New York Association on Independent Living 2017 Statewide Conference
Purpose: Progress. Power. New Strategies for Systemic Change
Achieving Systems Change Through Legal Action
September 19, 2017 1:45 p.m.

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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