

## CHAPTER XIX

### CLIENT GRIEVANCE PROCEDURE

#### I. Purpose and Scope

By providing an effective remedy for a person who believes that legal assistance has been denied improperly, or who is dissatisfied with the assistance provided, this Section seeks to ensure that Community Legal Aid SoCal (CLA SoCal) will provide the legal assistance required by the Legal Services Corporation or the Orange County Office on Aging.

The complaint portion of this procedure is meant to be used only after such a review has failed to satisfy the client. Resolution of complaints at the unit level is strongly encouraged.

However, the initial notices of such rights shall be given to the clients when the client first requests service.

#### II. Posting of Grievance Process

CLA SoCal will post notification of the grievance process in visible and accessible areas.

#### II. Grievance Committee

The governing body of CLA SoCal will establish a grievance committee or committees, composed of lawyer and client members of the governing body in approximately the same proportion in which they are on the governing body.

#### III. Initial Review of Complaint

- A. All complaints by persons who believe that legal assistance has been denied improperly or by persons who are dissatisfied with the assistance provided will first be reviewed by the Supervisor of the Legal Aid unit or Directing Attorney of the office which originally assisted or denied the applicant.
- B. All initial reviews will occur within 5 days of the initiated complaint.
- C. The employee taking the complaint will complete a COMPLAINT FORM and transmit it to the appropriate supervisor for action. [See Attachment A for a copy of the Complaint Form.]

- D. Matters which are not resolved at the unit level are referred to the Directing Attorneys. Matters not resolved by the Directing Attorney are referred to the Director of Legal Services. Matters not resolved by the Director of Legal Services are referred to the Executive Assistant.
- E. If the review and action taken have satisfied the client, the appropriate Supervisor, Directing Attorney, and/or the Director of Legal Services will indicate approval to close the complaint. It will then be forwarded immediately to the Director of Operations who will review it, and independently decide whether it is appropriate to close the complaint.
- F. If the review and action taken by the Supervisor, Directing Attorney, and/or the Director of Legal Services do not satisfy the client, the client will be notified of their right to appeal the matter as provided for in paragraphs IV or V, depending on the nature of the complaint.

IV. Complaint about Legal Assistance - After Acceptance of Client for Legal Services

- A. Each person requesting legal representation through the Legal Services Corporation or the Orange County Office On Aging section of the CLA SoCal will be given notice of their right to complain about the manner or quality of legal assistance which has been rendered.
- B. The complainant will file a simple written statement of their complaint with the Executive Assistant. The complainant can request the Executive Assistant to help them with this procedure. Upon request, the Executive Assistant will assist the complainant.
- C. If the Executive Assistant feels it helpful, they either will personally discuss the grievance with the complainant or have someone else discuss the problem with the complainant. The Executive Assistant may then discuss the complaint with the employee or employees involved.
- D. The Director of Legal Services, Director of Operations and the Executive Director will review the statement and determine what action, if any, will be taken. The Executive Assistant will then provide a written response, signed by the Executive Director, to the complainant detailing the action taken regarding grievance, or why no action was taken. The review and response to complaint will be completed within 30 days of receipt of the written complaint.
- E. This notification will also:
  - 1. Inform the complainant of their right to keep the details of the case confidential.

2. Inform the complainant of the right to request review of their grievance by the Grievance Committee of CLA SoCal Board of Directors if the complainant is still dissatisfied. A Complainant may request the review by filing a brief written statement as to why the complainant is still dissatisfied within 30 days of receipt of response from the Executive Assistant.
3. Inform the complainant, if applicable, of their right to take their complaint to the Grievance Committee of the local County or State Bar Association.
4. Inform the complainant, if appropriate, that they may have a malpractice complaint and that they may pursue this claim through any private attorney of the California State Bar Association.
5. Indicate that the Director's Assistant will assist the complainant in typing the statement to the Board, if needed.

F. If the complainant appeals to the Grievance Committee of the Board of Directors, an oral hearing will be held before the Grievance Committee within 45 days of the appeal. At the hearing, the complainant and the CLA SoCal employee or employees complained of, or who have first-hand knowledge of the conduct complained of, will appear along with any other appropriate persons. The Grievance Committee of the Board of Directors will provide a written decision to complainant within 30 days of the hearing.

G. If the complainant is dissatisfied with CLA SoCal's implementation of the grievance procedure, the complainant will be advised that they may contact the Legal Services Corporation. Senior Citizens provided assistance through the Senior Citizens Legal Advocacy Program may contact the Orange County Office on Aging.

V. Complaints About Improper Denial of Assistance

- A. Each person requesting legal representation through CLA SoCal will be given notice of their rights to complain about the improper denial of services based on financial ineligibility, Legal Services Corporation prohibitions, or priority guidelines as to type of matters handled.
- B. The complainant will file a simple written statement of their complaint with the Executive Assistant. The complainant can request the Executive Assistant to help them with this procedure. Upon request, the Executive Assistant will assist the complainant.

- C. If the Executive Assistant feels it helpful, they will either personally discuss the grievance with the complainant, or have someone else discuss

the problem with the complainant. The Executive Assistant may then discuss the complaint with the employee or employees.

- D. The Director of Legal Services, Director of Operations and the Executive Director will review the statement and determine what action, if any, will be taken. The Executive Assistant will then provide a written response, signed by the Executive Director, to the complainant detailing the action taken regarding the grievance, or why no action was taken. The review and response to complainant will be completed within 30 days of receipt of the written complaint.

- E. This notification will also:

1. Inform the complainant of their right to keep the details of the case confidential.
2. To the extent practicable, inform the complainant of their right to confer with a representative of the governing body.
3. Any complainant who is dissatisfied with CLA SoCal's implementation of the grievance procedure will be advised that they may contact the Legal Services Corporation. Additionally,

a. Senior Citizens provided assistance through the Senior Citizens Legal Advocacy Program funded by the OAA Title IIIB may contact the Orange County Office on Aging at (714) 480-6456, 1300 S. Grand Ave. Bldg. B, Santa Ana, CA 92705, telephone.

b. Clients provided assistance through the Los Angeles County Department of Community and Senior Services Domestic Violence Program may contact Ester Soriano, Program Manager at (213) 738-2621, 3175 West Sixth Street, Los Angeles, CA 90020.

(Reference: LSC Regulation 1621  
Instruction 83-10)

~~EFFECTIVE DATE: August 1, 1977~~  
~~REVISION: March 28, 1984~~  
~~REVISION: November 21, 1988~~

— ~~REVISION: February 17, 1993~~  
— ~~REVISION: October 27, 2004~~  
— ~~REVISION: July 18, 2007~~  
— ~~REVISION: January 27, 2020~~  
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