

## **BRLS CLIENT GRIEVANCE PROCEDURES**

As Adopted by the Board of Directors, September 25, 1989

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### **I. Introduction.**

Pursuant to 45 C.F.R. Part 1621, the Board of Directors of Blue Ridge Legal Services, Inc., has adopted the following procedures regarding client complaints. These procedures shall apply to clients assisted by BRLS staff as well as to those assisted under BRLS's Private Attorney Involvement program.

### **II. Posted Notices of Availability of Client Grievance Procedures.**

Notices explaining the Client Grievance Procedures shall be conspicuously posted in all three offices of Blue Ridge Legal Services, Inc.

### **III. Client Grievance Committee.**

The President of the Board of Directors of Blue Ridge Legal Services, Inc., shall appoint a standing Client Grievance Committee comprised of two attorney Board members and one client-eligible Board member, which shall fulfill the functions required of it under these procedures.

### **IV. Complaints About Denial of Assistance.**

A. Any person for whom a written application for services is completed and who is denied assistance shall be given a written statement of the reason for denial and notice of appeal rights.

B. Any rejected applicant who indicates a desire to appeal shall be furnished a form to be used for this purpose upon request.

C. Any such appeal must be filed by the rejected applicant within thirty (30) days of the denial of assistance.

D. All timely appeals of denial of assistance shall be reviewed by the Executive Director or his designee to determine whether BRLS's eligibility, priority and case acceptance rules and procedures were properly applied. A written response shall be sent to the rejected applicant within five (5) days of receipt of the appeal. If the response is adverse to the rejected applicant, it shall include notice that further appeal to a member of the Client Grievance Committee of the Board of Directors may be made within five (5) days of receipt of the Executive Director's response.

E. Should a rejected applicant timely indicate a desire to appeal the Executive Director's decision, both the original complaint form and the Executive Director's response shall be promptly forwarded to a member of the Client Grievance Committee, who shall review the matter to

determine whether BRLS' eligibility, priority and case acceptance rules and regulations were properly applied and inform the rejected applicant and the Executive Director of the final BRLS decision within ten (10) days.

**V. Complaints About the Manner or Quality of Legal Assistance.**

A. Every applicant shall be given a written notice describing the Client Grievance Procedures at the time of his or her initial appointment with a member of the legal staff.

B. Every applicant who receives only advice over the telephone shall be mailed a written notice describing the Client Grievance Procedures, or shall be given verbal notice over the telephone at the time the advice is given.

C. Every client who is referred to a volunteer attorney under the Private Attorney Involvement program shall be provided a written notice describing the Client Grievance Procedure at the time of the referral.

D. Notice of this grievance procedure and a complaint form shall be promptly furnished to any client who expresses dissatisfaction about the manner of quality of legal assistance that has been rendered.

E. Such complaints must be filed in writing with the Executive Director on the supplied forms within thirty (30) days of the events underlying the complaint.

F. Complaints which are made to the Executive Director shall be addressed by the Executive Director within fourteen (14) days and the client furnished with a written decision. If the decision is adverse to the client, notice must be given to the client regarding the right to appeal to the Client Grievance Committee within fourteen (14) days of receipt of the adverse decision.

G. The Client Grievance Committee shall consider the complaint within thirty (30) days of the appeal. The client shall be given an opportunity to submit an oral and/or written statement to the Committee. The client may be accompanied by another person. Upon request, the Committee will cause a transcription to be made of the client's oral statement, which shall be limited to ten (10) minutes, unless the Committee sets a longer period. Such statement shall be retained in the BRLS Client Complaint file.

H. The Committee shall deliver its written decision to the client and the Executive Director within thirty (30) days of the conference with the client. The Committee's decision shall be the final decision of BRLS.

**VI. Confidentiality of Grievance and Appeal Document.**

All client grievances shall be submitted on forms furnished by BRLS, which shall include a provision explicitly waiving confidentiality to permit the grievance documents to be made

available to the Legal Services Corporation. The waiver shall be strictly limited to the grievance documents themselves and shall not waive confidentiality generally. Such grievance documents shall be made available to LSC pursuant to 45 C.F.R. 1621.1(c). In the event the client refuses to sign a waiver, the complaint shall be treated as part of the client's representation file only, and it will not be treated as a grievance under 45 C.F.R. 1621 for the purposes of disclosure to LSC.

## **VII. Non-Discrimination Policy**

A. No applicant or client shall be discriminated against in the provision of services on the basis of sex, race, national origin, marital status, handicap, religion, age, union activity, sexual preference, or other basis prohibited by law.

B. A claim of discrimination prohibited by Section VII (A) above may be raised as a complaint under these procedures.