educational experiences it has become strikingly apparent how valuable the work of civil legal aid attorneys is in the battle against sickness and poverty. Even though I am a very long way away from becoming a clinical practitioner of medicine, I can already anticipate seeing patients with illnesses that are being exacerbated or driven entirely by social or environmental factors that are outside of a doctor's realm of ability to treat.

Just as clinicians can diagnose illness by analyzing lab results, a CT scan, or an X-ray, my hope of this SOAR is to "diagnose" a disparity, a true societal virus, that is directly and indirectly causing people to live shorter and sicker lives. Conceptually speaking, making the argument that more unjust countries have poorer population health doesn't require an extraordinary line of logic to follow. However, providing statistical evidence and demonstrating that there is a significant correlation between the two is a much more difficult task. Moreover, it is also difficult to provide quantitative evidence that improving access to justice would improve lives, but through calculating social return on investment, a strong case can be made to take steps to improving justice, which in turn would improve population health. This SOAR would give me the opportunity to tackle these multidimensional challenges through three separate but interrelated scholarly projects and subsequently disseminate our findings to both interdisciplinary communities and communities directly related to provision of civil legal aid.

The manuscripts Dr. Teufel and I hope to publish in academic journals will contribute to a small but growing research base demonstrating the value and social benefits of civil justice. Our final evaluation report to North Penn Legal Services will serve to inform the United States Legal Service Corporation which directly manages the majority of funding for civil legal aid to expand access to services through increased funding. The work that this SOAR entails has the potential to help increase access to justice within the United States by providing evidence based research to justify increasing funding for civil legal aid. Half of the people who request legal aid services are turned away due to lack of attorney time that is related to underfunding access to civil justice, so as a nation we are far from reaching the full potential of simply providing equal access to the laws that govern every citizen whether they are rich or poor. The laws already exist and the system is already in place, so the next to step to achieving equal access to justice is to ensure that everyone, regardless of their income or ability to hire a lawyer, can benefit from civil justice. Community health pioneer Dr. Jack H. Geiger would write "prescriptions" for food when he would see malnourished patients, under the simple justification, "the last time we looked in the book for specific therapy for malnutrition, it was food." If civil legal problems are driving poorer health status then the remedy won't be found in the pages of a medical textbook or inside a pharmacy. Battling poor health is a fight that can be won inside the walls of a courtroom just as it has already been won inside the walls of a grocery store.

**SOAR Project Proposal  
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**Expense Proposal**

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**Expected Expenses:**

**Mileage for Travel to and from North Penn Legal Services & Parking**

Up to 140 mile travel reimbursement @ federal mileage rate of 0.535 per mile = \$75 for SOAR student

**Printing Costs for Final Report for North Penn Legal Services**

Expected Length = 40 pages

Number of copies = 5

Cost of five standard bound manuals w/ color = \$81.45 (Staples)

**Related Readings**

- *The Broken Ladder: How Inequality Affects the Way We Think, Live, and Die* by Keith Payne = \$18.35 (Amazon)
- *The Death Gap: How Inequality Kills* by David A. Ansell = \$19.99 (Amazon)
- *To Establish Justice for All: The Past and Future of Civil Legal Aid in the United States* by Earl Johnson = \$187.63 (Amazon)
- *Injustice: Why Social Inequality Still Persists* by Danny Dorling = \$21.72 (Amazon)

**Total Expense Request: \$404**

**Expense Justification:**

**Travel:** Student will submit mileage logs for travel by end of the project. Mileage logs would justify mileage reimbursement request and would not exceed \$75 total. Travel to and from North Penn Legal Services is essential for the collaboration on the project.

**Printing Costs:** The final report that will be delivered to North Penn Legal Services would inform the five year evaluation that is submitted to the United States Legal Services Corporation, which is the independent nonprofit established by Congress to provide financial support for civil legal aid services. The report could also be used to expand needed services within the organization itself. Standard printing expenses are justifiable because the research

findings we wish to disseminate would be delivered in a tactile and visually appealing report format for present and future use.

**Related Readings:** *Injustice*, *The Broken Ladder*, and *The Death Gap* would greatly add to the contextual framework of the exploratory research involving the intersection of issues of inequality, justice, and health. Since these readings are not highly technical academic works and are transmissible to the general population, they will assist the student in being able to frame the research questions and findings from the SOAR towards a more interdisciplinary audience. They will also allow the student to further develop foundational knowledge of the driving factors and outcomes of inequality and injustice in a health related context, which is the central focus of two of the three projects to be completed in this SOAR. *To Establish Justice for All* gives the complete detailed history of civil legal aid in the United States and how changes in society have created challenges for legal aid institutions. Since the student will be working directly with a legal aid organization (North Penn Legal Services) and the results of this SOAR research will inform the central institution of civil legal aid (Legal Services Corporation), this more technical academic literature will allow the student to gain a much deeper level of understanding of the history, funding, and delivery of civil legal aid. Our research will seek to demonstrate a link between poorer access to justice and poorer population health and civil legal aid services are essential in providing access to the civil justice system for low income individuals. Through this set of readings the SOAR student will be able to go further than just simple recognition of a disparity that is driving poor health and will become more prepared to explore actual solutions and remedies to this societal issue.