

Citizens Fight Back in Response to Passport Woes

Posted by Steve Berman on Jan. 8, 2009

Business etiquette says you deliver on what you promise. That's a given, regardless if you are the corner dry cleaner, or a multinational company. That is also true if you are the U.S. government, in charge of issuing passports.

For anyone who's tried to organize a big family trip, the process can be chaotic. If your planning is anything like mine, you are scurrying to find the kid's swim trunks, while making lists to remember the charger for your cell phone. Things fall through the cracks, and for many folks, checking to make sure passports are in order can be one of those things.

Add to that, new laws that mandate a passport for places a driver's license once worked - like Canada, Mexico and the Caribbean - and you can see the problem that many travelers faced.

To meet traveler's demands, the State Department offered travelers a rush option. If you were in a big hurry, Uncle Sam promised he could expedite your passport processing, but only if you were willing to pony up an additional \$60 above the \$85 - \$100 standard processing fee.

But for parents faced with the anguished screams of a 5-year-old when he learns his trip to swim with the dolphins at The Atlantis Resort was being replaced with a trip to the Wisconsin Dells, \$60 a pop looked to be a bargain.

At least, that is how it was supposed to work...

In Aug. 2007, we filed a class-action lawsuit on behalf of travelers who say the State Department took their money, and failed to live up to the promised three-day turn around.

One of our clients saw she needed to renew her passport. She had about two months before her trip, but decided to play it safe - she paid the expedite fee, and sent her application using an overnight courier. She also pre-paid to have her passport returned to her using a similar overnight service.

More than six weeks later, nothing had arrived. In her case, she was able to salvage her trip, but she had to travel to the closest passport office, take a number, wait in line, and plead her case to the staff person seated securely behind the bulletproof glass.

She was lucky - we've heard from many others that had to postpone or cancel trips.

We contend, in our suit, that the government failed to adequately prepare itself, even though the State Department knew that there would be a huge demand for services with the adoption of the new rules.

We're working to recover all rush fees lost by travelers. This includes all overnight charges or special delivery fees travelers paid to speed up the process. Our suit claims the State Department violated its contract with millions of people and has chosen not to issue refunds as the contract clearly spells out, but instead impose a cumbersome process that is unnecessary and designed to deter refund requests.

We'll continue to keep you posted on the suit and its status. For now, you can read the complaint and more about the case at www.hbsslw.com/passport. We encourage anyone who had passport issues to join the case. As of now, the class period dates back to August of 2001.

Happy traveling - if you have your passport!