

Inside this issue:

- 2 A Word From the Director
- 3 Professor Mertens Steps Down as the KGACLC Director
- 4^{&5} The Big Picture
- 6 Law Center Volunteer Attorney Wins the State Bar Pro Bono Service Award
- 6 The 8th Community, Commitment & Courage Awards
- 7 The Law Center on the International Map...again

A Summary of Our Work in 2005

This was a productive year at the Katharine & George Alexander Community Law Center. The 114 SCU law students who signed up for clinical courses logged 10,884 hours of work directly related to clients' issues in the areas of Workers' Compensation, Workers' Rights, Immigration and Consumer and Debtors' Rights. For the students, this represents an impressive number of hours dedicated to learning in a very practical setting. For the Law Center clients, assuming an estimated market value of \$150 per student hour, this represents a \$1,632,600 investment for the solution of their legal problems. The work performed this year breaks down as follows:

Workers Compensation

Sixty-one people attended the 16 clinics offered throughout the year. Most attendees required only brief services, but the Law Center represented nine clients directly. Three clients settled their cases, with the Law Center's assistance, for a total value of \$51,171. Read a perspective from one of these clients on p.4, *"The Big Picture."*

Workers Rights

There were 267 people who attended the 27 clinics held throughout the year. The vast majority of them required brief services, such as orientation, the drafting of demand letters, inquiries on their behalf, etc. The Law Center offered direct representation to 20 of those clinic-attendees. Six cases were settled during the year, though some may have extended from previous years. The total value of the settled cases was \$14,177.



The Law Center recruited Margarita Alvarez as its new Workers' Rights Attorney in January, 2005. Find out how she is doing on p.4, *"The Big Picture."*

Immigration

This was an exceptionally productive and successful year for the Immigration component of the KGACLC. The Law Center offered 21 clinics that were attended by 180 people. Though most of the attendees required only general information and brief services, 27 of them received direct representation from the Law Center. Twenty-seven cases were also successfully closed, with the clients receiving either political asylum, U-visas (reserved for victims of crimes), adjustment of status under VAWA (the Violence Against Women Act), or deferred action. Impressively, seven of those cases (six U-visas and one political asylum) were opened and successfully closed

Continued on p.8

A Word From the Director...



staff, as well as a set of highly dedicated volunteers and Advisory Board members who continue to share their time generously with the Law Center.

Our attorneys are outstanding practitioners and exceptional teachers. Margarita Alvarez joined our staff earlier this year as the Supervising Attorney in our Workers' Rights component, and she brings a wealth of experience in both private practice and public service to the job. She joins Susan Levin, Scott Maurer, and Lynette Parker to complete our corps of nationally prominent supervising attorneys.

Professor Cynthia Mertens, who directed the Center for four years, has returned to full-time teaching at the law school, but she continues to play an active role in the Center -- helping me with transitions, leading our educational workshops in landlord-tenant law, and volunteering to co-chair our Leadership Council, a newly formed advisory body that will help expand the Center's fundraising in the major donor, corporate, and law firm sectors during the coming years. Katharine and George Alexander, whose generous gifts in the past have helped stabilize the Center's core funding, recently created and financed the Cynthia Mertens Award to honor Professor Mertens and to recognize an outstanding volunteer for the Center each year.

Of course, our students are perhaps our most vital asset, linking their legal training and experiential learning with important services to our clients. The Center's work would be impossible without the dedicated students

who staff our clinical programs each semester. It's gratifying to know that our classes for next spring have reached record enrollment numbers, and that our alumni continue to support the Center as volunteers and donors after they move on to their professional careers.

The coming months will see many important developments for the Center. For instance, a grant from the City of San Jose, generously matched by the University, will produce building façade improvements that we should see completed by next spring. We're expanding our educational workshops to include new trainings in immigration law and human trafficking, and we'll be working on course and curriculum reviews that should lead to even stronger offerings at the Center.

As always, your 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 simply could not accomplish our goals of serving the low-income population and training future lawyers and leaders. We cannot thank you enough for being a supporter and a member of the Center's extended family.

Best wishes for a healthy and happy holiday season.

Angelo Ancheta
Director



Professor Cynthia Mertens Steps Down as the KGACLC Director

After four years at the helm of the Community Law Center, Professor Cynthia Mertens yields the Director's baton to Professor Angelo Ancheta. She leaves behind a string of accomplishments that have transformed the Center into a unique institution of community-based legal education.

Professor Mertens became the Director in 2001, while the Center was in East San José. At the time, the Center was divided into two separate buildings along Alum Rock Avenue. Clients, students and staff had to go from one building to the other simply to access a file or discuss a case with a client in one of several cubicles that left no room for privacy. After hearing the news that the building was about to be sold, Professor Mertens, in her own quiet but diligent manner, immediately started looking for more appropriate office space. Unfortunately, the search did not yield any affordable or sustainable rental space, but the circumstances revealed some traits in Professor Mertens that became characteristic of her during her tenure.

A true socialite in all milieus, she was able to gain the support of the University through SCU's President, Father Locatelli, and the then-Law School Dean Mack Player as well as the Community Law Center staff, for a move that had its own controversy because it would take the Center closer to the University but away from East San José and the community it had served. A drop in client attendance was feared. To address these concerns, she designed a representative survey to poll the effects of the move on the clients, and in fact discovered that clients did not mind traveling a few extra miles on the same avenue to receive the Center's services. Once everyone was on board, the Community Law Center opened its state-of-the-art facility on 1030 The Alameda, just two years

into her tenure. A zero drop in client attendance later confirmed that she had been right all along.

It's not easy to keep the Community Law Center's constituencies satisfied, but Professor Mertens made the best out of every opportunity to do just that. For instance, in an effort to increase the Center's community outreach, she instituted and expanded the number of Auto Fraud, Workers' Rights, Immigration and Tenants' Rights workshops given in various locations throughout the community. In these workshops, SCU Law students, supervised by attorneys who are experts in their fields, present the information in PowerPoint format and, sometimes, with the help of interpreters. Students gain the knowledge, confidence and skills that can better prepare them in their careers; the community benefits, and the staff and volunteer attorneys have an opportunity to teach what they love. In 2005 alone, the Center's students and volunteer attorneys have offered 33 workshops that have benefited more than 950 people.

Her efforts have truly raised the profile of the Community Law Center within the University, the state, the country, and even internationally. For instance, in 2002, a contingent of four Brazilian law students and the President of the São Paulo BAR-equivalent traveled to the Center to compare notes on the benefits of a community-based legal education and to see how they could strengthen a similar program in their

own country. When their trip was about to be cancelled due to insufficient lodging funds, Professor Mertens readily offered her home for two weeks to all of them and issued them keys for convenience (she once revealed that she had lost count of the keys she had issued over the years to family, friends, and foreign visitors). In 2003, the Dean and a professor from Murdoch University School of Law, Western Australia, also traveled to share notes with the Community Law Center's immigration attorney and Professor Mertens to address similar issues back home. In spite of her demanding schedule split into teaching, grading exams, managing the Center, and being a mother and wife, she always seems to find time and graciousness to make people feel at home.

Professor Mertens took the reigns of the Community Law Center, an organization with a \$1 million budget, during the technology bust of the Silicon Valley, which affected state, county and local budgets. The Center depended on these entities for about half of its budget, so when these sources of money dried up, a sudden drop in the Center's coffers was not really surprising. What was truly surprising was Professor Mertens' uncanny speed in creating and sustaining new sources of support. Relying on her vast number of connections in this and other communities, she was able to rally foundations, local firms, alumni and individual donors whose contributions now account for more than

Continued on p. 7



Elizabeth G. Pianca, in the Consumer Rights component at the KGACLC, interviews a client

type of work the Law Center provides some checks and balances to a legal system that may, unfortunately, be more focused on the profitability of its clients than the fair delivery of justice.

I do not know where I will find myself after law school, but wherever I may be, I know that I have a responsibility and duty to work towards more legal access to the underserved and the equitable application of our laws. My experience this summer at the Law Center affirmed this duty.

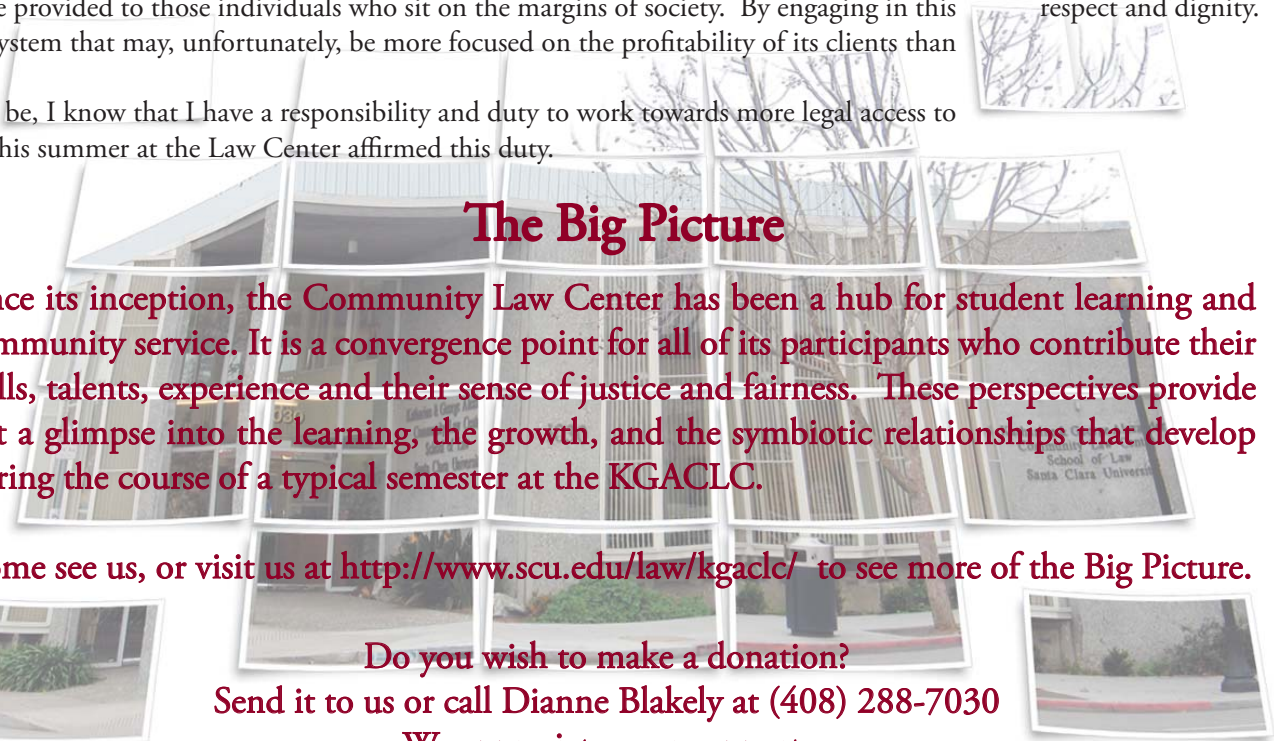
Elizabeth G. Pianca, Class of 2005

We cannot call ourselves a democratic society and then turn around and have a legal system which, by my observations to date, favors those who can afford legal representation. The law should not be defined and applied based on economic market forces. Understandably, the legal profession is a business profession, but it is also a profession that is responsible for upholding the foundations of American democracy. I am concerned that as we become increasingly more focused on wealth--and the security that comes with it--that we will begin to overlook justice.

Underlying every case and client interview that I worked on this summer was one individual, usually the "defendant" in legal parlance, taking advantage of another individual, usually someone who sits on the margins of our community, for economic gain. If it were not for the services offered by the Law Center, I am afraid that the "defendant" would be able to get away with immoral and unethical conduct without the judicial system ever checking up on them. Fortunately, the Law Center is a little shining diamond that works tirelessly and successfully to ensure that legal services and justice are provided to those individuals who sit on the margins of society. By engaging in this

I started working at the KGACLC in January of 2005. During the past year, I have been an interpreter, working with the law students in all of the Law Center's legal areas: Immigration, Workers' Rights, Workers' Compensation, and Debtors' and Consumer Rights. Lately, I also have been translating documents in Spanish, from the Mexican legal system, into English, for an immigration case. This has been a challenge, but I've enjoyed it. Working at the Law Center is fun because I am always learning new things. I can also say that my work there has changed my perception about a lot of things. For instance, now when I go eat at a restaurant, I am more aware of the workers who prepare my food; of their rights and their humanity. The Law Center is a safe place where people don't have to be afraid to come forward with their problems; they know they'll be helped with respect and dignity.

Virginia Suarez, SCU undergraduate



The Big Picture

Since its inception, the Community Law Center has been a hub for student learning and community service. It is a convergence point for all of its participants who contribute their skills, talents, experience and their sense of justice and fairness. These perspectives provide but a glimpse into the learning, the growth, and the symbiotic relationships that develop during the course of a typical semester at the KGACLC.

Come see us, or visit us at <http://www.scu.edu/law/kgac/c/> to see more of the Big Picture.

Do you wish to make a donation?
Send it to us or call Dianne Blakely at (408) 288-7030
We appreciate your support.

I suffered a serious back injury at work some time ago. My employer, the owner of the restaurant where I worked, refused to pay for treatment and compensation during the time that I could not work. As it turns out, the employer was uninsured, and he eventually fired me. I went to see two attorneys in downtown San Jose, and they declined to take my case because "it was too complicated." One of them referred me to the KGACLC, and they gladly agreed to represent me. My case was complicated, and it took about three years to be resolved. Finally, at the beginning of 2005, I received a check from my former employer. I was 100% satisfied with the results. What I always appreciated about the Law Center was their very kind treatment and patience. I would recommend the Law Center to anyone.

Former KGACLC (Workers' Compensation) Client



I joined the Law Center this past January, after 23 years in private practice. I can say that my first year as the Workers' Rights Attorney at the KGACLC has been both challenging and fun. The challenge has been to teach students the things that I do automatically after so many years of practice; things like reading a client's body language, asking the right questions based on the rhythm and pace of an interview, taking a client's cultural background into consideration to get to the essence of their case; listening both as a legal advocate and as a counselor to clients with a wide range of concerns, many of them incapable of being resolved in the legal arena. Also, after so many years as a law practitioner, I developed a tremendous sense of responsibility for all the details of my cases. Sharing the responsibility with students has been a challenge.

As for the fun part, the students have infused me with energy and renewed optimism and confidence that justice and equality are values that can be made real. Working with students that are open and eager to learn is exciting. I feel privileged to share my experience and knowledge with them.

Margarita Prado Alvarez
Workers' Rights Attorney



I am a woman from Eastern Europe. I came to the United States about five years ago, as an eager student. Two years after my arrival, I fell in love with a very nice man, a U.S. citizen. He proposed to me, and we got married. Soon after our marriage, I saw a side of him that I had not seen before. He became very controlling, insensitive, and rude. He reluctantly agreed to help me obtain my residence; he only wanted me to be able to work so that I could earn money for him. I felt like I had become an object for him in every sense of the word. His family treated me the same way. They all threatened to deport me each time they became upset for any reason.

First, the abuse from my husband was emotional and mental. Then, it became very physical and even sexual. After two years of marriage, I sank into a deep depression, feeling trapped, abused and worthless. One day, he simply kicked me out of his house. I am glad I finally called a hotline for battered women. They literally saved my life. They also mentioned The Katharine & George Alexander Community Law Center. They said that the Law Center could help me with my legal status in this country, which had become a big worry for me.

I came to the Law Center in July, 2005, and right away was impressed by their professionalism, their kindness, and their genuine interest in my well-being. They told me that they could help me adjust my status without influence from my husband, under VAWA (the Violence Against Women Act). This December, Margarita Sandoval, the Law Center's Immigration Legal Assistant, gave me the best birthday present when she told me that my petition had been approved!

Although I am still in divorce proceedings, my outlook on life has greatly improved, thanks in great part to the help I received at the Law Center. The students, Lynette Parker and her assistant, Margarita -- they all made me believe in myself again. Thanks to their example, I now want to become a counselor or a legal advocate for women in similar situations. No one should have to endure domestic violence.





Law Center Volunteer Attorney Wins the State Bar Pro Bono Service Award

poor persons or to organizations whose primary purpose is to provide legal services to the poor, free-of-charge, without expectation of compensation from the client.

Ms. Silver Taube, who is a partner in the two-person firm Silver and Taube and a lecturer at Santa Clara University School of Law, has been actively involved in the

Katharine & George Alexander Community Law Center's Workers Rights Clinic since 1995. Each year she has contributed hundreds of hours of her time training countless numbers of law students in the art of client interviewing and the substance of employment law. She has also supervised the weekly Workers' Rights Clinic, which assists scores of low wage workers monthly with a wide array of employment-related problems. Ruth is a person of great pas-

sion for civil rights and commitment to the provision of free legal services. "We are all impressed by her energy, her sense of fairness, and her profound dedication to helping others," says Professor Angelo Ancheta, Director of the Katharine & George Alexander Community Law Center.

According to Joan Graff, LAS-ELC President, Ms. Silver Taube was nominated for this award because of her "tireless and excellent work, her boundless energy, her genuine modesty, her ever ready willingness to be of help to clients, and her enthusiasm for instructing and mentoring law students. We admire and respect her for following her social justice path and we value her for her compassion, infectious sense of humor, expansive generosity and the inspiration she offers to us all. She is warm, spirited, smart and deeply caring, and the clients and students alike gain from her compassion and wisdom."

Content kindly contributed by Joan Graff

On September 9, 2005, Ruth Silver Taube, special counsel to the Legal Aid Society – Employment Law Center (LAS-ELC), was honored as a recipient of the State Bar Pro Bono Service Award. This award was established in 1983 by the State Bar Board of Governors to recognize California attorneys "who have provided or enabled the direct provision of legal services to

The 8th Community, Commitment & Courage Awards go to....

The 8th Community, Commitment & Courage Celebration took place on October 14, 2005, in the University's Adobe Lodge. The event was hosted by KGACLCL's Director, Angelo Ancheta – the first Celebration in his tenure at the helm of the Law Center. Jim Hammer, a co-founder of the Center, was appropriately chosen as the MC. In his introduction, Mr. Hammer made the audience travel back in time as he played a VHS tape that captured the origins of the Law Center, its students, and its clients. It was in this emotional context that the guest speaker, Honorable Conrad L. Rushing, California Court of Appeal (Sixth District) gave an eloquent speech on the duty of community service. The awards were then presented as follows:

Community Award: Angelo Ancheta presented it to Lief Cabraser Heimann & Bernstein, LLP. "For your dedication to consumers throughout California and the nation. This dedication has extended to im-

portant support for the clients of 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." Partner Caryn Becker received the award on behalf of the firm.

Commitment Award: Immigration attorney Lynette Parker presented it to Jennifer E. Pesek -- "Over the past years you have demonstrated your dedication and commitment to serving the community, to promoting access to justice and to advocating on behalf of low-income and immigrant communities of the Bay Area. Your tireless commitment as a volunteer and in non-profit work has touched many lives. On behalf of those whom you have assisted, we thank you for your commitment."

Courage Award: Presented to Peter X in absentia (picture and name omitted for safety reasons) -- "We honor your courage to devote your life to improving the welfare of your community even at the risk of harm to your-

self. Your selfless dedication to addressing the needs of those around you, even in the face of threats and physical attacks, is an inspiration to all of us. Thank you."

Eric & Nancy Wright Award: Presented by the Wrights to Andrew J. Ogilvie and Carol M. Brewer. "For being extraordinarily effective consumer protection attorneys; for providing invaluable legal advice and collaboration to the Consumer Law Project; and, for giving substantial, longstanding and crucial financial support. We thank you." Mr. Ogilvie accepted the award on his and Ms. Brewer's behalf.

The Cynthia Mertens Award: This new award (read *Professor Mertens Steps Down as the KGACLCL Director*, p. 2) was given to Attorney Robert Greeley, for his generous contribution of time to the Law Center's Workers' Rights Clinic.



Professor Angelo Ancheta, second from right, welcomes the Japanese delegation at the Law Center.

A delegation of law professors and clinical attorneys from the Omiya Law School visited the Alexander Community Law Center this past November to learn

more about American clinical legal education and to help develop models for new legal clinics in Japan.

The Law Center on the International Map...again

more about American clinical legal education and to help develop models for new legal clinics in Japan.

Led by Professor Setsuo Miyazawa, Vice President of Omiya Law School, the visiting professors and attorneys met with KGACLCL staff to discuss models of service delivery, clinical instruction, and legal practice in California and

the United States. The Omiya Law School is one of many law schools in Japan that are beginning to develop legal clinics and skills-oriented classes as part of their law school offerings. Professor Miyazawa was

joined by Teruhisa Maruyama, Mitsuma Sakurai, Takeshi Higawara, and Lawrence Repeta.

Omiya Law School is located near Tokyo, and is one of the several new graduate-level law schools established in Japan that parallel the post-bachelor's degree programs that are common in the United States. Until recently, the typical way to practice law in Japan was to obtain a bachelor's degree in law and then take the bar examination. Professor Angelo Ancheta, the KGACLCL's director, will be visiting Omiya Law School in February 2006 and addressing the area's local bar association to discuss opportunities and models for clinical legal education in Japan.

By Angelo Ancheta
KGACLCL Director

Cynthia Mertens Steps Down, continued.

60% of the Center's budget. It was due in large part to her previous association with Professor George Alexander, a former Dean of the Law School, and his wife, Katharine, that the Alexanders were motivated to invest in the Community Law Center through an endowment. Their generous contribution now generates between \$40,000 to \$50,000 yearly to be used for the Center's operating expenses. To acknowledge their gesture, the East San José Community Law Center was officially renamed the Katharine & George Alexander Community Law Center, or KGACLCL, in May 2004. It is because of this and all of her other efforts that the Center has welcomed Professor Ancheta, its new director, with a modest surplus in its budget for this year. Not surprisingly, Professor Ancheta has asked her to co-chair the KGACLCL Leadership Council, a newly-formed group of high visibility individuals who will assist in raising funds for the Center.

Professor Mertens has been working with Professor Ancheta since May of this year to ensure a smooth transition. To recognize her for her hard work, the new director

and staff hosted a luncheon in her honor on August 18, during which she was presented with a plaque and a surprise: the "Cynthia Mertens Award" sponsored by Katharine and George Alexander which will generate a \$1,000 gift to be given to a person "who best served the Center's work in the manner of Cynthia Mertens." Although the entire staff at the Community Law Center is saddened by her departure, they are also excited about the new trails to be blazed by Professor Ancheta.

Professor Mertens, you will be missed, but your accomplishments, boundless energy and example will inspire us to reach new heights in the achievement of the Center's mission: to educate law students in accordance with the highest professional and ethical standards by serving individuals and communities in need with competence, conscience and compassion, through pro bono legal representation and education.

By Sergio Lopez
KGACLCL Staff Member



The KGACLCL staff presents a plaque to Professor Cynthia Mertens in appreciation of her work.

<http://www.scu.edu/law/kgac/c/>



Phone: (408) 288-7030
Fax: (408) 288-3581

1030 The Alameda
San Jose, CA 95126

Katharine & George Alexander
Community Law Center



Sue Lake, Class of 2005, works on a political asylum case.

during this year, while the others comprise the years 2000-2004. These statistics do not truly reveal the amount of work invested in each case, which includes countless

hours of client interviews, research, writing, and translating of copious amounts of legal documents from other countries. Read from a VAWA client and an interpreter/translator (a SCU undergraduate) on p.5, "*The Big Picture.*"

Consumer and Debtors' Rights

Eighty-eight people attended the 18 clinics (12 Consumer Rights clinics, 6 Debtors' Rights clinics) held during the year. The KGACLC offered direct representation to 56 people. Nine consumer cases were settled, though some may have extended from previous years, for a total value of \$18,654. Read the perspective of a student in this area on p. 4, "*The Big Picture.*"

In addition to this work, the Law Center was very active in the community through its very mobile outreach workshops, dedicated to educating the public about their rights as the best way to prevent abuse. In 2005, the Law Center gave 48 workshops benefiting 1,280 people in several locations throughout San Jose and the

Bay Area. These locations include evening-ESL schools, day-worker centers and community centers. The legal areas covered were Workers' Rights (22 workshops), Tenants' Rights (17), and Prevention of Fraud When Buying a Car (9). In these workshops, first-year law students under the supervision of experienced attorneys present the information with the assistance of a PowerPoint presentation and, if necessary, an interpreter.

The Katharine & George Alexander Community Law Center would like to thank all the students, volunteer attorneys and the volunteer and paid undergraduate students for their excellent work at the Center. We also want to thank all the contributors and foundations, listed at www.scu.edu/law/kgac/c/donors2.html, for helping us to fulfill our mission in 2005.