

**A HIDDEN INCOME TAX: TIME INEQUALITY IN THE LEGAL
SYSTEM THROUGH A PUBLIC HEALTH LENS**

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I. INTRODUCTION

Cumbersome bureaucracies, limited opportunities for economic mobility, and public policies rooted in individualism trap low-income people in poverty and facilitate governmental dependence.¹ This is not the result of a single law, societal program, or judicial decision, but is instead the product of a larger environmental structure in our society that perpetuates poverty.² One thread that weaves through the fabric of this societal imbalance is the assumption that the time of low-income people is inherently less valuable than that of higher-income individuals, a concept referred to as “time inequality.”³ The disproportionate loss of these precious hours restricts the autonomy of low-income people and forces them to choose how to best spend what could be one of the few assets they have: their time.⁴

The impact of time inequality is widespread.⁵ Low-income people spend more time than higher-income people each year waiting for services like healthcare and the receipt of government aid.⁶ These long delays and wait times may cause low-income people to forgo the services or benefits to which they are entitled.⁷ Whether it is housing, food, or healthcare, the decision to go without government benefits may negatively impact a low-income person’s health or stability.⁸ Similarly, a low-income person may forgo legal advocacy, in essence waiving their rights, to avoid lengthy court delays and frequent appearances.⁹ In both of these situations, the

1. See, e.g., Pamela Herd et al., *Introduction: Administrative Burden as a Mechanism of Inequality in Policy Implementation*, 9 RSF 1, 5, 13 (2023); Kurt Metzger, *How Do We Develop Neighborhoods of Opportunity?*, DATA DRIVEN DET. (Feb. 18, 2010), <https://datadrivendetroit.org/blog/2010/02/18/how-do-we-develop-neighborhoods-of-opportunity/> [https://perma.cc/J8HN-6MS3]; Azza Altiraiifi, *A Deadly Poverty Trap: Asset Limits in the Time of the Coronavirus*, CTR. FOR AM. PROGRESS (Apr. 7, 2020), <https://www.americanprogress.org/article/deadly-poverty-trap-asset-limits-time-coronavirus/> [https://perma.cc/UX9R-KZEX].

2. See generally Stephen B. Holt & Katie Vinopal, *Examining Inequality in the Time Cost of Waiting*, 7 NATURE HUM. BEHAV. 545, 547, 550 (2023) (discussing socioeconomic and racial disparities in time spent waiting for services).

3. *Id.* at 545.

4. See *id.*

5. See *id.*

6. *Id.* at 546, 550.

7. See, e.g., *The Bronx Defenders Reaches Settlement in Bronx Court Delay Case*, BRONX DEFS. (Aug. 9, 2018), <https://www.bronxdefenders.org/the-bronx-defenders-reaches-settlement-in-bronx-court-delay-case/> [https://perma.cc/HK7J-2BQS]; Holt & Vinopal, *supra* note 2, at 551.

8. Holt & Vinopal, *supra* note 2, at 551.

9. See, e.g., BRONX DEFS., *supra* note 7.

individual is forced to choose between accessing crucial resources and satisfying immediate obligations such as childcare or work.¹⁰

To analyze this disparity at a comprehensive systems level, this Note applies the socioecological model (SEM) of public health to demonstrate how time inequality restricts the autonomy of low-income people impacted by the legal system.¹¹ This behavior-change framework, as depicted below in Figure 2,¹² illustrates the reciprocal relationship between multiple levels of environmental influences and individual behavior, motivations, and beliefs.¹³ The application of the SEM to time inequality in the legal field is novel but appropriate. Since the behavior of interest here is the forced decision-making imposed by systemic time inequality on people with limited time and autonomy, the SEM can shed light on the forces that influence the priorities of a low-income person involved in the legal system.¹⁴

To do so, this Note proceeds in three parts. To frame the discussion, Part II provides a brief overview of the SEM's emergence and current uses in the field of public health.¹⁵ Part III then describes each component of the SEM in the public health context, applies the SEM to analyze how time inequality is perpetuated within the legal field, and identifies solutions that promote systemic time equality in the legal system.¹⁶ Finally, Part IV concludes by identifying important takeaways and inviting future dialogue on how to remedy the time inequality problem.¹⁷

II. BACKGROUND: SEM HISTORY & EVOLUTION

Psychological frameworks like the SEM are commonly utilized in the field of public health.¹⁸ Understanding individual behavior and

10. See generally Herd et al., *supra* note 1, at 9 (discussing how administrative burdens reinforce inequality); BRONX DEFS., *supra* note 7 (highlighting the impacts of court delays on access to the legal system).

11. See *infra* Part III.

12. See *infra* Figure 2.

13. Kenneth R. McLeroy et al., *An Ecological Perspective on Health Promotion Programs*, 15 HEALTH EDUC. Q. 351, 354 (1988).

14. See generally Holt & Vinopal, *supra* note 2, at 551 (analyzing how time inequality can alter priorities and behavior); McLeroy et al., *supra* note 13, at 354 (discussing the relationship between behavior and multiple levels of influence).

15. See *infra* Part II.

16. See *infra* Part III.

17. See *infra* Part IV. Throughout this Note, I frequently refer to the city of Detroit and the state of Michigan as examples. This selection was made for continuity and to better encompass the systemic nature of the time inequality problem. This being said, I believe that my findings and recommendations are widely applicable to other regions.

18. KAREN GLANZ, SOCIAL AND BEHAVIORAL THEORIES (2016), <https://obssr.od.nih.gov/sites/obssr/files/Social-and-Behavioral-Theories.pdf>

motivations enables public health experts to maximize the efficiency and appropriateness of their interventions.¹⁹ In the 1980s, public health experts began to recognize that an individual's health outcomes were not merely the result of poor decision-making.²⁰ For example, due to a number of potential environmental or systemic barriers, improving one's health may not be as easy as choosing a piece of fruit over junk food.²¹ Accordingly, experts began to acknowledge the influence of environmental factors in creating sustainable improvements in individual decision-making.²² From this theory emerged numerous SEM interventions that are still developing to date.²³

The SEM was first introduced in the late 1970s as an ecological model that conceptualized human development.²⁴ The foundational theory posited that characteristics from both the individual and their environment influence each other.²⁵ The first model, depicted in Figure 1,²⁶ demonstrated the theorized reciprocal relationship between individual traits and environmental factors, both immediate and attenuated.²⁷

[<https://perma.cc/NWJ8-UZFQ>].

19. *Id.*

20. McLeroy et al., *supra* note 13, at 352–53.

21. *See id.* (suggesting that environmental factors may be more impactful to health outcomes than individual decision-making alone).

22. *Id.* at 354.

23. *See, e.g.,* A. MCCLAY ET AL., FAMILY & YOUTH SERVS. BUREAU, INCREASING OUR IMPACT BY USING A SOCIAL-ECOLOGICAL APPROACH (2023), <https://teenpregnancy.acf.hhs.gov/sites/default/files/resource-files/Increasing-our-impact-social-ecological-approach.pdf> [<https://perma.cc/B25M-9KCQ>] (adapting the original SEM to develop an intervention that supports teens' development).

24. Jill F. Kilanowski, *Breadth of the Socio-Ecological Model*, 22 J. AGROMEDICINE 295 (2017).

25. *Id.*

26. *See infra* Figure 1.

27. Kilanowski, *supra* note 24, at 295.

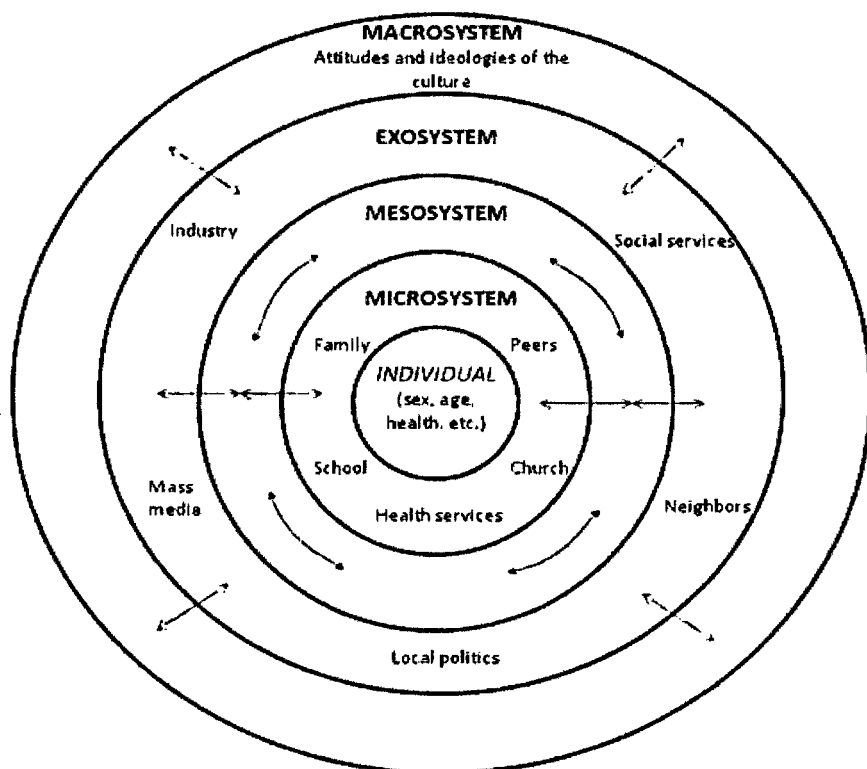


Figure 1: Original SEM.²⁸

The original framework centered the individual within other categorized influences, which are referred to as “nests.”²⁹ The broadest, most outward “macrosystem” represented cultural norms and order.³⁰ Moving inward, the “exosystem” focused on greater social forces such as the government and the economy.³¹ The smaller “mesosystem” reflected a comprehensive network of local personal connections.³² Finally, closest to the individual, the “microsystem” represented personal relationships.³³

28. Ann E. Bartos & Bronwyn E. Wood, *Ecological Wellbeing, Childhood and Environmental Change*, in CHILDREN’S HEALTH AND WELLBEING IN URBAN ENVIRONMENTS 234, 238 (Christina Ergler et al. eds., 2017).

29. *Id.* at 237.

30. *Id.*

31. *Id.*

32. *Id.*

33. *Id.*; McLeroy et al., *supra* note 13, at 354.

The SEM has evolved through decades of trial and error in various public health campaigns, including safe-sex interventions,³⁴ safe sleep programs for infants,³⁵ and smoking cessation efforts.³⁶ Public health experts have adapted the original model, now dividing the SEM nests into public policy, community, organizational, interpersonal, and intrapersonal (individual) factors that influence a person's health behaviors, as shown in Figure 2 below.³⁷ This Note applies the modern version of the SEM.³⁸

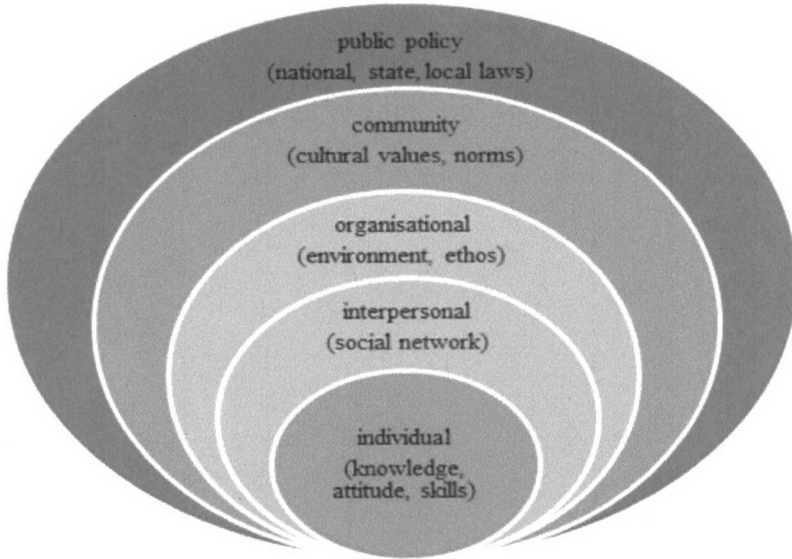


Figure 2: Modern SEM.³⁹

34. Maureen Muchimba, *Social-Ecological Predictors of Sexual Risk Behavior Among Young Adults*, 13 J. SOC. BEHAV. & HEALTH SCIS. 1, 7–8 (2019) (applying the SEM to find that a youth's disinclination for risk-taking, positive father-child interpersonal relationships, and a strong sense of community at school are all associated with fewer risky sexual behaviors).

35. Trina C. Salm Ward & Jennifer J. Doering, *Application of a Socio-Ecological Model to Mother-Infant Bed-Sharing*, 41 HEALTH EDUC. & BEHAV. 577, 578 (2014) (conducting a systematic literature review to find significant predictors of parent-infant bed-sharing at each nest of the SEM).

36. Regina G. Moore Ude et al., *Why Can't I Stop Smoking: Predictors of Tobacco Use and Quit Rates in the Freedom From Tobacco Program*, 15 CUREUS 1, 3–6 (2023) (developing a questionnaire about individual smoking habits using SEM factors like smoking policies, family smoking history, and education levels to identify factors that influence quitting smoking).

37. Peter U. Okoye, *Improving the Safety Performance of Nigeria Construction Workers: A Social Ecological Approach*, 4 UNIVERSAL J. ENG'G SCI. 22, 26 (2016).

38. See *infra* Part III.

39. Okoye, *supra* note 37, at 26.

III. ANALYSIS: A SEM APPROACH TO TIME INEQUALITY

As depicted in Figure 2, the modern SEM targets the influences of policy, community, organizational, interpersonal, and intrapersonal factors on an individual's behavior.⁴⁰ Understanding each SEM nest in the public health context helps illuminate how environmental time constraints influence decision-making behavior within the legal field.⁴¹ Accordingly, the following section proceeds nest by nest, first describing each nest's role in the public health context and then analyzing how it applies to low-income individuals in the legal system.

A. Policy Nest

1. Policy Nest in the Public Health Context

The policy nest of the SEM is the broadest and represents the impact of social and governmental policies on an individual's life.⁴² The fundamental goal of the policy nest is to use laws and policies to influence the way people act.⁴³ Consequently, to improve individuals' life outcomes, interventions at this level focus on raising public awareness and developing state and federal policies that target particular behaviors.⁴⁴ In the public health context, examples of legislation that promote positive individual health behaviors include seatbelt laws,⁴⁵ anti-smoking legislation,⁴⁶ and vaccine requirements.⁴⁷ These policies directly target a health risk and make performing the relevant behavior either a requirement, as with seatbelt laws, or more difficult, like indoor smoking prohibitions.⁴⁸

40. See generally *id.* (explaining the SEM as applied to construction worker safety in Nigeria).

41. See McLeroy et al., *supra* note 13, at 352–53.

42. *Id.* at 351, 354, 366.

43. *Id.* at 365–66.

44. *Id.*

45. Philip Seo, *Revisionist History: Seat Belts & Resistance to Public Health Measures*, THE RHEUMATOLOGIST (Oct. 13, 2021), <https://www.the-rheumatologist.org/article/revisionist-history-seat-belts-resistance-to-public-health-measures/> [https://perma.cc/B3LJ-RYWS].

46. MARELA MINOSA, CAMPAIGN FOR TOBACCO-FREE KIDS, SMOKE-FREE LAWS ENCOURAGE SMOKERS TO QUIT AND DISCOURAGE YOUTH FROM STARTING (2023), <https://assets.tobaccofreekids.org/factsheets/0198.pdf> [https://perma.cc/C9TY-9V62].

47. Holden Caplan et al., *Perspectives on State Vaccine Education Mandate Policy and Implementation Among Public Health Department Officials: A Qualitative Study*, 16 HUM. VACCINES & IMMUNOTHERAPEUTICS 1145 (2019).

48. Cf. McLeroy et al., *supra* note 13, at 365 (listing examples of public policies that either restrict or incentivize behaviors that impact health, such as alcohol tax).

While they may be well-intentioned, these policies can collaterally impact the time and autonomy of low-income people in a negative way.⁴⁹ One example of this is car insurance mandates.⁵⁰ Nearly everyone who drives a vehicle in the United States is required to carry car insurance to cover costs in the event of an accident.⁵¹ In states that require no-fault insurance, such as Michigan, an individual's insurance must cover the individual's own medical expenses—and in some states, lost wages and other costs—resulting from an accident, even if the crash was caused by another driver.⁵² This produces extraordinarily steep car insurance rates that disproportionately impact low-income drivers.⁵³ Statewide, Michigan's average annual car insurance premium for minimum coverage is seventeen percent above the national average.⁵⁴ Detroit faces rates almost three times higher than the national average, with state minimum coverage costing an average of \$994 each year.⁵⁵ Unaffordable insurance can contribute to time inequality. For example, being unable to pay for insurance might force low-income people to choose between breaking the law by driving uninsured—risking time spent complying with court-imposed proceedings and punishments—or paying for insurance while sacrificing stability in other areas, like housing or food.⁵⁶

49. See, e.g., PATRICK COONEY ET AL., UNIV. MICH. POVERTY SOLS., *AUTO INSURANCE AND ECONOMIC MOBILITY IN MICHIGAN: A CYCLE OF POVERTY* (2019), https://sites.fordschool.umich.edu/poverty2021/files/2021/03/auto_insurance_and_economic_mobility_in_michigan_2.pdf [<https://perma.cc/3XF7-27FR>] (discussing how economic mobility and transportation are connected and how high car insurance premiums in Michigan disproportionately impact low-income residents).

50. See *id.*

51. *Your Guide to Car Insurance Requirements State-by-State*, MERCURY INS. (Sep. 24, 2024), <https://www.mercuryinsurance.com/resources/basics-101/car-insurance-requirements-state-by-state.html> [<https://perma.cc/ZQQ7-VHTJ>]. New Hampshire is the only state that does not require car insurance, although to opt out, drivers must prove their ability to cover their financial liabilities in the event of an accident. *Id.*

52. MICH. DEP'T OF INS. AND FIN. SERVS., *BRIEF EXPLANATION OF MICHIGAN NO-FAULT INSURANCE* (2020), https://www.michigan.gov/-/media/Project/Websites/autoinsurance/PDFs/FIS-PUB_0202a.pdf [<https://perma.cc/E85C-RZZY>]; *What is Personal Injury Protection?*, PROGRESSIVE, <https://www.progressive.com/answers/personal-injury-protection/> [<https://perma.cc/5CUE-CVA5>] (last visited Feb. 14, 2026).

53. See COONEY ET AL., *supra* note 49.

54. Daniel Robinson, *Cheapest Car Insurance in Michigan*, MKT. WATCH GUIDES (Mar. 10, 2026), <https://www.marketwatch.com/insurance-services/auto-insurance/average-cost-of-car-insurance-in-michigan/> [<https://perma.cc/JHZ9-VE7T>].

55. Shivani Gite, *Average Car Insurance Cost in Detroit, Michigan*, INSURE.COM (Mar. 3, 2026), <https://www.insure.com/car-insurance/average-car-insurance-cost-in-detroit-mi/> [<https://perma.cc/GK7U-9U6Z>].

56. See *id.*; Holt & Vinopal, *supra* note 2, at 546.

A similar policy dilemma is presented within the context of Medicaid.⁵⁷ The Medicaid scheme provides health coverage for low-income people by using federal and state dollars to reimburse healthcare providers for free or low-cost services performed for its beneficiaries.⁵⁸ However, unpredictable and insufficient reimbursement rates from the government disincentivize provider participation in the program, which reduces the availability of providers that accept Medicaid.⁵⁹ Fewer available providers contributes to time inequality as beneficiaries tend to commute farther and wait longer to receive care.⁶⁰ These are barriers that higher-income people can afford to avoid, as they are more likely to possess private health insurance and have more provider options.⁶¹ While all state Medicaid programs, including Michigan's, facilitate transportation to providers,⁶² the scheme nonetheless fails to address the impacts of time inequality because, regardless of whether the patient drives themselves to their provider or receives a ride, they are required to invest more time receiving care than higher-income individuals.⁶³

A commonly suggested solution to problems like those above is to change policy through voting.⁶⁴ However, time inequality contributes to limited political power amongst low-income people, which can prevent their voices from being represented.⁶⁵ Voters who are low-income and people of color tend to be impacted the most by strict voting measures,

57. See Holt & Vinopal, *supra* note 2, at 546.

58. Robin Rudowitz et al., *10 Things to Know About Medicaid*, KFF (June 30, 2023), <https://www.kff.org/medicaid/issue-brief/10-things-to-know-about-medicaid/> [<https://perma.cc/6YZJ-YGEN>].

59. Holt & Vinopal, *supra* note 2, at 552.

60. *Id.* at 546, 551.

61. *Id.* at 546, 549; De-Chih Lee et al., *The Convergence of Racial and Income Disparities in Health Insurance Coverage in the United States*, 20 INT'L J. EQUITY HEALTH 1, 4–5 (2021).

62. Assurance of Transportation, MEDICAID.GOV, <https://www.medicaid.gov/medicaid/benefits/assurance-of-transportation/index.html> [<https://perma.cc/Z87H-MMEB>] (last visited Jan. 18, 2026); MICH. DEP'T OF HEALTH AND HUM. SERV., HEALTHY MICHIGAN PLAN, MICHILD & FEE-FOR-SERVICE MEDICAID HANDBOOK (2024), https://www.michigan.gov/mdhhs/-/media/Project/Websites/mdhhs/Folder1/Folder69/MDCH-Pub_669_Medicaid_Fee_for_Svc.pdf [<https://perma.cc/A5G7-Y7W3>].

63. See Holt & Vinopal, *supra* note 2, at 546, 551.

64. See *Why Voting Is Important: Your Voice Matters*, HEADCOUNT, <https://www.headcount.org/voter-education/why-voting-is-important-your-voice-matters/> [<https://perma.cc/LB4H-Q7RF>] (last visited Jan. 18, 2026) (describing how all individuals are empowered to influence policies by exercising their right to vote).

65. Holt & Vinopal, *supra* note 2, at 546; Yuvraj Joshi, *Racial Time*, 90 U. CHI. L. REV. 1625, 1679–80 (2023).

making registration, early voting, and absentee voting more difficult.⁶⁶ This can result in lengthy commutes and long voting lines on Election Day.⁶⁷ One study found that voters in entirely Black precincts waited twenty-nine percent longer at the polls than voters in entirely white areas.⁶⁸ The sacrifice required to make one's voice heard not only imposes unequal demands on their time, but it may also deter low-income individuals from voting and limit their political power, preventing those individuals from influencing policy decisions that could benefit them.⁶⁹

2. *Applying the Policy Nest to the Legal System*

The time inequality that we see in the public health sector has parallels in the legal context. In the legal system, the policy nest encompasses two processes that legally govern individuals' autonomy: (1) court procedures and adjudications and (2) legislative policymaking.⁷⁰ Within criminal and civil systems, court-sanctioned time inequality effectively denies justice to low-income people who are deterred from exercising their rights due to the implications of their lost time.⁷¹ Similarly, examination of legislative schemes reveals a system that can either dismantle or perpetuate time inequality amongst low-income populations.⁷²

2.a. *Court Procedures & Adjudications*

Inefficient court procedures in the criminal and civil legal contexts can contribute to time inequality.⁷³ Pretrial detention in the criminal context

66. Matt DeRienzo, *How We Documented Inequity in Access to Voting*, CTR. FOR PUB. INTEGRITY (Oct. 6, 2022), <https://publicintegrity.org/politics/elections/who-counts/how-we-documented-inequity-in-access-to-voting/> [<https://perma.cc/KE2N-HNGU>].

67. See Holt & Vinopal, *supra* note 2, at 546 (highlighting disparities in voting wait times by race).

68. M. Keith Chen et al., *Racial Disparities in Voting Wait Times: Evidence from Smartphone Data*, 104 REV. ECON. & STAT. 1341, 1341, 1347 (2020).

69. Holt & Vinopal, *supra* note 2, at 546; Joshi, *supra* note 65, at 1679–80.

70. See, e.g., LAUREN-BROOKE EISEN & INIMAI CHETTIAR, CRIMINAL JUSTICE: AN ELECTION AGENDA FOR CANDIDATES, ACTIVISTS, AND LEGISLATORS (2018), https://www.brennancenter.org/sites/default/files/publications/Criminal_Justice_An_Election_Agenda_for_Candidates_Activists_and_Legislators%20.pdf [<https://perma.cc/62CJ-2WYS>]; Herd et al., *supra* note 1.

71. See generally REGINALD H. SMITH, JUSTICE AND THE POOR 5 (1919) (discussing at length how low-income individuals have historically lacked access to justice).

72. See S.B. 9839, 2023–24 Leg., Reg. Sess. (N.Y. 2024); Herd et al., *supra* note 1, at 5.

73. See, e.g., Clare Perez, *The Criminalization of Poverty in Pretrial Detention Hearings*, GEO. J. ON POVERTY L. & POL'Y ONLINE (Mar. 19, 2023), <https://www.law.georgetown.edu/poverty-journal/blog/the-criminalization-of-poverty-in-pretrial-detention-hearings/> [<https://perma.cc/2KWC-VG9F>]; MICH. JUST. FOR ALL

provides a prime example, particularly when considering a cash bail system.⁷⁴ Bail is the “temporary release of a prisoner in exchange for security . . . given for the prisoner’s appearance at a later hearing.”⁷⁵ In cash bail systems, “security” is a monetary payment, the imposition of which judges are afforded wide discretion.⁷⁶ Individuals charged with crimes who are unable to afford bail can either contract with a private company to post the bail, which requires a non-refundable fee and an asset to serve as collateral, or wait in jail until the conclusion of the case.⁷⁷ If an individual lacks assets or is unable to pay the fee to acquire a private bondsman, they may be detained in jail for a year or longer before their day in court.⁷⁸ Even though this individual has not been convicted of a crime, their inability to post bond nonetheless compromises their employment and income, housing, and well-being.⁷⁹ Whereas a higher-income person can retain their autonomy prior to trial by posting bail, a low-income person without sufficient money or other assets must sacrifice this time to the state.⁸⁰ In other words, cash bail can cause indigent clients to wait in jail as their cases proceed, whereas wealthier clients can fight their case from the outside.⁸¹

Even when an individual is able to post cash bail, insufficient resources in jails can cause them to remain incarcerated for nearly a week

COMM’N, IMPROVING EVICTION PROCEEDINGS IN MICHIGAN: REPORT & RECOMMENDATIONS (2024), <https://www.courts.michigan.gov/49f7cb/siteassets/reports/special-initiatives/justice-for-all/improving-evictions-in-michigan-report-and-recs.pdf> [https://perma.cc/B7MD-8XSL].

74. EISEN & CHETTIAR, *supra* note 70, at 14.

75. *Bail*, MERRIAM-WEBSTER, <https://www.merriam-webster.com/dictionary/bail> [https://perma.cc/TMR9-BJUV] (last visited Jan. 18, 2026).

76. *See id.*; Adureh Onyekwere, *How Cash Bail Works*, BRENNAN CTR. (Feb. 24, 2021), <https://www.brennancenter.org/our-work/research-reports/how-cash-bail-works> [https://perma.cc/C3A8-MMJW] (describing that, although each offense carries recommendations regarding bail amount, judges are empowered to increase, decrease, or entirely waive the required payment).

77. *See* Onyekwere, *supra* note 76.

78. *Cf.* Kayla Clarke, *Backlog Has Wayne County Judges Scheduling Jury Trials for 2024*, CLICK ON DET. (Oct. 27, 2022, at 18:37 ET), <https://www.clickondetroit.com/news/local/2022/10/27/backlog-has-wayne-county-judges-scheduling-jury-trials-for-2024/> [https://perma.cc/AKR3-WMWM] (reporting that, in 2022, some individuals charged with crimes had been incarcerated awaiting trial since the onset of the pandemic in 2020).

79. Rachel O’Flanagan, *The Impacts of Cash Bail: How it Harms Poor Individuals, People of Color, and Undermines Civil Rights*, ACLU KAN. (May 21, 2024), <https://www.aclukansas.org/en/publications/impacts-cash-bail-how-it-harms-poor-individuals-people-color-and-undermines-civil> [https://perma.cc/TCL5-UPDL].

80. *See generally* Perez, *supra* note 73 (explaining the disparate impacts of pretrial detention on low-income individuals).

81. EISEN & CHETTIAR, *supra* note 70, at 7, 14.

or longer after their release is granted—a process that should typically be completed within a matter of hours.⁸² For instance, a class action filed in October 2024 against the Wayne County sheriff and other officials alleges that the electronic system for monitoring individuals who are out on bond, referred to as a “tether,” is dangerously unreliable and nontransparent.⁸³ The complaint alleges that the named plaintiff, Liam West-Campeau, was incarcerated awaiting tether for more than six days after a judge ordered his supervised release on bond,⁸⁴ violating Fourteenth Amendment protections against “unreasonable” detention after lawful custody is terminated.⁸⁵ The complaint attributed this delay to the jail’s “chronically offline” tether technology, poor inmate tracking, and refusal to allow inmates to make phone calls, which West-Campeau claims deprived him of physical liberties, potential earnings, and mental stability.⁸⁶ Class certification is currently pending in the Eastern District of Michigan.⁸⁷

Disorganized and delayed jail and court systems produce time inequality because low-income people are more likely to spend time incarcerated prior to being tried for the offenses charged.⁸⁸ This not only compromises low-income individuals’ financial and mental wellbeing; it may also impact the outcomes of their cases by reducing their bargaining power.⁸⁹ Individuals who are detained and subjected to court delays are at an increased likelihood of accepting a guilty plea, even if they believe in their innocence, just to put an end to the cumbersome, lengthy proceedings

82. Kara Berg, *Man Held in Wayne County Jail for 6 Days After Judge Orders Release Files Class Action Lawsuit*, DET. NEWS (Oct. 21, 2024, at 17:36 ET), <https://www.detroitnews.com/story/news/local/wayne-county/2024/10/21/man-held-in-wayne-co-jail-for-6-days-after-judge-orders-release-sues/75775199007/> [<https://perma.cc/KSU4-XLXC>].

83. See Complaint ¶ 52, *West-Campeau v. Dunlap*, No. 2:24-cv-12751 (E.D. Mich. filed Oct. 17, 2024).

84. *Id.* ¶¶ 29, 31.

85. *Id.* ¶¶ 44–45.

86. *Id.* ¶¶ 17, 24, 26, 31, 33.

87. *West-Campeau v. Dunlap*, No. 2:24-cv-12751 (E.D. Mich. Oct. 17, 2024).

88. See generally Perez, *supra* note 73 (noting that low-income defendants are disproportionately held in pretrial detention because they lack the social and financial resources required for supervised release plans); Cf. John Mathews II & Felipe Curiel, *Criminal Justice Debt Problems*, A.B.A. (Nov. 30, 2019), <https://www.americanbar.org/groups/crsj/resources/human-rights/archive/criminal-justice-debt-problems/> [<https://perma.cc/U7WL-XKEE>] (finding that over thirty percent of defendants who are not released pre-trial are detained due to their inability to afford cash bail).

89. O’Flanagan, *supra* note 79; Will Dobbie et al., *The Effects of Pretrial Detention on Conviction, Future Crime, and Employment: Evidence from Randomly Assigned Judges*, 108 AM. ECON. REV. 201, 234 (2018).

and avoid the risk of spending even more time in jail if convicted.⁹⁰ This affects the time of detainment for individuals not only during their cases, but in their lives upon release, as individuals with criminal records are less likely to secure gainful employment and more likely to recidivate, starting the cycle all over again.⁹¹ In this way, court delays result in time inequality that denies justice to low-income individuals.⁹²

Similar impacts on time can be observed in civil cases, even though bail and incarceration are not involved.⁹³ Using Michigan as a reference point, even before the pandemic worsened the situation, court delays due to insufficient resources and schedule mismanagement caused parties in civil cases to spend entire days waiting for their hearings, rather than being called as scheduled in the morning.⁹⁴ For the individual, this means that they must make the necessary arrangements to appear in person for a full day, including securing time off work, arranging childcare, and attending to other personal obligations.⁹⁵ In addition, the individual must coordinate transportation to court, which requires more money to park or obtain a ride.⁹⁶ These constraints and demands the civil legal system imposes on low-income litigants' time may be one reason why they are not as likely to seek assistance for civil legal problems as higher-income people.⁹⁷

Thus, for low-income people in both the criminal and civil contexts, the demands of court procedures on their already-limited time negatively affect their ability to enforce their rights.⁹⁸ Some may even choose to forgo obtaining legal assistance or participating in their defense altogether and essentially waive their protections under the laws, calling into question whether the laws are capable of protecting their liberties at all.⁹⁹

90. EISEN & CHETTIAR, *supra* note 70, at 14.

91. Dobbie et al., *supra* note 89, at 235.

92. See generally EISEN & CHETTIAR, *supra* note 70 (explaining that prolonged pretrial delays disproportionately harm low-income defendants who cannot afford bail, forcing them to remain incarcerated while awaiting trial and increasing pressure to accept unfavorable plea deals solely to regain their liberty); Dobbie et al., *supra* note 89, at 234.

93. See generally MICH. JUST. FOR ALL COMM'N, *supra* note 73 (finding that eviction cases in Michigan took longer to reach disposition during and after the COVID-19 pandemic, demonstrating that civil case timelines can also be significantly delayed).

94. *Id.*

95. *Cf. id.* (observing that, prior to holding remote eviction proceedings, respondents were burdened with making childcare and work arrangements to appear in court).

96. *Cf. id.* (highlighting that transportation can be burdensome for those involved in court proceedings).

97. *The Justice Gap: Seeking and Receiving Legal Help*, LEGAL SERVS. CORP., <https://justicegap.lsc.gov/resource/section-4-seeking-and-receiving-legal-help/> [<https://perma.cc/TQB6-WDSH>] (last visited Mar. 9, 2026).

98. SMITH, *supra* note 71, at 5.

99. See generally *id.* (explaining that indigent individuals frequently refrain from seeking legal counsel or meaningfully participating in their defense due to economic and structural

2.b. Legislative Policymaking

Legislation can promote time equality and reduce civil court backlog by calling for the assignment of more judges.¹⁰⁰ For example, New York legislation seeks to alleviate the burden of court delays by expanding the number of judges that hear family and civil matters.¹⁰¹ The act calls for the election of four additional family court judges and twelve additional civil court judges in New York City by January 1, 2025.¹⁰² Relying on data collected by the New York Unified Court System, lawmakers were able to target the need for increased judicial resources.¹⁰³ New York Governor Kathy Hochul referred to family and civil issues as “some of the most sensitive” and underscored the need for efficient and timely adjudication in such matters.¹⁰⁴

Although information about New York’s recent implementation of this law is not yet available, legal experts have urged lawmakers for years to increase the number of judgeships to keep up with rising caseloads.¹⁰⁵ Research found that adding 100 judges to immigration courts nationwide would have resulted in savings of more than \$800 million in detention and immigration agent costs from 2014 to 2018 and reduced the total duration of proceedings “to months instead of years.”¹⁰⁶ By analogy, the addition of sixteen total judges to New York’s family and civil systems may produce similar benefits.¹⁰⁷ For one, more judges means improved processing time for family matters, which may decrease the length of involvement by agencies like Child Protective Services (CPS) and result

barriers, thereby effectively relinquishing the protections ostensibly afforded to them by law).

100. See, e.g., S.B. 9839, 2023–24 Leg., Reg. Sess. (N.Y. 2024).

101. *Id.*

102. *Id.*

103. *Governor Hochul Signs Legislation to Reduce Case Backlog in Family and Civil Courts*, N.Y. STATE (July 17, 2024), <https://www.governor.ny.gov/news/governor-hochul-signs-legislation-reduce-case-backlog-family-and-civil-courts> [https://perma.cc/TGR6-KP5J].

104. *Id.*

105. See, e.g., Cristobal Ramón & Tim O’Shea, *Why Hiring More Judges Would Reduce Immigration Court Backlogs*, BIPARTISAN POL’Y CTR. (July 25, 2018), <https://bipartisanpolicy.org/blog/why-hiring-more-judges-would-reduce-immigration-court-backlogs/> [https://perma.cc/7ZNS-MNCS].

106. *Id.*

107. See generally *id.* (noting that “[b]y using court data to estimate the impact on the backlog of hiring more judges,” authors “find that increasing the number of immigration judges would reduce the backlog by 2025” and explaining that the small number of judges relative to incoming cases has substantially lengthened wait times, such that adding judges would shorten “the wait periods for court hearings”).

in cost savings.¹⁰⁸ Further, reduced court backlog may foster public trust in the legal system and incentivize its use over non-legal, self-help methods.¹⁰⁹ This shows how legislation aimed at reducing court backlog may reduce the barriers of time inequality for low-income people seeking to enforce their rights by utilizing the legal system.¹¹⁰

Legislators also have the power to drive bail reform.¹¹¹ In Michigan, House Bills 4655–4662 would have eliminated cash bail for low-income individuals charged with non-violent crimes, requiring judges to release these defendants and provide social resources instead, like mental health and transportation support.¹¹² This legislation also would have limited the use of tether systems to the least necessary extent—an action that may have entirely prevented the type of prolonged detention alleged in *West-Campeau*.¹¹³ These bills unfortunately did not pass in the most recent 2024 legislative session, but local organizers are urging lawmakers to reconsider in their next session.¹¹⁴

Even so, the disparity of time inequality in laws and policies reaches farther than the courtrooms. Cumbersome processes for obtaining and renewing government benefits are another means of devaluing the time of low-income people, through the very policies that exist to support them.¹¹⁵ Generally, there are two types of poverty policy schemes: means-tested and universal.¹¹⁶ Means-tested programs provide benefits based on one's

108. See Lisa Edmunds, *Court Delays in Family Law: How New Reforms Are Tackling the Backlog*, UNIT CHAMBERS (Sep. 2024), <https://www.unit.law/insights/court-delays-in-family-law-how-new-reforms-are-tackling-the-backlog> [<https://perma.cc/5M2F-TBGM>].

109. See, e.g., REBECCA L. SANDEFUR, AM. BAR FOUND., ACCESSING JUSTICE IN THE CONTEMPORARY USA: FINDINGS FROM THE COMMUNITY NEEDS AND SERVICES STUDY (2014), https://www.americanbarfoundation.org/wp-content/uploads/2023/04/sandefur_accessing_justice_in_the_contemporary_usa_aug_2014.pdf [<https://perma.cc/GY3B-R4TP>].

110. See, e.g., Ramón & O'Shea, *supra* note 105.

111. See, e.g., H.B. 4655, 2023 Leg., Reg. Sess. (Mich. 2023).

112. See *id.*; H.B. 4657, 2023 Leg., Reg. Sess. (Mich. 2023).

113. See H.B. 4656, 2023 Leg., Reg. Sess. (Mich. 2023) (requiring that any restrictive condition of release, such as electronic monitoring, be imposed only after a court considers statutorily enumerated criteria and finds “the condition necessary” to ensure appearance or public safety and it is “the least restrictive means” necessary); Complaint ¶¶ 24, 26, 31, 33, *West-Campeau v. Dunlap*, No. 2:24-cv-12751 (E.D. Mich. filed Oct. 17, 2024).

114. See, e.g., Jeremy Cherson, *Michigan Legislature Fails to Advance Historic Pretrial Reform Legislation*, THE BAIL PROJECT (Dec. 19, 2024), <https://bailproject.org/press/michigan-legislature-fails-to-advance-historic-pretrial-reform-legislation/> [<https://perma.cc/86HA-2MBL>].

115. Herd et al., *supra* note 1, at 5, 9.

116. “Means-test,” MERRIAM-WEBSTER, <https://www.merriam-webster.com/dictionary/means%20test> [<https://perma.cc/BX7X-T334>] (last visited Feb. 15, 2026). A means test is “an examination into the financial state of a person to determine eligibility for public assistance.” *Id.*; Herd et al., *supra* note 1, at 2.

low-income status and include Medicaid as described above, Supplemental Nutrition Assistance Program (SNAP) for food assistance, and Temporary Assistance for Needy Families (TANF), which provides eligible families with short-term cash benefits for basic needs like housing, energy, and childcare.¹¹⁷

Universal programs, in contrast, are based on other criteria such as age or physical condition.¹¹⁸ This includes Medicare, for which most recipients must be age sixty-five or older, workers' compensation for jobsite injuries, and Social Security, which supplements income for retirees, people with disabilities, and surviving spouses.¹¹⁹ In 2022, 23.5% of Americans received Medicaid or Children's Health Insurance Program (CHIP) benefits, making them the most populous assistance programs, followed by Medicare, Social Security, and SNAP.¹²⁰

For any of these programs, wait time is a barrier to immediate assistance or relief for the beneficiary.¹²¹ Means-tested determinations may take up to a month or longer, meaning prospective beneficiaries must make do without access to benefits until a decision is rendered.¹²² Social

117. MERRIAM-WEBSTER, *supra* note 116; Herd et al., *supra* note 1, at 2, 13; *What is TANF?*, USA.GOV (Jan. 3, 2025), <https://www.usa.gov/welfare-benefits> [https://perma.cc/P729-ZPVM].

118. *About Program Income and Public Assistance*, CENSUS.GOV (May 12, 2023), <https://www.census.gov/topics/income-poverty/public-assistance/about.html> [https://perma.cc/9QAR-K6ND]; e.g., SOC. SEC. ADMIN., PUB. NO. 05-10024, UNDERSTANDING THE BENEFITS (2025), <https://www.ssa.gov/pubs/EN-05-10024.pdf> [https://perma.cc/T9FE-BF4G].

119. See generally CENSUS.GOV, *supra* note 118 (describing "social insurance" public assistance programs as those with eligibility criteria based on age, employment status, or veteran status); SOC. SEC. ADMIN., *supra* note 118.

120. *How Many People Receive Government Assistance?*, USA FACTS (Sep. 24, 2024), <https://usafacts.org/articles/how-many-people-receive-government-assistance/> [https://perma.cc/PV9V-28UG].

121. See generally Herd et al., *supra* note 1, at 4–5 (noting that many social-welfare programs use wait lists that can delay receipt of services for up to years, inhibiting the beneficiaries access to assistance).

122. *How Long Does It Take to Process an Application?*, MICH.GOV: DEP'T OF HEALTH & HUM. SERVS., <https://www.michigan.gov/mdhhs/faq/legislative-services/how-long-does-it-take-to-process-an-application> [https://perma.cc/CUC2-G53T] (last visited Mar. 21, 2026); see, e.g., MICH. DEP'T OF HEALTH & HUM. SERVS., BRIDGES ADMINISTRATION MANUAL (BAM) 117 (Jan. 1, 2025), <https://mdhhs-presprod.michigan.gov/olmweb/ex/BP/Mobile/BAM/BAM%20Mobile.pdf> [https://perma.cc/H22Q-KBH6]. In Michigan, food assistance applicants qualify for processing within one week if: (1) their monthly income does not surpass \$150 and their liquid assets amount to \$100 or less; (2) they are a "destitute migrant or seasonal farmworker" with \$100 or less in liquid assets; or (3) the applicant(s)' housing costs exceed their gross income and liquid assets. *Id.*

Security claims are processed even slower.¹²³ During the Social Security Administration's 2023 fiscal year, an applicant, on average, waited over 200 days for an eligibility determination—with some hearing offices taking “well over 475 days” on average to process initial disability claims.¹²⁴

In addition to pure wait time, as with criminal or civil litigation described above, benefit determination processes can require appearances and testimony by the claimant, which requires them to dedicate their limited time to pursuing benefits.¹²⁵ Cumbersome application and reporting processes impose further delays and constraints on the applicant's autonomy.¹²⁶ To qualify for means-tested and universal programs, an applicant is often expected to complete lengthy forms, submit proof of their claims via documentation, participate in interviews, and/or comply with work requirements, which require them to work a certain amount of hours in exchange for benefits.¹²⁷

A single mistake during the mountainous application process can result in the applicant's permanent denial or require them to repay all past benefits received.¹²⁸ Further, any slight change in the applicant's financial status, even one out of their control such as a minor pay increase, is automatically considered against them, compromising their benefit eligibility.¹²⁹ These complicated and unpredictable redetermination procedures incentivize applicants to remain in poverty rather than risk earning just a little too much and losing access to their benefits of greater value.¹³⁰ Failing to report such changes, even if the change was only short-term, may lead to penalties or the loss of benefits.¹³¹ To stay current, an

123. Victoria M. Esposito, *A Systemic Reimagining of Poverty Law*, 31 GEO. J. POVERTY L. & POL'Y 1, 10 n.45 (2023).

124. *Id.*; MARTIN O'MALLEY, SOC. SEC. ADMIN., FY 2024 OPERATING PLAN (May 6, 2024), <https://www.ssa.gov/budget/assets/materials/2024/2024OP.pdf> [<https://perma.cc/F6PH-SGYN>].

125. *See* Herd et al., *supra* note 1, at 5 (describing how “compliance costs,” including providing documentation, procedural demands, and in-person interviews or appearances, impose additional time and effort on claimants).

126. *Id.*

127. *Id.* at 2, 5.

128. *See* Herd et al., *supra* note 1, at 5; MICH. COMP. LAWS § 400.60(1) (1939) (providing legal penalties and recourse against beneficiaries for misrepresentations made to receive aid).

129. *Cf.* Altiraifi, *supra* note 1 (explaining how stringent eligibility thresholds for assistance programs encourage applicants to rid their assets and reduce monthly earnings to satisfy their immediate need for crucial benefits).

130. *Id.*

131. *See, e.g.,* *The Food Assistance Program (FAP, or Food Stamps) Work Rules*, MICH. LEGAL HELP, <https://michiganlegalhelp.org/resources/public-assistance/food-assistance-program-fap-or-food-stamps-work-rules> [<https://perma.cc/5UAW-KMVD>] (last visited

applicant must constantly submit benefit redetermination forms and begin the waiting process anew as their access to health, food, or cash benefits hangs in the balance.¹³² Thus, the complex webs of obtaining government assistance restrict an applicant's autonomy and govern how they should spend their time.

Finally, the structure of U.S. poverty policies may dissuade eligible beneficiaries from obtaining assistance that could benefit their financial stability or physical wellbeing.¹³³ Of individuals who qualified for, but declined to participate in SNAP, for example, forty percent claimed they were deterred by the cumbersome application forms and another thirty-seven percent claimed the application was too time-consuming for them to complete.¹³⁴ The very schemes that are meant to assist low-income people disvalue their time and autonomy by forcing them to choose between long-term stability and satisfying their immediate needs of medical care, food, and other essential resources.¹³⁵

Promisingly, states like Michigan that have implemented streamlined application and renewal processes have seen improvements in benefit determination efficiency.¹³⁶ These applications can be digital or physical, and enable an applicant to be screened for multiple programs at once without completing separate applications.¹³⁷ Michigan piloted this technology in benefit renewal applications, which resulted in sixty percent fewer human errors, saved 200,000 hours of caseworker time, and produced fifteen percent more positive renewals.¹³⁸

Feb. 18, 2026) (describing how violations of program requirements can result in a reduction or termination of Food Assistance Program benefits, emphasizing the serious consequences for non-compliance with reporting and eligibility requirements).

132. See Herd et al., *supra* note 1, at 2; Altiraifi, *supra* note 1.

133. See *Administrative Burden: Everyone Pays When Eligible Families Can't Access Public Assistance*, PRENATAL-TO-3 POL'Y IMPACT CTR. (July 17, 2023), <https://pn3policy.org/blog/administrative-burden-blog/> [<https://perma.cc/JZ4M-SEUN>] (explaining that "administrative burdens," such as complex paperwork, in-person interviews, and other procedural requirements, increase the cost of applying for public benefits and deter eligible individuals from accessing programs).

134. Donald Moynihan et al., *Administrative Burden: Learning, Psychological, and Compliance Costs in Citizen-State Interactions*, 25 J. PUB. ADMIN. RSCH. & THEORY 43, 51 (2015).

135. See Altiraifi, *supra* note 1 (explaining that "means-tested asset limits" in public assistance programs compel beneficiaries to deplete savings and compromise long-term economic security to secure immediate relief).

136. PRENATAL-TO-3 POL'Y IMPACT CTR., *supra* note 133.

137. *Id.*

138. *Id.*

In sum, poverty policies and judicial systems are two of many ways that the law intersects with low-income people's lives.¹³⁹ The efficiency of the court system and governmental agencies affects low-income litigants' access to justice and influences their engagement with the legal system.¹⁴⁰ Similarly, administrative burdens invade the autonomy of beneficiaries by commanding how they spend their time and how much wealth they can possess.¹⁴¹ Statewide legislative and policy actions can produce sweeping changes that promote both efficiency and time equality for low-income people.¹⁴²

B. Community Nest

1. Community Nest in the Public Health Context

In the SEM, the community nest represents the built environment¹⁴³ and the network of organizations within which an individual lives.¹⁴⁴ Within the public health context, in one's built environment, access to healthcare providers, grocery stores, and workplaces contribute to how much time they wait, which in turn influences their opportunities for economic mobility.¹⁴⁵ The built environments of people who live in low-income neighborhoods tend to inhibit economic growth due to

139. See generally Herd et al., *supra* note 1, at 2, 5 (explaining that law and public policy structure affect many routine interactions between the state and low-income individuals, including through poverty programs and quasi-legal processes, that shape low-income individuals' daily lives by imposing obligations, procedures, and constraints).

140. See generally LEGAL SERVS. CORP., *supra* note 97 (reporting that low-income individuals rarely seek or receive adequate legal help for civil problems, and that many individuals hold uncertain or negative perceptions of the civil legal system).

141. Altiraifi, *supra* note 1.

142. See, e.g., H.B. 4656, 2023 Leg., Reg. Sess. (Mich. 2023); Complaint ¶¶ 24, 26, 31, 33, *West-Campeau v. Dunlap*, No. 2:24-cv-12751 (E.D. Mich. filed Oct. 17, 2024); PRENATAL-TO-3 POL'Y IMPACT CTR., *supra* note 133.

143. The built environment encompasses "buildings, . . . distribution systems, . . . and the roads, bridges, and transportation systems we use." *Basic Information About the Built Environment*, ENV'T PROT. AGENCY (Feb. 3, 2025), <https://www.epa.gov/smm/basic-information-about-built-environment> [<https://perma.cc/9LDB-R4WW>].

144. Heartim Williams, *Using the Socio-Ecological Model to Understand and Promote Physical Activity Behaviors*, NAT'L WELLNESS INST. J. (Aug. 25, 2023), <https://nwijournal.com/using-the-socio-ecological-model-to-understand-and-promote-physical-activity-behaviors/> [<https://perma.cc/LV3Q-9KEV>].

145. See generally Holt & Vinopal, *supra* note 2, at 546 (explaining that features of the built environment systematically affect the amount of time individuals spend waiting or traveling for essential goods and services, with longer wait times disproportionately affecting low-income and racial-minority populations, thereby constraining work participation and economic mobility); Metzger, *supra* note 1.

divestment.¹⁴⁶ This lack of prosperity can be quantified as an “opportunity index” through a process that applies indicators like school performance, career potential, job availability, and housing quality to visualize community capacity and prospects for growth.¹⁴⁷ Time inequality impacts individuals living in lower-opportunity communities because they must travel farther for work and other services, which hinders their economic mobility and demands more of their time.¹⁴⁸

For instance, low-income neighborhoods are more likely to be food deserts, where community access to affordable, quality food is limited.¹⁴⁹ As such, an individual living in a food desert must travel farther to acquire fresh groceries than an individual in a high-income neighborhood.¹⁵⁰ Additionally, as mentioned above, sporadic Medicaid providers restrict a beneficiary’s options for receiving healthcare, so their commute for care is at the mercy of their insurance.¹⁵¹ Although beneficiaries are able to arrange transportation to providers through Medicaid, they must still sacrifice more time to receive care than higher-income populations.¹⁵²

2. *Applying the Community Nest to the Legal System*

Laws can impact one’s built environment and either create or alleviate barriers to community uptake of legal services.¹⁵³ Low-income communities tend to suffer from restrictions on residents’ opportunities for upwards economic mobility.¹⁵⁴ This type of opportunity segregation

146. See Metzger, *supra* note 1.

147. *Introduction to Opportunity Mapping*, OPEN CMTY’S. ALL., https://www.ctoca.org/introduction_to_opportunity_mapping [https://perma.cc/F6J2-FXYV] (last visited Mar. 21, 2026).

148. Metzger, *supra* note 1.

149. ANN POBUTSKY ET AL., NAT’L ASS’N OF CHRONIC DISEASE DIRS., *COMMUNITY ACTION GUIDE: CHANGING FOOD DESERTS INTO FOOD OASES: A RESOURCE FOR STATES AND COMMUNITIES* 1 (2011), https://chronicdisease.org/resource/resmgr/healthequity/hec_food_desert_final_11_02_.pdf [https://perma.cc/8LQY-BLQ8].

150. Holt & Vinopal, *supra* note 2, at 546.

151. *Id.*

152. See MEDICAID.GOV, *supra* note 62 (noting that the Medicaid Transportation Coverage Guide “includes new policies to help bolster access to necessary transportation services, including when beneficiaries may encounter extended wait times and long-distance trips,” suggesting that beneficiaries often must endure significant travel time to reach providers); Holt & Vinopal, *supra* note 2, at 549.

153. See, e.g., LAKESHORE LEGAL AID, <https://lakeshorelegallaid.org/about-us/> [https://perma.cc/GFU8-2SGG] (last visited Mar. 21, 2026); Liana Pennington, *Socializing Distrust of the Justice System Through the Family in Juvenile Delinquency Court*, 39 L. & POL’Y 27, 38–39 (2016).

154. OPEN CMTY’S. ALL., *supra* note 147.

resulted, in part, from decades of legally-sanctioned, harmful policies that shaped built environments, which in turn restrict low-income individuals from accessing legal services in the present day.¹⁵⁵

One example of such a legal policy is institutionalized housing discrimination.¹⁵⁶ As a brief overview, discriminatory mortgage lending emerged in the 1930s and, backed by racially restrictive zoning covenants, effectively banished BIPOC and low-income people across the nation from the opportunity of home ownership in higher-opportunity neighborhoods, or from home ownership at all.¹⁵⁷ These practices also incentivized selective development from private and public investors, which facilitated economic growth exclusively in higher-opportunity areas.¹⁵⁸ It was not until the Civil Rights Act of 1968 that landlords and realtors were barred from refusing to sell or rent a home based on race and other factors.¹⁵⁹ Despite these legal restrictions, the disparity in the opportunity indexes between high- and low-income communities shows that the impact of historic discrimination still lingers.¹⁶⁰ The result is that, to receive quality services of any type—including legal services—individuals living in these areas must typically travel into higher-opportunity areas, demanding more of their time and restricting their autonomy over travel.¹⁶¹

For many low-income individuals involved in the legal system, at least those at liberty, traveling beyond their neighborhood bounds to attorney meetings, interviews, evaluations, and court hearings is required.¹⁶² Yet, as discussed, unaffordable car insurance for drivers is a barrier to convenient and efficient travel, especially in places with exorbitant rates like Detroit.¹⁶³ The inability to afford car insurance may result in a few undesirable situations, each of which can implicate time inequality: (1)

155. Emily Lynch et al., *The Legacy of Structural Racism: Associations Between Historic Redlining, Current Mortgage Lending, and Health*, 14 SSM POPULATION HEALTH 1, 2 (2021) (explaining that decades of legally sanctioned, racially discriminatory housing and lending policies shaped the built environment and entrenched racial residential segregation, producing long-term resource deprivation and constrained access to opportunity that persists in the present).

156. *Id.* at 2, 3.

157. *Id.*

158. Danyelle Solomon et al., *Systemic Inequality: Displacement, Exclusion, and Segregation*, CTR. FOR AM. PROGRESS (Aug. 7, 2019), <https://www.americanprogress.org/article/systemic-inequality-displacement-exclusion-segregation/> [<https://perma.cc/BW33-EC49>].

159. 42 U.S.C. § 3601; 42 U.S.C. § 3604(a).

160. See OPEN CMTY'S. ALL., *supra* note 147.

161. See generally Metzger, *supra* note 1 (discussing transportation inequality in Detroit).

162. See BRONX DEFS., *supra* note 7 (describing logistical challenges in the court system).

163. COONEY ET AL., *supra* note 49.

reliance on unstable public transit; (2) high rates of uninsured drivers; and (3) restricted economic mobility.¹⁶⁴

First, reliance on public transportation is fraught because disinvestments in public transit have resulted in schedule inaccuracies, staff shortages, and limited destination options.¹⁶⁵ For riders, this means they can expect to devote more time to travel than people who can afford their own vehicle.¹⁶⁶ In Detroit, the average daily commute by car is twenty-six minutes, compared to fifty minutes via public transit.¹⁶⁷ The difference adds up: for an individual who works five days per week, fifty weeks per year, their commute will cost them roughly 100 hours more annually than it would if they could afford a vehicle.¹⁶⁸ Residents involved in the legal system must account for their inflated commute time when fulfilling court obligations and meeting with their attorneys.¹⁶⁹ Further, Detroit public transit does not offer a rail service to enable riders to travel to suburban areas or to other larger cities.¹⁷⁰ This means that the court and an individual's attorney must be within an accessible range for a person

164. See, e.g., SaMya Overall & Koby Levin, *Money or Time: Transit in Detroit is Expensive, One Way or Another*, OUTLIER MEDIA (Aug. 14, 2024), <https://outliermedia.org/detroit-transportation-costs-public-transit-ddot-car-insurance/> [<https://perma.cc/8LFX-SZ2H>]; Susan Meyer, *10 Least Insured Cities for Auto Policies in the U.S.*, THE ZEBRA (Apr. 30, 2024), <https://www.thezebra.com/resources/research/10-least-insured-cities/#no-5-detroit-mi-tied> [<https://perma.cc/8KQF-WFW8>]; Metzger, *supra* note 1.

165. See Overall & Levin, *supra* note 164; Malachi Barrett, *Detroit Raises Bus Driver Pay. Is it Enough to Be Competitive?*, BRIDGE DET. (Jan. 4, 2024, at 16:46 ET), <https://www.bridgedetroit.com/detroit-raises-bus-driver-pay-is-it-enough-to-be-competitive/> [<https://perma.cc/XBN2-58J2>].

166. See Overall & Levin, *supra* note 164 (exploring how the shortcomings of Detroit's public transportation contribute to "time poverty").

167. *Id.*

168. See Overall & Levin, *supra* note 164 (analyzing commute times in Detroit). The 100-hour figure was calculated by multiplying the difference in commute times for one day by five, the total by fifty, then dividing that total by sixty. See *id.*

169. Cf. *id.* (discussing commute times in Detroit generally).

170. Detroit: *The Rise and Fall of a Public Transit System*, ECON. LEAGUE GREATER PHILA., <https://www.economyleague.org/resources/detroit-rise-and-fall-public-transit-system> [<https://perma.cc/DFA7-MYG7>] (last visited Feb. 16, 2025).

who relies on public transit.¹⁷¹ These community barriers complicate the already-time consuming demands of complying with court procedures.¹⁷²

Next, a low-income individual who wants to avoid the difficulties of public transit may resort to driving uninsured.¹⁷³ Indeed, in Detroit, uninsured individuals account for more than one in four drivers.¹⁷⁴ While driving uninsured may save an individual some immediate time compared to the burden of public transit, the penalties for this risky activity have deleterious effects on one's autonomy and wellbeing.¹⁷⁵ Risks include financial liability for an accident and could also accompany a criminal misdemeanor charge, which under Michigan law, potentially subjects the driver to a \$500 fine, a jail sentence for up to a year, license suspension, or all three.¹⁷⁶ Any of these consequences have major implications on the uninsured driver's time and autonomy.¹⁷⁷ To reduce the impacts of time inequality following a license suspension for driving uninsured, Michigan offers restoration clinics that enable individuals to redeem their driving privileges with the assistance of an attorney.¹⁷⁸ However, these clinics do little to address the root cause of the issue—that low-income people could not afford insurance in the first place—and therefore fail to resolve the fundamental problem.¹⁷⁹

The above community-level barriers to mobility and access to resources may either require a low-income person to dedicate more time to obtaining legal services or force them to forgo legal assistance

171. Cf. KRISTEN MILEFCHIK, DET. TRANSIT, DISABILITY AND TRANSPORTATION IN SOUTHEAST MICHIGAN 8 (2018), <https://www.detroittransit.org/wp-content/uploads/2019/06/Disability-and-Transportation-in-Southeast-Michigan-Report-2.51.pdf> [<https://perma.cc/LU49-JGMC>] (surveying people with disabilities in Southeast Michigan to find that lack of comprehensive transit throughout the entire region is a barrier to employment and other opportunities).

172. Brian Nam-Sonenstein, *High Stakes Mistakes: How Courts Respond to "Failure to Appear,"* PRISON POL'Y INITIATIVE (Aug. 15, 2023), <https://www.prisonpolicy.org/blog/2023/08/15/fta/> [<https://perma.cc/N4EU-444S>].

173. See, e.g., Meyer, *supra* note 164.

174. *Id.*

175. See sources cited *infra* note 176.

176. See, e.g., MICH. COMP. LAWS § 500.3135(3)(e), (4)(e) (1973) (holding uninsured drivers liable for their own medical expenses and vehicle damages); MICH. COMP. LAWS § 500.3177(1) (1973) (holding uninsured drivers liable for damages to other drivers/passengers involved); MICH. COMP. LAWS § 500.3102(2) (1973) (imposing a misdemeanor charge, fines, and jail penalties for driving uninsured); MICH. COMP. LAWS §§ 257.328(1), (4) (1981) (permitting the Michigan Secretary of State to suspend the licenses of uninsured drivers).

177. See sources cited *supra* note 176.

178. *Road to Restoration Clinics and Clean Slate to Drive Laws*, MICH.GOV: MICH. DEP'T OF STATE, <https://www.michigan.gov/sos/faqs/license-and-id/road-to-restoration-clinics-and-clean-slate-to-drive-laws> [<https://perma.cc/3A98-LQXY>] (last visited Mar. 21, 2026).

179. See COONEY ET AL., *supra* note 49 (discussing high car insurance costs in Michigan).

altogether due to time constraints. Legal service providers that account for the transportation burdens imposed by their clients' built environments may more successfully incentivize low-income people's engagement with the legal system.¹⁸⁰

On occasion, a court may authorize complimentary transportation for low-income people scheduled to appear.¹⁸¹ For instance, 18 U.S.C. § 4285 allows United States Marshals to provide one-way transportation for low-income defendants who are released on bail in federal criminal matters.¹⁸² The provision is limited, however, to only one free ride and only for a scheduled court hearing, which excludes attorney meetings and consultations.¹⁸³ In civil cases, transportation services may be facilitated by local organizations like women's shelters and adult protection agencies.¹⁸⁴ Although complimentary transportation is not a common component of civil or criminal legal services for low-income clients, as is the case with Medicaid, convenient office locations may reduce the need.¹⁸⁵

In contrast to Medicaid, which permits providers to opt out of serving low-income recipients, one Detroit-area legal aid organization, Lakeshore Legal Aid, offers convenient and accessible office locations to save clients travel time.¹⁸⁶ Lakeshore's large service area and strategic placement of its eleven offices alleviate time and cost burdens associated with traveling to and from attorney meetings.¹⁸⁷ For example, Lakeshore's Eviction Prevention office is located within walking distance from the courthouse that handles housing matters.¹⁸⁸ This eases the burden on clients by

180. See, e.g., LAKESHORE LEGAL AID, *supra* note 153 ("We work to provide civil legal services to our community when and where you need us.").

181. See 18 U.S.C. § 4285.

182. *Id.*

183. See *id.*; *Non-Custodial Transportation of Defendants*, U.S. MARSHALS SERV., <https://www.usmarshals.gov/what-we-do/prisoners/operation/prisoner-guideline/non-custodial-transportation-defendants> [<https://perma.cc/6L4E-WRYT>] (last visited Feb. 16, 2026).

184. See, e.g., *Transportation to Court*, LOUDOUN CNTY. VA., <https://www.loudoun.gov/1937/Transportation-to-Court> [<https://perma.cc/VK8C-SRFL>] (last visited Feb. 16, 2026).

185. See, e.g., MEDICAID.GOV, *supra* note 62; LAKESHORE LEGAL AID, *supra* note 153.

186. Holt & Vinopal, *supra* note 2, at 546; LAKESHORE LEGAL AID, *supra* note 153.

187. See LAKESHORE LEGAL AID, *supra* note 153; see also *Troubleshooting Pro Bono Relationships with Low-Income Clients*, PUB. INT. PRO BONO ASS'N, <https://www.probono.net/ny/library/attachment.368622> [<https://perma.cc/N4JK-VB9E>] (last visited Jan. 24, 2025) (advising *pro bono* attorneys of ways to reduce clients' travel burdens).

188. Route from Lakeshore Eviction Prevention Office to 36th District Court, GOOGLE, <https://www.google.com/maps/dir/2727+2nd+Avenue,+Detroit,+MI+48201/36th+District+Court,+Madison+Street,+Detroit,+MI/@42.3384049,-83.0739686>

enabling them to attend court appointments and attorney meetings in one trip.¹⁸⁹

The Michigan Supreme Court also took strides towards alleviating transportation barriers and other hurdles that perpetuate time inequality amongst low-income people involved in the legal system by amending Michigan Rule of Professional Conduct 1.8.¹⁹⁰ Previously, the rule prohibited attorneys who serve low-income clients from providing financial assistance beyond covering court fees.¹⁹¹ Now, *pro bono* attorneys in Michigan are permitted to pay for their low-income clients' transportation, meals, or clothing.¹⁹² The court justified this amendment in commenting that these barriers "frustrate the client's access to the justice system."¹⁹³ This change enables attorneys to maximize the impact of their services by reducing the burdens of their low-income clients' built environments that perpetuate time inequality and dissuade them from pursuing legal assistance.¹⁹⁴

C. Organizational Nest

1. Organizational Nest in the Public Health Context

Organizational practices and policies further influence behavior and autonomy in the public health and legal context.¹⁹⁵ This nest includes any

[<https://perma.cc/Q3VT-UR26>] (last visited Jan. 24, 2025). The distance from Lakeshore's Eviction Prevention Unit (2727 2nd Ave., Detroit, MI 48201) to 36th District Court (421 Madison St., Detroit, MI 48226) is 1.2 miles, or an estimated 24 minute walk. *Id.*

189. *Cf.* PUB. INT. PRO BONO ASS'N, *supra* note 187 (recommending that *pro bono* attorneys meet clients in convenient locations to reduce the burdens of transportation faced by low-income clients).

190. See Amendment to MICH. RULES OF PRO. CONDUCT r. 1.8, order of the Mich. Supreme Court, ADM File No. 2020-31, Jan. 10, 2024, https://www.courts.michigan.gov/48dd93/siteassets/rules-instructions-administrative-orders/proposed-and-recently-adopted-orders-on-admin-matters/adopted-orders/2020-31_2024-01-10_formor_amdmrpl.8.pdf [<https://perma.cc/9Q93-QHPM>].

191. *Id.*

192. MICH. RULES OF PRO. CONDUCT r. 1.8(e)(3) (2024).

193. Amendment to MICH. RULES OF PRO. CONDUCT r. 1.8, order of the Mich. Supreme Court, ADM File No. 2020-31, Jan. 10, 2024, https://www.courts.michigan.gov/48dd93/siteassets/rules-instructions-administrative-orders/proposed-and-recently-adopted-orders-on-admin-matters/adopted-orders/2020-31_2024-01-10_formor_amdmrpl.8.pdf [<https://perma.cc/9Q93-QHPM>].

194. *See id.*

195. See Samantha Scarneo et al., *The Socioecological Framework: A Multifaceted Approach to Preventing Sport-Related Deaths in High School Sports*, 54 J. ATHL. TRAIN. 356, 359 (2019).

institution at which the individual either provides or receives services, including universities, government offices, healthcare providers, etc.¹⁹⁶

Within the SEM, the primary institution where an individual provides services is the workplace.¹⁹⁷ Low-paying jobs tend to offer less flexibility and schedule autonomy for workers than higher-paying roles.¹⁹⁸ This is reflected in pay structures, benefits, and schedule predictability.¹⁹⁹ For example, low-paying roles typically offer hourly, not salary pay, which specifically requires workers to log a certain number of hours to receive compensation.²⁰⁰ Further complicating this pay structure is the lack of benefits that is common among low-paying jobs, including limited paid time off or sick leave.²⁰¹ This forces low-earning workers to once again determine the best use of their time: attend a healthcare appointment during work hours and take a pay hit, or skip the appointment at the risk of their health to protect their income.²⁰² High earners seldom face this choice because their paid leave and salary afford flexibility and autonomy over when to take time off without compromising their income.²⁰³

The schedule inflexibility and unpredictability of low-paying jobs contributes to time inequality.²⁰⁴ While a higher-paid worker's schedule is generally consistent—nine a.m. to five p.m.—a low-paid worker's schedule is at the mercy of their employer and is subject to fluctuations.²⁰⁵ This complicates the employee's ability to plan childcare, other appointments, and transportation.²⁰⁶ The resulting lack of autonomy over one's schedule leaves low-income individuals with less available time for other obligations, which can produce instability in the individual's life.²⁰⁷

Additionally, institutions where individuals receive services may contribute to time inequality.²⁰⁸ As mentioned, the ability of healthcare providers to opt out of accepting patients with Medicaid limits the

196. McLeroy et al., *supra* note 13, at 359–60.

197. See Holt & Vinopal, *supra* note 2, at 545–46; Ellen Kossek & Brenda Lautsch, *Work-Life Flexibility for Whom? Occupational Status and Work-Life Inequality in Upper, Middle, and Lower Level Jobs*, 12 ACAD. MGMT. ANNALS 5, 6, 11–12 (2017).

198. Holt & Vinopal, *supra* note 2, at 545–46.

199. *Id.* at 546; Kossek & Lautsch, *supra* note 197, at 5–6, 11–12.

200. Holt & Vinopal, *supra* note 2, at 545–46.

201. *Id.*

202. *Id.*

203. *Id.*

204. Kossek & Lautsch, *supra* note 197, at 21.

205. *Id.* at 6–7.

206. *Id.* at 5–6.

207. See Holt & Vinopal, *supra* note 2, at 546, 551; Kossek & Lautsch, *supra* note 197, at 21.

208. Holt & Vinopal, *supra* note 2, at 546, 551.

accessibility of care.²⁰⁹ This could result in a longer commute to a medical provider, longer wait times to schedule an appointment, and delays in waiting rooms due to the greater concentration of Medicaid patients.²¹⁰ This scenario is an example of why institutional buy-in of federal and state policy initiatives is crucial.²¹¹ The policy of public health insurance assists millions of Americans who may otherwise go without coverage.²¹² Its implementation, however, allows providers to opt out, which limits a recipient's ability to benefit from the policy by obtaining low-cost care.²¹³ Thus, an individual who is unable to pay for their insurance with money ends up paying with their time.²¹⁴

2. *Applying the Organizational Nest to the Legal System*

Similar to the way organizations that employ and service low-income people can limit a person's time and autonomy, legal organizations too may contribute to this problem by demanding that clients complete numerous forms and consultations just to be considered for services.²¹⁵ The time commitment required to pursue legal services may deter low-income people from doing so when legal organizations fail to account for the implications of their own policies on their clients' time, as well as those of other establishments with which their clients interact.²¹⁶

As a baseline consideration, clients' time and ability to acquire legal services is limited by their workplaces.²¹⁷ Even for free legal services, if a client is required to attend a court proceeding or attorney meeting during their work hours, the subsequent loss of pay could compromise their ability to fulfill other needs like housing or food.²¹⁸ Further, unpredictable work hours complicate the client's ability to plan ahead for such appointments.²¹⁹ The hassle and risk imposed by inflexible workplace policies may deter a potential client from seeking civil legal services or participating in their criminal defense.

209. *Id.* at 546.

210. *See id.* at 546, 551.

211. Scarneo et al., *supra* note 195, at 359.

212. Rudowitz et al., *supra* note 58.

213. Holt & Vinopal, *supra* note 2, at 546, 552.

214. *Id.* at 549.

215. *See, e.g.,* Jabeen Adawi, *Changing Every Wrong Door Into the Right One: Reforming Legal Services Intake to Empower Clients*, 29 GEO. J. POVERTY L. & POL'Y 361, 379 (2022).

216. *See* PUB. INT. PRO BONO ASS'N, *supra* note 187.

217. *See* Kossek & Lautsch, *supra* note 197, at 5–6, 11–12.

218. *See id.* (highlighting trade-offs facing low-income individuals).

219. Kossek & Lautsch, *supra* note 197, at 6.

This disincentive may be exacerbated by legal organizations with policies that operate similarly to restrict clients' autonomy. For clients seeking legal aid, cumbersome intake procedures require them to complete numerous screenings, phone calls, and meetings just to determine their eligibility for services.²²⁰ In doing so, these individuals not only have to repeat their stories many times, but a lack of transparency by the office may cause the potential client to be rejected without explanation.²²¹ Then, the cycle repeats.²²² Each new intake process demands more of the client's precious time, for which the client must coordinate the loss of work hours, arrange childcare, and secure transportation.²²³ If the sacrifice becomes too great, the client may forgo legal advocacy altogether and waive their potential recovery, or be limited in their defenses.²²⁴ This again demonstrates how not only the time but also the legal rights of people in poverty are inherently disvalued.

Acknowledging these constraints, legal aid organizations that prioritize efficiency and collaboration can maximize clients' limited time to promote more just outcomes.²²⁵ One example of an organizational structure that promotes time equality is the Victim Legal Network of Washington, D.C. (VLNDC).²²⁶ This model utilizes a centralized coordination service to facilitate in-house referrals.²²⁷ VLNDC consists of over twenty-five legal service providers, including D.C. law school clinics and local nonprofit legal organizations.²²⁸ This network has the capacity to provide aid in a multitude of areas, including debt collection, immigration, protection orders, housing, and more.²²⁹

To save clients time in identifying the specific organization they need, a prospective client only needs to complete intake procedures for one member organization, during which they can consent to using any of the other member organizations.²³⁰ Then, internal coordinators assess the client's needs to match them with the appropriate attorney without any further action required by the client.²³¹ This model decreases the amount

220. See, e.g., Adawi, *supra* note 215, at 379.

221. *Id.* at 384–85, 395.

222. *Id.* at 365.

223. *Id.* at 364.

224. See Kenneth R. Margolis, *Responding to the Value Imperative: Learning to Create Value in the Attorney-Client Relationship*, 5 CLINICAL L. REV. 117, 139 (1998).

225. See, e.g., Adawi, *supra* note 215, at 391–93.

226. *Id.*

227. *Id.*

228. *Id.* at 397.

229. What is VLNDC?, VLNDC, <https://vlndc.org/about-us/what-is-vlndc/> [<https://perma.cc/A4AN-JATP>] (last visited Feb. 16, 2026).

230. Adawi, *supra* note 215, at 399.

231. *Id.*

of time between a client's initial consultation and connection to appropriate aid.²³² Moreover, the intake and matching process can be completed online, reducing the transportation and time barriers the client may face.²³³

In one example, a prospective client was screened through five different organizations and was ultimately connected to the appropriate attorney within two days.²³⁴ In contrast, screening procedures for standalone aid organizations typically require at least one day to complete, not including the time the client would have to invest in researching and contacting each independent organization.²³⁵ Where time is of the essence, as is the case with clients impacted by time inequality, the efficiency of the aid organization's structure may make the difference between a client obtaining services and going without.²³⁶

Streamlined models in client-centered, holistic defense practices promote time equality within the criminal context as well.²³⁷ Holistic defense organizations employ public defenders, social workers, client advocates, and investigators to save attorney and client time, which contributes to more positive case outcomes.²³⁸ Instead of private defense models that require attorneys to independently consult a social worker for mitigation efforts or an investigator to help build a defense, holistic defense practitioners are able to manage cases as an interdisciplinary team under one roof.²³⁹ In addition to saving attorney and client time, holistic defense models may reduce the duration or severity of their client's sentence.²⁴⁰ An evaluation of the Bronx Defenders, a holistic defense agency, found that compared to traditional public defense approaches, holistic models reduced the indigent clients' likelihood of receiving a jail sentence by sixteen percent.²⁴¹ Further, for people sentenced to jail, those represented by holistic defenders received twenty-four percent shorter

232. *Id.*

233. *See id.* at 365, 394.

234. *Id.* at 393–94.

235. *Id.* at 394.

236. *See* Margolis, *supra* note 224, at 139 (weighing the costs and benefits that should be considered in the course of legal representation).

237. *See, e.g., About NDS, NEIGHBORHOOD DEF. SERV.,* <https://neighborhooddefender.org/about/about-nds/> [<https://perma.cc/C4EA-A3KC>] (last visited Feb. 16, 2026).

238. *Id.*

239. *Id.*

240. JAMES ANDERSON ET AL., EVALUATING THE EFFECT OF HOLISTIC INDIGENT DEFENSE ON CRIMINAL JUSTICE OUTCOMES 7 (2019), <https://www.ojp.gov/pdffiles1/nij/grants/252687.pdf> [<https://perma.cc/MF4M-X858>].

241. *Id.*

sentences than clients of traditional public defenders.²⁴² Spending less time incarcerated may afford the client more autonomy over their time throughout the course of their life.²⁴³

In sum, many organizations and services that low-income people interact with demand payment in time.²⁴⁴ Legal service providers that impose additional time burdens on low-income clients may preclude them from exercising their rights. In both civil and criminal contexts, streamlined and centralized models focused on efficiency encourage low-income clients' participation with the legal system and produce more positive outcomes.²⁴⁵

D. Interpersonal Nest

1. Interpersonal Nest in the Public Health Context

The interpersonal nest of the SEM focuses on the impact of formal and informal relationships on individual behavior.²⁴⁶ Informal relationships represent an individual's social support network and include peer and family connections.²⁴⁷ These relationships fulfill the individual's innate desire for social acceptance and often impose norms—or expectations of behavior—as a reflection of the relationship's closeness.²⁴⁸ As such, the individual's decisions can resemble those closest to them.²⁴⁹ Mirroring the behaviors of peers and family members not only reduces the risk of social isolation, but also requires lower learning costs and thus is more efficient than independent decision-making.²⁵⁰ For example, an individual raised in a low-income family who never applied for government benefits may grow up with a similar inclination to not seek assistance.²⁵¹ This could be because they are unaware of how to obtain benefits,²⁵² or because they

242. *Id.*

243. See Dobbie et al., *supra* note 89, at 234 (finding that people who are released before trial get better plea deals).

244. See, e.g., Adawi, *supra* note 215, at 379.

245. *Id.* at 393–94; ANDERSON ET AL., *supra* note 240, at 7.

246. MCCLAY ET AL., *supra* note 23, at 2–3.

247. Debra Umberson & Jennifer Karas Montez, *Social Relationships and Health: A Flashpoint for Health Policy*, 51 J. HEALTH & SOC. BEHAV. 54, 55 (2010).

248. Margaret E. Tankard & Elizabeth Paluck, *Norm Perception as a Vehicle for Social Change*, 10 SOC. ISSUES & POL'Y REV. 181, 184 (2016).

249. Umberson & Montez, *supra* note 247, at 56.

250. Tatsuya Kameda & Daisuke Nakanishi, *Cost-Benefit Analysis of Social/Cultural Learning in a Nonstationary Uncertain Environment: An Evolutionary Simulation and an Experiment with Human Subjects*, 23 EVOLUTION & HUM. BEHAV. 373, 388 (2002).

251. See Herd et al., *supra* note 1, at 4–5; McLeroy et al., *supra* note 13, at 358–59.

252. Herd et al., *supra* note 1, at 4–5.

believe that if their family growing up could manage without public support, they should be able to as well.²⁵³ In this scenario, the time required to learn how, where, and under what conditions to obtain public assistance, in tandem with the lack of social support, may outweigh the perceived value of the potential benefits.²⁵⁴

Formal relationships influence behavior in different ways.²⁵⁵ These connections may not be persuasive by means of social acceptance but instead possess a compelling power imbalance.²⁵⁶ The doctor/patient relationship is one example.²⁵⁷ In these settings, the individual seeks support or care that requires an inherent degree of trust in order to be successful.²⁵⁸ Patients who trust their doctors are more likely to perceive value in the provider's treatment recommendations and experience improved health status.²⁵⁹ The inverse is also true: when a patient does not trust their doctor, they are less likely to value their advice or even seek care at all.²⁶⁰ For a patient with limited time and autonomy, their perceived value of the doctor's services may be the deciding factor in whether that individual pursues care.²⁶¹

This interpersonal concept is referred to as the "value imperative."²⁶² In essence, an individual is more likely to invest in a matter when the perceived benefits of the services rendered outweigh the individual's sacrifices required to obtain said services.²⁶³ From a time inequality standpoint, the sacrifices an individual might make to acquire services could interfere with their work hours and subsequent paycheck, childcare,

253. Cf. McLeroy et al., *supra* note 13, at 358–59 (observing the influence of family relationships by noting how young women tend to become sexually active and/or pregnant at the same time their mothers did).

254. See, e.g., Kameda & Nakanishi, *supra* note 250, at 388; Herd et al., *supra* note 1, at 4–5.

255. See generally Laura Nimmon & Terese Stenfors-Hayes, *The "Handling" of Power in the Physician-Patient Encounter: Perceptions From Experienced Physicians*, 16 BMC MED. EDUC., no. 114, 2016, at 4 (finding that the patient-physician relationship is impacted by the physician's relative power).

256. *Id.*

257. *Id.*

258. Susan Dorr Goold, *Trust, Distrust and Trustworthiness: Lessons from the Field*, 17 J. GEN. INTERNAL MED. 79, 80 (2002).

259. Steven D. Pearson & Lisa H. Raeke, *Patients' Trust in Physicians: Many Theories, Few Measures, and Little Data*, 15 J. GEN. INTERNAL MED. 509, 512 (2000).

260. Cf. Margolis, *supra* note 224, at 139 (proposing that clients who perceive their attorney's services to be of low value will be less likely to continue with the representation).

261. See *id.* (finding that a client may abandon legal services if they perceive the sacrifices outweigh the potential benefits).

262. *Id.* at 117–18.

263. *Id.* at 139.

or household obligations, to name a few impacted responsibilities.²⁶⁴ These sacrifices can produce instability, so the provider should maximize their efforts to foster trust with the individual to ensure the services rendered are worth the precious time invested.²⁶⁵

2. Applying the Interpersonal Nest to the Legal System

Formal and informal interpersonal relationships may also impact whether an individual decides to dedicate time to seeking legal services.²⁶⁶ The professional attorney-client relationship, and subsequent case outcomes, are influenced by the client's trust of their attorney and perceived value of their attorney's services.²⁶⁷ If clients perceive that meeting with their attorney demands too much time for too little benefit, they may avoid engaging their attorney altogether, effectively forfeiting their right to a day in court.²⁶⁸

Earlier discussions in this Note detailed the numerous sacrifices required of low-income clients to obtain and meet with an attorney when they are not incarcerated awaiting trial.²⁶⁹ For public defenders whose clients are detained in jail, time inequality presents differently. As mentioned, delays between a judge's order releasing a client on bail and their actual release may produce mental distress and financial instability.²⁷⁰ These concerns are exacerbated for clients who are awaiting trial in jail.²⁷¹ Low-income clients who are incarcerated before their trial may be discouraged from participating in their defense, which means the public defender has an uphill battle to build trust with the client.²⁷²

Interpersonal norms in informal relationships may also influence a low-income person's expectations about their attorney and be an important factor in their decision regarding whether to invest time in legal services.²⁷³ As discussed, mirroring the behavior of family members and peers reduces risks of social isolation and demands fewer learning costs,

264. Holt & Vinopal, *supra* note 2, at 551.

265. Margolis, *supra* note 224, at 135.

266. *See id.* at 139 (showing that clients make decisions based on the benefits and sacrifices associated with a service); Kameda & Nakanishi, *supra* note 250, at 388.

267. Margolis, *supra* note 224, at 135, 139.

268. *See id.* at 139.

269. *See, e.g.*, Adawi, *supra* note 215, at 364.

270. O'Flannagan, *supra* note 79; *see, e.g.*, Complaint ¶¶ 44–45, *West-Campeau v. Dunlap*, No. 2:24-cv-12751 (E.D. Mich. filed Oct. 17, 2024).

271. O'Flannagan, *supra* note 79.

272. *See, e.g.*, Pennington, *supra* note 153, at 38–39 (describing how one parent's distrust of law enforcement and the judicial system caused her to persuade her child to accept a plea in his juvenile case because she had little faith in the fairness of a jury).

273. *See id.*; Kameda & Nakanishi, *supra* note 250, at 388.

which protect an individual's time and wellbeing.²⁷⁴ For individuals whose immediate network has been harmed by time inequality in the legal system, going against the norm by obtaining legal services may demand even more time and impose social risks.²⁷⁵ This may be why, according to one 2022 study, only forty percent of low-income participants believed that "the civil legal system [could] help people like [them]" in solving "important problems."²⁷⁶ Moreover, the individuals surveyed believed that lawyers could not remedy forty-four percent of their civil problems.²⁷⁷ Perhaps as a result, over ninety percent of low-income people's reported legal problems were not adequately addressed.²⁷⁸ It is possible that, for individuals who believed the legal system could not assist them or "people like [them],"²⁷⁹ the thought of investing time into researching legal aid never arose due to the time constraints the legal system imposed on their problems.²⁸⁰

However, if an individual's personal network has faith in the legal system or knowledge of its benefits, they may be more likely to seek legal services for themselves.²⁸¹ For example, in criminal cases, a defendant's early obtainment of a public defender generally means they meet and are represented by an attorney at their first appearance in court, where the judge arraigns the defendant on the charges and may set bond.²⁸² As evidenced in Michigan, which has implemented first appearance standards for public defenders, early representation increases court efficiency, boosts client morale, and reduces the number of individuals in pretrial detention.²⁸³ These outcomes all promote time equality amongst people charged with crimes, and can be strengthened even further through interpersonal knowledge-sharing.²⁸⁴

274. Kameda & Nakanishi, *supra* note 250, at 388.

275. *See generally id.* (finding a high individual learning cost decreases the flow of new information into a community); Pennington, *supra* note 153, at 38–39.

276. LEGAL SERVS. CORP., *supra* note 97.

277. *Id.*

278. *Id.*

279. *Id.*

280. *See id.*; Herd et al., *supra* note 1, at 4.

281. *See* Kameda & Nakanishi, *supra* note 250, at 388.

282. *Standards*, MICH. INDIGENT DEF. COMM'N, <https://michiganidc.gov/standards/#tab-id-4> [<https://perma.cc/U33A-MW3M>] (last visited Feb. 18, 2026).

283. MICH. INDIGENT DEF. COMM'N, ANNUAL IMPACT REPORT 2021, at 11, <https://michiganidc.gov/wp-content/uploads/2022/04/MIDC-2021-Impact-Report.pdf> [<https://perma.cc/EU8Y-3XTE>]; JEANETTE HUSSEMAN & LAREUN FARRELL, URBAN INST., EVALUATION OF THE MICHIGAN INDIGENT DEFENSE COMMISSION'S MINIMUM STANDARDS FOR INDIGENT DEFENSE SERVICES 24–25 (2021).

284. *See id.* (showing that ninety percent of represented defendants at arraignments are indigent); *see generally* Kameda & Nakanishi, *supra* note 250, at 388–89 (finding that social/cultural learning reduced the burden associated with obtaining the new information).

Many jurisdictions, including Macomb County outside of Detroit, permit indigent defendants to speak with a public defender even earlier than their first appearance in court to discuss their upcoming hearing.²⁸⁵ To do so, low-income individuals charged with crimes must call Macomb's Office of the Public Defender to be connected to an attorney.²⁸⁶ This means that to increase the efficiency of their case and its likelihood of a positive outcome, people charged with crimes must know they qualify for public defense, that they can contact an attorney before appearing in court, and the steps for doing so.²⁸⁷ For individuals who could not post bail or are otherwise unaware of this opportunity, a friend or relative with this knowledge may save the individual time in both immediate learning costs and in their overall case outcome.²⁸⁸

One way to equip low-income people with the knowledge they need to reduce the amount of time between a legal problem arising and obtaining services is through community legal education.²⁸⁹ In its Standards for the Provision of Legal Aid, the American Bar Association (ABA) encourages legal organizations to provide online and in-person legal information to teach people how to identify and resolve legal issues.²⁹⁰ A New York organization, Mobilization for Justice, facilitates community education sessions covering legal topics relevant to low-income people, including landlord/tenant matters, employment law, and how to obtain government benefits.²⁹¹ A session in Macomb County, Michigan, for example, could educate attendees about the availability and benefit of early representation.²⁹² Although attending a session would impose time constraints, just one person's presence could educate several other individuals within their interpersonal network.²⁹³ Hosts of

285. See *Frequently Asked Questions*, MACOMB CNTY. GOV., <https://www.macombgov.org/departments/public-defender/frequently-asked-questions> [https://perma.cc/63Y2-A5GX] (last visited Feb. 18, 2026); *Public Defender Frequently Asked Questions*, LAW OFF. OF THE COOK CNTY. PUB. DEF., <https://www.cookcountypublicdefender.org/Resources/public-defender-faq> [https://perma.cc/Q9K3-E7PC] (last visited Feb. 18, 2026).

286. See MACOMB CNTY. GOV., *supra* note 285.

287. Cf. Kameda & Nakanishi, *supra* note 250, at 388; Herd et al., *supra* note 1, at 4–5.

288. Cf. Herd et al., *supra* note 1, at 4–5 (explaining a key barrier to underutilized assistance programs is knowledge of the program).

289. STANDARDS FOR THE PROVISION OF LEGAL AID § 3.3 cmt., at 89–90 (A.B.A. 2021).

290. *Id.*

291. *Community-Based Legal Education*, MOBILIZATION FOR JUST., <https://mobilizationforjustice.org/get-help/community-based-legal-education/> [https://perma.cc/85LR-PHA5] (last visited Feb. 17, 2026).

292. See, e.g., MACOMB CNTY. GOV., *supra* note 285; STANDARDS FOR THE PROVISION OF LEGAL AID § 3.3 cmt., at 89–90, *supra* note 289.

293. See Kameda & Nakanishi, *supra* note 250, at 388 (reasoning that lower individual learning costs foster better community knowledge).

community legal education sessions should stress the potential long-term time-saving benefits to encourage low-income individuals that attending the session is worth the time sacrificed.²⁹⁴

Thus, interpersonal norms and knowledge-sharing may influence whether an individual perceives benefits in engaging with the legal system, and to what extent.²⁹⁵ This is important because clients who perceive that the value of their attorney's services outweighs the time burdens imposed by receiving the services may experience better case outcomes and greater faith in the legal system,²⁹⁶ which could establish new norms throughout their interpersonal connections.²⁹⁷ This shows how trust in, and awareness of, legal services for low-income people may save them time both immediately and in the future.²⁹⁸

E. Intrapersonal Nest

1. Intrapersonal Nest in the Public Health Context

At the center of the SEM lies the individual.²⁹⁹ The intrapersonal level focuses on how one's own attitudes, beliefs, and knowledge influence their behavior.³⁰⁰ Although internal, these beliefs are often informed by narratives, policies, and experiences from one of the broader nests above.³⁰¹ In the public health context, these beliefs are understood and influenced by identifying motivating factors and educating about the specific health behavior.³⁰² For example, in an intervention aimed at promoting healthy eating, practitioners may teach participants how to acquire and prepare healthy food, its importance, and that healthy meals can still be satisfying and tasty.³⁰³

294. See Margolis, *supra* note 224, at 139.

295. See Kameda & Nakanishi, *supra* note 250, at 388; see also Margolis, *supra* note 224, at 139 (recognizing that clients are frequently weighing the cost and benefits of legal assistance and may chose at any time to discontinue it if the sacrifices outweigh the potential benefits).

296. See Dobbie et al., *supra* note 89, at 234 (finding pretrial release has many positive effects on a defendant's situation including better bargaining power for plea discussions and better ability to prepare a defense).

297. See Margolis, *supra* note 224, at 139.

298. See MICH. INDIGENT DEF. COMM'N, *supra* note 283, at 16; LEGAL SERVS. CORP., *supra* note 97.

299. Okoye, *supra* note 37, at 26.

300. McLeroy et al., *supra* note 13, at 356.

301. Scarneo et al., *supra* note 195, at 357.

302. McLeroy et al., *supra* note 13, at 356.

303. See *id.*

As it concerns time inequality and poverty, intrapersonal beliefs about autonomy and deservingness inhibit individuals of any income.³⁰⁴ Historic research into American perceptions of the root causes of poverty shows that individualistic beliefs, which equate poverty to low morality or effort, dominate in popularity.³⁰⁵ This view blames the low-income person for their circumstances by assuming that they must have done something wrong and that, with more effort, the individual can raise themselves out of poverty.³⁰⁶ This ideology produces narratives like “pull yourself up by the bootstraps”³⁰⁷ and the “welfare queen.”³⁰⁸ These perceptions contribute to the notion that the time of low-income people is inherently less valuable than that of those with higher incomes.³⁰⁹ Since low-income people are lazy and immoral, it is said, why do they deserve easily accessible support?³¹⁰

These views are not only limited to high- and middle-income Americans.³¹¹ Low-income people may internalize individualistic beliefs and seek to distinguish themselves from other low-income people whom they perceive as less deserving.³¹² This perception underscores the importance of the intrapersonal nest: expanding access to resources for low-income people may alone not succeed in reducing poverty because it fails to address the individualistic narrative of deservingness hindering program uptake amongst low-income individuals.³¹³

These beliefs may also influence the way low-income individuals spend their time. Using an example applied above, a low-income

304. DAVID BRADY & LINDA BURTON, *THE OXFORD HANDBOOK OF THE SOCIAL SCIENCE OF POVERTY* 94–95 (2016).

305. *Id.* at 99–100.

306. *Id.* at 95–96.

307. Neil Schoenherr, *Book Explores ‘Rugged Individualism’ and its Impact on Inequality in America*, WASH. UNIV. NEWSROOM (Mar. 5, 2020), <https://source.washu.edu/2020/03/book-explores-rugged-individualism-and-its-impact-on-inequality-in-america/> [https://perma.cc/B83D-ZD65].

308. Anne Kim, *The Tyranny of the Welfare Queen*, WASH. MONTHLY (Oct. 29, 2024), <https://washingtonmonthly.com/2024/10/29/the-tyranny-of-the-welfare-queen/> [https://perma.cc/W7DK-CTWC].

309. *See* BRADY & BURTON, *supra* note 304, at 95–96.

310. *Id.*

311. Heather Bullock, *Attributions for Poverty: A Comparison of Middle-Class and Welfare Recipient Attitudes*, 29 J. APPLIED SOC. PSYCH. 2059, 2075 (1999).

312. *See id.* (finding that low-income participants were as likely to be skeptical of welfare recipients’ honesty and deservingness as middle-class participants).

313. *Cf.* Hamisu M. Saliyu et al., *Socio-ecological Model as a Framework for Overcoming Barriers and Challenges in Randomized Control Trials in Minority and Underserved Communities*, 3 INT’L J. MCH & AIDS 85, 89–90 (2015) (explaining how, in human subjects’ research, protective measures alone are insufficient to mend medical distrust amongst minority and low-income populations).

individual may not even weigh the decision between obtaining and visiting a Medicaid provider and fulfilling work obligations, because they do not want to appear to others as a less deserving, shameful person in poverty.³¹⁴ Rather, they may elect to spend their time working in order to project to others that they are gainfully employed and therefore distinct from other low-income people.³¹⁵ Individualistic beliefs amongst people of all income brackets condone and perpetuate public and organizational policies, community structures, and personal interactions that contribute to time inequality and low autonomy amongst low-income people.³¹⁶

2. Applying the Intrapersonal Nest to the Legal System

In addition to inhibiting low-income people themselves, these perceptions of people in poverty may also be possessed by policymakers and judges, incidentally perpetuating time inequality and influencing the experience of low-income individuals engaging with the legal system.³¹⁷ Since individual people are responsible for poverty policymaking and interpreting laws, the legal system is also subject to the risks of individualistic bias.³¹⁸

Policies that govern the administration of government benefits and public aid are informed by individualistic beliefs that accept payment of beneficiaries' time and autonomy when they are unable to pay monetarily.³¹⁹ This ideology's inherent distrust of low-income people is reflected in the processes by which an individual receives aid or benefits.³²⁰ As discussed, in many instances, claimants must prove they are poor enough to meet the specific requirements for food assistance, Medicaid, and other benefit programs individually, over and over again.³²¹

This scheme suggests that low-income people are less deserving of autonomy, as evidenced by stringent and inconsistent income thresholds that demand beneficiaries remain in constant poverty in order to meet their immediate needs for food, housing, etc.³²² Whereas higher-income people are entitled to efficient and reliable resources, poverty policies demand that only the most deserving low-income people are supported; in more

314. *Id.*

315. *Id.*

316. See BRADY & BURTON, *supra* note 304, at 106–07.

317. See Altiraifi, *supra* note 1; Michele Benedetto Neitz, *Socioeconomic Bias in the Judiciary*, 61 CLEV. ST. L. REV. 137, 143 (2013); Pennington, *supra* note 153, at 38–39.

318. See, e.g., Benedetto Neitz, *supra* note 317, at 143.

319. See Altiraifi, *supra* note 1.

320. See Herd et al., *supra* note 1, at 5.

321. Herd et al., *supra* note 1, at 2; Altiraifi, *supra* note 1.

322. Altiraifi, *supra* note 1.

appropriate terms, this means only those who have the time and ability to overcome constant bureaucratic hurdles.³²³ These time-consuming effects demonstrate how policy schemes with individualistic undertones produce time inequality.

Similarly, those in the judiciary are not immune to individualistic biases, which have implications on low-income individuals' experiences with the legal system.³²⁴ Implicit socioeconomic bias is difficult to measure and often overlaps with other factors like one's race, gender, and education level.³²⁵ However, low-income people still face harsher case outcomes than higher-income people, requiring the low-income person to be involved in the legal system for longer, risking their current and future autonomy.³²⁶ Scholars suggest these disparate outcomes may be influenced in part by judges' implicit perceptions of poverty and deservingness of the party before them; for example, viewing an underdressed defendant as non-remorseful and sentencing them longer.³²⁷ Harsher outcomes require lower-income people to be involved in the legal system for longer, compromising their time and autonomy.³²⁸

Lastly, individualistic beliefs clients harbor may influence the level to which they engage with legal aid or their criminal defense. Low-income people may feel as though they should handle their legal problems themselves, and that they are not deserving of an attorney or that obtaining one may project an image of helplessness.³²⁹ Even if an individual engages with an attorney, these perceptions rooted in individualism could hinder their participation in their case and its outcome.³³⁰ When low-income individuals are consistently thrust into instability by cumbersome and demanding legal, judicial, and administrative procedures, they may feel skeptical that the law could actually benefit them.

323. See Holt & Vinopal, *supra* note 2, at 546; Herd et al., *supra* note 1, at 5.

324. Benedetto Neitz, *supra* note 317, at 143.

325. See *id.* at 150.

326. See Dobbie et al., *supra* note 89, at 234.

327. Cf. Benedetto Neitz, *supra* note 317, at 154–55. The author compares the circumstances of the low-income defendant in *United States v. Pineda-Moreno*, 617 F.3d 1120, 1123 (9th Cir. 2010) to those of a hypothetical higher-income defendant. There, the court found no Fourth Amendment protection against an unwarranted search that occurred in the defendant's unobscured driveway. *Id.* If the property belonged to a high-income person, the author notes, they would have been afforded the right to privacy by being able to purchase gates, fences, or a garage. *Id.*

328. See Dobbie et al., *supra* note 89, at 234.

329. Bullock, *supra* note 311, at 2075; LEGAL SERVS. CORP., *supra* note 97.

330. Cf. Pennington, *supra* note 153, at 38–39 (studying how the attitudes of parents with children involved in the criminal legal system influence their children's case outcomes). One such mother in the study urged her child to accept a plea, despite believing in his innocence, because she feared jury bias against her Black son. *Id.* at 39–40.

Individualistic ideologies inform policies, judicial decisions, and attitudes toward people in poverty, all of which influence the amount of time a client engages with the legal system.³³¹ When a significant amount of low-income individuals' time is governed for them by government benefit schemes, courts, or other discriminatory laws, they may be deterred from using their already-limited autonomy to willingly participate in the legal system.

F. Analysis Summary: Systemic Solutions That Address Time Inequality

This Note examined how time inequality is a systemic disparity amongst low-income people that perpetuates through the legal system.³³² But the analysis also reveals that, looking ahead, lawyers, policymakers, and other professionals can be agents of change to alleviate barriers to legal services for low-income people.

At the policy level, state-level agencies may drive time equality and efficiency by streamlining the process for obtaining and renewing government benefits.³³³ Similar to legal organizational models with a diverse array of in-house resources,³³⁴ requiring only a single screen for multiple government benefit programs reduces the amount of time for low-income people to receive legal and administrative services.³³⁵

In addition, legislators should lead reforms in bail systems and call for increased judgeships.³³⁶ Lawyers and lobbyists must continue to advocate for bills like those that failed in Michigan, demanding categorical elimination of cash bail in exchange for the provision of support services for low-income defendants.³³⁷ If passed, these bail laws could streamline court procedures and reduce the amount of time a low-income defendant is incarcerated, potentially improving their case outcome and promoting their long-term stability.³³⁸ Bills like the one passed in New York, increasing the number of civil and family court judges, may produce similar benefits by expediting court proceedings while also resulting in taxpayer savings.³³⁹ Legislative reforms aimed at increasing time equality

331. See Altiraifi, *supra* note 1; Benedetto Neitz, *supra* note 317, at 143; Pennington, *supra* note 153, at 38–39.

332. See *supra* Part III.

333. See, e.g., PRENATAL-TO-3 POL'Y IMPACT CTR., *supra* note 133.

334. See, e.g., Adawi, *supra* note 215, at 399; NEIGHBORHOOD DEF. SERV., *supra* note 237.

335. PRENATAL-TO-3 POL'Y IMPACT CTR., *supra* note 133.

336. See, e.g., H.B. 4655, 2023 Leg. (Mich. 2023); Ramón & O'Shea, *supra* note 105.

337. See H.B. 4656, 2023 Leg., Reg. Sess. (Mich. 2023); H.B. 4657, 2023 Leg., Reg. Sess. (Mich. 2023).

338. See Cherson, *supra* note 114; Complaint ¶¶ 24, 26, 31, 33, West-Campeau v. Dunlap, No. 2:24-cv-12751 (E.D. Mich. filed Oct. 17, 2024).

339. S.B. 9839, 2023–24 Leg., Reg. Sess. (N.Y. 2024); Ramón & O'Shea, *supra* note 105.

could also improve low-income litigants' perceptions of their attorney and the legal system as a whole, instilling in them the belief that the legal system really can benefit "people like [them]."³⁴⁰

Community engagement and legal education may encourage these beliefs, as well. Legal aid organizations and advocates should implement the ABA's recommendation of community legal education by hosting public legal information sessions to connect with low-income residents and "empowe[r] them to reverse . . . systemic barriers."³⁴¹ Community education programs can create opportunities to inform low-income people of their right to early representation in criminal cases, as offered in Michigan.³⁴² If low-income people are able to more easily identify legal solutions, a reduced amount of time between experiencing a legal problem and receiving services may follow.³⁴³ The result is less time involved with the legal system as a whole and an increased chance at long-term stability.³⁴⁴

Finally, judicial actions can further alleviate the barriers to attending court that are imposed by time inequality.³⁴⁵ State supreme courts should follow the Michigan Supreme Court's approach by amending their own professional conduct rules to enable *pro bono* attorneys to provide modest financial assistance to low-income clients that covers transportation, meals, and clothing.³⁴⁶ This may not only encourage low-income litigants to participate in their case,³⁴⁷ but also reduce the risk of the individual being subjected to the socioeconomic bias of the judge or jury.³⁴⁸ These efforts may restore the autonomy of low-income individuals by demanding less of their sacred time and empowering their engagement with the legal system.

340. See LEGAL SERVS. CORP., *supra* note 97; Pennington, *supra* note 153, at 43–44.

341. STANDARDS FOR THE PROVISION OF LEGAL AID § 3.3 cmt., at 89–90, *supra* note 289.

342. See, e.g., MACOMB CNTY. GOV., *supra* note 285; STANDARDS FOR THE PROVISION OF LEGAL AID § 3.3 cmt., at 89–90, *supra* note 289.

343. See Kameda & Nakanishi, *supra* note 250, at 388; Margolis, *supra* note 224, at 139.

344. See Dobbie et al., *supra* note 89, at 234.

345. See, e.g., Amendment to MICH. RULES OF PRO. CONDUCT r. 1.8, order of the Mich. Supreme Court, ADM File No. 2020-31, Jan. 10, 2024, https://www.courts.michigan.gov/48dd93/siteassets/rules-instructions-administrative-orders/proposed-and-recently-adopted-orders-on-admin-matters/adopted-orders/2020-31_2024-01-10_formor_andmrpc1.8.pdf [<https://perma.cc/9Q93-QHPM>].

346. *Id.*; MICH. RULES OF PRO. CONDUCT r. 1.8(e)(3) (2024).

347. See ANDERSON ET AL., *supra* note 240, at 7.

348. Benedetto Neitz, *supra* note 317, at 143.

IV. CONCLUSION

Similar to other systemic disparities, time inequality permeates individuals' perceptions of low-income people, their interpersonal relationships, organizational structures, the built environments of low-income communities, and even universally applicable policies and laws.³⁴⁹ Consistent throughout each is the assumption that the time of low-income people is inherently less valuable than that of people with higher incomes.³⁵⁰ This means that the fulfillment of basic needs and services demands a larger time commitment from low-income people due to structural and systemic barriers.³⁵¹ As a result, low-income people have limited autonomy over their schedules and are often pressured into sacrificing their long-term stability in exchange for the attainment of their immediate needs.³⁵²

This Note applied the SEM of public health to the legal system, exploring the laws, policies, and actors within the legal system that perpetuate this phenomenon and its disproportionate impact on low-income people.³⁵³ As indicated in each nest, federal, state, and organizational policies, even those intended to alleviate the burdens of poverty, can restrict the autonomy of low-income people by governing how much they can earn, where they work, and how they spend their time.³⁵⁴ Further, laws that shape the communities of low-income people effectively isolate them from opportunities for economic growth.³⁵⁵ For those low-income people affected, these barriers may compound as deterrents from engaging with the legal system.³⁵⁶ Already apprehensive of the law's protections for them, low-income people who would be forced to compromise their financial stability just to coordinate court hearings, attorney meetings, and other obligations of their case may decide to forgo legal advocacy. Not having the privilege of making short-term sacrifices in exchange for long-term stability may compel low-income people to waive their rights, resulting in their failure to be protected by important bodies of laws.

Crucially, attorneys whose work impacts low-income individuals can engage in advocacy that combats time inequality by passing legislation, policies, and rules that alleviate its burdens, implementing streamlined

349. See discussion *supra* Part III.

350. Holt & Vinopal, *supra* note 2, at 545.

351. See *id.* at 550.

352. See *id.* at 551; Altiraifi, *supra* note 1.

353. See *supra* Part III.

354. See *supra* Part III.

355. Lynch et al., *supra* note 155, at 2; OPEN CMTY'S. ALL., *supra* note 147.

356. See, e.g., Pennington, *supra* note 153, at 38–39; Margolis, *supra* note 224, at 139.

organizational structures, or conducting community legal education.³⁵⁷ Looking forward, future scholarship might explore the efficacy of these proposed solutions in reducing time inequality that is improperly taxing so many in our legal systems.

357. *See supra* Section III.F.