

## 2005 ANNUAL REPORT

CALIFORNIA RURAL  
LEGAL ASSISTANCE







Cover photos: Left, onion pickers in Arvin, California.  
Right, woman grape picker, labor camp housing and  
farm worker in Coachella, California.  
Women strawberry workers in Oxnard, California.  
Inside Cover: Workers in a field picking strawberries.  
Photos by David Bacon

In the rich growing fields of California, there is a poorer country;  
an impoverished land of shanties, labor camps and human  
exploitation. An afflicted land of toxic contamination, hunger  
and childhood death. An excluded land of illiteracy, doubt,  
self-denigration and despair.

This other America is the home of California's farm workers  
and rural poor. Here, the social reality is one of stark inequality  
where the poor see laws meant for their benefit ignored and  
un-enforced. Here, the denial of justice can mean the difference  
between dependency and independence, domination and  
dignity, and even life and death.

## 40TH ANNIVERSARY RETROSPECTIVE: LOOKING BACK, AND LOOKING FORWARD TOWARD SUSTAINED SOCIAL CHANGE

Dear Friends,

Before CRLA was established in 1966, there was no statewide law firm for farm workers and other poor in California. Now, forty years later, we look back and see the plentiful fruit of our collective labor, both in the rural fields of California and in the courtroom. CRLA's significant victories and commitment to long-term systemic change has earned us a national reputation as a premiere legal aid provider on behalf of the rural poor. The longstanding and loyal support that we have received has enabled us to reach over 39,000 poor Californians through 21 offices every year. This is double the number of neighborhood offices that we had when we first opened our office doors in August 1966.

However, there are still many challenges to engage. An October 2005 study by the Washington-based Brookings Institute titled *"Katrina's Window: Facing Concentrated Poverty Across America"* found that Fresno, California, not New Orleans, has the highest concentration of extreme poverty in the United States, with over 40% of neighborhoods living below the poverty line. In California's agricultural cities and towns, poverty has risen by double-digits in the past 20 years. Today, 9 out of California's 10 poorest counties are rural. There is approximately only one legal aid attorney for every 10,000 poor people in California and one for every 30,000 farm workers in rural California. By this standard, we need to double if not triple the number of CRLA attorneys to represent the rural poor in a more equitable way. As a social justice organization, we must tailor our services to be reflective of the times and the societal situation at large.

In these pages you'll read the stories of our tireless advocates and inspirational clients who work hand-in-hand to correct the inequities in our society and seek justice for the neediest among us. You will learn of our multi-year effort to prevent the City of Stockton from driving hundreds of downtown residents onto the streets; of the courageous fight of migrant parents to ensure their children have access to a good education; of the debilitating health effects suffered by farm workers so that we may eat perfect strawberries; and of one advocate, who like many of my colleagues at CRLA, has devoted his entire adult life to seeking justice for farm worker families.

These stories, and the work of our advocates, would not be possible without the support of our donors. For our 40th Anniversary, Union Bank of California has generously partnered with us to provide a \$125,000 matching grant. Every dollar you donate to our 40th Anniversary Justice Campaign will be doubled. We hope you will help us reach our goal of a 100% match by making a donation in the enclosed envelope.

After 40 years, we consider it a great institutional accomplishment in itself that we have been able to assist, without fail, the farm worker community in creating change over the past forty years. More importantly, we have *maintained* and *strengthened* our capacity to bring complex litigation and grassroots advocacy on behalf of California's rural poor. For justice to exist, it needs cultivation, nurturing and vigilance. We look forward to your continued support in the next 40 years as we continue to create new progressive laws, eliminate old oppressive ones, and develop a stronger relationship with Californians in the most economic need— as their defender, their teacher, their student...making the word of law their own.

*Adelante hacia la luz. Forward toward light.*

Jose R. Padilla  
Executive Director



Boy in labor camp, Arvin, California.  
Photo by David Bacon

## SCHWARZENEGGER'S MONEY GRAB: GOVERNOR ATTEMPTS TO CHANNEL FUNDS AWAY FROM MIGRANT CHILDREN

“If migrant students are hungry or sick, how will they learn?” asks Maria Medina, a migrant worker with four daughters who became involved with CRLA 10 years ago. “Maybe Governor Schwarzenegger doesn’t know what migrant families face. They need so much.”

Maria reels off a list of things that many people take for granted, including a clean, safe, warm place to sleep, safe drinking water, and access to minimal health care services. But funding for migrant education specifically helps eliminate huge periods of disconnection from school, minimize growing season “latch-key” situations, and improve language skills, resulting in lower drop-out rates and higher achievement scores. Without this extra help, migrant children are left to fail.

Cynthia Rice, Director of Litigation, Advocacy, and Training and chair of CRLA’s education task force, and attorneys from CRLA throughout the state are working with California Rural Legal Assistance Foundation to help Maria fight the governor’s effort to redirect more than \$19.2 million of funds that had been allocated to the Migrant Education Program.

Maria, the first Latino elected to her district’s school board, is also the current President of California’s

Migrant Education State Parent Advisory Council and a member of the Advisory Committee for California’s Public Schools Accountability Act. In a way, she’s been preparing for ten years for this fight.



Migrant Parents Protested Last Year's Veto of the Carryover Money on the Capitol Steps.

“I’m no longer scared to sue the state,” says Maria, “because I have CRLA behind me. Migrant workers have a lot of fear, but now that I know the system, I question more and more. And thanks to CRLA, I can say, you know, I have my own lawyers, too.”

And those lawyers are working to defend the rights of 300,000 migrant children and their families living in California.

“We call it ‘The Money Grab,’” says Cynthia. She explains how the \$19.2 million carryover has grown to \$29 million since the original veto in 2005, money that by state law should be spent directly for migrant education purposes in consultation with migrant parents. If the governor is successful, this money would go to a limited number of schools that don’t serve the majority of California’s migrant students. The extended summer school program—considered the most critical educational component of the Migrant Education Program, because it helps students catch up on what they miss while moving around during the growing season—would likely suffer the greatest cuts.

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However, all services, including mobile medical clinics that offer free immunizations and dental care could be reduced significantly in certain regions.

“When we filed the lawsuit in February 2006, we challenged the administration’s right to redirect this money,” says Cynthia. “Once the state of California accepts federal monies, they agree to spend them in compliance with federal law. We’re arguing that the governor’s proposal violates the conditions of the grant. We know we’re pushing the envelope. There isn’t a case out there right now that says ‘right, wrong, or indifferent’ on this.”

Pushing the envelope is CRLA’s specialty. Not content to avoid controversy or take the beaten path, CRLA draws more than its share of political backlash.

“The work that I do for CRLA has been subject to more than one audit and Congressional investigation,” says Cynthia. “I’ve always considered that a badge of honor. And during any one of those struggles, our executive director and our board could have just thrown up their hands like so many other legal services offices did and said ‘*basta!*’ We’re not going to do this anymore, we’re going to toe the line, we’re going to put band-aids on people’s problems, and then we’ll be left alone. But our work has always been critically buttressed by José Padilla and our board members who wouldn’t say ‘*basta!*’ and have fought the hard fight to ensure that we could do the cutting edge work that changes systems and improves lives.”

Narrowing her focus, Cynthia explains the source of her own inspiration: “I was supremely affected by *To Kill a Mocking Bird*, and I grew up in Denver when the schools were first undergoing desegregation.”

Raised to believe that everyone was equal and should have the same opportunities, she often found that this was not the case. So she became a public interest lawyer involved in education and employment rights. Cynthia’s personal story is similar to so many who choose to work in non-profit legal services.

“I got laid off from legal services during the budget cuts of the early 80s and went into private practice at a plaintiff’s Title VII firm. And then I joined CRLA in



Maria Medina, Migrant parent and lead plaintiff and Cynthia Rice, CRLA Director of Litigation Advocacy and Training.

1986. This year, I finally reached the salary I earned back in 1983 in private practice. It took me 20 years,” she says wryly. “But I never for an instant thought of turning back. The work we do is unparalleled in terms of the rewards and satisfaction. I do believe I have a legacy and have improved some workers and some children’s lives, and that’s a big deal to me.”

“I feel very privileged to do this work and to have worked for clients who are truly extraordinary people, people like Maria Medina,” Cynthia says. “She believes that it’s not only her right but her obligation to make sure that migrant education funding is spent the right way. And she, like so many other migrant workers involved with their local parent advisory committees, end up with at least one or two children in college. In the absence of migrant programs, these children instead fall through the cracks.”

And as Maria’s career in advocacy exemplifies, knowledge is a key element of success.

“It’s not just about me and my children,” insists Maria, who’s busy getting migrant parents involved and giving them insight into the political and educational system in California. Proud to be the first Hispanic member of the board of education in her district, she notes that 98 percent of the students there are of Mexican origins. The need for migrant education in her district is great.

“I know that there are a lot of programs to support, but it’s just a little piece of money,” says Maria as she reflects on California’s budget and the huge contribution migrant workers make toward California’s economy. “The program means so much to migrant workers and their children. We’ve got to find a way to get the money back. I have courage because I know CRLA is behind me.”

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*As this annual report goes to press, CRLA just received word that Governor Schwarzenegger approved the 2006 – 07 budget for California’s Migrant Education Program, essentially reinstating the full \$29 million. After months of effort to keep this funding at the forefront of the governor’s and his staff’s minds through litigation and expert testimony, CRLA, CRLA*



Immigrant mother and child.  
Photo: David Bacon

## CY PRES AWARD IS A WELCOME GIFT

When Mark Talamantes, of Talamantes/Villegas/Carrera (TVC), LLP, in San Francisco, says that he's "kind of a step-child of CRLA," he means that in only the very best sense of the word.

"I owe everything to everyone there," Mark explains. "I was volunteering at Legal Aid of Marin [Marin county, California] in 1997 when I couldn't find a job after law school. A food worker from Santa Rosa came in with a wage-hour complaint against the International House of Pancakes. His case had the potential to affect all Latino workers there, so I called Cynthia Rice at CRLA."

As a result of his talks with Rice and Brad Seligman, Executive Director of the Impact Fund, Mark's first case grew into a successful class-action lawsuit, suits that Congress no longer allows any publicly-funded legal aid organization to pursue.

"Private attorneys can represent anyone under the law, but CRLA can't do that," Mark notes. "And they're prohibited from collecting attorneys fees, so if there is anything I can do to help them, I will."

It's clear that he means it. In late 2004, Mark and attorneys from seven other law firms or non-profit organizations<sup>1</sup> won a settlement of \$22.4 million for the 1,500-plus janitors they represented in a class-action suit against major California supermarket chains and janitorial contractors. The Complaint, which was filed against Ralph's, Safeway, Vons, Albertsons, and Building One Solution Services, alleged that the supermarkets and janitorial contractors committed numerous wage-hour violations that deprived the store janitors of minimum and overtime wages, as well as meal and rest breaks.



As part of the settlement with Vons/Safeway, CRLA was selected as a cy pres beneficiary. Cy pres (next best use) awards allow unclaimed settlement funds from class-action suits to be distributed to organizations that are most likely to benefit or pursue the interests of the class. In this instance, all attorneys agreed that CRLA should be one of the recipients, resulting in a \$200,000 windfall for CRLA with no strings attached. Unrestricted funding is a rare gift for non-profit organizations, and can be used where it's most needed.

Considering that too few attorneys think of *cy pres* as an alternate funding source for legal services, Mark is doing his best to rectify the situation one case at a time. But not wanting to limit his support to *cy pres*, Mark cultivates an ongoing symbiotic relationship with attorneys at CRLA.

"About 70 percent of our cases are somehow associated with CRLA, either through co-counseling and referrals, or by selecting CRLA as a settlement beneficiary," Mark says, with a certain sense of amazement. "In fact, the lead plaintiff against Safeway in the janitor case was referred to me by CRLA in Santa Rosa." For Mark, leveraging resources is a way of life. But he'd like other attorneys to realize that "there are many opportunities for law firms to work with CRLA statewide. And they can trust that CRLA will work closely with them."

In the short period of time that Mark's been in practice, he's had the opportunity to co-counsel with CRLA and affect a sphere larger than his immediate clients. Together, TVC and CRLA currently have cases pending before the California Supreme Court and Courts of Appeal. CRLA has been with him every step of the way.

The steps of the state Supreme Court is a long way from the conservative, middle-class, apolitical family he grew up with in Texas, and even further from the life he led immediately after college.

"I didn't have a political bone in my body," Mark readily admits. "I was a media planner for corporate advertising, very superficial in a way. I was twenty-two years old and in charge of a \$5 million budget to place \$55,000 ads in major magazines. I didn't know what it was like for families who survive on \$13,000 a year or less."

Unlike other attorneys who decide at an early age that they want to pursue public interest law, Mark found his calling through two life-changing experiences:



Mark Talamantes, and partners Karen Carrera and Virginia Villegas.

a law clerk internship at Texas Rural Legal Aid in 1993 and meeting the woman who was to become his wife.

"She's a Latina lawyer, the Carrera of our firm," says Mark with a smile. "I didn't get what poverty was, that money really means

something to people. She educated me about people's struggles."

Now, he talks passionately about CRLA's advocacy work and how vital it is to represent the underserved.

"I can't say enough about CRLA," says Mark. "They figure out how to comply with regulations and still do what they need to do. I think they do more than any other legal aid organization in the state. They are so influential in the community and such a powerful force behind key advocacy issues."

"And there are people who don't like that," Mark acknowledges. "Politically motivated investigations are costing CRLA dearly. They're being forced to spend time and money defending themselves instead of poor people, and I don't like to hear about the pressure that CRLA attorneys are under to do

more with less. But they keep on chugging through, fighting the good fight."

"That's why I'll do anything I can for them," he reiterates. "But it's really important to know that it wasn't just me who felt that CRLA deserves to receive *cy pres* funding. The attorneys representing the plaintiffs in the janitor case are proud to support CRLA. We decided together that CRLA should receive this funding because they have earned and deserve this recognition."

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<sup>1</sup>CRLA would like to give special thanks to the Southern California law firms that represented the plaintiffs in *Flores, et al. v. Albertsons, et al., United States District Court, Eastern District, No. CV 01-0515 PA*: Janet Harold with Service Employees International Union, Della Bahan of Bahan & Associates, Barbara Hadsell of Hadsell & Stormer, Theresa Traber of Traber & Voorhees, Law offices of Marvin Krakow, Law offices of Bob Newman, Steve Reyes with the Mexican American Legal Defense & Education Fund, and Margo A. Feinberg with Schwartz, Steinsapir, Dohrmann and Summers."

Strawberry picker in Oxnard, California.  
Photo: David Bacon

## METHYL BROMIDE: THE HUMAN COST OF PERFECT STRAWBERRIES

“We were driving down Highway 101 past the fields south of Salinas,” says Georgina Mendoza, a staff attorney in CRLA’s Salinas office, “when my grandmother pointed at the fields and said ‘The fields are so filled with life, but that’s where I lost my youth.’”

“My grandmother is a strong lady in every sense of the word,” adds Georgina. “But she’s always suffered from throbbing low back pain and walks with a limp. It’s ‘because of el cortito,’ the shorthanded hoe, she’s told me. And she’s also told me about how they used to spray pesticides from helicopters overtop of workers in the fields, the fields where my grandfather worked. I was just a little girl when he died, but I can still hear him gasping for air, saying that his chest felt heavy. He suffered from headaches, throat problems, and neurological disorders and died of cancer at age 59. You can’t help but think it was the pesticides he was exposed to.”

As a rookie attorney for CRLA in Salinas, Georgina is driven by the fire of youth and personal experience. She’s also driven to give back to her community.

“I was on the job for two weeks,” she recalls. “I’d just taken the bar exam, when two men walked into the CRLA office. Jorge Fernandez and Guillermo Ruiz told

me ‘We got fired, we’ve been hurt, and we don’t know what to do.’”

The men had been tarp-cutters, responsible for cutting and removing tarps from strawberry fields injected with methyl bromide, a highly toxic fumigant now banned from use in most of the developed world but sanctioned for specific agricultural uses in the U.S. During their conversation, they painted an appalling picture for Georgina. Their former employer was basically violating every wage, hour, and worker safety protection regulation, but the most

egregious violations were related to health and safety.

The California Department of Pesticide Regulation (DPR) requires that workers not remove the tarps for at least five days after methyl bromide is injected into the field: The men were directed to remove tarps after only three or four days.

DPR requires that the tarps be cut and not removed for at least 24 hours: The men removed tarps immediately after cutting them.

DPR requires that workers be given protective gear, information about the toxicity of methyl bromide, and pesticide safety training.

The men’s reality: no, no, and no.





"They told me that a cloud of poison would attack them, causing nausea and vomiting," says Georgina. "One time, a co-worker even passed out. No one received medical attention, and they had no appropriate field sanitation equipment. They were working in pretty horrible conditions."

And they had done this for 12 years.

Both men continue to suffer from chronic debilitating health problems—blurred vision, rashes, and neurological and respiratory ailments.

After successfully pursuing a wage-hour lawsuit against their former employer, the men were paid three years' worth of back wages. The suit also made a difference in the lives of current employees who then received back wages, DPR-sponsored pesticide safety training, a safety procedures manual in English and Spanish, and personal protective equipment.

In addition to the suit filed by CRLA, Georgina helped both men connect with one of the most recognized workers' compensation attorneys in the area: Rucka, O'Boyle, Lombardo & McKenna. Fernandez and Ruiz each filed two workers' compensation claims against their employer: one for a personal orthopedic injury and the second for acute chronic chemical exposure. One of the men has already settled his suit for \$30,000.

"It's incredible," says Georgina. "Getting compensation for chemical exposure is unusual. It's really cutting edge."

Georgina marvels at her clients' transformation over the past two and a half years. The two bewildered,



From left to right: CRLA attorney Kristina Hamell, plaintiffs Jorge Fernandez and Guillermo Ruiz, Univision Reporter Luis Megid, and CRLA attorney Georgina Mendoza.

shy, beaten down men who asked for help are now public spokespersons for farm workers, and they're community leaders against the use of methyl bromide in the fields of California.

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"Originally they didn't want to talk to anyone else. Now, they're giving public testimony, and they will throw it right back at the government agencies if

they try to question their veracity," says Georgina with admiration. "They've been interviewed by the Associated Press, New York Times, and television stations, including Univision. They were also featured in a Sierra Club national campaign about the conditions of farm workers. So they've become experts in dealing with the media. It's exciting!"

"I knew that when I went to law school I wanted to do public interest work," says Georgina, "and I wanted to give back to my community, too. But I put myself through school, and I've got a massive amount of student loans.

Sometimes I struggle financially, and my family helps out. So realistically, I don't know how much longer I can do this, especially living in one of the most expensive areas of the country. I feel lucky to be part of the CRLA family, but the economic realities are hard to ignore."

Georgina pauses for a moment and adds: "But you have to consider the quality of life. I have friends making a lot of money who are miserable. I'm happy. I feel good, I feel passionate about what I do. For me, it's not some impersonal, regulatory interpretation or application of the law, it's the faces of my community."



Collage of photos by David Bacon.

## A BETTER DESTINY: FOUR DECADES OF FIGHTING INJUSTICES

“I believe that wherever you are, you should fight for justice,” says Hector de la Rosa, a former farm worker turned Community Worker and living legend at CRLA. “I taught my children this. They see an injustice and they speak up about it. That is my greatest accomplishment, to instill in their minds that they should fight injustice wherever they are. And I’ve also taught them to be smart about it, to know when and how to do it.”

After 40 years of working for CRLA, Hector not only embodies the organization’s fight for justice but also the will to do it strategically—creating a groundswell of passionate, informed, and wise activism within his family and his community.

So when he talks about his and CRLA’s impact on people’s lives, he begins by touching only briefly on a couple of landmark victories: the lawsuit that brought about the demise of *el cortito*, the short-handled hoe that disabled many farm workers, and *Diana v. State Board of Education*, the class-action lawsuit that ended the automatic banishment of children to special education classes in California just because they couldn’t read, write, or speak English. Then he turns his attention to what may possibly become an archetypical example of the best that can

happen through CRLA, an example that combines education and knowledge, empowerment, and community—Hector’s true measures of success.

“When you work on a project where you can lead farm workers in self-development and have them continue with the work,” says Hector, “and everyday they grow more and more, and become more responsible not only for their lives but for those around them, that is the greatest accomplishment, because it’s ongoing.”

Hector is talking, in part, about La Cooperativa Santa Elena in Soledad, California, a 100-family mobile home park owned and run by farm workers since 1981. In 1979, the mobile home park was inhabited by farm workers who were faced with ongoing rent increases while the landlord allowed the park to fall into disrepair. Garbage overflowed from inadequate, low capacity disposal facilities, most electrical wiring in the park was not up to code, interior streets weren’t paved, and a promised children’s play area never materialized. The park often flooded in the rainy season because the landlord had never installed storm drains, and homes sagged in the mud because they hadn’t been properly seated on concrete slabs.



A host of other problems existed, but the landlord refused to make repairs, and if anyone complained they were evicted. So the farm workers contacted CRLA.

California law allows landlords to evict tenants for no reason if they follow specified procedures, so CRLA and the farm workers had to come up with another strategy to resolve the situation. A small group of residents, an attorney from CRLA, and Hector got together and decided that the solution was for residents to buy and run the park themselves.

When this idea was first suggested, “the farm workers didn’t believe it could be possible,” says Hector. “That they, people without any formal education, would be able to buy and run the park.”

But CRLA attorneys and the residents felt that they had nothing to lose. So they filed a \$1.5 million lawsuit claiming that the owner had broken many promises made to his tenants.

“That was the club used to threaten the owner,” says Hector. “That if he didn’t sell, we’d go through with the lawsuit.”

From there, the pieces fell into place. Rural Community Assistance Corporation (RCAC), an organization that provides rural communities with technical assistance and resources, helped the farm workers establish a non-profit cooperative. RCAC held community meetings and provided substantial financial and organizational training to board members and the rest of the community.

“They received lots of education about what a cooperative is,” says Hector. “They had to understand that they would no longer be tenants, the park would be theirs, and they had to run it to the best of their abilities.”

In the meantime, Hispanics were elected to the city council (a result of the community organizing activity Hector had spearheaded for more than 10 years in Soledad), which put increasing political pressure on



Ramon Recio and CRLA Community Worker Hector de la Rosa. Ramon Recio was a plaintiff on the *Diana vs. State Board of Education* case.

the owner to sell. A settlement was reached, and the impossible became reality.

“Everybody thought that the farm workers would fail, that they’d have to give up the co-op, and a private owner would have to buy them out,” says Hector. “So we doubled our efforts to educate

community members.”

Not only has the community paid the \$1.5 million back to the cooperative bank that loaned them money, but a portion of their payments bought shares in the bank, leaving the community with a substantial amount in savings. These resources have helped the co-op make improvements and keep rent payments well below market rates.

Even though many families tend to be long-time residents, the park also serves as a springboard to full-blown home ownership. Because rent is so low, families are able to save money, sell their mobile homes, and buy homes on individual lots in town or elsewhere.

And the cooperative nature of the community has led to other benefits. Recognizing that their children need educational opportunities, residents created an ongoing scholarship fund that makes awards to selected families each year.

Hector sees this as a natural progression. “You become aware of what’s going on,” says Hector. “You become more responsible for your fellow citizens, more conscious of injustices, and that motivates you to improve and do more. I’ve seen many farm workers develop into community leaders.”

This type of ripple or domino effect is precisely the result desired and prompted by CRLA’s advocacy and litigation.

“People eager to create a better destiny for themselves and their children,” says Hector. “That’s what they can do if given a chance and proper education and training. That to me is the greatest accomplishment.”

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## CRLA CHALLENGES DISCRIMINATORY BUS SYSTEM: MASS TRANSIT DRIVER VIOLATES THE AMERICANS WITH DISABILITIES ACT

“When I stepped onto the bus, I handed the driver our ID cards and bus passes and said, ‘I don’t see well. This is my guide dog.’ Then the bus driver threw the ID cards and bus passes at me and said, ‘You and your dog need to get off, baby.’”

The Santa Barbara Mass Transit District (SBMTD) driver didn’t know he had picked the wrong person to cross. Jeane Adamson, a woman with extremely limited vision and an active and vocal advocate for people with disabilities, knows how to stand up for the rights of disabled citizens.

Not only did she refuse to get off the bus, she documented the driver’s violations of the Americans with Disabilities Act, including his improper and illegal rudeness, failure to announce stops, and denial of her right to be accompanied by a guide dog and to sit in disabled priority seating—all while listening to his steady stream of verbal abuse during



Plaintiff Jeane Adamson and her guide dog Kimono.

the 20-minute ride to the transit center. When she got off the bus, she demanded to speak with a transit supervisor.

“It was horrifying,” she recalls. “At the transit center, I was shaking and furious and scared. Even now, I have problems getting back on a bus, and I’m not a timid person.”

Jeane filed a formal complaint with the SBMTD, and told the supervisor that she would get a lawyer if she didn’t hear back from them within 30 days. She received no response, so she called Kirk Ah Tye, Directing Attorney of CRLA’s Santa Barbara office.

But it wasn’t the first time she’d made a call to Kirk. He’s also helped Jeane and other people with disabilities resolve issues with the Santa Barbara Housing Authority.

“The people at the housing authority know we have to do what they say or we’re out on the street,” says Jeane. “It’s intimidating and scary. And these things happen to people with disabilities all the time.”



"You need someone like Kirk to crack people over the head with the law," Jeane adds. "When advocacy doesn't work, you resort to an attorney, and it has to be an attorney that cares. It's not about money. I just want my rights protected, the rights that everybody else has. And until you have someone like Kirk behind you, you're helpless against the powers that be."

Jeane's comment touches on the driving force behind Kirk's work.

"I came out of the tail end of the '60s," says Kirk. "It was an exciting era, a time of idealism and optimism about civil rights. That's why I went to law school."

So it stands to reason that Kirk's portfolio of successful cases includes a precedential decision that ensured voting rights for the homeless, a case he cited when pursuing another voting rights suit recently in Santa Barbara.

Voting, housing, and civil rights—people seeking equal access and treatment under the law—that's the common thread running through Kirk's work. But it's also more than that. It has to do with impact, changing the lives of many, not just one, the touchstone of CRLA.

"I'd like to see CRLA do more of this in all of its priority areas. That's really where we can make our mark. No one else out there in our jurisdictional areas, generally speaking, has the capacity to do what we do," says Kirk.

A recent case exemplifies Kirk's statement: In a suit brought before the Santa Barbara Superior Court in 2003, he won a \$315,000 settlement from the Santa Barbara School District for three disabled students who use wheelchairs for mobility. The students faced a variety of physical hazards and barriers at Santa Barbara High School, including being sideswiped by cars while going to classes because the only path



CRLA Directing Attorney Kirk Ah-Tye, Santa Barbara Office.

accessible to wheelchairs crossed a road, and being unable to reach restrooms, classrooms, and entire buildings on the school's campus. The settlement forced the school district to bring more than twenty campuses into compliance with the Americans with Disabilities Act at a cost of \$8.2 million, effectively providing equal access to school buildings and


educational programs for all disabled students in the district.

"We have the guns, so to speak, to go all the way to the supreme court with any case," he says, which is surprising since the Santa Barbara office houses only

Kirk and one legal secretary on a full-time basis. But his ad hoc support network also includes CRLA's directors of litigation, senior counsel, the local bar, and legal interns from UC Santa Barbara. "We're committed to do what we need to do to staff cases."

And to Jeane, good lawyers aren't measured by the size of their staff or offices but by the size of their hearts. So if Kirk's heart is as large as his office is small—"as far as I can tell, it's smaller than the kitchen in my apartment," says Jeane—then he's approaching greatness.

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And until you have  
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Farmworkers in San Diego labor camps.  
Photo by David Bacon.

## INNOVATIVE COMMUNITY OUTREACH MAKES AN IMPACT IN CLIENT'S LIVES

“CRLA’s not the answer to the problem, however you measure it,” says Lee Pliscou, Directing Attorney in CRLA’s Marysville office. “It’s an integral part of the answer.”

CRLA offices are striving to remain part of the answer by developing creative solutions that reflect both the needs of the community and the constraints of an ever-diminishing budget. As the only attorney for 27,000 low-income residents within a tri-county area, Lee developed a series of free community workshops to address common legal problems. The workshops cover landlord/tenant, employment, consumer, and immigration law, effectively clearing up misinformation clients may have received from other, less reliable sources while providing more intangible benefits.

“It’s a whole different dynamic when people get together in a room,” says Lee. “They interact and find out that others have similar problems. They begin to ask questions they wouldn’t have thought of before. And it validates their claims, which is in itself valuable and important.”

The workshop environment also gives the office an opportunity to bundle together additional information that wouldn’t normally be provided during a one-on-one client consultation. For example, during the weekly landlord/tenant law workshop, a bank representative discusses the financial benefits of home ownership and describes an assortment of first-time homebuyer programs, offering—what is for most—their first exposure to financial planning and creating an awareness that home ownership is not just a pipe dream.

“All of this can be questioned,” considers Lee. “Is this something a law firm should be doing? Shouldn’t we be out suing people instead? My answer is, it’s hard for me to imagine having a greater impact than helping someone buy a home.”

Too often, he sees clients win a settlement only to find themselves back in the same situation somewhere down the road.

“To say we’re not financial counselors or advisors, is doing our clients a disservice,” insists Lee. “If we’re not going to offer these services directly, we’ve got to at least let our clients know what’s available. You’ve got to couple money, knowledge, and skills with opportunity.”

This is where his dream of bundling individual development accounts (IDA), financial literacy, home ownership, and business development comes into play.

Imagine channeling a portion or all of the money awarded from a lawsuit into an IDA where the money will be matched at a rate of at least two to one, although the match is usually higher. In conjunction, the client would receive ongoing financial counseling and education so that the bankrolled funds could be used most effectively for higher education, starting a small business, or buying a home.

Finding and filling the gaps in services. Making the greatest impact. Doing what needs to be done to improve peoples’ lives by providing more than narrow-focused legal counsel. The Marysville office, like all offices at CRLA, tailors its services to the needs of the community it serves.



Lee then touches on another key aspect of CRLA's work: civic engagement. He "expects clients to do something to benefit not only themselves but also the community." Clients are asked to assume leadership roles on a Community Action Team that meets twice monthly, often working to discuss ways to improve the community and then acting on these ideas. For example, team members create and distribute informational flyers in the Marysville area and speak out at local government hearings. In this way, CRLA builds long-term relationships with individual clients and extends the organization's reach in the community.

"We're used to thinking of impact-based work as those cases that have the potential to affect the greatest number of people," says Lee. "I also tend to measure impact by the affect my work can have on the individual client."

A prime example of Lee's ripple-effect philosophy is evident within the very walls of the Marysville office.

"My parents were migrant farm workers," says Gleida Ortega, a young woman who 12 years ago didn't know that CRLA existed. "I was on welfare and needed on-the-job training, so I asked to be placed somewhere where I could use my bilingual skills."

After a year of training at CRLA, Gleida was hired on to replace another clerical staff member lost to disability. Now a Community Worker, Gleida uses both her personal experience and bilingual skills to connect with community members and facilitate the office's workshops on immigrant law. But it's her tireless efforts on behalf of hundreds of migrant workers that make her an outstanding community representative for CRLA.

Twice each year for two to three weeks of 15-hour days that begin at 6:00 a.m., Gleida and other outreach workers descend upon the fields, orchards, and labor camps in the Marysville area, informing migrant workers about their rights and informally inspecting the field sanitation facilities provided by employers. During the evenings, they speak with workers in the labor camps who are often too afraid to ask questions during the day for fear of retaliation by employers. Workers want to know how to deal with inadequate



Lee Pliscou, CRLA Directing Attorney, gives a presentation on How to Avoid Predatory Lending at the Yuba city council chambers.

housing, job-related injuries, labor violations, health care issues—the list goes on and on.

With dedicated staff like Gleida and Lee, the Marysville office forges ahead despite the federal budget cuts for legal services to the poor over the past 20 years that have severely drained resources from all CRLA offices.

"When I started here 12 years ago, there were three attorneys, two secretaries, and one full-time receptionist," says Gleida. "Now we only have one attorney, one secretary, and one part-time receptionist."

Lee's memory goes even further back. When he first starting working at CRLA 20 years ago (in the El Centro office), the Marysville office employed five attorneys. Eight years ago, he transferred to Marysville, but by then budget cuts had already taken their toll.

"Now, we're open to the public only 18 hours a week," says Lee. "We're torn between being accessible to our clients and being inaccessible so we can actually work on existing cases. We take on about 40 new cases weekly, juggling around 100 at any given time. Obviously, we've got our work cut out for us."

So it's understandable why Lee has worked "on and off" for CRLA a total of 15 of the past 20 years. Burn-out is a factor when there's just too much work to do and too few resources. But he returns "because of the people."

"My co-workers are my best friends," says Lee earnestly. "And José Padilla [CRLA's executive director] is also one of the reasons I come back. He's a great example of positive leadership. My hope for the next 40 years is that José will never step down, that CRLA will remain the flexible, changing, and adaptable organization that it has been, continuing to address the changing needs of the community."

"That's CRLA," says Lee, and after a moment's thought, adds, "We can't solve every problem for every client, but there are some problems for which we are the only solution."

## CRLA CHALLENGES MASS EVICTIONS OF DOWNTOWN STOCKTON RESIDENTS

“I get really mad at people who take advantage of others just because they’ve got the power to do it,” says Jack Daniel, Directing Attorney at CRLA’s Fresno and Delano offices. “I’ve been the schmo being taken advantage of.”

In 1976, Jack was homeless and an alcoholic. “My first contact with legal aid was as a client and community organizer for Dallas Legal Services from 1974 to 1977,” he explains. He then worked his way through a variety of legal services organizations and positions before landing at CRLA as an attorney in 1998.

Since then, he’s built a formidable reputation for defending the rights of poor people in California’s Central Valley. But one recent victory stands out.

In 2001, people living in downtown Stockton, California, were being evicted summarily from their residential hotels and lower income residential buildings. Former clients beat a path to CRLA’s door, recounting how they’d been given as little as 30 minutes notice before being kicked out on the streets.

When it became clear that hundreds of people were being affected by the evictions, other legal aid organizations became involved, including the Public Interest Law Project (Deborah Collins) and Western Center on Law and Poverty, Inc. (S. Lynn Martinez).



Attorneys soon discovered that the city’s downtown revitalization “plan” was to evict residents of low income housing by forcing permanent closure of their residential buildings, all due to code violations that have remained uncorrected for years. A wrecking ball would make way for upscale condos

and pricey shops, effectively gentrifying the life out of the downtown area and leaving current residents with nowhere to go.

The case, profiled during its early stages in CRLA’s 2002 annual report, engaged three different lead attorneys at various times for CRLA, including Jack, Stephanie Haffner, and Kristi Burrows. It also turned into a monumental document control effort for CRLA’s administrative staff with upwards of 50,000 documents to manage. But the effort paid off for





Jack Daniel, CRLA Directing Attorney and Ilene Jacobs, CRLA Director of Litigation Advocacy and Training.

CRLA's clients in late 2005 when the city agreed to a settlement of \$1.5 million for relocation and damages and to replace or rehabilitate nearly 400 condemned units with safe and affordable housing for those who were evicted. However, the overall impact appears to be even greater: A total of 1,200 units will be guaranteed low income housing for the next 55 years.

"That to me is the spiritual key," says Jack. "People that they tried illegally to boot out are going to be living in downtown Stockton in decent, safe, affordable housing."

Joining Jack in the suit against Stockton was Ilene Jacobs, Director of Litigation Advocacy and Training at CRLA and a fair housing specialist. As a young lawyer, she worked with Florence Roisman at the National Housing Law Project in Washington, DC, helping clients such as Mitch Snyder and the Community for Creative Nonviolence win suits to keep DC officials from closing the city's homeless shelters. Their successful battles achieved national prominence.

"As a very green lawyer, it was a good way to get started," says Ilene. "From when I was a kid, I wanted to be Atticus Finch. That was the model of what an advocate should do and who an advocate should be. So I knew early on that my life and career would affect people's rights."

"To me, it's inconceivable—in a country as wealthy as this one—that we have people living in third world conditions," Ilene continues, with the fervor of youth, certainly not what you'd expect from the 27-year veteran of the trenches. "To me, decent and safe housing is a fundamental human right. The fact that so many don't have access to decent housing because of race, disabilities, or ethnicity, is equally as shocking. That's where my commitment comes from."

**"...decent and safe housing is a fundamental human right.**

**The fact that so many don't have access to decent housing because of race, disabilities, or ethnicity, is equally as shocking.**

**That's where my commitment comes from."**

that nothing else makes such a tremendous impact on clients' lives.

Most people think only in terms of the physical environment of substandard housing—places where people live in barns with animals or rent space under porches; places where walls and floors are filled with holes, propane runs through garden hoses, and children play next to raw sewage trenches; and places littered with so many safety hazards that they could be devastated in seconds by a fire or explosion. But Ilene focuses on the spiritual expression of the physical environment.

"The emotional impact, the stigma associated with living in a place like that can never be overstated and can never be felt unless you're the person who is forced to live that way," she says, her words spilling forth with a sense of urgency. "When that changes, when you move into the kind of home that we would expect anyone to live in, then everything changes. Not only are you no longer getting physically sick from living in those horrible conditions but your dignity is restored."

At this point, Ilene stops for a breath, and then says, "I can't imagine doing anything else with my life."

"People think what we do is a sacrifice," says Jack. "I guess I agree with that if you look at the origins of the word, *sacer*, meaning 'holy' or 'sacred,' and *facio*, meaning 'to do' or 'to make.' A sacrifice doesn't mean to give up something. It makes what you are doing holy."

A less determined and patient person would have moved on to other work rather than deal with the challenges of fair housing law. Complex litigation takes time, and results often take years to implement. But Ilene believes



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Union Bank of California 2006 Local Heroes in Los Angeles

Pictured at the 2006 Union Bank/KCET Local Hero of the Year Awards in Los Angeles (left to right) UBOC Market President George Ramirez, Dino Barajas, Casa de Las Amigas Executive Director Doreen Garcia, Wall Las Memorias Project President

In the community, Union Bank has established the Local Hero of the Year Awards. During Hispanic Heritage Month, the Local Hero Awards recognize the contributions of outstanding Hispanics. Since the award's inception in 1997, nearly 300 community leaders including attorneys Dino Barajas, Roberta Sistos and Claudia Smith have been recognized as Local Heroes.

Barajas, a partner at Paul, Hastings, Janofsky and Walker, LLP, was recognized for his work mentoring and encouraging Latino students to pursue a higher education. Sistos, a partner with Burke Sorenson, LLP in San Diego, was recognized for making a difference through her work on important Latino issues such as employment, civil rights and constitutional matters. Smith, director of the Border Project, has been a champion for U.S.-Mexico border control policies and practices fighting for one of the most vulnerable populations, immigrants.

Achieving financial and personal success may not be easy, but remember, each step paves the way for the next. Union Bank is here to help you. To take the first step, call Priority Banking Managers Henry Reynoso at (510) 891-2487 in Northern California, Charles Claver, at (310) 545-8847 in Los Angeles or in San Diego, Senior Vice President Luann Bas of The Private Bank at (619) 230-3777.

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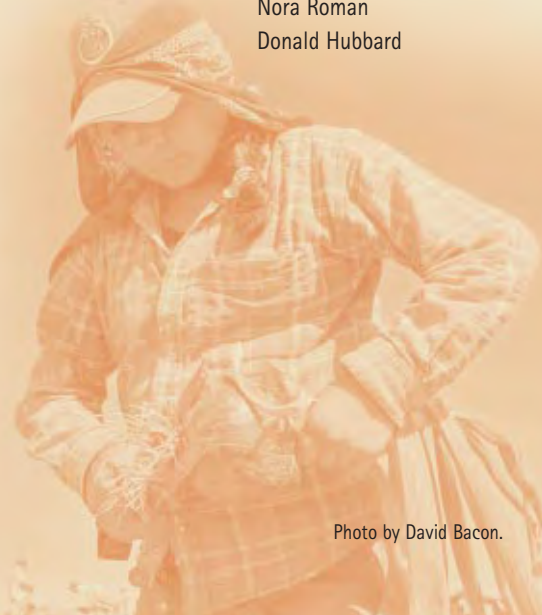


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# CRLA FINANCIALS

**California Rural Legal Assistance, Inc.**  
**Schedule of Support, Revenues, Expenses and Changes in Net Assets**  
*For the year ended December 31, 2005. (With comparative totals for the year ended December 31, 2004)*

	LEGAL SERVICES CORPORATION				State Bar	State Bar	FEDERAL GRANTS						TOTAL	
	Basic	Migrant	TIG	Temporarily Restricted Property & Equipment	State Bar	State Bar	FEDERAL GRANTS			Other Grants	Total Temporarily Restricted	Unrestricted	TOTAL	
					IOLTA	Equal Access	AAA Modesto	HUD FHIP	HUD WTLS				2005	2004
SUPPORT AND REVENUE:														
Grant income	\$ 4,383,712	\$ 2,403,727	\$ 58,448	-	\$ 800,138	\$ 677,053	\$ 244,788	\$ 216,624	\$ 33,938	\$ 1,350,077	\$ 10,168,505	\$ 25,500	\$ 10,194,005	\$ 10,347,278
Attorney fees and cost recovery	19,729	42,874	-	-	-	-	-	-	-	-	62,603	9,000	71,603	394,175
Contributions	-	-	-	-	-	-	245	-	-	-	245	788,287	788,532	364,291
Other program revenue	42,332	41,233	-	-	-	-	-	57	-	1,672	85,294	31,570	116,864	98,353
Total support and revenue	4,445,773	2,487,834	\$ 58,448	-	800,138	677,053	245,033	216,681	33,938	1,351,749	10,316,647	854,357	11,171,004	11,204,097
EXPENSES:														
Personnel:														
Salaries and wages	2,488,985	1,300,209	26,000	-	309,216	479,973	197,017	140,198	22,851	853,598	5,818,047	112,278	5,930,325	5,504,046
Fringe benefits	533,734	208,210	4,485	-	66,966	109,802	40,785	25,077	4,788	162,787	1,156,634	19,271	1,175,905	1,059,030
Payroll taxes	271,604	139,829	2,730	-	31,525	52,271	21,229	14,411	2,327	93,281	629,207	11,310	640,517	669,018
Total personnel	3,294,323	1,648,248	33,215	-	407,707	642,046	259,031	179,686	29,966	1,109,666	7,603,888	142,859	7,746,747	7,232,094
Space and occupancy	384,437	261,184	-	-	48,515	-	34,634	-	-	33,319	762,089	64,997	827,086	835,383
Contract services	32,716	28,868	3,000	-	196,183	-	-	16,099	-	302,085	578,951	104,768	683,719	835,856
Travel and training	120,569	124,712	-	-	11,822	17,762	7,073	14,478	1,726	58,824	356,966	95,188	452,154	562,525
Telephone	116,723	77,945	-	-	16,815	5,274	6,707	-	895	19,904	244,263	4,087	248,350	270,277
Supplies and materials	140,572	81,254	-	-	18,133	648	6,645	-	787	38,742	286,781	81,965	368,746	320,704
Library	173,383	68,686	-	-	13,262	5	2,716	-	-	4,730	262,782	1,789	264,571	242,792
Depreciation expense	-	-	-	39,417	-	-	-	-	-	-	39,417	41,242	80,659	93,199
Equipment rent and related	64,531	35,256	-	-	23,732	-	4,309	-	-	7,025	134,853	-	134,853	180,483
Litigation expenses	56,018	17,408	-	-	6,972	3,509	8	-	397	8,915	93,227	61	93,288	83,854
Insurance	52,986	35,052	-	-	5,884	-	1,908	-	-	455	96,285	36	96,321	109,662
Audit	24,748	16,498	-	-	2,304	-	600	-	-	-	44,150	-	44,150	36,750
Memberships	6,985	4,300	-	-	24,132	1,712	835	-	167	1,928	40,059	487	40,546	43,121
Other expenses	36,139	14,846	-	-	509	85	40	-	-	73	51,692	5,295	56,987	52,506
Total expenses	4,504,130	2,414,257	36,215	39,417	775,970	671,041	324,506	210,263	33,938	1,585,666	10,595,403	542,774	11,138,177	10,899,206
Support and revenue over (under) expenses	(58,357)	73,577	22,233	(39,417)	24,168	6,012	(79,473)	6,418	-	(233,917)	(278,756)	311,583	32,827	304,891
Interfund transfers	(9,103)	-	(93,700)	102,803	-	-	79,473	-	-	(17,290)	62,183	(62,183)	-	-
Change in net assets	(67,460)	73,577	(71,467)	63,386	24,168	6,012	-	6,418	-	(251,207)	(216,573)	249,400	32,827	304,891
NET ASSETS:														
Beginning of year	210,572	36,777	71,648	119,477	4,240	(13,741)	-	(9,217)	-	243,661	663,417	557,067	1,220,484	915,593
End of year	\$ 143,112	\$ 110,354	\$ 181	\$ 182,863	\$ 28,408	\$ (7,729)	\$ -	\$ (2,799)	\$ -	\$ (7,546)	\$ 446,844	\$ 806,467	\$ 1,253,311	\$ 1,220,484

**California Rural Legal Assistance, Inc.**  
**Statements of Financial Position**  
*December 31, 2005 and 2004*

ASSETS	2005	2004	LIABILITIES AND NET ASSETS	2005	2004
<b>Current assets:</b>			<b>Current liabilities:</b>		
Cash and cash equivalents	\$ 1,876,233	\$ 2,323,848	Accounts payable	\$ 136,353	\$ 118,723
Accounts receivable	321,426	42,719	Accrued taxes	355	3,593
Interest receivable	7,180	949	Accrued expenses	27,093	23,053
Travel and salary advances	7,305	7,792	Accrued payroll	119,587	103,302
Grants receivable	178,910	183,806	Accrued vacation	317,644	314,574
Pledges receivable	5,000	-	Accrued interest	737	779
Prepaid expenses	280,168	245,163	Deposits payable	-	350
Total current assets	2,676,222	2,804,277	Deferred income	1,372,786	1,469,101
<b>Noncurrent assets:</b>			Long-term debt, current portion	24,811	23,206
Pledges receivable	35,539	-	Total current liabilities	1,999,366	2,056,681
Restricted cash	25,000	25,000	<b>Noncurrent liabilities:</b>		
Deposits	38,564	38,150	Client trust deposits	492,879	206,672
Other assets	3,531	2,316	Client arbitration funds	25,000	25,000
Client trust funds	492,879	206,672	Long-term debt	782,858	809,126
Total noncurrent assets	595,513	272,138	Total noncurrent liabilities	1,300,737	1,040,798
<b>Property and equipment:</b>			Total liabilities	3,300,103	3,097,479
Land	309,240	309,240	<b>Net assets:</b>		
Buildings	1,202,399	1,202,399	Unrestricted	806,467	557,067
Building improvements	483,108	479,212	Temporarily restricted	446,844	663,417
Leasehold improvements	81,475	81,475	Total net assets	1,253,311	1,220,484
Office machines	571,696	575,305	<b>Total liabilities and net assets</b>	<b>\$ 4,553,414</b>	<b>\$ 4,317,963</b>
Furniture and fixtures	146,354	148,977			
Law library	391,111	391,111			
Total property and equipment	3,185,383	3,187,719			
Less: accumulated depreciation	(1,903,704)	(1,946,171)			
Net property and equipment	1,281,679	1,241,548			
Total assets	\$ 4,553,414	\$ 4,317,963			

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- ☉ Advocate for immigrant civil rights
- ☉ Enforce the right of all children in California to a quality education
- ☉ Guarantee workers receive their wages for an honest day's work
- ☉ Promote health access and health care for low-income children and their parents
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