

## **SMRLS Client Grievance Procedure**

### **Purpose**

Consistent with 45 CFR Part 1621, the purpose of this grievance procedure is to: 1) help ensure SMRLS provides the highest quality legal assistance to its clients; 2) help ensure SMRLS is accountable to its clients and applicants; 3) provide a procedure to process complaints by applicants about the denial of legal assistance; 4) provide a procedure to process the complaints of clients about the manner or quality of legal assistance provided; 5) make available to clients and applicants a process that will, to the extent possible, provide an effective remedy in the resolution of complaints; and 6) make such procedures available to applicants for, and persons who receive, legal assistance from SMRLS.

### **Grievance Committee**

The SMRLS Board of Directors shall establish and maintain a grievance committee composed of lawyer and client members in approximately the same proportion in which they are on the Board.

### **Complaints by applicants about denial of legal assistance**

If an applicant is denied legal assistance by SMRLS, SMRLS shall inform the applicant of the opportunity to complain to, and confer with, a particular SMRLS leadership person who is the designee of the Chief Executive Officer verbally or in a written notice mailed to the applicant's last known address.

Upon the request of an applicant to the Chief Executive Officer's designee to review the applicant's complaint about the denial of legal assistance, the Chief Executive Officer's designee shall promptly review the complaint and respond to the applicant complainant. If the Chief Executive Officer's designee is not able to resolve the complaint, the designee shall so inform the Chief Executive Officer. The Chief Executive Officer, in consultation with the designee, shall determine whether it is practical to provide further review of the complaint or submit the complaint to a representative of the SMRLS Board of Directors for further consideration. Following the review of the applicant's complaint by the Chief Executive Officer's designee, the Chief Executive Officer shall have the discretion to determine what, if any, further review should be provided.

This procedure is intended, and shall be implemented in a manner, to foster effective communications between SMRLS and the complaining applicant.

### **Complaints by clients about manner or quality of legal assistance**

The SMRLS attorney providing legal assistance to a client, at the time the person is accepted as a client, or as soon thereafter as is practical, shall provide the client with notice of the procedures

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available to complain, and how to make a complaint, about the manner or quality of legal assistance provided by SMRLS to the client.

Upon receiving communication from a client expressing a desire to complain about the manner or quality of legal assistance provided, the SMRLS attorney providing legal assistance to the client, shall promptly inform the client of the opportunity to complain to, and confer with, a particular SMRLS leadership person who is the designee of the Chief Executive Officer about the manner or quality of legal assistance that has been provided by SMRLS to the client.

Upon the request of the client complainant to the Chief Executive Officer's designee to consider the client's complaint, the Chief Executive Officer's designee shall promptly review and respond to the complaint. If the Chief Executive Officer's designee is not able to resolve the client's complaint, the designee shall promptly inform the client complainant that the client may request the Chief Executive Officer to review the complaint. Upon the request of the client complainant to the Chief Executive Officer to review the complaint, the Chief Executive Officer shall promptly review and respond to the complaint. If the Chief Executive Officer is not able to resolve the client's complaint, the Chief Executive Officer shall promptly inform the client that the client may request the grievance committee of the SMRLS Board of Directors to consider the complaint.

Following review of the complaint by the Chief Executive Officer, upon the request of the client complainant, the Chief Executive Officer or the Chief Executive Officer's designee shall provide the client complainant with the information needed to contact the grievance committee of the SMRLS Board of Directors and shall inform the client that an oral or written statement may be submitted to the grievance committee and that an oral statement may be accomplished in person, by teleconference or through any other reasonable alternative. At the same time the client complainant shall be informed that the client may be accompanied by another person who may speak on the client's behalf, and that upon the client's request, SMRLS shall transcribe a brief written statement, dictated by the client for inclusion in the complaint file of SMRLS.

The SMRLS volunteer program coordinator who places a client with a SMRLS volunteer attorney for legal assistance shall at the time of placement, or as soon thereafter as is practical, provide the client with notice that the client may complain to, and confer with, a particular SMRLS leadership person who is the designee of the Chief Executive Officer, and thereafter, to the extent practical, with a representative of the SMRLS Board of Directors, about the **manner or quality of legal assistance provided to the client by the SMRLS volunteer attorney.**

Upon the request of a client complaining to the Chief Executive Officer's designee about the manner or quality of legal assistance provided by a SMRLS volunteer attorney, the Chief Executive Officer's designee shall promptly review and respond to the complaint. If the Chief Executive Officer's designee is not able to resolve the complaint, the designee shall so inform the Chief Executive Officer. The Chief Executive Officer, in consultation with the designee, shall determine whether it is practical to provide further review of the complaint or submit the complaint to a representative of the

SMRLS Board of Directors for consideration. The Chief Executive Officer shall have the discretion to determine what, if any, further review should be provided.

The procedures for responding to client complaints about the manner or quality of legal assistance provided by a volunteer attorney shall be implemented in a manner consistent with SMRLS' responsibilities under 45 CFR §1614.3(d)(3) and the Minnesota Rules Of Professional Conduct.

The above procedures for resolving client complaints about the manner or quality of legal assistance provided by SMRLS and SMRLS volunteer attorneys are intended, and shall be implemented in a manner, to foster effective communications between SMRLS and the complaining client.

A file containing every complaint about the manner or quality of legal assistance provided by SMRLS or SMRLS volunteer attorneys shall be preserved for examination by LSC. The file shall include any written statement submitted by the complainant or transcribed by the recipient from a complainant's oral statement.