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THE LEGAL NEEDS OF IMMIGRANT GROUPS—A CASE STUDY: KOREAN IMMIGRANTS

INTRODUCTION

There is no longer any doubt that a substantial unmet need for legal services exists in this country.¹ Still unresolved, however, is what causes this unfortunate phenomenon. Many theorize that the cause is attributable to poverty² and lack of legal competence.³ Yet others argue that the phenomenon is a natural outcome of the preponderance of certain select institutions that require and exhaust the services of attorneys.⁴ In any event, the personal cost to the individuals whose legal needs remain unmet can be high.⁵

This Comment takes the view that there may yet be another significant factor that accounts for the unmet legal need in this country. Specifically, legal academicians have largely overlooked the role of cultural variables that may shape the pattern of pursuing legal remedies by the newly arrived immigrant groups in this country. Presumptively, the immigrant population collectively represents a pool of people who most urgently need various types of legal assistance ranging from immigration to employment matters. The immigrants' need for an attorney's assistance may be accentuated by new customs and language difficulties. Yet such need may remain unmet unless an attempt is made to understand the particular cultural variables that may influence an immigrant in seeking legal help.

This Comment seeks to explore these cultural linkages through a case study of the legal needs of Korean immigrants. This Comment first explains some of the unique aspects of this study. Next, it examines the general characteristics of Korean immigrants and their legal problems. Then, the problems that Korean immigrants face in seeking legal help are discussed. This

1. Zander, *How to Explain the Unmet Need for Legal Services*, 64 A.B.A. J. 1676, 1676 (1978).

2. *Id.*

3. *Id.* at 1677.

4. *Id.* at 1677-78.

5. See, e.g., B. CURRAN, *LEGAL SERVICES FOR SPECIAL GROUPS I* (1972). At stake may be one's life, liberty, and property—the cornerstone of our constitutional guarantees.

Comment concludes by summarizing the general implications of this study that provide a new perspective to the existing literature on the subject of legal needs.

I. THE NATURE OF THE STUDY

Any study of the legal needs faced by a newly arrived immigrant group confronts a number of obstacles and inherent limitations.⁶ The purpose of this Comment, accordingly, is not to set forth an exhaustive discussion of the legal needs and problems associated with seeking legal help by Korean immigrants. Rather, this Comment seeks to develop a pilot study of the subject with certain objectives and limitations as described below.

A. *The Objectives*

One objective of a study such as this is to contribute, however marginally, to the unfortunately sparse literature in this country regarding Koreans and Korean-Americans in particular.⁷ A more compelling objective, however, is to set forth a skeletal framework for a discussion of the socio-legal problems encountered by Korean immigrants and the adequacy of the legal delivery system in coping with those problems. The Korean sample was chosen for purposes of this study partly because of the author's own background and experience, but also because the arrival of large numbers of Korean immigrants to this country is a recent phenomenon.⁸ As such, the sample provides a unique opportunity for a study of the legal problems of an immigrant group at an early stage. The lessons learned, it is hoped, will be generalizable to other recent immigrant groups from Latin America and Southeast Asia.

A final objective of this study is to inform practitioners, scholars, and the immigrants themselves of the legal problems confronting Korean immigrants. By providing an integrated discussion of the problem areas, this study may stimulate further studies on the subject. These studies could make significant contributions toward solving the serious social problem of the unmet need for legal services.⁹

B. *The Limitations*

The very reasons that prompt a study such as the present one reveal some of its inherent limitations. First, there exists a dearth

6. See notes 10-15 & accompanying text *infra*.

7. *Id.*

8. See Part II(A) *infra*.

9. See note 5 & accompanying text *supra*.

of published writings on the legal needs of immigrant groups, particularly Korean-Americans.¹⁰ The costs and language difficulties may discourage scholars from basing this type of study on surveys or non-English sources. Furthermore, immigrant groups may have characteristics that make study of them difficult; for example, some may be reclusive or suspicious of researchers.¹¹

The present study seeks to minimize the impact of these limitations in a number of ways. First, it relied heavily on a select group of socio-economic studies of Korean immigrants that have been carried out by reputable researchers.¹² Also used were certain survey books on Koreans and Korean immigrants.¹³ The conclusions drawn from these sources were then supplemented by findings from various newspapers, books and journals published in the Korean language.¹⁴ Finally, informal personal interviews were used to confirm the conclusions drawn in this study.¹⁵

While the methodology employed and the small size of the sample selected for interviews suggest caution in drawing inferences and generalizations, due care was taken to minimize subjectivity and to select sources that would be representative.

II. THE KOREAN DIASPORA¹⁶

The legal needs of Korean immigrants are in many ways intricately tied to the pattern of immigration and general characteristics of the immigrant pool.

A. *Korean Immigration to the United States: History and Current Status*

The influx of Korean immigrants first began about 1900, when plantation operators in Hawaii started importing Korean laborers as cheap field help.¹⁷ While the number of Koreans arriving by this method never matched that of the Chinese or Japanese, about 10,000 Koreans had entered Hawaii and another 1,000 reached the mainland before emigration was forbidden by the Ko-

10. For an excellent summary of the problems confronting persons engaged in research on Korean immigrants and for some practical advice, see Gardner, *Notes on the Availability of Materials for the Study of Korean Immigrants in the United States*, in *THE KOREAN DIASPORA* 247 (H. Kim ed. 1977).

11. Korean immigrants, for example, are very reluctant to talk about legal problems. See text accompanying notes 82, 133-36 *infra*.

12. See, e.g., note 10 *supra*; notes 17, 28, 33 *infra*.

13. See, e.g., notes 32, 63, 74, *infra*.

14. See, e.g., notes 104, 126 *infra*.

15. See notes 82, 93, 113, 117, 151, 154 *infra*.

16. See note 10 *supra*. The term "diaspora" here is used synonymously with "dispersion."

17. B. KIM, *THE ASIAN AMERICANS* 3-4 (1978) [hereinafter cited as *THE ASIAN AMERICANS*].

rean government in 1905.¹⁸

The Immigration Act of 1917¹⁹ prohibited immigration from an "Asiatic barred zone,"²⁰ thus practically ending immigration from Korea as well as China and Japan.²¹ Korean immigration up to this period consisted primarily of common laborers who lacked educational or professional attainments.²² Like their Chinese and Japanese counterparts, Korean immigrants during this period earned their living primarily by exploiting areas of the economy that were considered too menial for the white majority.²³

Large-scale Korean immigration began with the 1965 amendments²⁴ to the Immigration and Naturalization Act of 1952.²⁵ The amendments eliminated the national quota system of the 1952 Act and replaced it with an annual quota of 170,000 immigrants for the entire Eastern Hemisphere. Included in the Act was the proviso that no country should contribute more than 20,000 emigrants.²⁶ The amendments had a dramatic impact upon Asian immigration, Korean in particular. A study of population growth for Korean-Americans during the period from 1964 to 1974 revealed an increase of 261%, compared to 85% for Filipino, 62% for Chinese, 7% for Japanese, and 48% for Asian Americans in general.²⁷ From 1970 to 1975, Korean immigration increased by more than 304%.²⁸ These figures raised the rank of Korea from twenty-eighth to fourth among donor nations for the period 1965 to 1973.²⁹

Korean immigration, therefore, is relatively new; however, its startling growth rate has already left some visible signs in major cities across the country.³⁰ Yet, perhaps less is known about Korean-Americans than about any other major Asian-American

18. *Id.*

19. Act of Feb. 5, 1917, ch. 29, 39 Stat. 874.

20. The zone included islands east of the Asian continent between the 10th and 20th parallels north latitude to the 160th meridian east longitude, as well as continental territory from the 38th to the 50th parallels north latitude and between the 50th and 110th meridians east longitude. *Id.*

21. Kim, *Asian Immigrants in American Law*, 26 AM. U.L. REV. 373, 377 (1977) [hereinafter cited as *Asian Immigrants*].

22. THE ASIAN AMERICANS, *supra* note 17, at 5.

23. *Id.*

24. Act of Oct. 3, 1965, Pub. L. No. 89-236, 79 Stat. 911 (1965), *codified in* 8 U.S.C. § 1151 (1970).

25. Pub. L. No. 82-414, 66 Stat. 163 (1952).

26. *Id.* See also *Asian Immigrants*, *supra* note 21, at 392.

27. THE ASIAN AMERICANS, *supra* note 17, at 9.

28. W. HURH, *COMPARATIVE STUDY OF KOREAN IMMIGRANTS IN THE UNITED STATES 29* (1977) [hereinafter cited as *COMPARATIVE STUDY*]. This phenomenal increase means approximately two-thirds of Korean residents in the United States came after 1970. *Id.*

29. *Id.*

30. The "Koreatown" in Los Angeles is well known. There are similar Korean communities in New York City and other major cities.

group.³¹

B. *General Characteristics of Korean Immigrants*

1. Demographic Attributes

Presently, there are approximately 250,000 persons of Korean ancestry residing in the United States.³² The exact figure is not available because the decennial census started separating Korean-Americans from "other Asians" in 1970,³³ and the official results of the 1980 census have yet to be synthesized.

It is known that Korean immigrants are predominantly attracted to major metropolitan centers.³⁴ Many live in large cities such as Los Angeles, San Francisco, New York, Chicago, Honolulu, and Washington, D.C.³⁵ Los Angeles reportedly has the largest population of Koreans outside of Korea—about 150,000 to 170,000.³⁶ On the whole, however, the general tendency among immigrants to concentrate in urban central-city areas is somewhat less for Koreans than for other Asian groups.³⁷

Nearly 78% of all Korean-Americans naturalized during the period from 1965 to 1974 were eighteen years old or over,³⁸ and most of them were accompanied by family members.³⁹ A striking phenomenon is the low male-to-female ratio of the Korean immigrant pool—roughly 3 to 5.⁴⁰ The probable reasons for this low sex ratio are: (1) many of the women between the ages of 20-29 immigrated as wives of American servicemen;⁴¹ (2) women generally live longer than men⁴² and (3) more female infants (orphans of the Korean war) were adopted by American families.⁴³

The majority of Korean immigrants are married,⁴⁴ many to non-Koreans. The high exogamy rate is puzzling. In Hawaii, for example, Koreans were found to have the highest exogamy rate

31. *THE ASIAN AMERICANS*, *supra* note 17, at 177. Very little had been written about Korean immigrants in this country. See note 10 & accompanying text *supra*.

32. W. PATTERSON & H. KIM, *THE KOREANS IN AMERICA*, 49 (1977) [hereinafter cited as *THE KOREANS*].

33. Ryu, *Koreans in America: A Demographic Analysis*, in *THE KOREAN DIASPORA*, *supra* note 10, at 208.

34. *Id.* at 212.

35. *THE KOREANS*, *supra* note 32, at 50. There are, in addition, 27 other cities with more than 200 Koreans in their population. *Id.*

36. *L.A. Times*, Feb. 25, 1979, § 8, at 1, col. 1.

37. Ryu, *supra* note 33, at 212-13.

38. *Id.* at 211-12. Less than 2% of Korean immigrants are over 60 years of age. See *COMPARATIVE STUDY*, *supra* note 28, at 31.

39. *Id.*

40. Ryu, *supra* note 33, at 215.

41. *Id.*

42. *Id.*

43. *Id.*

44. *COMPARATIVE STUDY*, *supra* note 28, at 31.

among all racial groups—50% for male and 50% for female.⁴⁵ A study conducted by the United States Department of Health, Education and Welfare concluded that nationally, “at least a third of the Korean wives . . . are married to non-Koreans.”⁴⁶ Perhaps the high exogamy rate among the female Korean immigrants can be attributed to the low sex ratio⁴⁷ and the great number of Korean wives married to servicemen.⁴⁸ Still, however, the exogamy rate among male Korean immigrants remains unexplained.

2. Attitudinal Orientations

According to one survey,⁴⁹ the majority of Koreans who recently arrived in the United States expressed three major reasons for their immigration: (1) educational opportunity; (2) economic betterment; and (3) reunion with family and relatives.⁵⁰ Other studies confirm these findings.⁵¹ The first two reasons suggest several unique characteristics and beliefs that collectively make Korean immigrants one of the most ambitious and highly achievement-oriented ethnic groups in this country.⁵²

The extraordinary attraction of Korean immigrants to the American educational system is quite legitimate from the Korean perspective. In Korea, unlike the United States, the educational emphasis is upon memorization instead of comprehension of principles.⁵³ Most immigrants also believe that Korean education lacks the creativity, depth, and diversity stressed by American education.⁵⁴ A more practical reason is that higher education is simply more accessible in this country.⁵⁵

While more than 60% of Korean immigrants have a college degree or better,⁵⁶ language difficulties and various licensing requirements⁵⁷ prevent most of them from practicing in their chosen field. Most abandon further educational pursuits in favor of earning money, with the incessant hope that at least their children will

45. Ryu, *supra* note 33, at 217-18.

46. COMPARATIVE STUDY, *supra* note 28, at 34.

47. See note 40 & accompanying text *supra*.

48. See note 41 & accompanying text *supra*.

49. THE ASIAN AMERICANS, *supra* note 17, at 188-93.

50. *Id.*

51. See, e.g., COMPARATIVE STUDY, *supra* note 28, at 43.

52. L.A. Times, Sept. 20, 1979, § 4, at 1, col. 5.

53. L.A. Times, May 11, 1977, § 4, at 1, col. 2.

54. *Id.*

55. Until very recently, students in Korea have had to pass difficult standardized examinations in order to enter junior, senior high schools and college. Entry examination requirements for junior and senior high schools have now been eliminated, but this has created even greater pressure for passing college entrance examinations. Most students prepare for these entrance examinations by taking tutorial sessions for which they pay as much as \$200 per subject.

56. THE ASIAN AMERICANS, *supra* note 17, at 182-88.

57. *Id.*

get the American education that they themselves were not able to obtain.⁵⁸ The educational opportunity that the immigrants seek in this country, therefore, is largely for their children, not for themselves.

Whatever the motivation, the Korean affinity for education has produced some startling results. First, the median level of education for Koreans in this country has been found to be much higher than that for all other ethnic groups with the possible exception of the Jewish population.⁵⁹ Also, the percentage of Korean-Americans enrolled in school for all age groups and educational levels was found to be higher than that of other groups, except in the case of females of ages between 18 and 24.⁶⁰ Although statistics would suggest success and ready assimilation, the Korean immigrants' emphasis on education has indirectly contributed to the growing problem of juvenile delinquency among Korean youths.⁶¹

Economic betterment is the second reason expressed by a majority of Koreans for immigrating to the United States. However, unlike their early predecessors and many other immigrant groups, the majority of Korean immigrants are not victims of poverty in Korea. Rather, many have the money and the appropriate connections⁶² to be able to immigrate to the United States. Thus, many Korean immigrants arrive with substantial savings, prepared to establish a new beginning in America. The amount of wealth Korean immigrants bring to this country is not documented at all (partly due to Korean law restricting exportation of currency), but the universal, albeit silent, knowledge among Korean immigrants is that many are quite wealthy.⁶³

Why then do Korean elites leave the familiarity and comfort of their homeland to come to a strange new country? Education for children has already been suggested as a possible answer.⁶⁴ More important, however, is that the United States offers a degree of material comfort that no elite status or money can buy in Korea. Personal freedom and political stability are further reasons for Korean immigration to the United States.

Whatever the reasons for coming, Korean immigrants have

58. *Id.* See also L.A. Times, Sept. 10, 1978, § 8, at 1, col. 2.

59. Ryu, *supra* note 33, at 220-21.

60. *Id.*

61. See note 132 *infra*.

62. The bureaucracy in Korea is such that one may have an extremely difficult time leaving the country even if one is eligible to immigrate to the United States.

63. See B. CHOY, KOREANS IN AMERICA 241 (1979); Kim, *Intra and Inter-Ethnic Group Conflicts: The Case of Korean Small Business in the United States*, in KOREAN WOMEN IN A STRUGGLE FOR HUMANIZATION 205-06 (1978) [hereinafter cited as *Korean Small Business*].

64. See text accompanying note 58 *supra*.

had to undergo a serious attitudinal re-orientation. Because their reference group is no longer the prominent Koreans in their homeland, but instead the Koreans in the United States, the immigrants are forced to become strict realists.⁶⁵ This transference of reference group means a new cognitive orientation for the immigrants toward their host society where they feel they must seek their success without fail. The more the immigrants feels this urgency, the stronger he feels the need for success in this country.⁶⁶ Because of this feeling, returning to Korea would symbolize failure.

This tendency has been confirmed by a study which indicates that only 5.9% of male immigrants and 1.6% of female immigrants express a desire to return to Korea,⁶⁷ and also by many observations that Korean immigrants are one of the most achievement-oriented and fastest acculturating ethnic groups in this country.⁶⁸ Nevertheless, the cultural cognitive dissonance that Korean immigrants encounter has created serious social problems.⁶⁹

C. *Problems of Korean Immigrants*

A number of problems confront Korean immigrants in the process of acculturation. While the initial problems encountered may not be unique to Korean immigrants, they nevertheless contribute to the development of a distinctively unique pattern based on the general attributes of Korean immigrants.⁷⁰

1. Underemployment

Survey results show that the full-time employment rate of Korean immigrants is higher than that of other Asian groups,⁷¹ and that their earned income is close to that of other Asian immigrants.⁷² One may infer from these statistics that Korean immigrants are relatively well off. However, these statistics are misleading for various reasons.

First, while over half of Korean immigrants in this country have a college degree or better,⁷³ factory workers comprise the largest occupational category (34%).⁷⁴ With respect to persons having professional degrees, only 25% are employed as profession-

65. COMPARATIVE STUDY, *supra* note 28, at 44.

66. *Id.* at 44-45.

67. THE ASIAN AMERICANS, *supra* note 17, at 193.

68. *See* text accompanying note 52 *supra*.

69. *See* Part II(C) *infra*.

70. *See* Part II(B) *supra*.

71. THE ASIAN AMERICANS, *supra* note 17, at 182-85.

72. *Id.*

73. *See* text accompanying note 56 *supra*.

74. B. JADE, KOREAN INFLUX 22 (1975).

als, while 49% are employed as low-skilled factory and craft workers.⁷⁵ For Korean women, the underemployment rate is even higher. About 60% of women having liberal arts degrees are employed as seamstresses or sales-clerical workers.⁷⁶

The underemployment results in feelings of relative deprivation among many Korean immigrants. Most of them feel that the language barrier prevents them from getting the jobs for which they are qualified.⁷⁷ Another reason for professional underemployment lies in the difficult licensing examinations that the immigrant must pass before being permitted to practice a chosen profession in this country.⁷⁸ A third possibility is that many have been victims of employment discrimination⁷⁹ and have failed to seek legal remedies. One reason why victims of employment discrimination do not litigate is that most are not aware that discrimination is actionable in the United States.⁸⁰ Historically, Koreans have been subjected to various types of cultural discrimination, and therefore are relatively passive about these matters.⁸¹ Furthermore, Korean immigrants do not like to discuss discrimination openly since it constitutes a form of non-discussable shame somewhat akin to the unwillingness of rape victims to talk about the rape.⁸²

Many underemployed or unemployed immigrants consequently find a healthy remedy in private entrepreneurship. A recent survey indicates that the most popular means of sustaining the Korean immigrants' livelihood in this country is by operating proprietorships.⁸³ It is not unusual to find former professors or pharmacists from Korea operating hamburger stands and restaurants in the United States.⁸⁴ Korean immigrants can normally afford to pursue individual proprietorships since they usually have

75. *Id.*

76. *Id.*

77. THE ASIAN AMERICANS, *supra* note 17, at 186.

78. *Id.*

79. It has been documented that Koreans are a highly disliked minority group in the United States. See generally Bogardus, *Racial Distance Changes in the United States During the Past Thirty Years*, 43 SOC. & SOC. RES. 127-35 (1958); Bogardus, *Comparing Racial Distance in Ethiopia, South Africa and the United States*, 52 SOC. & SOC. RES. 149-56 (1968). Kim notes that general dislike of Korean immigrants results in various forms of subtle employment discrimination directed against the minority group. See *Korean Small Business*, *supra* note 63, at 207-08.

80. Plainly, racial discrimination cannot constitute a legally cognizable right of action in a homogeneous society such as Korea.

81. Korea had been occupied by Japan for about 30 years prior to its independence shortly after World War II. Prior to the Japanese occupation, Korea had been under cultural dominance of China.

82. Interview with Chul Kwak, Esq., in Los Angeles (Oct. 17, 1980) [hereinafter cited as Kwak].

83. THE ASIAN AMERICANS, *supra* note 17, at 187.

84. See, e.g., L.A. Times, May 11, 1977, § 4, at 1, col. 2.

enough money to pay for the initial costs of starting business.⁸⁵ Operating a business does not necessitate fluency in English, minimizes discriminatory contacts, and affords unlimited potential for maximizing what the immigrant perceives as the principal status symbol in this country—money.

Koreans often operate businesses family-intensively.⁸⁶ It is not uncommon for the entire family to be engaged in the business and to work long hours in order to maximize profits. This sometimes results in family disruptions and seriously conflicts with the immigrants' goal of educating their children.⁸⁷

2. Deteriorating Family Cohesion

Serious problems, largely attributable to the demanding and often unexpected nature of acculturation, are taking place within the Korean immigrant family. Divorce is anathema in Korea, but happens frequently among Korean immigrants.⁸⁸ Several factors seem responsible.

First, while the woman's role is very subservient in Korea,⁸⁹ such is not the case in the United States. Instead, women in America find themselves as full economic partners, often working for the first time, and less dependent on their husbands.⁹⁰ Second, for one-income families, the non-working spouse inevitably becomes lonely and feels left out.⁹¹ Further tending to exacerbate the degree of incompatibility among married Korean immigrants is the fact that female Korean immigrants are faster acculturators than their male counterparts.⁹² Indeed, some practitioners comment that divorces among Korean immigrants are primarily sought by the wives.⁹³

Another significant factor behind the increasing divorce rate is the unfortunate plight of Korean wives married to American servicemen. A recent feature story in a major Korean community newspaper indicates that many of these women undergo the acculturation process with little assistance from their husbands.⁹⁴ The resulting emotional trauma, combined with occasional violence

85. See text accompanying note 63 *supra*.

86. See generally *Korean Small Business*, note 63 *supra*.

87. See text accompanying note 58 *supra*.

88. The author's personal experience at a firm having a substantial Korean immigrant clientele; Kwak, note 82 *supra*.

89. Yim, *Korean Battered Wives: A Sociological and Psychological Analysis of Conjugal Violence in Korean Immigrant Families*, in *KOREAN WOMEN IN A STRUGGLE FOR HUMANIZATION* 175 (1978).

90. *Id.* at 182.

91. See generally B. CHOY, note 63 *supra*.

92. *COMPARATIVE STUDY*, *supra* note 28, at 31.

93. Conversations with James Stroud, Esq., in *Los Angeles* (Summer, 1980); Kwak, note 82 *supra*.

94. *Koreatown*, Dec. 3, 1979, at 1, col. 1.

against these women by their husbands,⁹⁵ has led to 70% to 80% of these marriages ending in divorce.⁹⁶

In addition to the above difficulties, American society has notably affected Korean children. Because these children acculturate faster than their parents, they are less prone to accept traditional parental authority,⁹⁷ especially when they find themselves active partners in the family business. The subsequent generation gap, together with the unusually high educational expectations of their parents, exert immense pressures on these youngsters. Accordingly, the result has been a recent surge of juvenile delinquency.⁹⁸

3. Lack of Community Support

One of the most serious problems of Korean immigrants is their tendency to quarrel among themselves and their failure to cooperate with each other.⁹⁹ The lack of unity among the immigrants has been a continuing problem throughout the history of Korean immigration.¹⁰⁰ One reason for this lack of unity may lie in the recent political history of Korea as a nation subjected to superpower politics.¹⁰¹ Other reasons may be the different political viewpoints and the harsh competitiveness among the immigrants vis-a-vis each other.

The most obvious manifestation of this disunity among the immigrants can be evidenced by the great number of organizations centered around trade, profession, ethnicity, and church.¹⁰² While one might believe that the proliferation of these organizations has an important role in reducing the impact of culture shock on Korean immigrants, it has in fact produced the opposite result.

The disunity that exists among these organizations has a profoundly retarding effect on the formation of political coalition groups. Given the number of immigrants entering each year,¹⁰³ a

95. *Id.* at 10, col. 1.

96. *Id.*

97. See generally Yu, *Personality Adjustment of Korean Children in the United States*, in *THE KOREAN DIASPORA*, *supra* note 10, at 177-90.

98. See note 132 *infra*.

99. See, e.g., *THE KOREANS*, *supra* note 32, at 50.

100. See, e.g., B. CHOY, *supra* note 63, at 193.

101. See note 81 *supra*. Prior to Japanese annexation of Korea in the early part of this century, for example, political mobilization against the impending annexation was fatally hampered by the disunity of Korean government officials among various factions favoring alliance with China, Japan, and Russia.

102. See generally Kim, *The History and Role of The Church in the Korean American Community, and Korean Community Organizations in America*, in *THE KOREAN DIASPORA*, note 10 *supra*.

103. It is estimated that as many as 30,000 Korean immigrants enter this country each year. See *L.A. Times*, Sept. 10, 1978, § 8, at 1, col. 2.

political coalition of Korean immigrants could have substantial impact upon local politics. Yet, it is an unfortunate fact that Korean immigrants are badly organized as a group. This disunity further solidifies an individual immigrant's conviction that the only way to success is through his own efforts, not by trusting fellow immigrants. Most survive this social self-alienation, but some fail and eventually end up in mental wards.¹⁰⁴

III. THE LEGAL NEEDS OF KOREAN IMMIGRANTS

This section identifies and discusses the legal needs of Korean immigrants based on the general characteristics discussed in the preceding section. In addition, this section evaluates the factors that work for and against smooth resolution of the problem areas.

A. *Discernible Areas of Legal Need*

1. Immigration

The steady influx of Koreans makes immigration one of the areas in which legal assistance is most vitally needed.¹⁰⁵ The most frequent cases are those involving petitions for relative immigrant visas.¹⁰⁶ The procedure for preparing such a petition entails little more than careful reading of the directions on the appropriate form. The immigrants, however, seek legal assistance due to their unfamiliarity with these procedures which is further compounded by the language barrier. In addition, the time constraint imposed on the petitioner in following up with the Immigration and Naturalization Service is immense¹⁰⁷ while the monetary cost of employing an attorney is relatively low.¹⁰⁸ An attorney's service is sometimes sought due to false rumors; for example, the popular belief that attorneys can subsequently prepare a non-English-speaking person to pass the citizenship exams.

Other common immigration cases are those involving professional and skilled workers. In this area, the cost of an attorney's

104. According to reports from the Korean-American Mental Health Center, as many as 1700 Korean immigrants were treated for various psychiatric disorders in 1979. The number of cases the Center treats has continually increased since the Center's founding in 1976. Males are twice as susceptible to mental breakdown as females, especially those in the age bracket of 25 to 44. The reasons cited for mental breakdown are marital problems, employment, and language inadequacy. Dong-A-Il-Bo, Oct. 1, 1980 (Korean newspaper).

105. Kwak, note 82 *supra*; Stroud, note 93 *supra*.

106. *Id.*

107. Anyone acquainted with the Immigration and Naturalization Service in Los Angeles will note that the office is not very prompt in responding to requests and in follow-ups to petitions. This may be due to the unusually heavy workload in the office.

108. Normally costs around \$500.

service can be substantially higher¹⁰⁹ since it entails additional procedures, such as labor certification. There also arise immigration cases necessitating "true" legal services, like deportation proceedings. The need for this type of legal service is marginal, and attorneys frequently charge an hourly fee because of variations in the amount of work required. The Korean's perception of immigration as a passport to success¹¹⁰ makes immigration an area of law that Koreans will not compromise in seeking legal assistance.

2. Divorce

Divorce constitutes another area where the immigrant will not hesitate in seeking legal help. As noted earlier,¹¹¹ divorce is a new but increasing social phenomenon among Korean immigrants. While no statistics are available for the total number of divorces that actually occur, an indication of the increase in the divorce rate can be inferred from the number of Notice of Divorce petitions received by the Korean Consulate in Los Angeles. For example, in 1978 the Consulate received 56 notifications of divorce, while in 1979 the number increased to 67. This rising trend is further supported by the 130 notifications received in the first nine months of 1980.¹¹² Although the number of divorces reported to the Consulate has increased, it merely represents a small number of the actual cases. The reason for this is that most immigrants would rather bypass the office and directly notify their relatives in Korea to make the appropriate changes in family birth certificates.¹¹³

Practitioners handle many divorce cases for the immigrants since this area requires only relatively simple procedures. Attorneys accordingly charge a fixed fee for uncontested divorces which normally involve the simplest procedures, but charge hourly fees over and above the minimal down-payments for more complicated cases.¹¹⁴

Koreans contemplating a divorce seek the services of an attorney primarily because of the emotional trauma involved, rather than the complexity of the proceedings. A similar reason is stated by Americans in general for seeking an attorney's help in divorce proceedings.¹¹⁵ Some divorces are initiated to nullify false mar-

109. The fee here can range up to \$1000 or more.

110. See note 62 *supra*.

111. See note 88 & accompanying text *supra*.

112. Dong-A-Il-Bo, Oct. 17, 1980 (Korean newspaper).

113. This procedure may facilitate deletion of references to any previous marriages in the family birth certificates. Interview with Mr. Won, Editor-in-Chief, Dong-A-Il-Bo, in Los Angeles (Oct. 25, 1980) [hereinafter cited as Won].

114. Stroud, note 93 *supra*.

115. B. CURRAN, *THE LEGAL NEEDS OF THE PUBLIC* 260-64 (1977).

riages that have been executed for the sole purpose of immigration.¹¹⁶

3. Personal Injury

Personal injury is another area in which Korean immigrants will seek the assistance of an attorney. Language difficulties and frustration in dealing with insurance companies force many immigrants to seek legal assistance. However, Korean immigrants are not familiar with the practice of contingency fees, and become disgruntled by the prospect of their attorney "taking" as much as one third of the recovery.¹¹⁷ This perception has developed into a feeling of exploitation which has resulted in the immigrants' generalized distrust of attorneys.¹¹⁸

The distrust of attorneys is exacerbated by the immigrants' belief that some personal injury attorneys collaborate with doctors in order to make it easy for the claimant to collect and that the immigrant's award will be further reduced by the percentage going to the doctor.¹¹⁹ The personal injury claimant therefore is often told at the outset that he or she will only be entitled to one third of the total collectible sum, but that the total claim will be proportionately set in the first place to ensure that the claimant eventually receives adequate compensation.¹²⁰ The extent of this conduct on the part of some attorneys is undocumented, but such conduct nevertheless is common knowledge among immigrants.

Finally, Korean immigrants almost never recover for emotional distress, even though it may have been an integral part of the personal injury suffered. While this may be attributable to the lack of awareness that emotional distress constitutes an actionable cause, attorneys tend to discourage clients from pursuing this since inclusion of such a claim in the total action is thought to reduce the chance of recovery for other, more tangible damages.¹²¹

4. Business

As noted earlier,¹²² business is the most popular means of sustaining a livelihood for most Korean immigrants. Nevertheless, the most common legal advice that the immigrants seek re-

116. Won, note 113 *supra*; Kwak, note 82 *supra*.

117. Interview with Mrs. Park, a businesswoman, in Los Angeles (Oct. 12, 1980); interview with Mr. Lee, a businessman, in Los Angeles (Oct. 12, 1980).

118. *Id.*

119. *Id.*

120. *Id.*

121. *Id.*

122. See text accompanying note 83 *supra*.

garding their businesses is that for incorporation.¹²³ While most American businessmen seek legal help for preventive purposes, such as tax planning, drafting partnership agreements, and checking soundness of contemplated business ventures,¹²⁴ Korean immigrants do not find these measures imperative at the time they establish their businesses. Instead, they wait until it is too late to alleviate a problem.¹²⁵

A recent survey of Korean immigrant businessmen in Los Angeles revealed that most found their businesses by themselves (59.8%), while the remainder did so either through a real estate broker (31%), or through sheer intuition (9.2%).¹²⁶ Rarely, if ever, did Korean immigrants seek the assistance of an attorney in finding their businesses. More important, most seemingly did not seek legal assistance despite various problems encountered in running their businesses: financing (24.6%); inadequate business knowledge (19.3%); lack of knowledge as to what to do (9.2%); language problems (18.2%); low profits (17.5%) and miscellaneous (11.2%).¹²⁷ From the nature of the problems noted, it would appear that most could have been minimized through the assistance of an attorney. The reasons for the immigrants' aversion to seeing an attorney regarding their businesses are discussed elsewhere in the Comment,¹²⁸ but it may be observed here that business is an area of legal need substantially unmet in the case of Korean immigrants.

5. Discrimination

This is another area where the immigrants' legal needs may remain unmet. As noted earlier,¹²⁹ it is quite possible that many Korean immigrants do not perceive discrimination as an actionable cause and, even if they do, are very reluctant to do anything about it.

A recent survey of the American public indicated that the respondents in general were very hesitant in following up on discrimination cases.¹³⁰ This general silence among victims of discrimination lends credence to the view that "formal" justice may not always result in "substantive" justice.¹³¹ In any case, future research on the subject of discrimination should focus on the

123. Kwak, note 82 *supra*; Stroud, note 93 *supra*.

124. *Id.*

125. Kwak, note 82 *supra*. See also note 151 *infra*.

126. H. JIN, A SURVEY ON ECONOMIC AND MANAGERIAL STATUS ON KOREAN BUSINESSES IN THE LOS ANGELES AREA 17 (1978) (published in Korean language).

127. *Id.* at 18.

128. See note 135 & accompanying text *infra*. See also Part III(B) *infra*.

129. See text accompanying note 79 *supra*.

130. B. CURRAN, *supra* note 115, at 262.

131. See Abel, *Socializing the Legal Profession*, 1 Law & Pol'y Q. 5, 6-8 (1979).

possible reasons, social or otherwise, for the general silence among the victims.

6. Crime

Crimes committed by and against Korean immigrants are both pervasive and increasing. Again, no exact statistics are kept.¹³² Daily incidents of crime reported in the newspapers may be only the tip of the iceberg, given the aversion of Korean immigrants to talk about the crimes.¹³³

To have been a victim of a crime, Koreans feel, is a shame that should be borne in silence. This is especially true in cases like rape where publicity almost always assures long celibacy for the victim. Koreans are always very cautious to check upon marriage partners through investigations,¹³⁴ and prior criminal episodes such as rape may stand out as bad omens resulting in cancellations of engagements.

Korean businessmen who become victims of robbery or burglary do not want to report these crimes for various reasons. First, there exists the fear of reprisals. Second, publicity on such crimes

132. The Los Angeles Police Department's Asian Task Force keeps separate records for Asian Americans in general, but does not keep separate records for each subgroup. However, it is known from newspapers that crimes committed against Korean immigrants are perpetrated mostly by other minorities, although there have been sporadic incidents of crime committed by Korean immigrants in collaboration with non-Korean immigrants.

A most sensational case is one involving extortion that captured the media's attention due to the interesting fact situation involved. A wealthy businessman in Korea received an overseas call from an extortionist who threatened to kill the businessman's two daughters residing in New Jersey. The businessman immediately notified the police in the United States while simultaneously making the arrangement for paying the \$250,000 demanded by the extortionist. At the scene of the delivery, the extortionist was caught and so was his co-conspirator who happened to be none other than the businessman's own nephew who was able to immigrate to this country earlier through the generosity of the businessman.

Recent years have also seen a surge in the formation of Korean juvenile gangs, Won, note 113 *supra*. While the activities of these gangs are largely confined to gang fights, which often involve carbines and pistols, these gangs have the potential of developing into full-fledged terrorist groups that may seriously threaten the safety of the community. Korean juvenile gangs were originally formed as youth groups that served the purpose of giving the youths something to identify with. As with other ethnic youth gangs, however, Korean gangs are gradually developing into a mechanism by which Korean youths violently express their frustrations accompanying the difficult process of acculturation. A study on this subject indicates that Korean students do not associate much with other students in the Los Angeles area, attend schools with gang problems, and frequently find themselves innocent targets of gang fights, L.A. Times, Sept. 10, 1978, § 8, at 18, col. 1. Needless to say, there exists an urgent need for more bilingual community workers and probation officers who may correct the wrong paths trod by some Korean youths.

133. See notes 134-36 & accompanying text *infra*.

134. A Korean man or woman must assume the risk of the potential marriage partner finding out the worst features of the man or woman's life. Koreans are particularly meticulous about these matters.

may deter customers and reduce the goodwill price of the business when it is placed for sale.¹³⁵ Third, they do not want to take the time away from their businesses in order to testify or otherwise help in the investigation process. Accordingly, some may be willing to report the crimes, but when they do, they make it absolutely clear that they do not want to get involved in the subsequent investigation process.¹³⁶

Not surprisingly, the criminal subclass has learned that Korean immigrants are unwilling to report crimes or testify. Many immigrants are therefore continually victimized by the same criminals who find the immigrants easy prey.¹³⁷ The silence of the victims is a very serious problem in Los Angeles, prompting the Asian Task Force of the Los Angeles Police Department to submit a series of urgent pleas in the local Korean newspapers to speak out against crime.¹³⁸

The silence among Korean immigrants who become victims of crime, of course, means that they suffer substantive justice despite the fact that formal mechanisms for attaining the justice can be had through the legal system. As with victims of discrimination, therefore, the present legal system is inadequate in serving the needs of Korean immigrants who become victims of crime. Here indeed is a typical illustration that "formal" justice does not always result in "substantive" justice.¹³⁹

B. *The Unmet Legal Needs*

It is evident from the preceding discussion that while Korean immigrants will seek legal assistance for matters that are absolutely essential—immigration, divorce, personal injury¹⁴⁰—they will not in general seek legal help for other matters even if an attorney's assistance could prove highly beneficial.¹⁴¹ The following section hypothesizes that this tendency is due to certain cultural inhibitions of Korean immigrants and inefficiency, or inappropriateness, of the legal delivery system available to them.

1. Cultural Factors Inhibiting Demand

a. *"Alegal" System of Korea.* Professor Hahm has charac-

135. While Korean businessmen yearn for increase in profits, they eventually will want to sell their businesses in order to go into a bigger and better venture. To this extent, the primary incentive for holding onto their businesses is to realize a gain from the goodwill payments.

136. Won, note 113 *supra*.

137. *Id.*

138. *Id.*

139. See Abel, note 131 *supra*.

140. See notes 105-21 & accompanying text *supra*.

141. See notes 122-38 & accompanying text *supra*.

terized the Korean system of social order as "alegal".¹⁴² Several unique features of Professor Hahm's "alegal" system are: (1) aversion to coercive law; (2) preference for compromise and mediation and (3) a patrimonial concept of justice.¹⁴³

Traditionally, Koreans distrust and look upon the legal system as a set of rules for punishment. A person of culture governs his or her conduct according to the ancient code of propriety—the Confucian *li*—which stresses human decency, rather than fear of punishment. So long as one lives by that code, there is no need to concern oneself with legal norms.¹⁴⁴

Second, Koreans prefer mediation and compromise rather than adjudication. Rather than designate one party to a dispute as right and his opponent as wrong, Koreans prefer a solution that is practically feasible and mutually satisfactory for all parties concerned.¹⁴⁵ This preference for mediation directly derives from the Confucian *li* which prescribes a high ethical standard, thus having a prophylactic effect against troubles.

The "alegal" system can also be described as encompassing what Max Weber called the "patrimonial" nature of justice. In other words, "formal rationality" which demands adherence to rules and use of abstract concepts created by adjudication specialists, while very typical of Occidental capitalism, is very much absent in Korea.¹⁴⁶ Again, a Korean rationalizes his or her conduct through the persuasive ancient authority of the Confucian *li*. Strict mandatory laws are incidental and largely redundant; they exist as a last resort for peace and order. Those who must rely on the laws cannot do so without admitting the infirmity of their standards of ethical conduct.¹⁴⁷

Professor Hahm's theory is confirmed by the traditional Korean belief that Koreans are a race of people who need not live with and by law.¹⁴⁸ While this low regard for law derives from

142. P. HAHM, *THE KOREAN POLITICAL TRADITION AND LAW* 6 (1971).

143. *Id.* at 7-45.

144. *Id.*

145. *Id.*

146. *Id.*

147. Professor Hahm notes:

One might think that the courthouse as an arena of modern justice, would evoke a feeling of pleasant reverence and awe in the minds of the Korean people. The vast majority of the population, however, has never been to a courthouse. Furthermore, they were proud of that fact. Many of the respondents felt insulted when they were asked such a question, because they regarded it as tantamount to being asked whether they had ever been convicted of a crime.

Hahm, *The Decision Process in Korea*, in *COMPARATIVE JUDICIAL BEHAVIOR* 22 (1969).

148. Kwak, note 82 *supra*.

thousands of years of cultural tradition in Confucian *li*, it has been further accentuated in modern Korean history.

There is an attempt in Korea to legislate nearly every facet of human behavior in the name of economic development. As Professor Hahm notes, "[a] society that is urgently seeking to attain a maximum level of economic development within the shortest possible time often considers legislative enactments ideally suited for its purpose."¹⁴⁹ This has given rise to a popular joke among Koreans that a Korean politician's favorite hobby is passing laws. In other words, Koreans have further come to resent law because they view it as a mechanism by which politicians conveniently shirk their task of leading the country towards modernity.

The Korean alegal system is evidenced in the United States by the way in which Korean immigrants pursue legal remedies. Korean immigrants do not seek an attorney's assistance unless it is absolutely necessary. In particular, the immigrants do not believe in preventive legal advice. The Korean tradition also explains why the immigrants are unwilling to talk about discrimination¹⁵⁰ or other victimization experiences. To talk about these experiences would mean (1) placing blame on others, a practice which they abhor or (2) admitting their own fault in connection with their victimization as resulting, for example, from language difficulties or other disadvantages experienced by the victims.

Judged by Western standards, an alegal system contributes to self-defeating and masochistic tendencies.¹⁵¹ Therefore, what Korean immigrants must come to appreciate is that adherence to such traditional values is very costly in a highly litigious society such as the United States.

b. *Other Differences in Legal Culture.* There are many other differences in legal culture between Korea and the United States that tend to confuse the immigrants. First, there are fundamental differences in legal concepts. For example, in Korea there are only informal requirements for contract formation. This is evidenced by the fact that no consideration is needed to make a contract enforceable. Instead, all that is needed is an oral promise that one is ethically bound to fulfill.¹⁵² This is perfectly normal in

149. P. HAHM, *supra* note 142, at 185.

150. See notes 80, 130, 131 & accompanying text *supra*.

151. A practitioner recently noted his frustration over a Korean immigrant client who sought legal assistance regarding a souring partnership agreement. The practitioner advised the client upon careful study of the partnership agreement that this was a classic case of partnership fraud, and that the client must take immediate actions to safeguard his interest in the partnership. Despite this important bit of legal advice, the client decided to listen to the pleas of his partner to wait for a few more days. When the few days had passed, the partner had already appropriated large sums of the client's money. Conversations with Jerry Lax, Esq., in Los Angeles (Summer, 1980).

152. Kwak, note 82 *supra*.

a system that prizes honor and informal rules of conduct, such as in Korea. As a result, many immigrants belatedly realize that their contracts are unenforceable due to concepts like consideration or the Statute of Frauds.¹⁵³ Real estate agents report how their Korean clients tend to lease their properties based largely upon "facial impression," rather than relying on modern procedural methods such as credit checks.¹⁵⁴

Second, Korea has a civil law tradition. There are seven main bodies of law which are all statutorily set out in books.¹⁵⁵ Therefore, anyone can conceivably learn all the law and take and pass the bar exam. Attorneys in Korea typically research the law and gather all the necessary documents for bringing a case to court. There is little room for argument. Once the attorney's legal functions have been performed, the result will appear clear-cut.¹⁵⁶ Immigrants in this country are thus very dubious about the seemingly inscrutable way attorneys in the United States go about doing business.¹⁵⁷ The immigrants often fail to understand that each case is different, and that no clear solutions can be predicted.

Third, Korea has only one jurisdiction.¹⁵⁸ Korean immigrants therefore have a difficult time understanding concepts such as venue, service of process, or conflicts of law. Because of this, they are very bitter about the fact that there are numerous laws in this country and that so many seemingly conflict or overlap.¹⁵⁹

There are many more detailed differences between the legal systems of Korea and the United States. The preceding distinctions are only some of the principal ways in which contrasting legal traditions tend to affect the behavior of the immigrants in seeking legal remedies. In the case of Korean immigrants, the differences have tended to alienate the group from the legal delivery system, which is regarded as complex, impenetrable, and contradictory, as well as a source of shame and dishonor.

2. Quality of the Legal Delivery System

The burdens of the immigrants' unique cultural traditions are

153. *Id.*

154. Interview with Mrs. Young, a real estate broker, in Los Angeles (Oct. 21, 1980).

155. One book, in fact, contains all the laws of Korea. A copy of such a book can be found at the UCLA School of Law Library.

156. KOREAN CHAMBER OF COMMERCE OF SOUTHERN CALIFORNIA, LIFE OF KOREAN IMMIGRANTS IN AMERICA 138 (1977).

157. One such immigrant is Mr. Ahn, a businessman in Los Angeles who constantly reminds the author of the uncertain answers that his lawyers give him and the lengthy delays in receiving answers to his inquiries. Of course, Mr. Ahn may not be aware of the fact that the lawyers are merely being cautious in giving advice.

158. KOREAN CHAMBER OF COMMERCE OF SOUTHERN CALIFORNIA, *supra* note 156, at 138.

159. Kwak, note 82 *supra*.

exacerbated by weaknesses in the legal delivery system available to them. One of the problems encountered by Korean immigrants in seeking legal help has been raised by a minister in a recent article in a Korean newspaper.¹⁶⁰ The minister stated that many Korean immigrants hesitate to seek qualified Korean attorneys because of the attorneys' possible inadequacy in the English language.¹⁶¹ On the other hand, the minister stated that the immigrants cannot seek the assistance of "American" attorneys since those attorneys that are deemed to do high quality work charge exorbitant fees.

The minister's article reportedly raised a furor among the small group of bilingual Korean attorneys practicing in Los Angeles.¹⁶² While the clergyman's evaluation of the English competency of the bilingual attorneys may be questionable, the minister raised some valid questions about the "American" attorneys and the legal delivery system in general. First, the business legal needs of Korean immigrants may necessitate expert opinions from attorneys who have had years of specialization. Yet these attorneys can most likely be found in large law firms that have the resources to train attorneys to specialize. These firms do not handle the problems of small proprietorships of the sort operated by Korean immigrants; and, when they do, they charge fees that may be beyond the means or expectations of the immigrant businessmen. Furthermore, language difficulties faced by the immigrants may hinder effective communication of their legal needs to American attorneys in the large firms.¹⁶³

Many Korean businessmen are also unable to turn to the "general" practitioners who handle miscellaneous legal problems. The type of legal needs confronted by the immigrants may be beyond the scale of experience of general practitioners. Further, few of these general practitioners are fluent in Korean or familiar enough with Korean cultural tradition to understand the client's problems in his or her interaction with the justice system.

It is thus readily apparent that there exists an urgent need for more qualified bilingual attorneys who may collectively deliver the kind of specialized services needed by immigrant businessmen. This, in turn, will require that all bilingual persons cooperate with each other. Unfortunately, the disunity which exists

160. *Id.* This article appeared in *Dong-A-Il-Bo* in the early part of 1980. Since the newspaper is neither indexed nor microfiched, it was impossible to locate a copy.

161. There are presently six bilingual Korean attorneys in Los Angeles. They are: Kenneth Chang, Chai Byun, William Min, Young Youhne, Tong Suhr, and Kwak Chul. Kwak Chul is the youngest at the age of 34 (he passed the bar in 1979). The others are in their 40's.

162. Kwak, note 82 *supra*.

163. There are only about three bilingual attorneys at the major law firms that represent Korean businesses in Los Angeles.

among members of Korean community organizations would have a retarding effect on various consciousness-raising efforts.¹⁶⁴

In a number of areas of legal need where demand exceeds supply, particularly immigration and divorce, a strange phenomenon is taking place in the Korean community: "Attorney Substitute" services have developed. These are profit-oriented private entities that cater to the quasi-legal needs of Korean immigrants. These entities serve a valuable function in the total legal delivery system in that they take over where attorneys have failed to help. Needless to say, the attorney substitute services are a reminder that more attorneys who are able to communicate with and serve the legal needs of the Korean community are vitally needed.

It is also significant to note that in some areas, such as discrimination and crime, the present legal system is largely impotent in redressing the needs of the immigrants. The propriety of a legal system that results in non-utilization or under-utilization by a certain segment of the population can be seriously questioned.

C. *Implications*

This study confirms the view that an analysis of the unmet legal needs cannot be complete unless special cultural attributes of an immigrant pool are also considered. In the case of Korean immigrants, various cultural elements may significantly shape the pattern of pursuing legal remedies by the immigrant group. Similar findings about other recently arriving immigrant groups can suggest important reasons for the existence of unmet legal needs in this country.

This study also shows that an analysis of the legal needs of immigrants cannot be complete without considering the effectiveness of the legal delivery system in accommodating the special needs of immigrant groups. In the case of Korean immigrants, it is observed that the cultural inhibitions faced by immigrants in seeking legal help may be further aggravated by the inadequacy or indifference of the legal delivery system in addressing their special needs. Corollarily, this study shows the need for more attorneys who are willing to accept the challenge of bridging the cultural gap between Korean immigrants and other more established Americans, and who are fluent in both the Korean and English languages.

Finally, this study shows the need for communicating with

164. See text accompanying notes 99-104 *supra*. As this Comment reached its final production stage, the author has been apprised of the recent formation of the Korean American Bar Association in Los Angeles (KABA). This new entity undoubtedly has the potential for systematically addressing the legal problems faced in the Korean community.

and enlightening the Korean and other ethnic communities on the nature of the legal system in this country. The aura of mystery surrounding the legal profession in this country can only aggravate the unfortunate condition of unmet legal needs in various ethnic communities. Newly arriving immigrants, in particular, must be informed as to the relative litigiousness of this society and the important function that the legal profession serves in regulating economic life and enhancing the well-being of people.

CONCLUSION

This study has explored the legal needs of the Korean immigrants as a case study in the much ignored area of the legal needs of immigrants generally. In doing so, this study has concluded that cultural factors of a particular immigrant group, as well as the quality of the legal delivery system available to it, may both contribute to widespread unmet legal needs. On another level, this study has shown that a broad study on the legal needs of an ethnic group is possible. The frame of reference that this type of study provides can generate much needed studies on the legal needs of various immigrant groups. These future studies can be valuable in minimizing the unfortunate social problem of the unmet need for legal services in this country.

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