



AMERICAN CIVIL LIBERTIES UNION
FOUNDATION

San Diego and
Imperial Counties

INFORMATION ABOUT HOW THE ACLU ACCEPTS CASES

PLEASE READ this information carefully to find out the kinds of cases we accept and how to have the ACLU consider your case. Our office handles civil rights matters arising in San Diego and Imperial Counties. If your issue arises elsewhere, you should contact the ACLU office in that area. If you believe your case may be the type of case we can accept, please fill out the intake questionnaire and return it to us by mail. If we need more information, we will call you. We will let you know as soon as possible whether or not we can accept your case, although, because of our limited resources, there may be a delay in our response.

WHAT DOES IT COST?

Our attorneys represent clients free of charge. ACLU cases are handled by staff counsel, often working with volunteer attorneys who are in private practice and give their time for ACLU cases.

HOW DO WE CHOOSE CASES?

The ACLU generally files cases that affect the civil rights of large numbers of people, rather than those involving a dispute between two parties. The basic questions we ask are: 1) Is this a significant civil rights issue? 2) What effect will this case have on people in addition to our client? 3) Do we have the necessary resources to take this case?

WHAT ARE CIVIL RIGHTS?

Freedom of Speech and Press: Example: A police officer is disciplined for speaking out against police brutality.

Freedom of Religion: Example: Upholding the rights of individuals to practice religious beliefs and the separation of church and state.

Privacy: Example: Reproductive freedom.

Equal Protection or Discrimination: Example: Refusing to allow homeless people to vote because they don't have a fixed address.

Due Process: Example: A community group is denied a permit by local police and the town doesn't offer any appeal process of the decision.

WHAT CASES AFFECT OTHERS?

Lawsuits can affect a large number of people in two ways. First, we sometimes challenge a policy which directly impacts many people. Second, a lawsuit brought on behalf of one person can have a larger impact on others when it establishes or expands legal protections. For example, a lawsuit challenging drug testing of one employee, if successful, could set a precedent for thousands of workers in the future.

WE PREFER CASES WITHOUT SERIOUS FACTUAL DISPUTES

We prefer cases which do not involve complicated disputes of fact, and where the issue is a question of law. For example, an employment discrimination case where the employer claims he fired the employee because of poor job performance and has credible evidence to support that claim, but the employee disputes the evidence. We often decide not to accept cases involving factual disputes because; 1) Our resources are limited and it can be expensive to prove a case with substantial factual disputes; 2) If a court resolves the facts against the client, it may never reach the civil rights legal issue; and 3) if the decision rests upon the specific facts of a case, the case is less likely to have broad impact.

CASES THE ACLU DOES NOT ACCEPT

Types of cases the ACLU *does not* generally accept include the following:

- A person has been fired from a job without a good reason of just cause;
- A person is being denied benefits, such as worker's compensation or unemployment benefits;
- Criminal cases or complaints about a person's attorney in a criminal case. Only in limited instances, for example, when a person is being prosecuted for engaging in activity protected by the Constitution – such as participating in a political demonstration – do we consider accepting criminal cases.

WHY THE ACLU TURNS DOWN CASES WHICH FALL WITHIN OUR GUIDELINES

There are many cases of unfairness and injustice which the ACLU is simply unable to handle. We receive hundreds of requests for help each month at this office alone.

Therefore, we cannot accept many of the cases which fall within our guidelines. We **MUST** select those cases which we believe will have the greatest impact on protecting civil liberties.

CAN THE ACLU ADVISE ME ABOUT MY CASE?

If we do not accept your case, the ACLU is unable to give you advice about your case, to answer questions, or provide other types of assistance – for example, reviewing your documents or conducting legal research to assist you. This policy allows us to direct the necessary resources to those cases that we do accept.

IMPORTANT NOTE ABOUT DEADLINES

All legal claims have time deadlines. The deadlines may be different depending on who violated your rights and which rights were violated. For some kinds of violations, you may need to file a claim with a government agency before you can sue, and these agencies have their own deadlines.

The ACLU cannot give you advice about the deadlines that apply to your case. To protect your rights, please consult an attorney promptly to find out what deadline may apply in your case.

RESOURCES

You may wish to call the following for referrals or information:

Referrals to Attorneys

- San Diego County Bar Association
lawyer referral service
Toll-free: (800) 464-1529
or (619) 231-8585

Low Cost Legal Assistance

- Legal Aid Society of San Diego
Toll-free: (877) 534-2524

Landlord/Tenant Problems

- Fair Housing Council of San Diego
(619) 699-5888
- Tenants Legal Center of San Diego
(858) 571-1166

Employee Discrimination

- Employee Rights Center
(619) 521-1372

Immigration Issues

- Casa Cornelia: (619) 231-7788
- CRLA: (760) 966-0511
- JFS: (858) 637-3365
- Catholic Charities: (619) 231-2828

Criminal Issues

- San Diego Public Defenders
(619) 338-4700

For more information about our organization, please visit our website: www.aclusandiego.org



LEGAL ASSISTANCE APPLICATION FORM

Please read our Information About How The ACLU Accepts Cases before filling out this form. Then complete this questionnaire as thoroughly as possible and either email to info@aclusandiego.org or return by mail to:

ACLU Foundation of San Diego & Imperial Counties
P.O. Box 87131
San Diego, CA 92138-7131

PLEASE DO NOT ENCLOSE ANY ORIGINAL DOCUMENTS, RECORDINGS OR OTHER MATERIALS WHEN YOU RETURN THIS FORM. We cannot return any materials that you submit to us with your intake questionnaire. If we need information in addition to what is requested on this form, we will contact you.

We will respond as quickly as possible, but there may be some delay in getting back to you. In the meantime, you should protect your legal rights by seeking advice from an attorney concerning time deadlines that might apply to your case.

Do not wait to hear from us before taking action with regard to your case, or finding out about time deadlines that may apply to it. We cannot give you any advice about your case, and you are responsible for meeting all deadlines.

PLEASE TYPE OR PRINT CLEARLY

NAME: _____ DATE: _____

STREET ADDRESS: _____ APT.: _____

CITY: _____ STATE: _____ ZIP: _____

PHONE: (_____) _____ EMAIL: _____

If you do not have a phone or an address where we can reach you, please give the name, address and phone number of someone we can contact to leave a message for you:

DATE OF THE INCIDENT: _____

WHAT IS THE PROBLEM? Please be brief, but include specific details, such as when and where the problem occurred. *Please include the names of all people, companies and/or government agencies with whom you have a complaint.*

DO YOU HAVE AN ATTORNEY? If so, please provide your attorney's name and phone number:

WHAT KIND OF ASSISTANCE DO YOU WANT FROM THE ACLU?

If you have documents, recordings, or other materials which you believe may help us evaluate your case, please describe them briefly.
