

To: Federal Communications Commission
From: Timothy P. Clark
Date April 21, 2010.

Under the attention of:
Gregory Hlibok
Attorney-Advisor
Consumer & Governmental Affairs
Disability Rights Office

I'm filing this written comment to Federal Communications Commission that warrants attention of abusive practices employed by my former attorney, (name withheld) firm located at Fairfax, Virginia. Please note this form of practices could easily widespread if immediate action does not take place. .

I am victim trapped in double crossroads of ADA violations and abusive practice dealing with the video relay services (VRS). On January 25, 2009 (Lawyer-name withheld) drafted his legal services under the contractual condition that he or his firm will not provide interpreting services. His going rate was at \$250.00 per hour rate with the retainer's fee of \$5000.00. My income is solely from the social security disabled income. (SSDI) His fees were later being deducted from my home property equity. His law firm has a team of four full-time attorneys whereas they had the reputation of handled large number of successful family law related cases.

From January 25, 2009 to August 28, 2009, I have made several requests to having face-to-face interpreting meetings with (lawyer-name withheld) but he declined all of them except one but it does not suffice the need for more than one face to face meetings. We had a complicated case of child custody and divorce that requires effective communicative methods to have successful lawyer and client collaboration. Out of despair, we only had one face-to-face meeting at my expense for the interpreting service out of my pocket on May 19, 2009; we had that meeting only because he was threatening to withdraw his service as my legal counsel. We had many VRS calls but they were limited in the nature where it is necessary to appear in person especially in the review of the documents at the office. Toward at the end of the final divorce court hearing, (lawyer -name withheld) proposed we are going to have several face-to-face 'rehearsal' meetings but he did not provide interpreting services for these planned meetings. He canceled these meetings at the last minute twice so we ended up not having any in-person meeting before our out of court settlement on July 13, 2009. In other words, he did not defend or represent me on a reasonable basis. As a result, my case turned out to be a wreck havoc and utterly unfavorable to me because of his lack of efforts in providing an accommodation for our communication needs.

His total legal fees for the five month frame was initially at the \$21,000 range but later settled at a rough figure of \$17,500. But the issue here is, he collected his business fees at the taxpayer's expenses by having the public providing the video relay services paid by

the FCC's Interstate TRS Fund. Based on a conservative estimate, the total number of hours via VRS is roughly 50 hours (approx 10 hours per month over the span of five months). (lawyer- and his firm name withheld) did not pay a dime for their "public entity" obligations which are a clear discrimination violation of the Title 3 of the Americans with Disability Act, 28 CFR part 36 section 303. It states that attorneys and doctors are part of the public entities so therefore they are required under the law to provide public accommodations.

Future lawyers/doctors could easily take advantage of this abusive loophole by offering their legal services by using the FCC's godsend VRS conference calls without having to provide interpreting services, an accommodation service under the law as a necessary means of providing an effective communication. They should not be allowed to hold themselves in position where they are above or overriding the federal laws. It is almost unthinkable to allow them to earn their revenues at taxpayer's expenses by misusing VRS rather than paying for interpreting services. In my view, VRS is a wonderful and awesome means of being able to "connect" and improved my functional levels exponentially. However, VRS has its limits and should not be recommended as the only communications means these lawyers tend to "get away "with. Consider this factual incident, I was paying \$250.00 per hour plus the costs of using a FCC funded VRS service at \$409.80 per hour which comes to be about \$659.00 per hour for services. These lawyers/doctors often reap large revenues but they refused to share or absorb expenses. They have been notorious in finding the loopholes since then and it is still prevailing today. Ultimately, (lawyer name withheld) was not able to represent me in an absolute and equitable manner and I began to wonder why that is the case.

In closing, I'm asking the FCC to formally address the issue raised in this comment filed in the docket # 10-51. I would appreciate if you could send me a confirmation of receipt. It is my hope that the FCC will recognize the urgent need to take necessary steps in preventing these dual destructive and abusive practices that are discriminatory in nature from happening in the future.

Regards,

Timothy P. Clark