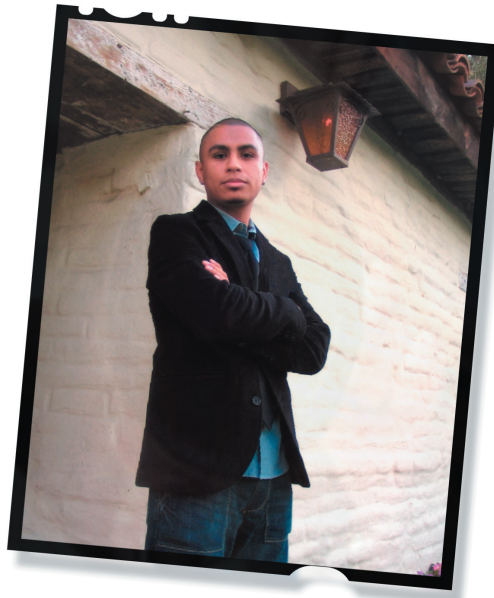


## For Many, the KGACLC is the Door to a New Life

**M**y name is Raman Alcayde. I am 25 years old, and I am starting my life over in the United States. I left behind my country, my family, my friends, and everything I hold dear. I had to do it—the harassment by the police and people from the neighborhood had become unbearable. My crime: being gay in a country where this is hardly tolerated. It all began when my partner and I kissed in a public park, unaware of the chain of traumatic events that our simple, loving gesture would unleash against us. This is my story and how I began a new life, thanks to the Katharine & George Alexander Community Law Center.

There was nothing unusual or special about that day. We simply kissed, but did not realize that a police officer had witnessed our innocent gesture until he grabbed us by our arms and took us to the police station. Once there, the other officers harassed us as soon as we entered the building. One of the policemen pushed us against the wall and a couple of the officers began to frisk us very roughly while making fun of us and calling us all kinds of derogatory names. The police chief was writing the report with the help of the arresting officer, and I told him to “write this down too.” Suddenly, he yelled, “Are you going to tell me how to do my job now, little lady?” He then grabbed his baton and started hitting me. The other officers joined him. The three men hit us on our arms, stomachs, buttocks, and the back of our knees. We both bent down and tried to cower down against the wall in an effort to protect ourselves, but this was of no



use. I was in pain and extremely frightened. I didn't know if they were going to beat us to death, rape us (as they had done to some acquaintances), or kill us, and then claim we were robbed, just as the police had done with that guy outside the nightclub, an event I had actually witnessed some time ago myself.

They said that we had been arrested for “immoral conduct.” I was relieved when a judge finally reviewed the case against us a few hours later at the Public Ministry offices. Surely she would apologize and release us immediately. Much to our dismay, she actually convicted us of “lewd conduct” and asked us to pay a hefty fine or spend two days in jail. The judge did not even ask why my partner and I were so bruised. As she left the room, I shouted after her that this was inhumane and that I was going to tell my story to the press and human rights organizations because homosexuals should not be treated this way. I was enraged, sad, and humiliated. But above all, I was inspired to write about this ridiculous incident so that people would know about the unfairness of the judicial system in my country. I went to our local human rights office and to the police headquarters as soon as I was

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## A Letter from the Director...

It's a great pleasure to send you greetings this holiday season. It's been an exciting year for all of us who work with the Katharine & George Alexander Community Law Center.

Our goals of training Santa Clara University law students for excellence in the practice of law and providing key legal services to low-income individuals in Santa Clara County continue to drive our work. Our clients, most of whom are immigrants and refugees with limited English proficiency and little experience with the American legal system, often face great challenges—not only in addressing their legal problems, but in struggling to survive in a new country.

We at the Community Law Center address these challenges through innovative and creative programs that engage experienced attorneys, support staff, volunteers, and, of course, law students. Over the past year, we've achieved some extraordinary accomplishments, ranging from successes in consumer class action litigation, groundbreaking casework in immigration, refugee and asylum law, and important victories in workers' rights and workers' compensation cases. At the same time, we've served hundreds of clients and community members through our interviewing and counseling clinics and our community education workshops.

Our students are our most vital asset, combining their legal training and experiential learning with important services to our clients. The Center assists over 1,000 clients each year, and the work would not be possible without the dedicated students who enroll in our clinical programs each semester. We also have an exceptionally talented staff, as well as a set of highly dedicated volunteers and Advisory Board members who continue to share their time generously.

One of our employees, long-time receptionist Mary Canela, recently moved out of the Santa Clara County area, and Mariela Rodriguez has joined our staff as our new receptionist. We've also added a number of new members to the Center's Advisory Board in recent months, including Mario Fausto, Jacquetta Lannan, Kim Pederson, and Ruby Wayne.

Professor Cynthia Mertens and Dr. Alan Russell are co-chairing our Leadership Council, an advisory group that is working on expanding the Community Law Center's fundraising in the major donor, corporate, and law firm sectors. A successful reception hosted by Dr. Russell earlier in the year brought in a new set of supporters for the Center. We've also received new funding from foundations such as the California Consumer Protection Foundation and expanded funding from the Silicon Valley Campaign for Legal Services.

In addition, we've received exceptionally generous support from law firms through cy pres awards, which are funds that are generated for charitable purposes through class action litigation in areas such as consumer protection. In particular, through the leadership of Santa Clara law alumnus Niall McCarthy, a principal with the firm of Cotchett, Pitre, Simon & McCarthy, we've nearly surpassed our fundraising goals for the 2006-07 fiscal year, with several months still left in the year.

Of course, ongoing support for the Center remains essential. Like other legal services providers, we face reductions in many governmental and private funding sources, while the legal needs of the community continue to grow. Without your help, we would not be able to accomplish our goals of serving the low-income population of Santa Clara County while also training future lawyers and leaders. We simply cannot thank our supporters enough.

Best wishes for a healthy and happy holiday season.

Angelo Ancheta  
Director & Assistant Professor of Law

## A Door to a New Life (...continued)

released from prison. I filed a complaint and explained the events just as they had happened. I was determined to expose the police and their institutionalized discrimination and homophobia.

My activities did not go unnoticed, especially by the police. I soon started seeing a police car parked outside my parents' house, where I lived, sometimes for hours during the day and night. The officers inside initially would just look at me in a menacing way, and then their harassment became more explicit. They would call my house and watch from their car as I answered. They would insult me and threaten me and my family. Even my mother and step-father became direct targets of these threats and harassment. When I went out, I had the distinct feeling of being followed. One evening, after getting off my bus, I made a calculated decision to take the shortcut in favor of the long way home. Even though it was barely 8PM, it was already dark, and the back alley represented both an opportunity and a risk to my safety. I should have known better. Half-way down the alley, I suddenly saw a police car from which two officers descended. They chased me, caught me and started beating and kicking me very hard. I heard one of them say, "Don't take this personally, but we do enjoy this very much." The other one then said, "Do not mess with the wrong people...you know what we're talking about." This event landed me in the emergency room, and I had to lie in bed for a number of days.

The harassment became unbearable. In spite of my characteristic courage, I must admit that I started trembling every time I saw a police officer anywhere in the city. It became impossible for me to leave my house without feeling terrified. I was so angry about my fear. I did not want to be afraid. This was not fair. I felt that my life was truly in danger, so I decided to leave. Leaving my city was

not enough—I had to leave the country. I had heard recent news that an acquaintance of mine had been killed elsewhere in our country because his role as an activist had offended some powerful people.

Even after I left, my mom and step-dad were forced to move elsewhere



**Raman Alcayde (middle) with his parents during the KGACLC's annual celebration in October, when Raman won the Courage Award (p.6)**

in the country because my absence did not stop the police from harassing them.

I came to San José towards the end of 2004. I felt alone and destitute, but at least I did not feel threatened. I still had my dreams of pursuing the fashion career I had started in my country, or perhaps studying anthropology or sociology, my life-long passions. After I told my story to an acquaintance, he mentioned the possibility of seeking political asylum in the U.S. I quickly discarded the idea, thinking that such status was only reserved for persecuted politicians. However, after I learned about the KGACLC, I decided to attend one of its immigration clinics to see about my status in this country. I worked with law student Merrill Hoult, who clearly loved her job. I was immediately impressed by the level of professionalism, competence and respect that she offered me. After the initial interview, I was told that my story had

all the ingredients for a political asylum case. I was amazed, and once the Law Center decided that it could take my case on a full-representation basis, my work with Merrill became a race to meet a fast-approaching Immigration deadline.

From the very beginning, Merrill, Lynette Parker (my attorney), and Margarita Sandoval (Lynette's legal assistant) treated me like a friend and a partner in an important project. This was very important to help me salvage the dignity I had left behind in my own country. Having no financial resources, I was relieved to see that their motivation was simply to help me, not to earn a high fee from me.

Today I have a work permit and a social security number. I am working and plan to attend school (my ultimate goal is to one day attend Santa Clara University). I am still waiting for a response on my case from Immigration. And although I still have the ghosts from my past (I still tremble in fear when I see a police officer), my will to pursue my dreams is much stronger. Thanks to the Katharine & George Alexander Community Law Center and its team of dedicated individuals and students, I am able to put all my fears behind and look towards the future with confidence, pride, and hope.

**Raman Alcayde**

# KGACLC Students and Alumni In the Community



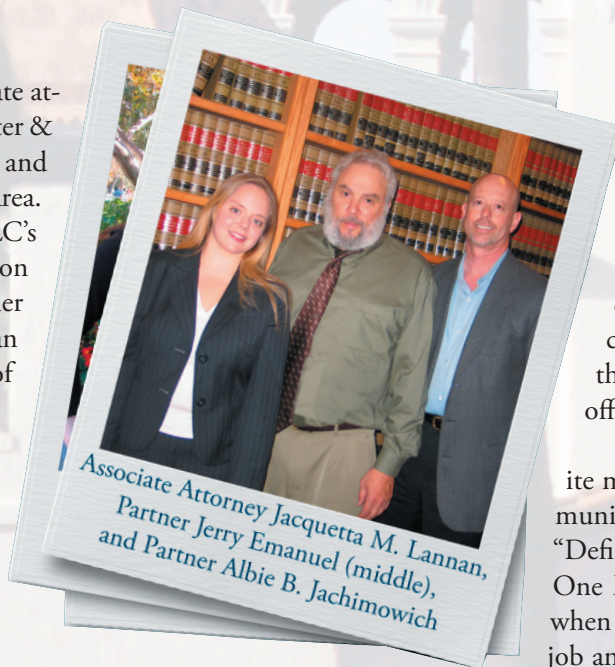
Deena Smith

During her second year of law school, Deena Smith '07 took the Workers' Rights Interviewing and Counseling course at the KGACLC, where she worked on mock negotiations, arbitration briefs, and discovery. In this course, lawyers from the community come in to observe, critique, and improve students' skills. Deena took this class to expand her knowledge and interest in employment law. During that time, she participated in the Public Interest and Public Sector Day, which is put on by local law schools at the University of San Francisco. She interviewed and shared her KGACLC experiences with a non-profit organization, Equal Rights Advocates, which offered her a summer job as a law clerk. There she helped run the advice and counseling line. After discussing the cases with her supervising attorneys, she would call clients back with advice on the things needed to file a claim or with referrals to other agencies. Deena used the same skills she developed at the KGACLC, which she found to be an asset during her summer position.

Deena is currently taking the Skills II course in Workers' Rights, which is a smaller class that focuses on real-world issues and encourages students to discuss cases with one another. She is currently preparing a brief for a civil case that goes to jury trial in February 2007. In addition, Deena has a part-time job at an employment law firm. She obtained this job through one of the KGACLC volunteer attorneys. During one of her clinics she mentioned how she wanted to obtain more experience in employment law, and the attorney said he could use some help on a sexual harassment case and offered her a position. Not only did Deena learn valuable legal skills by working at KGACLC, but she also found a summer and part-time job through her contacts in an area of law that she greatly enjoys.

Jacquetta M. Lannan '06 is an associate attorney at Hinkle, Jachimowicz, Pointer & Emanuel, one of the largest criminal and personal injury law firms in the Bay Area. Having participated in the KGACLC's Workers' Rights, Workers' Compensation and the Consumer clinics throughout her law school years, she logged more than 100 client interviews and hundreds of hours of legal work. Her work at the Community Law Center allowed her to work under the supervision of several volunteer attorneys, three of whom offered her part-time jobs throughout her law school years to help her supplement her work experience and income.

She says that her current work is challenging, but very familiar now, thanks to her previous experience. She maintains that "the firm's size is ideal because all the other attorneys are a great resource to continue growing." One of her main



Associate Attorney Jacquetta M. Lannan, Partner Jerry Emanuel (middle), and Partner Albie B. Jachimowicz

responsibilities is to interview potential employment law clients. This involves careful listening, discerning important legal issues, assessment of clients, diligent follow-up, and eventual participation in the cases—all skills that she honed at the KGACLC and the other law offices.

When asked about her favorite memory of her work at the Community Law Center, she responded, "Definitely my clients—all of them. One lady in particular, Noreen, cried when I told her I was getting another job and wouldn't be able to work with her anymore. I became sad when I realized how much I'd miss her and my other clients. For this and many other reasons I think that the Community Law Center was the most rewarding experience I had while in law school."

# Tapping the Established Professional Network

Rebecca Andrews '06 is now an associate attorney at the Law Offices of Bernadette W. Connolly, thanks in part to her experience at the Katharine & George Alexander Community Law Center.

Prior to law school, Rebecca worked for a semiconductor company in business immigration. Although she had some experience in this area, she initially thought she would pursue family law. Rebecca ultimately decided family law was not the right fit, and decided to explore other areas. She took an immigration advice clinic at the KGACLC, and fell in love with it. Working with people face to face, meeting families from other countries, and feeling as though she was making a difference by helping people has made immigration law an area in which she enjoys practicing. One of her favorite moments at the KGACLC took place last December, when Rebecca's political asylum client and the client's four-year-old granddaughter came by the Law Center to sign their asylum applications. "As my client was signing, I remember feeling so happy knowing that they were safe in this country, away from their persecutors, and knowing that I was doing something meaningful to try make their safety permanent. You cannot compare that feeling to anything!"



Immigration Attorneys  
Rebecca Andrews (left) and  
Bernadette A. Connolly

Finding her calling, Rebecca decided to take more classes in the immigration law area. In addition, she did an externship at the San Francisco Immigration Court, working in the Executive Office for Immigration Review. Her mentor in law school, Lynette Parker, one of the supervising attorneys at the KGACLC, eventually referred her to the immigration law firm where she is currently working, the Law Offices of Bernadette W. Connolly. Located on the Alameda, this dynamic firm specializes in family-based immigration, naturalization, deportation defense, federal immigration related appeals, asylum, VAWA, and permanent residence cards. In addition, Connolly regularly volunteers her time and expertise during the KGACLC's immigration clinics.

Rebecca greatly enjoyed her experience at the KGACLC. She feels that "this was an important stepping stone in my law career, and it is also a great way to get experience in other areas of the law such as employment, consumer, and immigration law. I highly recommend it to all current SCU law students."

Valerie Marvin '07 signed up for the Consumer Skills I class in the Spring of 2006. Under the supervision of Attorney Scott Maurer, she worked on consumer-related cases at the KGACLC. Interviewing clients, doing legal research and writing demand letters, were all part of her tasks at the Community Law Center. The following summer, she obtained a summer internship at Cotchett, Pitre, Simon & McCarthy, a law firm in San Francisco that focuses exclusively on litigation and whose dedication to prosecuting or defending socially just actions has earned it a national reputation. Her summer job in turn led to a part-time job at the firm as a legal clerk, which she now performs while completing her law degree at SCU. Focusing on lending issues, some of her current responsibilities include legal research and assisting in the preparation of briefs and memos. Thanks to the Law Center, Valerie says, her current work is much more familiar. "The Community Law Center gave me the first exposure to the actual practice of law, and I really appreciate that, especially now that I'm doing actual legal work in a very prominent firm," she says.

"My participation in the Community Law Center was by far the best thing I did while in Law School. There's just nothing that compares to working with real clients on real issues, and this has served me well in my everyday work at the firm," Valerie concludes.



Valerie Marvin

# The 9th Annual Community, Commitment & Courage Celebration

The KGACLC hosted its 9th Annual Community, Commitment & Courage Celebration on October 5, 2006, on the SCU campus. As in previous years, this was an opportunity to honor the exemplary firms and individuals whose gestures and contributions inspire the KGACLC to reach new heights in the accomplishment of its mission. The Eric & Nancy Wright Award has been added to the traditional awards in order to recognize a Law Center staff person who consistently goes beyond the call of duty in their daily work. The plaques presented to them read as follows:

## Community Award:

*Cotchett, Pitre, Simon & McCarthy*

For your dedication to consumers and to vindicating the rights of individuals throughout California and the nation. This dedication has extended to important support for the Katharine & George Alexander Community Law Center, and your exceptional leadership has enhanced the ability of our programs to provide legal services to communities in need.

## Commitment Award:

*Kimberly Pederson*

For your dedication to your clients. Thank you for all of your hard work and your firm belief in access to justice for all. Your commitment to serving the community has made a difference in the lives of many.



Kimberly Pederson  
(holding plaque)



Raman Alcayde (holding  
plaque) and Lynette Parker  
(right in red)

## Courage Award: *Raman A. Alcayde*

For your courage and strength. You spoke out against injustice. You stood up for the rights of others, even when it put your own life in danger. Your courage is an inspiration to all of us.

## Eric & Nancy Wright Award: *Lynette Parker*

For your humble willingness to share your expertise, knowledge, and wisdom as a recognized expert and resource in immigration law, not only within the Community Law Center, but also on a regional and national level; for your passionate devotion, your endless compassion, and your tireless endeavors in every case you handle; for the patience and dedication you always show towards your coworkers, your students, and your clients. You are a pillar for your colleagues, an inspiration for your students, and a savior for your clients.

The KGACLC is proud and honored to work with such a talented, dedicated, and professional group of individuals. On behalf of our clientele, thank you!

## Cy Pres Awards Provide Key Support for KGACLC

Through the exceptional leadership of SCU law alumnus Niall McCarthy, a principal with the firm of Cotchett, Pitre, Simon & McCarthy, the Community Law Center recently received a cy pres award of nearly \$700,000 to support its ongoing legal work. Cy pres awards are drawn from funds that are created in class action litigation and designated by the court for charitable organizations, consistent with the goals and purposes of the litigation. Cy pres awards are common in

consumer protection litigation—a key area of work for the Community Law Center.

The award of \$694,291 came through class action litigation that involved a \$14 million verdict against Old Republic Title Company in San Francisco Superior Court.

“Cy pres awards are a critical source of support for the Center,” says Angelo Ancheta, KGACLC’s Director. “They’re very useful because they often

have few restrictions on their use, which enables us to help many clients who might otherwise not receive our services.”

Professor Ancheta added, “We’re especially grateful to Niall McCarthy, who has generated several cy pres awards for the Center in recent months.”

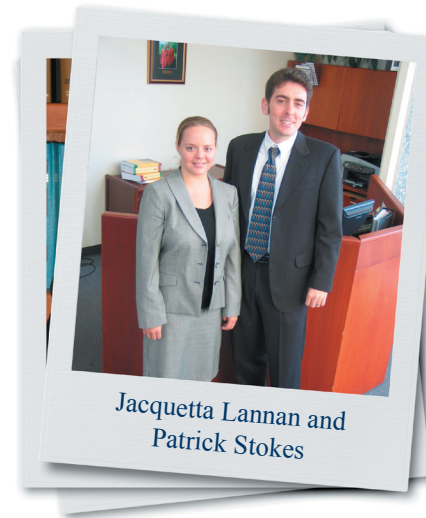
## Some of Our Cases This Year...



Rachel Sievert '08 has been diligently working on behalf of Mr. P, who sustained injury to his eyes as a result of exposure to fumes and noxious vapors while working as a dishwasher. Although his vision has not been affected (thus resulting in a finding of no permanent disability), he has complaints of ocular irritation, foreign body sensation, light sensitivity, and headaches. He has also been advised to discontinue his employment as a dishwasher.

Rachel and her client rejected a settlement offer made by the workers' compensation insurance carrier. She is attempting to broaden the definition of "disability" under the newly enacted workers' compensation law, by analogizing his problems to other recognized factors of disability.

Jacquetta Lannan '06 and Patrick Stokes '07 successfully settled a wage and hour claim for \$15,000. Mr. O attended the Workers' Rights Clinic in February 2005 seeking help in obtaining unpaid wages. He explained that he was employed by a construction company as a laborer and assistant to the manager. The employer paid him a salary for his forty-hour work week, but did not pay him for hours he worked on Saturdays. The employer, a California corporation, appeared with counsel at the hearing before the Labor Commission. Student Ian Silvers '06 represented Mr. O and obtained an award of overtime, interest, and penalties. The employer appealed the Commission's decision to the Superior Court. Jacquetta and Patrick prepared the case for trial with the assistance of their supervising attorney and volunteer attorneys from the local bar. On the morning of trial and with the assistance of the judge, the employer agreed to pay Mr. O \$15,000, which represented all of his unpaid overtime wages.



Student Jaya Badiga '07 successfully assisted her client in getting medical care and temporary disability payments. Mr. L worked full time as a painter. However, he did some moonlighting on the weekends for another painting contractor. While working at this part-time job, he fell from a ladder and broke his elbow. The contractor did not have workers' compensation insurance. This left Mr. L without any means of obtaining medical treatment and without any disability payments while unable to work. Jaya, in concert with the Uninsured Employers' Benefit Trust Fund, has been successful in getting the employer to underwrite his medical expenses and to agree to pay disability compensation.

Merrill Hoult '07 worked tirelessly on the cases of non-residents Ms. A and her mother and sister. Ms. A, a minor, was raped and prostituted by her father. She and her mother informed law enforcement, and Ms. A bravely appeared in court to testify. For her courage and cooperation, Citizenship and Immigration Services granted Ms. A, her mother and sister lawful status and work authorization for her mother. Ms. A and her family continue to receive counseling and assistance as they rebuild their lives.





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