



Disability and Guardianship Project

9420 Reseda Blvd. #240, Northridge, CA 91324
(818) 230-5156 • www.spectruminstitute.org

November 12, 2016

Ms. Elizabeth Rindskopf Parker
Executive Director, State Bar of California
San Francisco, CA 94105

Re: Follow-up to Complaint Regarding PVP Training Programs
of the Los Angeles County Bar Association

Dear Ms. Parker:

I am writing on behalf of the legal director of Spectrum Institute to follow-up on request to file a formal complaint against the Los Angeles County Bar Association. The complaint was regarding deficiencies in the county's MCLE-approved training programs for court-appointed attorneys who represent clients in limited conservatorship proceedings. The letter detailed three areas of complaint: (1) failure to deliver promised training on interview skills; (2) systemic deficiencies in failing to provide training needed to effectively represent limited conservatorship respondents; and (3) the PVP training programs do not comply with Title II of ADA.

The original letter was dated October 20, 2015. We did not receive confirmation that it was received nor did we receive a response to the concerns detailed. By way of this letter, we are seeking to confirm that the original letter was in fact received and if any action has been taken in response to it. For future communication, we would like to know who is the most appropriate contact person regarding these matters.

In addition to this letter, please find the original letter of complaint enclosed for your reference. We are also enclosing a copy of an article by Thomas F. Coleman, legal director of the Disability and Abuse Project of Spectrum Institute, recently published in the Daily Journal. This article explains the lack of ADA accessibility to litigants with cognitive disabilities who receive deficient legal representation from court-appointed lawyers.

We would appreciate the courtesy of a response.

Very truly yours,

Ashley Fortier
Assistant to the Legal Director

cc: Trusts and Estates Section of the
Los Angeles County Bar Association



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November 12, 2016

Ms. Mary Amos Augsburger
Executive Director
Ohio State Bar Association
1700 Lake Shore Drive
Columbus, OH 43204

Re: Follow up to previous letter

Dear Ms. Augsburger:

On January 21, 2016, Spectrum Institute sent a letter to the bar association to call to its attention problems with respect to the quality of legal representation by court-appointed attorneys who represent of litigants with cognitive disabilities in guardianship proceedings.

A copy of that letter is enclosed for your reference.

Since we have not received a response from the court, we would like to confirm that it was received. We would also like to know whether the issues raised in the letter are being addressed by the bar association in any manner.

We would very much like the courtesy of a reply.

We are also enclosing an op-ed article that was published in the Los Angeles Daily Journal – California's premiere legal newspaper, read by judges and attorneys throughout the state. The issues raised in that commentary apply to the complaint procedures in all states, including Ohio. We therefore are sending it to the supreme court and the bar association so that you will consider convening a task force to address these issues.

Very truly yours,

Ashley Fortier
Assistant to the Legal Director



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November 12, 2016

Mr. Thomas Pyrz
Executive Director
Indiana State Bar Association
1 North Illinois Street Suite 530
Indianapolis, IN 46204

Re: Follow up to previous letter

Dear Mr. Pyrz:

On January 26, 2016, Spectrum Institute sent a letter to the bar association to call to its attention problems with respect to the quality of legal representation by court-appointed attorneys who represent of litigants with cognitive disabilities in guardianship proceedings.

A copy of that letter is enclosed for your reference.

Since we have not received a response from the court, we would like to confirm that it was received. We would also like to know whether the issues raised in the letter are being addressed by the bar association in any manner.

We would very much like the courtesy of a reply.

We are also enclosing an op-ed article that was published in the Los Angeles Daily Journal – California's premiere legal newspaper, read by judges and attorneys throughout the state. The issues raised in that commentary apply to the complaint procedures in all states, including Indiana. We therefore are sending it to the Supreme Court and the bar association so that you will consider convening a task force to address these issues.

Very truly yours,

Ashley Fortier
Assistant to the Legal Director



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November 12, 2016

Mr. Patrick Flaherty
Executive Director
Colorado Bar Association
1900 Grant Street – 9th Floor
Denver, CO 80203

Re: Follow up to previous letter

Dear Mr. Flaherty:

On February 2, 2016, Spectrum Institute sent a letter to the bar association to call to its attention problems with respect to the quality of legal representation by court-appointed attorneys who represent of litigants with cognitive disabilities in guardianship proceedings.

A copy of that letter is enclosed for your reference.

Since we have not received a response from the court, we would like to confirm that it was received. We would also like to know whether the issues raised in the letter are being addressed by the bar association in any manner.

We would very much like the courtesy of a reply.

We are also enclosing an op-ed article that was published in the Los Angeles Daily Journal – California's premiere legal newspaper, read by judges and attorneys throughout the state. The issues raised in that commentary apply to the complaint procedures in all states, including Colorado. We therefore are sending it to the Supreme cCurt and the bar association so that you will consider convening a task force to address these issues.

Very truly yours,

Ashley Fortier
Assistant to the Legal Director



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November 12, 2016

Eric C. Schulte
President
State Bar of South Dakota
222 E. Capitol Avenue #3
Pierre, SD
57501

Re: Follow up to previous letter

Dear Mr. Schulte:

On February 4, 2016, Spectrum Institute sent a letter to the bar association to call to its attention problems with respect to the quality of legal representation by court-appointed attorneys who represent of litigants with cognitive disabilities in guardianship proceedings.

A copy of that letter is enclosed for your reference.

Since we have not received a response from the court, we would like to confirm that it was received. We would also like to know whether the issues raised in the letter are being addressed by the bar association in any manner.

We would very much like the courtesy of a reply.

We are also enclosing an op-ed article that was published in the Los Angeles Daily Journal – California's premiere legal newspaper, read by judges and attorneys throughout the state. The issues raised in that commentary apply to the complaint procedures in all states, including South Dakota. We therefore are sending it to the supreme court and the bar association so that you will consider convening a task force to address these issues.

Very truly yours,

Ashley Fortier
Assistant to the Legal Director



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November 12, 2016

Ms. Kimberly Farmer
Executive Director
State Bar of Nevada
3100 W. Charleston Blvd. #100
Las Vegas, NV 89102

Re: Follow up to previous letter

Dear Ms. Farmer:

On January 19, 2016, Spectrum Institute sent a letter to the bar association to call to its attention problems with respect to the quality of legal representation by court-appointed attorneys who represent of litigants with cognitive disabilities in guardianship proceedings.

A copy of that letter is enclosed for your reference.

Since we have not received a response from the court, we would like to confirm that it was received. We would also like to know whether the issues raised in the letter are being addressed by the bar association in any manner.

We would very much like the courtesy of a reply.

We are also enclosing an op-ed article that was published in the Los Angeles Daily Journal – California's premiere legal newspaper, read by judges and attorneys throughout the state. The issues raised in that commentary apply to the complaint procedures in all states, including Nevada. We therefore are sending it to the Supreme Court and the bar association so that you will consider convening a task force to address these issues.

Very truly yours,

Ashley Fortier
Assistant to the Legal Director



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November 12, 2016

Chief Justice and Associate Justices
South Dakota Supreme Court
500 E. Capital Avenue
Pierre, SD 57501

Re: Follow up to previous letter

To the Court:

On February 4, 2016, Spectrum Institute sent the court in its administrative capacity as the public entity with oversight of the State Bar Association. It was also sent to the court in its capacity as the entity responsible under Title II of the Americans with Disabilities Act to ensure that litigants with cognitive disabilities receive access to justice in legal proceedings conducted in this state.

A copy of that letter is enclosed for your reference.

Since we have not received a response from the court, we would like to confirm that it was received. We would also like to know whether the issues raised in the letter are being addressed by the court or its staff in any manner.

We would very much like the courtesy of a reply.

We are also enclosing an op-ed article that was published in the Los Angeles Daily Journal – California's premiere legal newspaper, read by judges and attorneys throughout the state. The issues raised in that commentary apply to the complaint procedures in all states, including South Dakota. We therefore are sending it to the court and the bar association so that you will consider convening a task force to address these issues.

Very truly yours,

Ashley Fortier
Assistant to the Legal Director

cc: Thomas C. Barnett, Jr., Executive Director, State Bar of South Dakota



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November 12, 2016

Chief Justice and Associate Justices
California Supreme Court
350 McAllister Street
San Francisco, CA 94102

Re: Administrative Supervision of State Bar of California
(Access to Justice for Litigants with Developmental Disabilities)

To the Court:

I am writing on behalf of Spectrum Institute to the court in its capacity as the public entity with administrative oversight of the State Bar of California. Because the State Bar is an arm of the Supreme Court, the actions and inactions of the State Bar are ultimately subject to the supervision of, and regulation by, the Supreme Court.

The state bar sometimes convenes task forces to address issues involving access to justice. Spectrum Institute has written twice to the President of the State Bar asking for pro-active measures to address the denial of access to justice for people with intellectual and developmental disabilities in limited conservatorship proceedings.

Spectrum Institute has previously contacted the California Supreme Court regarding these issues. The original letter was dated October 26, 2015. We did not receive confirmation that it was received nor did we receive a response to the concerns detailed. By way of this letter, we are seeking to confirm that the original letter was in fact received. We are wondering if any action has been taken by the California Supreme Court to address the issues or if this matter is under review.

In addition to this letter, please find the original letter enclosed for your reference. We are also enclosing a copy of an article by Thomas F. Coleman, legal director of the Disability and Abuse Project of Spectrum Institute, recently published in the Daily Journal. This article details one aspect of the problems mentioned in previous letters to the court and the bar association and suggests realistic solutions.

We would very much appreciate the courtesy of a reply.

Very truly yours,

Ashley Fortier
Assistant to the Legal Director

cc: Ms. Elizabeth Rindskopf Parker
Executive Director, State Bar of California



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November 12, 2016

Chief Justice and Associate Justices
Nevada Supreme Court
201 S. Carson Street
Carson City, NV 89701

Re: Follow up to previous letter

To the Court:

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Very truly yours,

Ashley Fortier
Assistant to the Legal Director

cc: Ms. Kimberly Farmer

Executive Director, State Bar of Nevada



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November 12, 2016

Chief Justice and
Associate Justices
Ohio Supreme Court
65 S. Front Street
Columbus, OH 43215

Re: Follow up to previous letter

To the Court:

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Ashley Fortier
Assistant to the Legal Director

cc: Ms. Mary Amos Augsburger
Executive Director, Ohio Bar Association



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November 12, 2016

Chief Justice and Associate Justices
Indiana Supreme Court
200 Washington Street
Indianapolis, IN 46204

Re: Follow up to previous letter

To the Court:

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Very truly yours,

Ashley Fortier
Assistant to the Legal Director

cc: Mr. Thomas Pyrz
Executive Director, Indiana Bar Association



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November 12, 2016

Chief Justice and Associate Justices
Colorado Supreme Court
2 East 14th Avenue
Denver, CO 80203

Re: Follow up to previous letter

To the Court:

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Very truly yours,

Ashley Fortier
Assistant to the Legal Director

cc: Mr. Patrick Flaherty
Executive Director, Colorado Bar Association