



CRLA

CALIFORNIA RURAL LEGAL ASSISTANCE, INC.

ANNUAL REPORT 2013

**FIGHTING FOR JUSTICE,
CHANGING LIVES.**



PRIORITY AREAS

CRLA provides a wide array of legal services that directly touch thousands of low-income Californians and indirectly impact the lives of many more community members.

2013 IMPACT AT A GLANCE

Housing



2,903 Cases Closed

Enforcing federal and state fair housing laws; monitoring low-income community redevelopment; code enforcement tenant evictions; providing foreclosure counseling; promoting homeownership; preventing predatory lending.

Labor & Employment



2,224 Cases Closed

Collecting unpaid wages; enforcing minimum wage and overtime laws; upholding health and safety protections; enforcing workers' rights to rest and meal periods; collecting unemployment insurance benefits; fighting sexual harassment in the workplace.

Education



180 Cases Closed

Enforcing students' rights in areas of special education and suspensions/expulsions; guaranteeing access to a free and appropriate public education; monitoring migrant education programs and alternative school placements.

Rural Health



1,806 Cases Closed

Securing public benefits; supporting victims of sexual assault and intimate partner violence; maintaining health insurance, disability and SSI coverage; guaranteeing access to clean water and preventing pesticide poisoning; assisting with ACA applications and needs.

Leadership Development



1,132 People

Conducting training for low-income individuals through the use of an innovative leadership development curriculum; promoting leadership and civic engagement to advance effective self-advocacy in rural communities.

Make our impact even greater, make a donation online www.crla.org

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Our Mission

To fight for justice
and individual rights
alongside the most
exploited communities
of our society.

Our Vision of Justice

A rural California where
all people are treated
with dignity and respect
and guaranteed their
fundamental rights.

Rural LGBT Students Given Hope Through Training and Education



CRLA's Rural Safe School Summits develop young leaders. The Summits expand the leaders' understanding of the legal protections available to LGBTQ youth who want to address bullying.



In a school library, a church basement or a college cafeteria, rural parents of LGBT students learn how to help their children. One parent describes her relationship with her transgender child. Another parent talks about the cruel teasing his child experiences daily in the classroom. One other parent asks what to do when your child feels too scared to go to school.

CRLA addresses these problems and many more

by using our legal services to fight for LGBT student rights. Established in 2007, our LGBT program has touched the lives of hundreds of rural Californians. CRLA works to change the culture of rural places by providing a safe and more welcoming environment for rural LGBT residents.

The LGBT program focuses on helping rural schools develop more inclusive environments, which leads to a better school community for all students. CRLA works with students and parents to require schools and school districts to comply with the law and to give all students a chance to receive the best education possible.

This program developed and designed a daylong conference called *Rural Safe School Summits*, for parents, teachers, students and community members interested in preventing bullying and harassment of LGBT students. In 2013, CRLA held six *Summits* at schools or community partner locations throughout rural California. These forums provided local residents with answers to their



questions about anti-gay bullying and school safety. Participants mixed learning about the legal rights of school-age children with gaining knowledge about local resources to create a community of empowered parents who support their LGBT or LGBT-perceived child. The dialogue and conversation raised awareness about the problem of school push-out of LGBT students. Young people stay in school because informed parents and youth know their rights with regard to bullying, school discipline and truancy. CRLA believes if we empower parents with knowledge and bring them together with other parents, they will become advocates for change in multiple ways, extending beyond just the educational and legal systems. We see this happen as parents become more confident in their ability to help their children.

CRLA's *Rural Safe School Summits* also developed young leaders. The *Summits* expanded the leaders' understanding of the legal protections available to LGBTQ youth who want to address bullying.

Most summits occur entirely in Spanish, with simultaneous translation for the few English speakers in the room. Families often attend to find help when their child is subjected to anti-gay bullying at school. Their powerful stories illustrate the need for CRLA's work



and provide a real life example for *Summit* participants to strategize solutions to keeping children safe at school.

CRLA works with many city, county and state agencies (health, safety, housing, mental health, school districts, district attorneys, offices of Migrant Education, probation and youth probation) in the following counties: San Joaquin, Fresno, Imperial, Yuba, Sutter, Stanislaus, Monterey, Tulare, San Luis Obispo and Ventura. We developed on-going partnerships with the National Center for Lesbian Rights, the Gay-Straight Alliance Network and with various chapters of Parents, Families and Friends of Lesbians and Gays (PFLAG). We recently partnered with new and emerging LGBT centers: the San Joaquin Pride Center, in Stockton, the Bakersfield Gay and Lesbian Center, and the newly-emerging LGBT Center in Merced. ■

CRLA Foreclosure Prevention Assistance



The recent foreclosure crisis hit our client communities extremely hard, inundating our offices with requests for assistance.

Through CRLA's foreclosure work, we have saved our clients \$5 million and helped 785 families stay in their homes.



Rural communities face the challenge of maintaining safe and secure housing.

CRLA addresses this challenge through the Rural Foreclosure Assistance Project (RFAP), with a grant funded by the California Attorney General out of the National Mortgage Settlement Fund, and the Lending Discrimination Component (LDC) of the Fair Housing Initiative, funded by HUD.

Both RFAP and the LDC target low-income, rural communities of color in some of California's hardest hit counties including

the Central Coast and Central Valley. Staff focus on consumers with limited English proficiency and low-wage workers, including farmworkers.

By combining legal services with mapping research and housing counseling, CRLA enforces compliance with the Homeowner Bill of Rights and the terms of the national settlement. CRLA assists low-income consumers affected by foreclosure, while also studying lending and home ownership trends among rural consumers throughout the state.



Suzanna Prior, a grandmother raising her grandson in her family home, had a mortgage with interest-only payments for three years. When the payments were about to rise, Ms. Prior thought she might become delinquent and sought the bank's help to secure a modification. Frustrated by their lack of cooperation and afraid she was about to lose her home, she reached out to the CRLA office in Santa Maria. Five months later, with CRLA's help, she received her modification, which reduced her mortgage payment from \$1,876.75 to \$781.92 per month, included a principal reduction of \$100,000.00, and lowered her interest rate to 2% for the remainder of the loan. Happily, she told her grandson they weren't moving and he could continue to attend the neighborhood school and play on his beloved baseball team.



Pedro Paez first experienced financial problems when his employer reduced his work hours. Then he fell ill from a life-threatening disease. As soon as the problem arose, Pedro and his wife Amelia decided to ask their lending bank for help. When the bank did not respond to their modification request, they sought help at CRLA's Santa Maria office. Because the Paez family cares for their elderly parents and grandchildren in their home, it was important to remain in this home to keep the family together. CRLA's advocacy resulted in a successful modification for the Paez family. The modification offered a reduction of their monthly mortgage payment of \$600.00 and a fixed interest and principal payment. This multi-generational family can remain in their home and continue to care for each other.



Before his death, **Bette Pritchett's** husband refinanced the family home, which had been in her family for generations. After his death, Ms. Pritchett reached out to the bank to apply for a loan modification. Since her name didn't appear on the promissory note, although it did on the deed of trust, the bank wouldn't provide her with any information or offer her any assistance. For as long as she could, Ms. Pritchett continued to make the house payments, selling off equipment from her husband's towing business. Two years passed and they still wouldn't work with her. Ms. Pritchett, a mother and a grandmother, didn't want to lose the family home built by her grandfather. So she sought assistance from CRLA. CRLA successfully negotiated with the bank to allow the modification, which made her monthly payments affordable and allowed her to stay in her home.



When **Cenovio Santos'** wife became ill and required surgery, he stopped working to care for her and their three children. Without earning any income, Mr. Santos fell behind on his mortgage payments to his lender. Mr. Santos had nowhere to turn after receiving notice that his home would be sold, until he heard about CRLA's Rural Foreclosure Assistance Project. CRLA staff helped him successfully apply to his lender for a loan modification, which reduced his monthly mortgage payments almost in half from \$887.00 to \$468.00. The Santos family is once again enjoying the tranquility of their home.

From the Fields to the State Capitol



The story began when California Senate President Pro Tem Darrell Steinberg, sent CRLA a written request for information about, and assistance with, protecting immigrant workers from threats of retaliation.



Antonio Martinez speaks at the hearing

A true story about the role CRLA's Indigenous Leadership Program played in passing SB666, which protects immigrant workers from employer retaliation.

CRLA's Indigenous Leadership Program can now take credit for protecting farmworkers' and low-wage workers' rights. Four Program members delivered moving testimony at the State Capitol, which helped pass Senate Bill 666.

The story began when California Senate President Pro Tem, Darrell Steinberg, sent CRLA a written request for information about, and assistance with, protecting immigrant workers from threats of retaliation. Sen. Steinberg expressed specific concern about employers reporting an employee to immigration authorities for exercising his or her rights under labor laws.

Michael Marsh, CRLA's Salinas Directing Attorney, responded to the Senator's request by accompanying members of the CRLA Salinas Indigenous Comité and graduates of the CRLA leadership training program, Federico Vasquez, Paulino Martinez, Antonio Martinez and Juan Vasquez, to an April 2013 hearing on SB 666 before the California State Senate Committee on Labor and Industrial Relations.

When Antonio Martinez addressed the Committee, he introduced himself first in Triqui, an indigenous Mexican language, then in Spanish. He told the elected officials that many workers know their rights are being violated, but don't complain for fear of retaliation.

The three other Comité Members offered their support for the bill, calling it, "a step in the right direction to prevent the abuse of farmworkers and other low wage workers." Univision television interviewed both Juan Vasquez and Federico Vasquez.

Michael emphasized farmworker retaliation and the chilling effect it has in the workplace and on the industry. He also emphasized the need to level the playing field so honest employers do not feel disadvantaged.

During the hearing, Republican Sen. Mark Wyland asked several questions about the Triqui people and language. He understood the problem that retaliation against workers can cause — permitting some companies to ignore certain rights and laws, and, thereby undercutting law-abiding businesses.



In the photo from left to right are: Margie Estrada (legal aid to Senate President Pro Tem Darrell Steinberg), Juan Vasquez, Senator Bill Monning, Antonio Martinez, Michael Marsh, Paulino Martinez, Senator Steinberg, Federico Vasquez, and Governor Jerry Brown.

The California Chamber of Commerce, the only voice in opposition, presented their chief concern to the Committee — SB666 would subject employers to claims of retaliation simply for requesting and reviewing employee information on USCIS Form I-9. (Federal law requires an employer to request and review an I-9 within 72 hours of employment.) Sen. Steinberg offered to work with the Chamber to address this concern. The Chamber eventually dropped their opposition.

Seven days later, the group returned to Sacramento to testify in favor of SB666 before the Senate Judiciary Committee.

On the long drive back to Salinas, the four men focused on two highlights: meeting Governor Jerry Brown and — equally important — listening to former CRLA Directing Attorney, Sen. Bill Monning thank them in Spanish for their efforts. At first, the

men appeared shocked to hear him speak Spanish during the hearing. Then when he thanked them for harvesting the food we eat and for sacrificing and taking risks to make it to the Capitol to testify on the bill, they felt humbled. Several times on the way home they commented on how reaffirming it felt to hear Sen. Monning's kind words in Spanish...and how they couldn't wait to tell their wives and kids.

When Senate staffers called Michael to tell him the bill passed with bipartisan support (seven to one, with two Republicans voting in favor), they said our farmworker clients' strong statements made the difference. Speaking truth to power once again created systemic change!

Governor Jerry Brown signed SB666 into law on October 7, 2013, and it came into effect January 1, 2014. ■



Veronica Tamayo, CRLA El Centro Community Worker, stands with Gabriel Medina, Jr.

Our El Centro Health Consumer Center helped a 76 year-old, Spanish-speaking man enroll in Medi-Cal, enabling him to access coverage for an urgent medical procedure.

Medi-Cal Assistance for Dire Need



In 2012, 76-year-old Gabriel Medina, Jr. moved from California, where his wife resided, to Texas to live in an extended care facility near his children. When he received extremely poor medical treatment, he contacted his wife to ask for help. Ms. Medina worked quickly to move her husband back home. After an exhausting journey, Mr. Medina went to an emergency room in California to remove his stomach tube.

The emergency room staff referred Mr. Medina to an El Centro doctor, who refused to remove the tube because Mr. Medina couldn't afford to pay for the procedure. Mr. Medina also wasn't enrolled in a California medical assistance plan. The Medinas scrambled to find help at the Imperial County Department of Social Services (ICDSS) and through other government agencies without success. Eventually, they arranged for Mr. Medina to receive Medi-Cal coverage, but he needed to wait 30 days to establish California residency. Mr. Medina's treatment couldn't wait. The stomach tube had developed into a significant health concern.

Desperately looking for answers, the Medinas came to CRLA's El Centro office. "Gabriel came into our office exhausted from both his medical issues and unsuccessfully navigating the California healthcare system," said Veronica Tamayo, a CRLA El Centro Community Worker. "He didn't have 30 days to wait for his benefits to kick-in. Our office needed to help this man right away."

Veronica contacted the program manager at ICDSS and successfully scheduled an interview for Mr. Medina a few days later. After the interview, Mr. Medina immediately received Medi-Cal. He had the stomach tube removed and he receives proper ongoing care. CRLA also helped Mr. Medina enroll in a Medicare Part D plan for prescription medications to keep him on a path to wellness.

"We are very grateful to Veronica and CRLA," said Mr. Medina. "We don't know what we would have done. Now, with their help, we can move forward."

Our El Centro office has worked with hundreds of clients like Mr. Medina. In 2006, CRLA joined the Health Consumer Alliance, a healthcare advocacy program funded by the California Department of Managed Health and the California Endowment. Our Health Consumer Center work contributes to CRLA's commitment to Rural Health. CRLA continues to prioritize Rural Health and helping guide people through the new Affordable Care Act. To date, heroes like Veronica and the El Centro staff have saved clients \$2,762,748 in immediate remedies. ■



Gabriel Medina, Jr. received an urgent medical procedure to remove a stomach tube after CRLA staff in El Centro helped him enroll in Medi-Cal.

CRLA & Parents Fight for a Voice in California's Education System



(left to right) Maria Elena Hernandez, Daniel Sanchez, Maria Torres, Franchesca Gonzalez (CRLA), Virginia Hernandez, Julio Mora, Maria Teresa Herrera, Melvy Hernandez, Cynthia Rice (CRLA), Felicia Espinoza (CRLA), & Maria Sanchez

On September 3, 2013, CRLA leaders from across the state drove from Southern California and the Central Valley to Sacramento with migrant farmworker parents and community members to help them prepare their testimonies for a public hearing.

These dedicated parents and community members drove four to six hours to get to the Sacramento hearing to advocate for changes to the State Parent Advisory Committee (SPAC) regulations and protocols. "Many other parents wanted to comment and attend but were unable to leave work and travel such a long distance," said Franchesca Gonzalez, Director of CRLA's Rural Education Equity Program.

The parents and community members who serve on the SPAC or on their Regional Parent Advisory Committee

(RAC) testified that their Committees have been omitted from the decision and regulation-making process.

"The parents asked Superintendent Torlakson and the Board to expand and better facilitate parent involvement with migrant children's education," said Cynthia Rice, CRLA Director of Litigation, Advocacy & Training.

They argued against the provisions imposed by the Board of Education, which limited, rather than promoted, parent participation through: term limits, poor meeting location choices, limited meeting time and the requirement that requests for interpretation occur two weeks prior to any meeting.

The California Department of Education (CDE) scheduled only one hearing on this topic, in Sacramento, at 9:00 a.m. on a weekday. The parents urged CDE to host hearings about the regulations at other locations around the state where farmworker families live, work and send their children to school. Each witness urged the CDE to start over and issue new regulations.

CRLA staff members asked Superintendent Tom Torlakson to return to the drawing board and develop regulations allowing the SPAC & RAC to do their jobs, as described in the state Migrant Education Act: "participate in the planning, operation and evaluation of the state migrant education program." ■

UPDATE

The California Department of Education (CDE) has not taken any action on the regulations since the parents gave their testimony. The CDE must respond to all of the parents' comments and criticism before adopting the regulations as proposed. They may also send a notice amending some or all of the proposed regulations, which will start a new comment period. They must take some action by September 24, 2014 or they will have to begin the process all over again.

Excluded from Federal Standards, California Home Aides Have Their Day in Court



Demand for home healthcare is growing, but a legal loophole means that many home care workers are not receiving adequate pay.

When you don't know who your boss is, whose fault is it when your paycheck never comes? A California court has just provided an answer to that predicament by allowing a worker to take the county government to court in a wage dispute.

Adelina Guerrero, an aide with Sonoma County's In-Home Supportive Services (IHSS) program, was hired in 2008 to work seven days a week in the home of Alejandra Buenrostro, providing various personal care and housekeeping duties that Buenrostro required as a person with a disability. According to the suit, from early November through the end of January, Guerrero logged about 500 regular hours, plus nearly 90 hours of overtime—but never received a paycheck.

When Guerrero sought to recover her alleged lost wages in court, the county ducked responsibility, claiming that

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By Michelle Chen

because the money for home care is not paid directly to the worker but to the beneficiary, the county government was not technically her boss. By the same token, the county said that it was not legally responsible for complying with federal or state minimum wage and overtime laws.

The suit charges that “Buenrostro had been quietly submitting Guerrero’s time sheets to the county and collecting her paychecks, which totaled more than \$10,000,” according to SF Gate. Guerrero is seeking \$20,000 in damages.

Guerrero’s wage claim is still unresolved, but the California Supreme Court ruled that she

can take the county to court. A jury will ultimately decide her case, based on whether her role in providing services through the county’s Medicaid-funded IHSS Program means that the county can be considered her “joint employer” and responsible for her back pay.

Jeffery Hoffman, an attorney in the case with California Rural Legal Assistance, tells ITT via email that “to make the determination as to whether someone is an employer under federal law,” the court considers various circumstances, including whether the agency has the “power to hire or fire” and “supervision and control over the employee schedules or conditions of employment.”



Hoffman argues that under the IHSS program, “while the County and IHSS Public Authority did not have the exclusive authority to hire and fire providers, they have substantial power over the employment relationship by virtue of their control of the purse strings (i.e. payroll) and their control over the type of system they implemented to deliver IHSS program services.”

The ruling against the county not only allows Guerrero’s suit to move forward, but could also determine the legal rights of an IHSS workforce of about 356,000, which serves 448,000 beneficiaries in California. The program is targeted toward low-income people who are elderly or with disabilities, and may often be the only basis for them to live independently in their communities. The decision—which could also affect other states’ Medicaid programs for in-home care—essentially leaves it to a jury to determine the exact nature of the employer-employee relationship and what the county owes Guerrero for the theft of her wages.





Guerrero's job and her claims of workplace injustice reflect the complex realities of a growing sector of the healthcare system—a multifaceted chain of employment that paid her wages from public funds but had her working in a private home. Like all domestic workers, home care workers—who do everything from administering medicines to bathing patients to providing social and emotional support for homebound elderly—have highly personalized, stressful and often precarious jobs. Their shifts can easily stretch 12 hours or more, and in the cruelest cases, workers can see their wages stolen or overtime go unpaid.

In the booming home healthcare sector, (in which demand is expected to grow by 69 percent between 2010 and 2020), workers face particular barriers woven into federal

labor law. In general, they are technically considered “companions” under the Fair Labor Standards Act (FLSA). Whereas other types of domestic work are covered by minimum wage laws, home healthcare workers remain bogged down by heavily gendered notions that their work does not involve skills that would warrant a decent wage and protections from abuse. In the absence of a federal base wage of \$7.25 per hour, these workers’ rights are generally contingent on state laws; currently they qualify for minimum wage in 21 states and the District of Columbia, some of which are higher than the federal minimum.

Groups like the National Domestic Workers Alliance (NDWA) have petitioned the Department of Labor to change the FLSA rules to extend protections to home health aides, and the Obama administration proposed a rule change in 2011, but has not moved forward with reviewing and implementing it.

Labor advocates say that as the need for home-based health services soars, and more families opt for community-based, in-home services rather than institutions like nursing homes, overhauling the “companionship” exemption would be a long-overdue upgrade of rules written when in-home care was seen merely as friendly help, not a profession

involving a complex set of medical skills and services. (Likewise, the law did not contemplate that this job would become the career of more than one million workers, many of them women, immigrants, and household breadwinners).

In a testimony for the NDWA's Caring Across Generations Campaign, Nancy Salazar, a home aide from the Bronx, explained how her job demands selfless devotion, yet doesn't support her with a livable wage:

I'm okay with the hours, I'm not okay with the wages. I'm not okay with the pay. This is a caring job. This is something that you really have to love to do it. Because you're going into someone's home, and you're trying for them to get used to you. To like you, to trust you. You care about this person you're taking care of.

The proposed reforms face stiff resistance from industry lobbyists, who contend that wages are already sufficiently high and that additional regulation would only push up the cost of care. But employers tend to ignore the cost society pays when workers who provide vital health services can't earn a living wage. Though Guerrero may soon get her day in court, many of her fellow workers are stuck in a business of providing priceless services in our homes, while being denied justice in their workplaces. ■

Meet Our New Deputy Directors



Dan Torres – Deputy Director of New Initiatives and Programs

Dan Torres, has fought for justice his whole life.

Prior to joining CRLA in 2010, Dan worked at the Immigrant Legal Resource Center where he directed immigrant rights campaigns and projects, conducted community and legal education programs and provided technical assistance to legal services and pro bono attorneys. He represented clients as a staff attorney at the CRLA Foundation in Sacramento, worked as a Clinical Instructor at the UC Davis School of Law Immigration Law Clinic and served as a staff attorney for the United States Court of Appeals for the Ninth Circuit.

As CRLA's LGBT Program director based in the Stockton office, Dan grew the Program, in four short years, from a regional farmworker program, into a statewide initiative with national recognition for its civil rights advocacy on behalf of low-income LGBT people. His work with CRLA's U-Visa program has helped many immigrant crime victims remain with their families and loved ones in the United States and access survivor services.

On January 1, 2014, Dan accepted the position of CRLA's Deputy Director of New Initiatives and Programs where he will oversee all programmatic work including the Indigenous Program, the Community Equity Initiative, the LGBT Program and the Education Initiative. Dan also oversees institutional giving efforts.

"I'm really excited to serve as the Deputy Director of New Initiatives and Programs. This is not just a new role for me but a new position for CRLA," said Dan an alumnus of the University of Washington and the UC Davis School of Law. "I am excited about growing our programs and educating our donors about the staff's innovative and successful advocacy efforts."



Marcela Ruiz – Deputy Director

CRLA attorney Marcela Ruiz began her advocacy career organizing hotel workers with HERE, Local 6, in New York. She also co-founded Casa México in New York, a non-profit community center providing services and leading advocacy efforts for undocumented Mexican workers.

Marcela, a Columbia University graduate, returned to her home state of California where she received her law degree from Berkeley Law School.

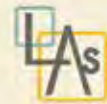
In 2006, she joined CRLA as a Berkeley Law Foundation Fellow and launched the Low-Wage Workers' Project in CRLA's Stockton office, which established wage and hour clinics for low-wage workers in San Joaquin County and expanded basic services and representation of non-agricultural workers. In 2009, she became the Stockton office's Directing Attorney.

In 2011, she became a CRLA Regional Director, overseeing the Modesto and Stockton offices.

"I am honored to serve CRLA and provide leadership to our 23 field offices. I was born and raised in Stockton, where my parents live and where I have chosen to raise my children. My profound connection to this rural community makes my work at CRLA personal," said Marcela. "CRLA's clients are my neighbors, my friends and, at the end of the day, my family. I have a vested interest in improving conditions for my community and avoiding the perpetuation of inequality. I am thrilled to carry out CRLA's strategic vision for years to come, working in concert with our amazing staff."

As Deputy Director, Marcela oversees organizational policies and compliance issues, strategic planning and CRLA's individual giving efforts.

CRLA's Director Receives Two Distinguished Awards



**Legal Aid Society –
Employment Law Center**

Mathew O. Tobriner Public Service Award presented at the 97th Legal Aid Society – Employment Law Center's (ELC) Anniversary Luncheon



MALDEF

The American Legal Voice for Civil Rights in America

Mexican American Legal Defense & Educational Fund (MALDEF) distinguished Lifetime Achievement, Excellence in Legal Service Award presented at the 2013 MALDEF Los Angeles Awards Gala.

“I began my legal career more than 35 years ago; inspired by some of the very individuals with whom I now share this honor. I am grateful and thank MALDEF & ELC for honoring CRLA's work.

This tremendous honor is such a humbling experience and a highlight in my career as a social justice advocate. I am honored to accept awards like this one because I know that it's the work of CRLA and our amazing staff that inspires such accolades. Everyone I work with at CRLA, every client we represent, every donor supporting our cause, they deserve this recognition. ”



José R. Padilla was born and raised in the Imperial Valley by parents who came from farmworker families. When he received his BA from Stanford University in 1974, many Latino students felt the social obligation to give back to the communities that raised them. By deciding to serve his community through legal advocacy, Mr. Padilla attended Boalt Hall School of Law, U.C. Berkeley. After graduation in 1978, he started what has become a 35-year legal career with California Rural Legal Assistance (CRLA) Inc., advocating for the rights of California's farmworker and rural poverty communities. He has been married for 30 years to Deborah Escobedo, a youth law attorney in San Francisco. In 2005, he received an Honorary Doctorate in Humane Letters from Chapman University.

Mr. Padilla co-drafted AB 1382, California's Migrant Education law, which addressed the state's migrant childrens' special educational needs. He also helped to form a low-income credit union, a bilingual community radio station (Radio Sin Fronteras) and an immigration center assisting Central American refugees with

"I am humbled to join individuals like Dr. Mario G. Obledo, Ralph Abascal and Silvia R. Argueta who have also received this award."

- José R. Padilla

political asylum applications. During his tenure, CRLA has seen its service population grow to nearly 30,000 people annually, while also pursuing impact litigation and developing critically important special projects for farmworkers, Indigenous communities, and lesbian, gay, bisexual & transgender communities.

He serves as the Vice-Chair of the Poverty & Race Research Action Council and on the National Legal Aid & Defender Association Board of Directors, where he served as Board Chair in 2008.

Mr. Padilla testified before President Clinton's Commission on Race, the U.S. Commission on Civil Rights and various legislative bodies addressing voting and language rights issues. He received the San Francisco Minority Bar Coalition's Award of Excellence, the California La Raza Lawyers Association's Cruz Reynoso Community Service Award and, in 2000, Stanford selected him for their Alumni Multicultural Hall of Fame. In 2001, the Stanford Haas Center for Public Service selected him as a Visiting Mentor and he delivered the Sixteenth Annual Ernesto Galarza Stanford Commemorative Lecture. In 2001 and 2007, the LA/SF Daily Journal named him one of the "100 Influential Lawyers in California." Mr. Padilla testified before Congress (March 2004) to defend CRLA's controversial advocacy. Hispanic Business Magazine (October 2006) named him one of the "100 Most Influential Hispanics in the United States." The Mexican government awarded him the prestigious Ohtli Award at the 2003 Hispanic National Bar Conference (September 2003) for his services to Mexican citizens in the United States. In 2011, the California Latino Legislative Caucus submitted Mr. Padilla's name to Governor Brown as a potential California Supreme Court Nominee. ■



Cynthia Rice, Blanca Bañuelos, Hon. Cruz Reynoso, José Padilla and Esmeralda Zendejas at the awards presentation



Hon. Cruz Reynoso presents José Padilla with an Award



José Padilla, Hon. Cruz Reynoso and Associate Justice Miguel Márquez

Photos by Legal Aid Society – Employment Law Center

CRLA Forces Negligent County to Comply with State Law



Gretchen Regenhardt,
CRLA Regional Director



In 2013, a homeless man living in San Benito County called the Watsonville CRLA office seeking help obtaining General Relief, a last-resort program for indigent adults not qualifying for other public benefits. California state law requires every county to offer this assistance. When CRLA attorneys Gretchen Regenhardt and Phyllis Katz investigated his request, they discovered an egregious violation of California law.

"I was shocked to learn that the County didn't have a General Relief Program in place," said Phyllis Katz, CRLA Watsonville Staff Attorney. "It's a basic safety net designed to protect residents."

Working with our partner, Public Interest Law Project (PILP), CRLA fought to reform and transform San Benito County's policies on General Relief. Our advocacy required

San Benito County to: **1)** start providing General Relief to eligible residents **2)** seek input from CRLA and PILP about their improved policies to accommodate applicants who have disabilities and **3)** increase the assistance amount to the state mandated level.

"We have a social safety net to help people who have exhausted their options," said Gretchen Regenhardt, CRLA Regional Director. "San Benito broke the law by denying help to those in need. CRLA will monitor the County's process to ensure that San Benito residents aren't left out in the cold."

On April 1, 2014, the Board of Supervisors formally adopted General Assistance regulations for San Benito County where more than 11% of the 58,884 County residents live below the poverty line. ■

CRLA's Finest Featured in UC Hastings's Magazine Profile



Photo and Story Courtesy of UC Hastings College of Law

As a teenager growing up in Bakersfield, Elizabeth Aakhus '11 was determined to get as far away from the Central Valley as possible. "I knew that if I didn't work hard, I wouldn't get out," she says. For the majority of her friends and classmates, this was the case, and it was nearly the case for her. In her senior year of high school, she was suspended; her offense was talking back to a school police officer and refusing to follow instructions. The way Aakhus sees it now, this experience was the exception rather than the rule.

"I got the suspension removed from my record because my parents advocated for me," she says. "That was when I saw the gross disparities in how schools mete out punishment, especially to people who do not have someone fighting for

them. This experience was a key factor in my decision to become a public interest lawyer."

Aakhus enrolled in NYU and went on to UC Hastings, where she took advantage of many hands-on opportunities. She joined two student organizations that offered direct client contact, the General Assistance Advocacy Project and Homeless Legal Services, and enrolled in the Civil Justice Clinic. "In the clinic, I learned how to work one-on-one with clients," she says, "but more importantly, I learned how challenging it can be for people to gain access to lawyers, especially people who are living below the poverty line."

In 2011, she was awarded the Ralph Santiago Abascal Fellowship, a year-long award given to a UC Hastings student to pursue antipoverty and civil rights work. Aakhus joined the Delano office of California Rural Legal Assistance (CRLA), an organization dedicated to improving the lives of the state's rural poor, where she is now a staff attorney. She focused her fellowship on education equity issues, specifically on the disproportionate impact that school discipline has on students of color.

"My challenge has been to make sure that parents and youth know their rights," she says. "Education is such an important way to counteract the effects of poverty, and it's gratifying to help kids stay on track and have opportunities to advance." ■

Update: Aakhus moved to CRLA's Fresno office in November 2013.

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Indigenous Program Celebrates 20 Years of Service



Indigenous Program

CRLA's Indigenous Program provides legal advocacy and educational outreach and supports leadership development in California's rural indigenous communities. Most of California's indigenous farmworkers come from rural areas in southern Mexico, and their population has drastically increased over the past two decades. Today, approximately 1 in 4 farmworkers in California is an indigenous Mexican. Many indigenous community members in California speak unique languages, including Mixteco, Zapateco and Triqui. Rural indigenous farmworkers remain one of California's most isolated, underserved, underpaid, and exploited groups.



1988 Farmworker researcher Don Villarejo conducted a study of indigenous people from the Mexican state of Oaxaca working in California agriculture. The study provided the first look at this group's cultural and linguistic needs and the obstacles they encounter attempting to co-exist in a largely hostile culture.

1992 CRLA staff toured farm labor camps in San Quintin, Baja California, in order to understand the living and working conditions of indigenous Oaxacan farmworker immigrants.

1993 CRLA launched the Indigenous Farmworker Project (now known as the Indigenous Program), hiring its first two indigenous-language-speaking community workers to improve the organization's response to the unique needs of California's growing indigenous farmworker population.

1993 CRLA and co-counsel settled a federal lawsuit against a grower who held Mixteco indigenous workers in virtual enslavement at his Ventura County flower ranch. The grower eventually pled guilty to federal criminal charges in a related prosecution and agreed to pay \$1.5 million in back wages to approximately 300 former workers.

1998 The IP hired CRLA's first indigenous woman to engage in community outreach, expanding our ability to connect with indigenous women who often experience greater cultural and linguistic isolation than their male counterparts.



2000 IP staff first participated in the U.S. Census Complete Count Committee to ensure culturally and linguistically appropriate outreach to indigenous communities. Staff later participated in Census 2010 to help reverse the extreme undercount of California's indigenous farmworkers.

2001 The IP and the University of California Labor Occupational Health Program launched the Teen Agricultural Worker Program, providing students, their parents, and their teachers with workplace health & safety and wage & hour training in Spanish and indigenous languages.

2006 The IP hired its first Triqui-speaking, indigenous community worker, expanding outreach to one of the newest and fastest-growing segments of the indigenous farmworker population.

2009 CRLA and researcher Rick Mines completed the Indigenous Farmworker Study, a three-year effort to document the indigenous population's size, distribution, language characteristics, and living and working conditions. The study continues to provide important data for policy makers, state and local agencies, and service providers. This study updated the 1988 Villarejo Study.

2012 The IP investigated and successfully settled a housing discrimination case on behalf of Mixteco farmworkers whose landlord forcibly removed them from their homes after they requested permission to bring their spouses to live with them. The case, which was settled for \$137,500, provided extensive equitable relief to prevent further discrimination on the basis of sex and family status.



2002 CRLA secured safe, healthy housing for more than 250 Oaxacans in Fresno County who lived next to and on top of a toxic waste dump. IP staff and clients led a coalition of government and private partners that provided cash pay-outs to the families and constructed a 32-unit housing development, creating the largest indigenous Oaxacan homeowner community outside of Mexico.

2004 In partnership with The California Endowment and California Environmental Protection Agency, IP staff designed a toolkit to train farmworkers in the prevention of pesticide poisoning.

2005 CRLA represented more than 80 Kern County residents in one of the largest civil pesticide drift settlements for farmworkers in California history (\$3.4 million). The IP's advocacy helped establish an improved Kern County Emergency Response protocol requiring bilingual personnel and utilizing greater inter-agency communication for pesticide incidents.

2013 CRLA's Salinas Indigenous Community Advisory Committee members and graduates of the CRLA-designed leadership and civic participation curriculum "Tiene Algo Que Decir – Do You Have Something to Say?" testified in Triqui and Spanish before state lawmakers in Sacramento. They spoke in support of bills to increase the minimum wage and to prohibit employers from reporting workers to immigration authorities in retaliation for exercising their rights. Both bills passed and were signed into law. According to senate staffers, our clients' statements proved instrumental in the bills' success.



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Marty Glick: *Arnold & Porter, LLP*

Rob Hallman: *Arnold & Porter, LLP*

Arnold Porter, LLP: *San Francisco and Washington DC offices*



Nine Year Struggle Resolved



Leadership



Housing



Rural Health



Parklawn community residents will finally see the fruits of their nine-year struggle when the long-awaited sewers project is completed in December of 2014. The poor, mostly Latino residents of this unincorporated community in Modesto contacted CRLA in 2004, seeking legal help to fight a discrimination lawsuit. After Stanislaus County spent \$2 million dollars fighting the lawsuit, they settled in 2011, agreeing to give Parklawn much needed sewers. County officials initially decided to pay for the sewers from redevelopment money but when the state dismantled redevelopment agencies, the County turned to federal Community Development Block Grant monies to pay for the first phase of Parklawn's sewer contract. In 2013, Parklawn's dream came a step closer to reality when sewer pipes appeared in their community ready for installation.

But more steps needed to follow. Stanislaus County secured a \$5 million grant from the Clean Water State Revolving Fund

to finish the project. For the first time for such a project, the grant would even cover the sewer connection fees for each lot.

Construction will begin in the summer of 2014, and take 100 days to complete. However, once the County lays the sewer lines, private landowners will still need to pay for the connection from their house to the actual sewer line. Landowners will have to fund their own connection, which could cost between \$3,000 - \$5,000.

Because this could become a roadblock for the predominantly low-income residents, CRLA helped draft conditions into the Financing Agreement that would commit the County to work with residents to help them connect. The County is already developing a program to give landowners access to low-interest loans. The County will also attend monthly community meetings to give information, answer questions, and when ready, provide a one-stop shop where residents can apply for the low-interest loans.

"We want to follow through all the way because that's what our community members expect from us," says Marisol Aguilar, the CRLA Community Equity Initiative (CEI) staff attorney who helped draft the conditions for the agreement.

Soon, Parklawn residents will run water and flush without worrying whether their septic tanks will overflow or how to pay for the frequent pumping. ■



CRLA's Education Work Engages Juvenile Courts and Rescues Vulnerable Youth



Franchesca Gonzalez,
CRLA Rural Education
Equity Program Director

What began in the summer months of 2011, as a community training effort in El Centro, CA, has turned into a robust education advocacy effort and a model for other rural communities.

CRLA Attorney Franchesca Gonzalez collaborated with CRLA alum Hon. Juan Ulloa, Presiding Judge of the Imperial County Juvenile Court, to create a program to educate participants in the Juvenile Justice system. "I observed that we weren't paying attention to our duty to properly advocate for children in the court's care. Franchesca and CRLA offered the passion and knowledge to do something about it," said Judge Ulloa. Franchesca Gonzalez, CRLA Rural Education Equity Program Director, and Judge Ulloa developed a three-week intensive training series in El Centro for all agencies and departments invested in the educational success of youth in the juvenile delinquency and dependency systems.

"I found that social workers, parole officers, school board members and parents were not aware of children's basic rights...and if they (the students) missed out on an education they would statistically become a much larger problem as adults," commented Judge Ulloa. "Franchesca and CRLA planted a little seed, which we hope will grow into an ongoing advocacy mentality."

"We really wanted to give participants simple and clear information about students' rights," said Franchesca. "The seminars increased collaboration among child advocates like CASA (Court Appointed Special Advocates), county counsel, dependency counsel, probation officers, juvenile public defenders and mental health practitioners."

Franchesca noted a case with a successful outcome — a foster youth recommended for expulsion remained in school. CASA worked with the child's dependency attorney and the parent's private attorney to challenge the expulsion recommendation. All parties had attended the three-week training series and appeared together at the expulsion hearing advocating on the student's behalf. "This kind of teamwork and synergy is rare and was practically nonexistent before the juvenile court trainings. We are hoping to facilitate much more education advocacy for court-

involved youth and other vulnerable student groups," said Franchesca.

Seminars and proactive educational approaches to major issues facing at-risk youth in school did not occur in El Centro until CRLA and Franchesca began their advocacy efforts.

"A delicate and consistent proactive approach is imperative to good education work," said Cynthia Rice, CRLA Director of Litigation, Advocacy and Training. "We don't want to force compliance. We want everyone involved with the education process to comply on their own; appreciating our shared interest in ensuring that students and parents have full and equal access to our public school system."

Judge Ulloa was pleasantly surprised by the seminar outcomes: "I feared that attendees would remain in their silos and resist the information, instead they are asking for more." CASA and other youth advocates in Imperial County continue to work together to address educational issues involving court-involved youth using the foundational knowledge they acquired from CRLA's education rights trainings.

CRLA expanded its community education and outreach to juvenile courts in other rural communities, including Ventura County; added additional trainings to its series;



In 2012, Judge Ulloa received the prestigious Benjamin Aranda III Access to Justice Award. Pictured from left to right Brandie Cardenas, Franchesca Gonzalez, Rosia Ulloa, Alex Cardenas (Executive Director of Imperial County CASA), Honorable Juan Ulloa, CRLA Board Chairperson Adrian Andrade, CRLA Executive Director José Padilla, and Luis Jaramillo, former CRLA Deputy Director.

and worked closely with juvenile public defenders in Oxnard to identify and address systemic issues impacting court-involved youth, including language access issues and alternative school placements.

In the coming year, CRLA and Franchesca plan to continue their education work on a state-wide level taking what they learned in Imperial and Ventura Counties and applying it to other communities, including San Joaquin County. The Walter S. Johnson Foundation recently awarded CRLA with a grant to help expand CRLA's education rights training program and provide technical assistance to juvenile court stakeholders in San Joaquin County. ■

Voices From a Zocalo's Public Square



Farmworker women endure many difficulties to support their families. Threats by farmers to call immigration authorities on some complaining workers are implicit and explicit.



We'll Have Impunity In the Fields Until We See the People In Them As Fellow Human Beings

By Michael Marsh

Recent Congressional hearings have focused

much-needed attention on the problem of sexual assault against women in the U.S. Armed Forces. San Diegans are demanding that their mayor resign because of sexual harassment allegations. But where is the public outrage against sexual harassment and assault suffered by women who work in our fields?

To be a female farmworker today is to face the sort of sexual harassment and assault that secretaries and other female office workers faced in the 1950s and 60s. Supervisors create and maintain hostile work environments. Sexual banter, inappropriate touching and hostility toward women are commonplace.

As an attorney for farmworkers, I am frustrated by how little progress we have made in resolving this problem. Years ago, one of my first clients was a farmworker who suffered six months of daily comments by her supervisor about her body. On numerous occasions, he attempted to coerce her into having sex with him by threatening to fire her or have her deported. She lived in constant fear. Finally, finding her alone at the edge of a field one evening, her supervisor raped her.

Ironically, Guadalupe did not come to my office to report the sexual assault. She came with a family law question. Did she have to list the “father’s” name on the birth certificate? The assault had resulted in a pregnancy. Not knowing any of this, I congratulated her on the pregnancy. Only then did she break down in tears and explain that her supervisor had raped her. When I asked her why she had not reported the rape to me earlier, she said she was embarrassed and, in any case, did not think there was anything that could be done about it.

Little has changed. According to one report¹ hundreds, if not thousands, of farmworker women have been compelled to have sex with their supervisors to get or keep jobs, and many others suffer a constant barrage of sexual comments, groping, and propositions for sex. Another survey² found that 90 percent

of farmworker women reported that sexual harassment is a major problem in the workplace. A 2012 report by Human Rights Watch³ states that in most instances the perpetrators of such harassment are supervisors, foremen and farm labor contractors.

Last year, I settled the case of a farmworker who alleged she was raped by her supervisor in a truck at the side of a field at 5 a.m. before the rest of the crew had arrived. Maria had accepted a ride from him because the company van was full.

Farmworker women endure many difficulties to support their families. Threats by farmers to call immigration authorities on some complaining workers are implicit and explicit. The power imbalance is extreme. Workers understand that supervisors have absolute power to discipline and fire workers. And farmworker women often lack information and support to challenge bad behavior.

The root of the problem is that our society has dehumanized farmworkers. When city



Michael Marsh meeting with a client in CRLA's Salinas office.

dweller speed by farmworkers on the highways of California, they do not see people working upright, standing on two feet, eyes focused on the horizon. They see bundles packaged against the sun and wind, hunched over as if on all fours, with eyes focused toward the ground. In short, they see animals, not human beings.

Focus groups of California registered voters organized by the Rural Community Assistance Corporation⁴ indicate that citizens understand that living and working conditions

1 William R. Tamayo. “The Role of the EEOC in Protecting the Civil Rights of Farm Workers” U.C. Davis L. Rev., 1999-2000. 1075

2 Maria L. Ontiveros. “Harassment of Female Farmworkers - Can the Legal System Help?” Women’s Labor in the Global Economy: Speaking in Multiple Voices. Ed. Sharon Harley. New Brunswick, N.J.: Rutgers University Press, 2007. 103edu/rmn/more.php?id=1529_0_3_0 (At peak season, over 440,000 agricultural workers are employed in California. <http://www.calmis.ca.gov/file/agric/ca2009emp.xls>)

3 Human Rights Watch. “Cultivating Fear: The Vulnerability of Immigrant Farmworkers in the US to Sexual Violence and Sexual Harassment” May 2012

4 Jan Matthews/Moore Methods, Inc. “CA Farm Worker Focus Groups” CA Registered Voters December 1999



for farmworkers are extremely substandard. But these same citizens justify the conditions, arguing that farmworkers chose their own lot or, conversely, that these conditions must be an improvement from conditions in Mexico. In any case, so many farmworkers are “illegals,” so what should they expect?

We need to change society’s view of farmworkers. Schoolchildren should learn about the contributions farmworkers make to our economy and society and the problems farmworkers face. An effective media campaign—funded by the agricultural industry and the government—should be launched that educates the public and humanizes farmworkers in the public eye. And while some news organizations—such as the Center for Investigative Reporting, Univision and PBS/ Frontline—have done commendable work on the sexual harassment of farmworker women, more needs to be reported.

Laws must also be enforced.

Protection requires speed, but, right now in California, the federal Equal Employment Opportunity Commission (EEOC) takes a year or more to assign an investigator to a case and another one to three years to complete an investigation. During those long waits for justice, witnesses disappear, especially in a migrant labor market, making difficult cases nearly impossible to prove. Harassers become emboldened.

California employers are required to train supervisors about sexual harassment every two years and to give all employees information about sexual harassment every year. But many agricultural employers fail to provide any meaningful training whatsoever. In Guadalupe’s case, her employer, one of the largest agricultural companies in the world, gave workers a sexual harassment information sheet that was so poorly translated into Spanish that it stated “if you report sexual harassment to your supervisor, you will be retaliated against.”

Maria reported her attacker to the local sheriff, but most women do not report the assaults to authorities. Even when they do, it can lead nowhere. Maria’s attacker was interviewed by deputies but never charged with a crime. The silver lining was that Maria’s victimization and

her cooperation with law enforcement formed the basis for her successful application for a “U” visa, which is granted by USCIS to victims of certain violent crimes who collaborate with authorities to investigate or prosecute those crimes. As knowledge of “U” visas becomes more widespread among the farmworker community, I expect that more farmworker women will come forward to report these crimes.

Our office works closely with a rape crisis organization, medical personnel and local law enforcement. But in many areas, rape crisis organizations are non-existent or underfunded. Lawyers win settlements for victims but do little to address the underlying causes of the problem. Rural law enforcement officers are not as empathetic to the complaints of assault victims as many of their urban counterparts. All this must change.

Farmworker women may not wear our country’s uniform or carry a weapon into battle, but the work they perform is just as important. They deserve equal protection against sexual harassment and assault.

Michael Marsh is the Directing Attorney of CRLA’s Salinas office. He wrote this for www.zocalopublicsquare.org. ■

Cy Pres

What Motivates Kemnitzer, Barron & Krieg's Support for CRLA?



In 2012, the law firm of Kemnitzer, Barron & Krieg (KBK) graciously nominated CRLA for a \$427,000 cy-pres award, which has supported our broad legal service programs. Cy pres awards allow unclaimed settlement funds from class action lawsuits to be distributed to organizations that are most likely to benefit or pursue the interests of the class.

Kemnitzer, Barron & Krieg, a consumer protection firm committed to standing up for all Californians — regardless of race, background, gender, or economic circumstances — chose CRLA because our dedication to economic justice inspired them. “CRLA’s historic work, and the daily effort they put in on behalf of the rural poor, is inspiring to our entire firm,” said Nancy Barron, a partner with KBK. “We know firsthand how Californians can suffer at the hands of big corporations with deep pockets.”

“We really appreciate the state-wide aspect of CRLA’s work. As we know from our own work in more than 30 California counties, rural communities share many and varied challenges. We have been aware of CRLA’s impressive work for decades, so it is an honor to be able to support such an organization. We are pleased that the mission of public interest groups like CLRA can amplify the results of our private class action litigation and change unfair business practices in California,” stated Barron.

“Knowing that friends in the private bar like Kemnitzer, Barron & Krieg will support a public interest law firm like CRLA is deeply meaningful to our organization,” said José Padilla CRLA’s Executive Director. “It’s a tremendous help and allows CRLA to continue to fulfill our mission and advance justice in rural communities. I am proud to call Kemnitzer, Barron & Krieg our friends.”

Bryan Kemnitzer, Nancy Barron and William Krieg have practiced California consumer law since 1984. They back up their efforts to settle cases with extensive trial and appellate experience. They have worked tirelessly over the past few decades to ensure that all Californians are entitled to safe and reliable transportation, truth in lending, fair credit, and access to the civil justice system. All cases are taken on a contingent fee basis and never paid by the clients they represent.

The firm specializes in Lemon Law, Auto Dealer Fraud, Auto Repo (Auto Repossession), Door-to-door Scams, Title Loans, and Unfair Debt Collection. The firm takes many of these cases as class actions and has won back well over \$38 million in restitution for class members and has erased over \$2 billion in alleged debt. Kemnitzer, Barron & Krieg attorneys have significant expertise in all of these areas and embody the firm’s dedication to providing legal services to all Californians. They protect consumers statewide and have offices in Fresno, Los Angeles, Sacramento, San Diego, and San Francisco. Offering their services to people in San José (Santa Clara County), Oakland (Alameda County), Orange County, Contra Costa County, San Bernardino, Riverside, Palm Springs, Moreno Valley, and throughout the Central Valley (Stockton, Modesto, Merced, Fresno and Bakersfield), Kemnitzer, Barron & Krieg is proud to be a part of the California community.

If you are an attorney or law firm representative and are interested in nominating CRLA for a cy pres award or doing Pro Bono work with us please contact Jeff Ponting at jponting@crla.org for more information.

**Kemnitzer
Barron & Krieg**

Dangerous Substandard Housing

Pescadero, California



Farmworkers residing in camps owned and operated by Marchi Central Farms complained for years that they lived with contaminated drinking water, broken appliances, leaking ceilings and pipes, windows without screens, nightly smells from pesticide application in nearby fields, and an army of slugs.

Tenants who complained to their landlord said they were told if they didn't like it they could move. With low-cost housing at a minimum on the coast and in San Mateo County in general, the residents had little choice but to bear the suffering and pay for the repairs themselves.

The County tested the drinking water, found high levels of nitrate, and red-tagged and condemned the buildings. Remaining in substandard dangerous housing could no longer remain an option.

Former farmworker and current CRLA Community Worker Jesus Lopez, along with CRLA Salinas Attorney Lisel Holdenried, helped CRLA take on the case. Lisel, working with Ilene Jacobs and Mike Meuter, Directors of Litigation, Advocacy and Training, ably and successfully defended the farmworkers against the County and the property owners.

Thanks to staff's hard work, CRLA negotiated a settlement, which included a package for damages (\$115,137) and a provision for legal fees, the amount of which the parties agreed would be determined by a judge. The parties attempted to settle the issue of fees prior to bringing a Motion For Fees and Costs, but were not able to agree on that issue, after several months of discussions.

Lisel, in spite of being at CRLA for about three and a half years at that time, prepared her first attorney's fees motion. "This was the first fee motion that had been brought since the 1990's. The threat of attorney's fees can be a big hammer in our advocacy toolbox because liability increases," said Lisel. From the 1990s until 2010, when President Obama lifted the legal restrictions, legal service agencies couldn't collect legal fees. The judge ruled in CRLA's favor and awarded \$149,125.00 in fees and costs. "It's important that law violators know that they can face hefty penalties," said Lisel. "Hopefully that will make them think twice about not following the law!" ■

Financials

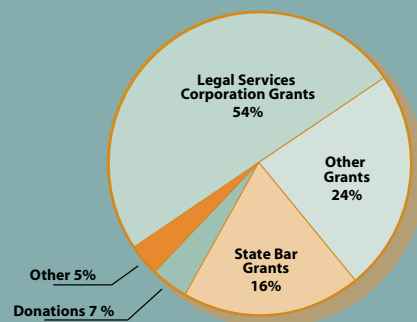


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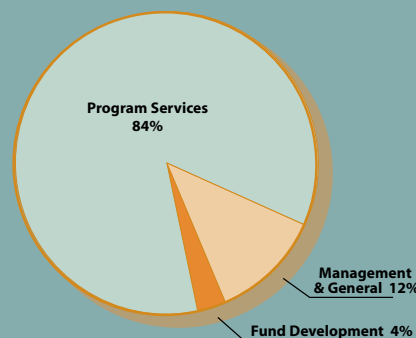
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2013 REVENUE



2013 EXPENSES



STATEMENTS OF ACTIVITIES AND CHANGES IN NET ASSETS

Year Ended December 31, 2013

Year Ended December 31, 2012

	UNRESTRICTED	TEMPORARILY RESTRICTED	TOTAL	UNRESTRICTED	TEMPORARILY RESTRICTED	TOTAL
REVENUE AND SUPPORT						
Grant revenue	\$8,000	\$12,451,595	\$12,459,595	\$14,423	\$11,603,906	\$11,618,329
Donated services	1,821,000	-	1,821,000	1,841,100	-	1,841,100
Attorneys fees and costs recovery	160,915	342,566	503,481	158,746	726,671	885,417
Contributions	854,001	6,000	860,001	264,112	-	264,112
Special event revenue	154,515	-	154,515	156,147	-	156,147
Other revenue	51,187	75,450	126,637	29,690	19,829	49,519
Net assets released from program restrictions	13,077,816	(13,077,816)	-	12,177,096	(12,177,096)	-
Total revenue and support	16,127,434	(202,205)	15,925,229	14,641,314	173,310	14,814,624
EXPENSES						
Program services	13,326,779	-	13,326,779	12,232,442	-	12,232,442
Management and general	2,012,481	-	2,012,481	1,712,126	-	1,712,126
Fundraising	557,994	-	557,994	626,107	-	626,107
Total expenses	15,897,254	-	15,897,254	14,570,675	-	14,570,675
Change in net assets	230,180	(202,205)	27,975	70,639	173,310	243,949
NET ASSETS						
Beginning of year	1,371,248	347,105	1,718,353	1,300,609	173,795	1,474,404
End of year	\$1,601,428	\$144,900	\$1,746,328	\$1,371,248	\$347,105	\$1,718,353

STATEMENTS OF FINANCIAL POSITION

December 31, 2013 and 2012

ASSETS	2013	2012
CURRENT ASSETS		
Cash and cash equivalents	\$2,105,319	\$2,545,020
Grants receivable	490,675	186,428
Pledges receivable	69,808	18,670
Other receivable	39,521	35,219
Prepaid expenses, deposits, and employee advances	417,680	429,689
Other assets	800	445
Total current assets	\$3,123,803	\$3,215,471
NON-CURRENT ASSETS		
Client trust funds	211,760	90,044
Property and equipment	1,213,500	1,243,424
Total non-current assets	1,425,260	1,333,468
Total assets	\$4,549,063	\$4,548,939
LIABILITIES AND NET ASSETS	2013	2012
CURRENT LIABILITIES		
Accounts payable	\$159,149	\$245,654
Accrued liabilities	551,344	901,748
Refundable advances	1,349,299	1,024,546
Current portion of notes payable	48,620	433,024
Total current liabilities	\$2,108,412	\$2,604,972
NON-CURRENT LIABILITIES		
Client trust funds payable	211,760	90,044
Notes payable	482,563	135,570
Total non-current liabilities	694,323	225,614
Total liabilities	\$2,802,735	\$2,830,586
NET ASSETS		
Unrestricted	526,902	341,801
Unrestricted board designated	1,074,526	1,029,447
Temporarily restricted	144,900	347,105
Total net assets	1,746,328	1,718,353
Total liabilities and net assets	\$4,549,063	\$4,548,939

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