
CRITERIA FOR REPRESENTATION AND PRIORITIES FOR SERVICES

MISSION

The Legal Center protects and promotes the rights of people with disabilities and older people in Colorado through direct legal representation, advocacy, education and legislative analysis.

VALUES

The Legal Center is a constituent-driven organization and will seek input and advice regarding priorities for representation from people with disabilities and older people, their family members and the community which supports them.

In providing legal services and advocacy for people with disabilities and older people, The Legal Center recognizes the inherent value of all people and will represent our clients' wishes. The Legal Center embraces:

- Empowerment
- Self-determination
- Independence
- Inclusion.

In governing the organization, the Board of Directors will:

- Actively seek members from people with disabilities and older people.
- Nurture its own leadership development.
- Support continual learning about the "state of the art" of services.

In all that we do, The Legal Center is committed to promoting inclusion, independence, and productivity of people with disabilities and older people.

CRITERIA FOR DIRECT REPRESENTATION

The following considerations apply to services provided by The Legal Center:

- A. The Legal Center will provide direct representation only when:
 1. The individual's disability, as defined in the federal laws or contracts under which The Legal Center operates, is central rather than incidental to the legal issue being presented, and
 2. The individual meets the eligibility criteria for services as defined in those federal laws and contracts.
- B. The Legal Center will not provide direct representation when the problem is one

The Legal Center provides opportunities for public input regarding the priorities for services. We invite you to review the current priorities for services and comment on them or on changes you would recommend. If you are having a specific legal problem, you may also comment on the problem by calling The Legal Center at 800-288-1376 (voice/TTY), by e-mail at tlcmail@thelegalcenter.org, or by sending a letter to 455 Sherman Street, Suite 130, Denver, CO 80203.

commonly accepted by the private bar or by local legal services programs.

- C. The Legal Center will not provide direct representation when the legal problem involves a statutory right to appointed counsel, such as commitment, conservatorship, guardianship, dependency and neglect, or criminal proceedings except in compelling and unique circumstances.
- D. The Legal Center does not represent the interests of service providers or families, guardians, or conservators of persons with disabilities unless that interest is consistent with the interest of the person with a disability.
- E. The Legal Center will not seek, on behalf of a client of The Legal Center, the involuntary termination of another person receiving services from a program providing services to persons with disabilities. The Legal Center will not engage in litigation or advocacy on behalf of a person with disabilities against another person with disabilities.
- F. In order to make optimal use of limited resources, The Legal Center has identified factors which will be uniformly used to determine when The Legal Center will provide client assistance or direct representation.
- G. The following factors may be considered when determining whether the problem requires the assistance of The Legal Center's advocacy staff:
 - 1. Does the problem raise issues within The Legal Center's program priorities?
 - 2. Does the problem require the assistance of The Legal Center's advocacy staff?
 - 3. The likelihood that the individual can take reasonable steps to resolve the problem

through self-advocacy;

- 4. The complexity of the presenting legal problem or issues, and/or the complexity of the bureaucracy or service delivery system the individual must encounter to try and resolve the problem.
- 5. Are other advocacy resources available to provide the required assistance or assist the individual in advocating for himself or herself?
- 6. Does the individual case present a claim that has a good possibility of satisfactory resolution through The Legal Center's involvement?
- 7. Does the individual case have the potential to impact the legal rights of other individuals with disabilities?
- 8. What are the potential benefits to the individual from The Legal Center's involvement?
- 9. What are the potential detriments to the individual if The Legal Center is not involved?
- 10. Does The Legal Center have adequate staff and other resources necessary to accept the individual's case without negatively affecting the representation of existing clients?
- 11. Does The Legal Center's staff have the expertise necessary to resolve the problem and/or handle the case?

The Director of Legal Services may make exceptions to these criteria in compelling and unique circumstances.

The Legal Services Committee of the Board of Directors shall authorize representation by The Legal Center in class action litigation.

CRITERIA FOR SETTING PRIORITIES

The Legal Center provides an opportunity on an annual basis for the public to comment on the priorities and activities of its programs. To ensure consistent priorities for programs and services that are compatible with our mission and values, the Board of Directors has adopted the following criteria to be utilized in setting priorities for the organization:

- Degree of compatibility with mission and expertise; i.e. problems have legal implications and fall within the Criteria for Representation.
- No other organizations are meeting this need.
- Potential impact / individual vs. systemic.
- Feasibility (including probability) of impact outcomes.
- Cost.
- Consistency with funding requirements.

TYPES OF SERVICES

- Individual legal representation
- Systems change, including legislative work.
- Education and training
- Information and referral

PRINCIPLES TO GUIDE STRATEGIC PROGRAM DEVELOPMENT

- Maintain current program levels
- Manage programs within resources available
- Conduct regular program education for Board of Directors
- Provide information on program outcomes to the Board of Directors
- Ensure geographic distribution of services

NONDISCRIMINATION POLICY

In providing services, The Legal Center will not discriminate on the basis of race, color, religion, gender, sexual orientation, marital status, disability, race or national origin.

APPEAL PROCESS

Clients or persons seeking services from The Legal Center may appeal a decision in the following circumstances:

1. The Legal Center has not taken a case, and the person requesting services wishes to appeal that decision.
2. A client has an objection to the closure of his or her case.
3. A client is dissatisfied with services provided by The Legal Center.

Persons using this appeal process will be treated respectfully by Legal Center employees and Board members at each step and will be guaranteed that there will be no retaliation for invoking this process. The Legal Center will provide assistance with reasonable accommodations or auxiliary aids and services necessary for processing the complaint.

STEP 1

A written or oral complaint should be made to the Director of Legal Services within 30 days of the decision or action which prompted the complaint. An oral complaint must be recorded on a cassette tape.

The complaint should include the name, address, and telephone number of the client or person requesting services. If the person making the complaint is a representative of the client or person requesting services, s/he should include information regarding information about the relationship to the client and written statements from the client authorizing this representation and the release of information about the client to the representative. A brief description of the complaint should be provided along with any documentation to support the complaint.

The Director of Legal Services or his/her designee will respond to the complaint in person, by telephone, by letter, or by tape and attempt to resolve the problem. S/he will provide a written decision within 15 working days of the day the complaint and all relevant documentation have been received.

If the complaint involves a case where the Director of Legal Services provides direct representation, the complaint may be addressed to the Executive Director. In such instances, the Executive Director would follow the same procedure outlined in the preceding paragraph.

STEP 2

If the person is not satisfied with the decision in STEP 1, the person may make a written or oral request for a review of the decision by the Legal Services Committee of the Board of Directors within 30 days. This request should be addressed to the Executive Director of The Legal Center.

A meeting of the Legal Services Committee will be scheduled within 10 working days of the receipt of the request; however, the meeting itself may not take place within the ten-day period in order to accommodate the schedules of committee members. Every effort will be made to schedule the meeting at a time that is convenient to the person appealing. The person may attend this meeting to present the complaint in person and may bring a representative to the meeting.

The Legal Services Committee reserves the right to meet in executive session to reach a decision. The decision of the committee will be sent in writing or by oral recording within five working days following the meeting. This step should not exceed 30 days. The decision of The Legal Services Committee is final.

Complaints should be sent to:

The Legal Center
455 Sherman Street, Suite 130
Denver, Colorado 80203-4403

The Legal Center for People
with Disabilities and Older People



Colorado's Protection & Advocacy System

455 Sherman Street, Suite 130
Denver, CO 80203-4403
(303) 722-0300 Voice/TTY
800-288-1376 Voice/TTY
(303) 722-3619 TTY

322 North 8th Street
Grand Junction, CO 81501-3406
(970) 241-6371 Voice/TTY
800-531-2105 Voice/TTY

www.thelegalcenter.org

