

# LAND OF LINCOLN LEGAL AID, INC.

## CLIENT AND APPLICANT GRIEVANCE POLICY

### I. Purpose

The purpose of the client and applicant grievance policy of Land of Lincoln Legal Aid, Inc. is to insure that Land of Lincoln will provide the highest quality legal assistance as required by the Legal Services Corporation Act. To ensure accountability to clients and applicants for legal assistance, Land of Lincoln maintains the following grievance procedures to process complaints by applicants about the denial of legal assistance and clients about the manner or quality of legal assistance provided. The following procedures are designed to foster effective communication between Land of Lincoln and the complaining applicant or client.

### II. Applicability

This policy is available to any applicant for legal assistance who believes that legal assistance has been denied improperly, and any client who is dissatisfied with the legal assistance provided.

### III. Complaints about Denial of Assistance

Land of Lincoln will provide adequate notice of the complaint procedures and how to make a complaint in a variety of ways, as practical under the circumstances. Methods of notice may include: posting the procedure on the Land of Lincoln website; inclusion on phone menus; posting in office waiting rooms; inclusion of a grievance brochure with a non-engagement letter; handing out the grievance procedure brochure; or staff providing the information orally.

The applicant shall communicate the complaint orally or in writing to the Managing Attorney within ten (10) business days of the decision to deny assistance. The Managing Attorney shall attempt to resolve the complaint with the applicant within ten (10) business days of receiving the complaint. If the complaint is not resolved to the satisfaction of the applicant, the Managing Attorney shall mail ~~notify~~ the applicant a letter within ten (10) business days of the disposition of the complaint, that it could not be resolved to the applicant's satisfaction. The letter shall contain a brief statement regarding the applicant's complaint and the steps the Managing Attorney took to resolve it.

The letter shall also advise the applicant that they can request that their complaint be reviewed by the Executive Director, if the applicant requests a review of the complaint by the Executive Director in writing within five (5) business days of receiving the Managing Attorney's written decision.

The Executive Director and to the extent practical, a member of the Board of Directors, shall promptly review the request for review and confer with the applicant.

Within ten (10) days of the receipt of the request for review the applicant shall be notified of the disposition of the review of the complaint by the Executive Director.

#### IV. Complaints about Legal Assistance

##### A. Grievance Committee

A Grievance Committee or Committees shall be established by the Board of Directors to determine the validity of complaints about the manner or quality of legal assistance. The Board President shall appoint the members of the Grievance Committee(s) which shall consist of two Attorney Board members and one Client Board member. The President may sit as one of the two Attorney Board members.

##### B. Procedures

Land of Lincoln will provide a client, at the time the person is accepted as a client or as soon thereafter as is practical, with adequate notice of the complaint procedures and how to make a complaint. Methods of notice may include: posting the procedure on the Land of Lincoln website; inclusion on phone menus; posting in office waiting rooms; inclusion in the client retainer agreement; or staff providing the information orally.

Managing Attorney Review. The procedures to determine the validity of a complaint about the manner or quality of legal assistance rendered is as follows: a client shall initiate the grievance procedures by communicating the complaint within ten (10) business days of the occurrence to the Managing Attorney at the office where the complaint arose. The Managing Attorney shall attempt to resolve the complaint within 10 (ten) business days of receipt of the complaint. If the complaint cannot be resolved to the client's satisfaction, the Managing Attorney shall notify the client by letter within ten (10) business days of the disposition of the complaint that it could not be resolved. The letter shall contain a brief statement regarding the client's complaint and the steps the Managing Attorney took to resolve it.

The letter shall also advise the client that they can request a review of the complaint by the Executive Director if the client requests a review of the complaint by the Executive Director in writing within five (5) business days of the receipt of the Managing Attorney's letter.

Executive Director Review. The Executive Director shall review the complaint and attempt to reach a satisfactory resolution of the matters complained about. If the Executive Director is unable to resolve the matter, the client may appeal to the Grievance Committee by submitting an oral or written statement to the Executive Director's office within ten (10) business days of the disposition of the complaint by the Executive Director. The oral statement may be accomplished in person, by teleconference, or through some other reasonable alternative. The client may be accompanied by another person who may speak on the client's behalf. If requested by the client, Land of Lincoln staff shall transcribe a brief written statement, dictated by the client to be included in the complaint file. The Executive Director shall promptly send copies of the complaint and information about any prior actions in response to the complaint to the Board President

and the members of the Grievance Committee. The Client Grievance Committee may: (1) summarily dismiss the complaint if it determines that the appeal is not covered by or does not comply with the requirements of this procedure or is frivolous or repetitious of previous complaints by the same person; or (2) provide the client with an opportunity to be heard in person or by telephonic conference. The Grievance Committee shall communicate its decision to the client within ten (10) business days of the conference.

C. Recordkeeping

Applicants-Denial of Service: When a Managing Attorney receives an applicant complaint, the Managing Attorney shall ensure that information regarding the complaint, investigation, and outcome is documented in LegalServer. (If a pre-screen or rejected case was not opened in LegalServer, a prescreen shall be opened in the applicant's name, as soon as possible after the complaint is received, and notes entered containing the above information.) All written complaints shall be scanned into LegalServer. Further, the Managing Attorney shall ensure that information regarding the complaint, including the written complaint, investigation and disposition, shall be maintained in a physical file and available for review/examination by LSC.

If, after the Managing Attorney notifies the applicant regarding the disposition of the complaint, the applicant complains to the Executive Director, the Executive Director shall ensure that information regarding the complaint, including the written complaint, investigation and disposition shall be maintained in a physical file and available for review/examination by LSC.

Client Complaints: When a Managing Attorney receives a client complaint, the Managing Attorney shall ensure that information regarding the complaint, investigation, and outcome is document in LegalServer. All written complaints shall be scanned into LegalServer. Further, the Managing Attorney shall ensure that information regarding the complaint, including the written complaint, investigation and disposition, shall be maintained in a physical file and available for review/examination by LSC.

If, after the Managing Attorney notifies the client regarding the disposition of the complaint, and the client complains to the Executive Director, the Executive Director shall ensure that information regarding the complaint, including the written complaint, investigation and disposition, shall be maintained in a physical file and available for review/examination by LSC.

No person shall be penalized or subjected to any reprisal because they filed a complaint under this procedure.

V. Complaints about Assistance Rendered by a Private Attorney

Complaints by clients concerning the manner or quality of services which have been provided to the client by a pro bono attorney participating in the Private Attorney Involvement (PAI) program operated by Land of Lincoln pursuant to 45 C.F.R. Part 1614 shall not be subject to review under this policy.

**LAND OF LINCOLN LEGAL AID, INC.**

**COMPLAINT FORM**

NAME: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

\_\_\_\_\_

TELEPHONE NUMBER: \_\_\_\_\_

WHAT KIND OF LEGAL MATTER HAVE YOU ASKED LAND OF  
LINCOLN TO HANDLE:

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\_\_\_\_\_

BRIEFLY STATE THE NATURE OF YOUR COMPLAINT:

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**FOR LAND OF LINCOLN USE ONLY**

RECEIVED BY: \_\_\_\_\_

DATE: \_\_\_\_\_

REMARKS: \_\_\_\_\_

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