

## KGACLC Attorney Scott Maurer Honored

On October 30, 2007, KGACLC Consumer Rights Attorney, Scott Maurer, received the Darryel Nacua Award during the Watsonville Community Law Center's Fields of Justice Ceremony. The award, in honor of the late field-worker-turned-public-interest-attorney, is intended to recognize a deep commitment to achieving access to justice, particularly on behalf of low income individuals -- a goal pursued by the Watsonville Law Center itself.

In awarding this honor, Dori Rose Inda, the Watsonville Law Center's Executive Director, cited Maurer's role as an exceptional consumer advocate throughout his legal career. As proof of his impressive record, she cited Maurer's free legal advice to over 900 low-income consumers through his career at the KGACLC, and hundreds more through his volunteer work with the Silicon Valley Law Foundation, the Pro Bono Project, San Mateo County Legal Aid, The East Palo Alto Community Law Center and the Watsonville Law Center. She also mentioned Maurer's direct representation in individual claims to 335 low income consumers, obtaining \$851,000 on their behalf, as well as his litigation in four

major class actions reaching over 8,640 consumer class members and obtaining \$1,106,000 on their behalf. In each of these cases, Maurer ensured, through injunctive relief and monitoring, that the defendants changed their business practices to no longer take advantage of vulnerable consumers.

"Maurer's achievements acquire a more impressive dimension when one considers that he has achieved all this while teaching at Santa Clara University School of Law," said Inda. She was referring to Maurer's courses on Consumer Law on campus and at the KGACLC.

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Scott Maurer receives the Darryel Nacua Award from Dori Rose Inda during the Fields of Justice event.

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## A Letter from the Director...

It's an honor and a pleasure to send you greetings this holiday season. This year has been an exceptional one for all of us who work with the Katharine & George Alexander Community Law Center.

Our work is driven by the two important goals: training Santa Clara University law students for excellence and leadership in the practice of law, and providing much-needed legal services to Santa Clara County's low-income residents, many of whom are immigrants with limited English proficiency and minimal experience with the legal system.

Our clients often face extraordinary challenges, not only in addressing legal problems but often in surviving in American society. We at the Community Law Center confront these challenges through creative programs that draw on experienced supervising attorneys, staff, volunteers, and Santa Clara University law students.

Over the past year, we've achieved some amazing accomplishments, ranging from successes in consumer class action litigation, groundbreaking casework in immigration 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. Some of their stories are featured in this issue of the newsletter.

Our students are, of course, our single most important asset, combining their training and experiential learning with vital services to our clients. We annually assist over 1,000 clients, and the Center's work would be impossible without the dedicated students who enroll in our clinical classes 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 with the office.

We recently added a new position at the Center to help with much-needed services in the workers' rights area. Irene Cermeno, a graduate of Santa Clara University, has joined our office as a bilingual legal assistant, and we welcome her to the Community Law Center family. As featured in this newsletter issue, one of our supervising attorneys, Scott Maurer, was recently honored by the Watsonville Law Center for his exceptional accomplishments in the consumer protection area. His work is typical of the outstanding work performed by our dedicated attorneys and staff.

During the past year, the Center fundraising efforts have continued to grow, with new sources of funding adding to our support from government, foundations, individuals, law firms, and litigation-related dollars. We've received expanded funding from the Silicon Valley Campaign for Legal Services, a fundraising campaign for legal services organizations in Santa Clara County, and we continue to receive generous support from law firms through cy pres awards, which are funds that are generated for charities through class action litigation in areas such as consumer protection.

Innovative fundraising efforts, including ones by third-year law student J.T. Service, who recently competed in the U.S. Olympic Trials for the marathon, have generated new sources of income for the Center. J.T.'s work on the "Swift Justice" campaign has been inspirational to all of those who have participated, whether as runners, supporters, or donors.

Of course, ongoing financial 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 community members continue to grow. Without your assistance, we would not be able to accomplish our goals of serving the County's low-income population and 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



Scott Maurer (lower, left corner) with former KGACLC students.

Having actually worked under Maurer's supervision while taking one of his courses at the KGACLC as an SCU law student, Inda said that "once he lights that fire and hunger for justice in you, he teaches the legal skills needed to research, write, interview, communicate and advocate with excellence." According to Inda, "he also teaches busi-

## Scott Maurer's Award...continued

nesses that if they abuse the law and the public to acquire an unlawful profit, they will have to pay it back, they will be brought to justice and they will be forced to change their practices." Inda went on to say that "he exemplifies the pinnacle of professionalism in all of his work and is held in the highest regard by students, colleagues, co-counsel and opposing counsel alike. When I was a law student, he set the course of my legal career and of this [Watsonville] Law Center, as he has done for so many other students." His plaque reads: "For his commitment to consumer justice for agricultural workers and other low-income individuals by providing advice to thousands, representation to hundreds, and building an army of consumer advocates." Congratulations to Scott Maurer on this well deserved award.

**About Darryel Nacua:** One of six children born to an immigrant family of Filipino and Mexican descent, Darryel

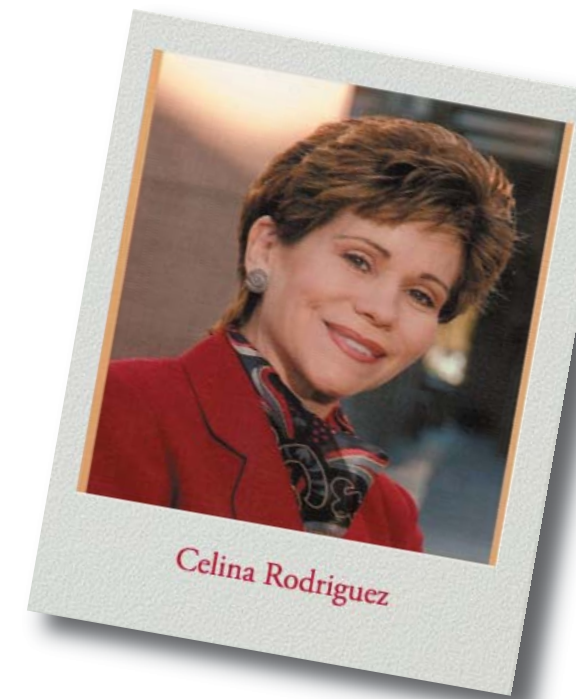
Nacua worked in fields and canneries to put himself through college and law school. He practiced public interest law for 24 years, the last 22 at Legal Assistance offices in Santa Maria, Gilroy, Salinas, Santa Cruz and Watsonville. He went from fieldworker to lawyer and went on to labor tirelessly for others to have that chance. He died on June 4, 2004.

**About the Watsonville Community Law Center:** The Watsonville Law Center serves a predominantly low-income, agricultural community, and focuses on providing services related to worker's compensation, consumer fraud, economic justice, and barriers to employment. The WLC delivers its services through one-on-one consultations, drop-in advice clinics and direct representation. Services are available to all low-income residents of Santa Cruz, San Benito and Monterey Counties. Services are available in Spanish and English.

## The KGACLC Goes Airborne

KGACLC Attorneys and Spanish-speaking radio station *1370 AM La Caliente* collaborated earlier this year during eight radio shows discussing Consumer Rights, Immigration and Workers Rights. Located in San José and reaching most of Santa Clara, Monterey and Alameda Counties, *La Caliente* is in a privileged position to engage the Spanish-speaking population in these geographical areas. The station's morning news show, *Noticias y Más con Celina Rodriguez*, has a large following of listeners who tune in to hear the news as the host, Ms. Rodriguez, weaves in relevant subjects as explained by invited experts. "We go way beyond the news, which explains the name of the show, 'News and More,'" says Rodriguez. She is very well known regionally, due to

her previous role as a Spanish TV news anchor and for her continuous involvement in the community. She continues her involvement by addressing pressing issues for the Latino community during her daily radio show. So when Sergio Lopez, Communications Specialist at the KGACLC, contacted her about the possibility of striking a partnership for the dissemination of legal information through the radio, Rodriguez became immediately interested. In the first half of 2007, *La Caliente* and attorneys from the KGACLC transmitted four 15-minute informational sessions on immigration, one session on consumer matters, and three sessions on Worker Rights and Workers Compensation, for a total of eight sessions. Typically, during the first



Celina Rodriguez

five minutes the attorneys give general legal information on the subject, and the rest of the time is dedicated to answering questions from callers.

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## A Personal Perspective on Our Cases



KGACLC student, Hillary Steiner  
Class of 2008

**M**y name is Hillary Steiner and I am a 3L student at Santa Clara. Having taken the Skills I course at the KGACLC last semester, I decided to enroll in the Skills II course this semester, working on Immigration cases under the supervision of Attorney Lynette Parker.

I have been working on two cases that have been tough,

both emotionally and in terms of the complex legal work involved. One case centers on obtaining legal status for a victim of human trafficking; the other involves obtaining asylum for our client based on her membership in a particular social group. I started the trafficking case from scratch last semester, researching the law, interviewing the client, writing her declaration and completing all the forms for a visa as required by the Department of Homeland Security.

I inherited the asylum case from a previous student, and I was fortunate enough to use her work plus my own leading up to representing the client before an immigration judge in San Francisco, which ultimately resulted in a grant of asylum for the client and her daughter. Throughout the semester, I researched current country conditions, prepared the client for direct and cross examination, and drafted and filed a supporting brief with the court for the judge's review. The hearing was both exciting and nerve-wracking. I remember thinking before the hearing that "this is it; this is what my experiences at school and at the Community Law Center have prepared me for."

Indeed, all my work at the KGACLC has given me an exposure to a practical education that is truly invaluable. It has also allowed me to give back to the community by helping clients who would not be able to afford these services otherwise. There is a real, human element in the experience you gain at the Community Law Center. You learn to have that face-to-face contact that is so important, and you learn how to explain the law objectively to clients while remaining sensitive to the clients' situations and emotions. Much of the learning comes from the feeling that you "own your cases" - your commitment has a direct bearing on the outcome of the client's case, but the benefits to your legal education and to your client's legal situation are worth the commitment.

Hillary Steiner, Class of 2008

# Some of Our Cases This Year



## Immigration

**A** KGACLC student worked assiduously on behalf of her client, who was the victim of a violent crime in the United States. Her client was doused with gas and set on fire. The client has cooperated with law enforcement in the investigation and prosecution of the crime, which allowed him to apply for a U visa as a victim of a crime. He now has legal status and permission to work lawfully in the United States.

**C**ommunity Law Center students prepared, filed, and followed-up on a self-petition under VAWA and an Application for Adjustment of Status to Lawful Permanent Residence for the battered wife and stepson of a U.S. citizen. The wife was severely abused physically and mentally by her U.S. citizen spouse. His emotional abuse included threats to pour acid on her face and otherwise harm her. The USCIS Vermont Service Center approved her self-petition based on the abuse she suffered. The US Citizenship and Immigration Services (USCIS) office in San José has approved her permanent residence and her son's permanent residence so that both may begin to rebuild their lives.

## Workers' Compensation

**M**r. L was a day laborer who sustained an injury to his finger while gardening. The injury occurred while using a gas powered lawnmower. He was taken to the hospital by his employer, but was not provided with workers' compensation benefits. A KGACLC student wrote a petition requesting benefits and

This was a productive year for the Community Law Center, its students and its clients. Ideally, we would like to describe every case and give due credit and recognition to all the students who made a great difference in the lives of their clients. Since that is not possible given the confines of this small article, we present a small sample of cases that provide a glimpse into the nature of the work performed at the KGACLC. We thank all of our students for their dedication, their commitment, and their hard work.

## Consumer Rights

**M**r. D and his wife purchased a computer system from a door-to-door salesman after a high pressure sales pitch in their home. The finance company provided a monthly payment figure but failed to disclose that Mr. D and his wife would have to pay over \$1,000 in interest over the life of the loan. Students at the KGACLC filed a class action suit against the computer company and the

finance company. Mr. D and his wife received \$5,000 and the class received \$690,000 in cash and over a million dollars in debt relief. The Law Center also obtained an injunction against the computer company.

**M**r. V is a Spanish speaking immigrant who was defrauded by a local car dealership. When Mr. V came to

the Community Law Center, the finance company had already obtained a default judgment against him in the amount \$12,186. Students at the KGACLC successfully moved to have the default judgment set aside based on improper service. The Center also helped Mr. V to not only have the case against him dismissed, but to obtain a settlement of over \$4,000 from the dealer.

## Workers' Rights

**M**s. M was employed by a large electronics corporation in Silicon Valley for 36 years. Her position brought her into contact with numerous chemicals and required her to routinely lift 40 pound containers. Unfortunately, in March of 2006, Ms. M was diagnosed with breast cancer. After receiving treatment, she was cleared by her doctor to return to work with restrictions, including light lifting and no work with chemicals. Her employer refused to return her to work. Ms. M filed a claim of discrimination with the EEOC alleging that the employer had failed to reasonably accommodate her disability. In June 2007, a student at the KGACLC undertook Ms. M's representation in mediation with the employer. Through the assistance of the

EEOC mediator, the KGACLC student was able to resolve the claim for Ms. M, obtaining approximately \$14,000 in cash, in addition to other benefits.

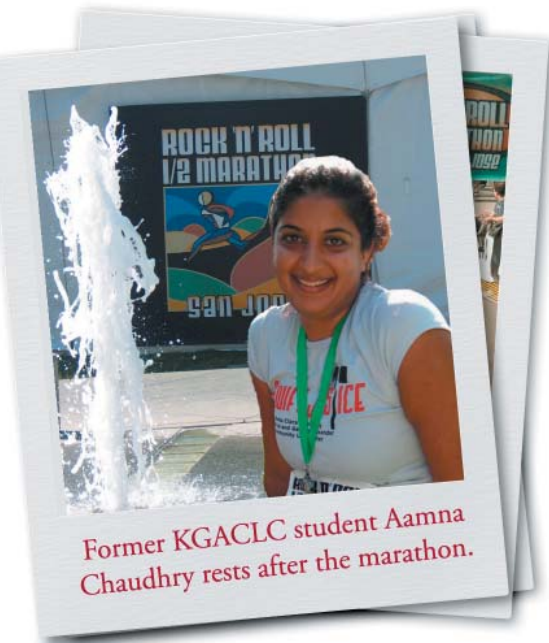
**M**r. F, a 17-year-old from Central America, was employed as a construction laborer to work on a home remodel. Initially, the employer, an unlicensed contractor, paid him in cash on a regular basis. However, as time went by, he was paid only part of his earnings and sometimes nothing at all. He sought the assistance of the Community Law Center in collecting his unpaid wages. Students at the KGACLC interviewed Mr. F. They then prepared and filed a claim with the Labor Commission for unpaid wages, overtime, and penalties.

asking that the outstanding medical bills to be paid. The parties agreed to settle the case for \$9,877.10.

**M**s. R was a nanny and housekeeper. She sustained an injury to her arm in the course of performing her duties. After the injury, Ms. R received medi-

cal attention, but was not provided with timely workers' compensation benefits. Her employer promised to pay all medical bills. However, after some time, Ms. R was still paying for her medical bills. The KGACLC negotiated a settlement in the amount of \$24,000 and her medical bills were paid by the defendants.





Former KGACLC student Aamna Chaudhry rests after the marathon.

## Running for

# SWIFT JUSTICE



legal services required to defend their rights. Service maintained that “there is a strong connection between distance running and the work performed by the Community Law Center. Similar to running, the work at the Community Law Center requires tremendous amounts of effort and each is often unheralded by the community at large.” He was partly referring to the KGACLC’s seemingly endless efforts to obtain financial support through grants, contributions and cy pres funds to cover its annual budget every year – a daunting task given the shrinking pools and fierce competition for such dollars.

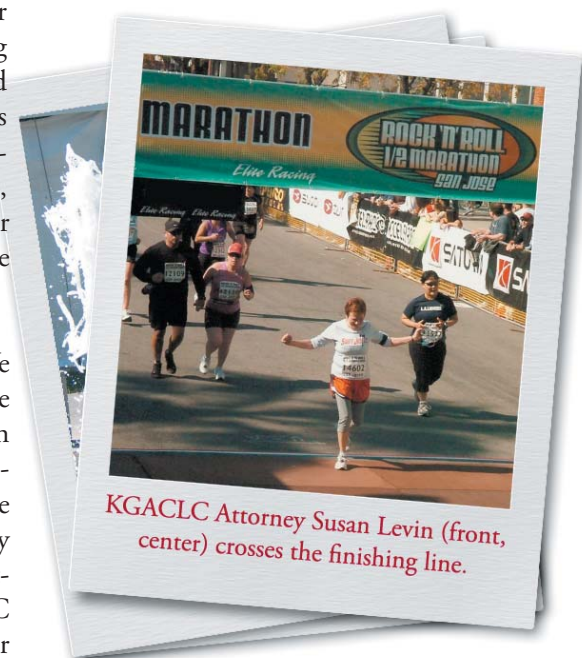
Structured as a team-in-training, this fund-raising effort offered expert advice and training opportunities to the participants, who had access to Service to ask questions ranging from diet, proper gear, strategy and individualized training regimes. In exchange, participants used their social networks to recruit sponsors who were willing to cover the participants’ level of contribution (\$100-\$150, \$151-\$200, \$300+). Thanks to their efforts, the KGACLC was able to raise almost \$ 4,000.

“This is not bad for the first year. We learned quite a few things this time around and we should have a much better program and many more participants next year,” says Sergio Lopez, the event coordinator at the Community Law Center. Aamna Chaudhry, currently an attorney and a former KGACLC Workers’ Rights student, said that “for

Muslims, Ramadan is a time for charity, and training for this race while fasting was a wonderful opportunity to express my support for the services that the clinic provides to those in our community who need it most. It was an amazing experience to run with JT Service and the rest of our team, and I am looking forward to our next race!”

Another participant, Community Law Center Attorney Susan Levin, could not “find a better way to celebrate [her] birthday, pushing [herself] physically for the benefit of the KGACLC and its clients.”

Indeed, the Community Law Center is looking forward to meeting these and many more runners next year to achieve “Swift Justice.”



KGACLC Attorney Susan Levin (front, center) crosses the finishing line.

## KGACLC Goes Airborne...continued



“Since every case is so different, it’s inappropriate to give specific legal advice on the radio, but the attorneys do their best to give sound, current and helpful, general information on the radio,” says Lopez. “This is a very effective way of reaching out to the communities that

we serve,” he adds. Indeed, *La Caliente* estimates that it reaches approximately half-million individuals during the show, which is financed primarily through advertising dollars. The approximate cost for 15 minutes of air time at the station is at least \$ 1,000, which Rodriguez agreed to forgo each of her eight sessions with the KGACLC. “You have to strike a balance, but there should always be room to serve the community,” she says proudly. “I use my show to educate people about their rights. There are many people who

don’t have either the time or the money to consult with an attorney and therefore continue to be subjected to injustices in many ways. This is why our collaboration with the Law Center is so valuable.” – she concludes. Rodriguez recently moved her show to *KLOK AM 1170*, where her reach is much greater than at the previous station. She is currently discussing with Lopez the possibility of continuing their collaboration at KLOK.

## KGACLC Recognizes Contributors during its 10th Annual Community, Commitment & Courage Celebration

The 10th Annual Community, Commitment & Courage Celebration took place this year on October 12, 2007 on the Santa Clara University campus. The Adobe Lodge provided the backdrop to honor the exemplary firms and individuals whose efforts and contributions inspire the KGACLC to reach new heights in the accomplishment of its mission. The plaques presented to the award recipients read as follows:

### Community Award: Sylvia and Will Kennedy

“Thank you for your many years of giving to the Law Center. By providing crucial staffing support to the Law Center in its early years, by co-counseling cases, by serving on the advisory board, by taking referrals of Center clients and by directing cy pres awards to the Center, you have served as an example of truly outstanding community support.”

### Commitment Award: Balám Letona

“Since graduating from Santa Clara in 2003, you have shown continuous commitment to public interest law in general, and to consumer clients and the

Law Center in particular. You have volunteered to staff nearly every Consumer and Debtors Rights Clinic over the past few years; you have agreed to represent several consumers the Center could not assist, and you obtained excellent results on their behalf. Your work stands as a shining example to others.”

### Courage Award: Ana Rodriguez

“Thank you for your courage to pursue justice and the rule of law. You risked your life and safety to fight for access to justice regardless of social status and power. Your life and work exemplify the values which we encourage our law students to exhibit in their legal careers – courage, conscience, and commitment. You represent the best in our profession, and we thank you.”

*Note: KGACLC client, Ana Rodriguez, does not appear in the picture for safety reasons.*

### Eric & Nancy Wright Award: Susan Levin

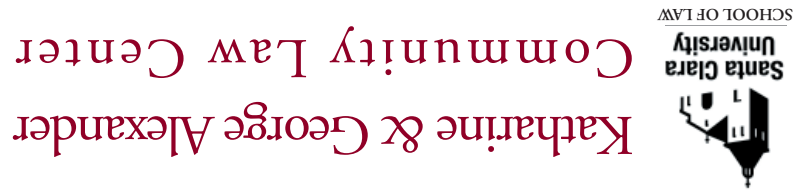
“Thank you for your six years of exemplary service to the Law Center. You have

informed and inspired students through your teaching; you have served as a friend and a source of encouragement to every member of the staff; and you have been a champion to 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!



From left to right: Susan Levin, Balám Letona, Sylvia and Will Kennedy



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