

MATTIE COHAN

From: Jeremy Lane [jlane@midmnlegal.org]
Sent: Thursday, August 24, 2006 3:53 PM
To: MATTIE COHAN
Cc: alan houseman
Subject: 45 CFR Part 1621 revision

I am a legal services program director with 37 years of legal services experience, 25 as an executive director. I have handled many client grievances. I write to encourage LSC to reconsider its preliminary decision not to include in §1621.1 a statement that the process does not create any entitlement to legal services on the part of an applicant.

It is true that few applicants will read the regulation before applying for services. However, such a statement would be helpful in the context of responding to a grievance. It would be helpful to board members, and would probably forestall some pointless complaints to extraneous entities like LSC or elected officials, if the grievant could be referred to a federal regulation clarifying that there is no entitlement. I have discussed this issue with a number of people turned down over the years. Many assume that civil legal services offices are like the public defenders, who can't say No.

I have a great deal of compassion for people denied service; turning people down is perhaps the most wrenching thing we have to do. I think regulatory language clarifying that there is no entitlement would help them to accept and understand a difficult decision with fewer bad feelings and a reduced tendency to blame the program. I have had to explain to many people that (so far, anyway) there is no right to counsel in civil cases in this country, and that providers' financial limitations mean we can only assist a fraction of the financially eligible people needing help.

Thank you for your consideration of this voice from the field.

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