

New York Association on Independent Living 2017 Statewide Conference
Purpose. Progress. Power. New Strategies for Systemic Change
Achieving Systems Change Through Legal Action
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Documenting Problems for Legal Action

- (1) Planning and Documenting Your Investigations
 - a. Why:
 - i. To collect enough detailed, consistent information so that you can tell whether a problem is widespread or not
 - ii. To collect information that can be used in court
 - b. How:
 - i. Train personnel to collect information as consistently, accurately, and completely as possible
 - ii. Design uniform investigative forms and procedures
 1. List all the information you are trying to collect
 2. Ensure that the person who observes the facts (A) records them (B) at the same time they observe them

- (2) Documenting Problems through Intakes and Individual Advocacy
 - a. Why:
 - i. To identify problems that need more tracking and/or systemic advocacy
 - ii. To show that the problem is widespread and/or systemic
 - iii. To show that the discriminator is aware of the problem
 - iv. To show that your consumers are affected by the problem
 - v. To show that the problem is using up your ILC's resources
 - vi. To stay in touch with witnesses experiencing the problem
 - b. How:
 - i. Record content, date, and consumer name and contact information when possible, whenever complaints are raised:
 1. Intake forms and databases
 2. Facebook and other social media comments
 3. Meeting minutes
 - ii. Record your ILC's resources used in responding to complaints
 1. Send letters/emails on behalf of consumers after phone calls and meetings
 - a. Attach and refer to any helpful [DOJ guidance](#)—for instance, polling place, curb ramp, or service animal publications
 2. Grant reporting
 - iii. Consider keeping subject-matter files to collect different types of information about the problem in one place

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