

Monday, June 19, 2006

Kirt West, Inspector General
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Re: Complaint of systemic abuses by LSC Grantees and the failure of LSC-OCE to respond.

Dear Mr. West:

The undersigned individuals and organizations are writing to request that your office initiate an investigation of widespread abuses and the apparent failure of Legal Services Corporation (LSC) to address them. The issues covered in this complaint are outlined below and include: systemic civil rights abuses, participation in filing of false claims, failure to accept complaints, and other abuses by LSC Grantees. To the best of our knowledge the LSC Office of Compliance and Enforcement (LSC-OCE) has failed to respond to complaints regarding an assortment of abuses.

Among the numerous abuses reported to us, the following are most common:

- Participation by employees of LSC Grantees in:
 - Filing false domestic violence claims.
 - Scripting the statements for clients filing false claims of domestic violence in what amounts to subornation of perjury.
- Refusing to accept complaints of abuses committed by employees of LSC Grantees.
- Refusing to accept complaints of false claims made by employees and clients of LSC Grantees.
- Misrepresenting services.
- Retaliation against abuse victims for filing complaints against employees and clients of LSC Grantees.
- Blatant discrimination against males requesting service including:
 - Refusing services to men.
 - Charging male clients as much as eight times the rates charged to female clients.

Sitting Judges in several states have corroborated the above in meetings and interviews with some of the undersigned. They further acknowledged that the filing of false claims of domestic violence is pervasive and that employees of LSC Grantees are among those scripting the statements of their clients in these cases. They have also expressed their concern over reluctance of their local District Attorneys to file charges against the participants in those actions and the lack of redress the legal system and LSC offers to its victims.

The information in the prior paragraph was given passing mention in an opinion piece by author Carey Roberts on May 17, 2006 (<http://www.renewamerica.us/columns/roberts/060516>). Within hours of the release of his article, the general contact email address and offices of True Equality Network (TEN) were inundated with unsolicited contacts from the victims of the complaints listed above and other egregious abuses. As of the date of this letter, TEN has received over five thousand contacts.

Of the complaints received, many referenced a complete lack of response to complaints sent to Legal Services Corporation's Office of Compliance and Enforcement. This contradicts LSC-OCE's published mission statement wherein it states, "*Further, to respond promptly and effectively to inquiries and complaints pertaining to recipients filed by members of the public*" as found on the web page http://www.lsc.gov/about/office_compliance.php.

Many of the individuals who contacted us described acts of retaliation committed against them. Retaliation included, but was not limited to, false claims of abuse, some of which were filed ex-parte on behalf of their minor children. Many of the individuals who dared to file complaints have not seen or heard from their children since as a result of the retaliatory actions taken in response to their speaking out.

In other cases where a client of an LSC Grantee has complained about one of their attorneys, they were assigned a different attorney who worked first to calm the client's complaint. Then when the case came before the court, the Grantee's new attorney went on the attack against their putative client requesting that the court punish them with every possible deprivation that the court can deem applicable.

Complainants who have reported abuses to LSC Grantees concerning the Grantee's employees are not being informed of the complaint process available via LSC-OCE. The Grantees also strongly suggest not submitting written complaints to them and often tell the complainants there is no avenue of redress. However, most of the complainants who have discovered, and then contacted LSC-OCE have not received any response.

However, a significant number of the individuals that have sent complaints to LSC-OCE, but received no response, have later found themselves cornered, such as in waiting areas of the courthouses, being berated by employees of the LSC Grantee representing the adversary in their case. Further, the employees of the LSC Grantee were able to cite verbatim the content of the complaint the individual had sent to LSC-OCE. These complainants have then been told that they should understand and accept that there is no one that is going help them.

As a check on information provided us, some of the undersigned have called several LSC Grantees requesting information about filing complaints about them. The specifics of the replies vary, e.g. call the Governor, your Congressman and such, but all reflect a position that no such system as the LSC-OCE system is in place.

When organizations such as True Equality Network receive unsolicited pleas for help by the thousands from victims of abuses of our publicly-funded legal system, it is decisive evidence that the system as a whole has categorically failed in its charge to serve the public and in the oversight of it operations. When one takes into account that TEN does not offer such support services, and the supplemental commentary of sitting Judges proffered to us, it is reasonable to assume the actual abuse rate is considerably higher than even what is indicated by the thousands of comments we have so far received.

The opinion shared by the undersigned is that the current system of reporting a complaint against an LSC Grantee is unreasonable, unethical and lacks any moral foundation. Working within the current system can be equated to someone who has been mugged. Victims are then restricted to a complaint process that requires them to report the crime only to their attacker. The system then grants their attacker the exclusive authority to decide whether to (a) turn themselves into the police for arrest (b) attack their victim even more viciously to stifle their complaint. It is quite apparent in the thousands of comments TEN has received that LSC Grantees have chosen option (b).

When it was suggested to the complainants that they contact or contact LSC-OCE again, the vast majority expressed a deep fear of contacting anyone within the publicly-funded legal system citing understandable fear of severe retaliation should they do so. Most of these victims are devastated, financially and emotionally as a result of both the abuses they have been subjected to, and also the disastrous results of prior attempts to file complaints.

In addition to the comments received from individuals, we examined the LSC web site and found that the procedures for filing a complaint with LSC-OCE against Grantees are not clearly displayed on the LSC site. Rather this information is contained among a myriad of documents none of which are displayed, linked to on the LSC-OCE page, or can be found using common search terms such as "complaint manual," "complaint procedures," "complaint instructions" on the LSC web site.

Contacts for complaints are located on just one page of the LSC web site, identifiable only by the word "Complaints" listed in parentheses among other terms following a contact's name and prior to their email address. We suggest that a concise manual of easy to follow instructions for filing complaints against LSC Grantees needs to be developed. A direct link to this manual must be prominently located in plain view on the LSC-OCE page on the LSC web site. In addition, a "Complaints" link should be added to the master menu system of the LSC web site at the top level of the menu hierarchy.

The complaint reporting system must be completely independent of the LSC Grantees and all personal and identifying information submitted by any complainant must be kept strictly confidential.

LSC-OCE complaint investigations must be able to validate complaints to the level of prima facie evidence where abuses are indicated. Those claims and investigation results should be submitted directly to the district attorney's office. Under no circumstances should the claims and investigation results ever be submitted to the LSC Grantee in question. Violating the confidentiality of an individual's complaint is both unethical and likely to contribute to their fear of seeking assistance from LSC-OCE or LSC in general.

The complaint investigator must also be required to track the progress of the complaint and report failures to the government entities responsible for oversight and funding of the violators, and to the Department of Justice when violations require their intervention.

Additionally, it must become a requirement of grant compliance (a) that LSC Grantees must display in their offices, in prominent public view, accurate contact information for submitting complaints to LSC-OCE against LSC Grantees, and (b) that LSC Grantees must print the aforementioned contact information for submitting complaints in all advertisements for their services.

It is noted that in the LSC Office of Inspector General report referenced below, "*Interim Report on Management Oversight of Grantees: Office of Compliance and Enforcement*," of 31 March 2006 it is stated that review of LSC-OCE in relation to public complaints is among the LSC-OCE responsibilities not included in the current OIG audit. This is stated in reference item seven found in the footer of page 4 of the "OBJECTIVES, SCOPE AND METHODOLOGY" section of the interim report. The above referenced report was located on the OIG webpage at <http://www.oig.lsc.gov/reports/0602/au06-02.pdf> as of June 1, 2006.

In view of the above, we believe that the LSC Inspector General needs to conduct a broad inquiry to assess why LSC's current policies and procedures have failed to prevent widespread abuses of the public and our family courts by LSC Grantees, and why LSC-OCE has failed to combat this trend. Based on those findings, the Inspector General needs to make specific recommendations designed to prevent a recurrence of these serious abuses and violations of civil rights and the Inspector General must then insure that these recommendations are implemented.

In 1997, the United States Congress held public hearings to deal with the horrific abuses by the Internal Revenue Service carried out against the American taxpayers. Those abuses of citizens pale in comparison to the daily occurrences in our nation's family courts today. However, today employees of LSC Grantees are among those inflicting the abuses on the public.

The public's perception of fairness and unbiased operation by taxpayer-supported legal services will ultimately hinge on the outcome of this investigation.

We await your response.

Sincerely,



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