

CLIENT GRIEVANCE PROCEDURE

Introduction

This procedure is adopted by LEGAL AID to establish a mechanism for handling complaints by LEGAL AID clients and applicants for service in the fairest and most efficient way possible. The procedure is intended to be simple and is not intended to be a judicial or quasi-judicial process. The procedure is also intended to comply with applicable regulations of the Legal Services Corporation.

Scope of Coverage

A client or applicant for service may use this procedure to bring to the attention of LEGAL AID any complaint against LEGAL AID, including, but not limited to, the following:

1. The way the person was treated;
2. The fact that the applicant's case was not accepted for service;
3. The way the person's case was handled.

Notification of the Availability of this Procedure

A notice of the availability of this procedure shall be printed and displayed in the waiting room of every office of LEGAL AID where clients are served. In addition, copies of that notice will be available for clients or applicants to take with them.

Internal Staff Handling of Grievances

It is the goal of this procedure to resolve complaints satisfactorily to all concerned as quickly and easily as possible. Thus, complaints will first be handled by the staff of the local office of LEGAL AID involved; if a resolution cannot be reached at that level, then the complaint will be directed to the Executive Director or Deputy Director, as applicable.

The procedures to be followed by employees in investigations of complaints shall not be run as legal hearings, and technical rules of evidence and law shall not apply; instead all information pertaining to the complaint shall be sought, with the goal of reaching a solution satisfactory to the complainant consistent with the overall operating procedures of LEGAL AID. If after internal staff investigation a satisfactory result still cannot be reached, the complainant shall have the right to appeal to a representative or representatives of the Board of Directors. If the complaint is about the manner or quality of legal assistance, the complainant may request a hearing before the Client Grievance Committee by writing to the President of the Board of Directors. If the complaint is about the way the person was treated, or about denial of assistance, or about any other matter, the complainant may request that the President of the Board of Directors, or his or her designee, review the complaint.

Grievance Committee

The Executive Committee shall be the standing Grievance Committee of LEGAL AID to which a client may present his or her complaint if he or she has not been able to deal with it satisfactorily at the staff level. However, the President shall have the power to appoint another committee composed of members of the Executive Committee or other Board members on an ad hoc basis as appropriate. In compliance with the regulations of the Legal Services Corporation, the Client Grievance Committee shall be composed of lawyer and client members of the governing body in approximately the same proportion in which they are on the governing body. Each Grievance Committee shall establish its own operating procedures, including when to meet, how to conduct hearings or investigations, etc. Whenever the Grievance Committee investigates a complaint, it shall make recommendations to the Executive Director as to remedial actions, if any, that should be taken.

Files

LEGAL AID's Executive Director, or his or her designee, shall keep a file of all written complaints about the quality or manner of legal assistance, along with a statement of the final disposition of the complaint.

Remedies Cumulative

This procedure is intended to be cumulative of, and not a substitute for, any other available complaint procedures, including, but not limited to, complaint to the Legal Services Corporation, to the State Advisory Council, to the State Bar of Georgia, or through the courts.

Code of Professional Responsibility

This procedure is intended to comply fully with all ethical considerations binding on the legal profession as stated in the Code of Professional Responsibility adopted by the State Bar of Georgia. To the extent any conflict shall develop, the Code of Professional Responsibility shall prevail. However, LEGAL AID specifically finds that the Code does not prevent a committee containing non-lawyers from investigating or inquiring into a lawyer's conduct of a case when asked to do so by the client involved.
