



CCLS

Central California Legal Services, Inc.

To advance justice and empower people

PEOPLES' ADVOCATE

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Unemployed Face Delays in Filing UI Claims

An unemployed farm worker came into our Fresno office seeking assistance in filing his claim for unemployment insurance (UI) benefits. For almost two weeks, he made numerous attempts to get through to an operator at the Employment Development Department's (EDD) toll-free telephone and was unsuccessful. Advocate Lydia Velasco tried to file his claim through the internet but could not as he had worked outside of the state. Through her efforts, the claimant was finally able to speak to an EDD representative and is now receiving his weekly benefits.

Over the past few months, CCLS advocates are experiencing an increase in the number of unemployed individuals who are not able to file their claim for UI benefits. EDD is the State agency responsible for processing UI claims for people who, through no fault of their own, are faced with a job loss. A recorded message encourages individuals to use the website to file. Many who do not have access to a computer or are unable to get through their toll-free lines turn to CCLS for assistance.

Lydia meets daily with laid off workers from all walks of life – those who have lost jobs in retail, office workers, plumbers — whose benefits are delayed due their inability to file their claims. For these and many more throughout the state of California, the staggering number of unemployed workers trying to file are left with no benefits and a great deal of frustration.

A recent report published by *The Sacramento Bee* indicates that last December, more than 25 million calls were made to the EDD line with an additional 42 million call in January. Unsuccessful on their first attempt, many continue to call hoping to get through to file their claim for benefits. Each call made costs taxpayers a nickel! Recently, the Governor announced that he has directed EDD

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California Endowment Announces Ten Year Initiative

The California Endowment (TCE) recently announced the selection of 14 "places" as their main focus for a 10-year initiative called *Building Healthy Communities*. Among the 14 places are two in the Central California Legal Services service area: Southwest Merced/East Merced County and Central/West Fresno City.

In announcing the selection of the places, Dr. Robert K. Ross, CEO of TCE stated: "This 10-year initiative of *Building Healthy Communities* (BHC) builds on the wisdom and past experience of all our grantees and partners throughout California. Their work has demonstrated that the economic, physical, social and service environments in which people live have profound and lasting effects on the health of individuals, families and communities. Prevention is the key to meaningful and sustainable health improvement. But after conducting research, expert interviews and due diligence, we realized that we could maximize the impact of our funding by targeting a specific number of communities. In this more focused approach, we will aim to address directly the root causes and systems that impact the health of Californians the most."

The initiative will focus on the health of children and young families. They emphasize prevention, and policy and systems change. It has four overall goals: Health systems are family centered and prioritize prevention; Schools anchor communities, promote healthy behaviors and are a gateway for resources and services; Human services systems are family centered, prioritize prevention and promote opportunities for children, young adults and their families; Physical, social and economic environments in local communities support health.

All stakeholders in each of the identified communities are invited to participate in developing a single proposal from the "Place" for a nine month planning grant. In Fresno, at the initial meeting convened by CCLS, Fresno County Equal Opportunity Commission and Fresno Center for New Americans over 80 persons attended. Later that afternoon in Merced, at a meeting convened by United Way of Merced County and the Merced Regional Foundation, over 50 attended.

"BHC presents tremendous opportunities for the selected communities. Very few funders make such long range commitments. TCE is challenging us to come together in ways far beyond what we have ever envisioned on how our communities can be ten years from now and then go to work on making it happen. CCLS is pleased to have been selected as the applicant organization for this process in Fresno," says CCLS Executive Director Chris A. Schneider.

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Remarks from the Executive Director

In times like these, it is easy for those of us who work in legal aid to become overwhelmed. As the economic crisis grows worse each day, more people seek our help. We are forced to turn away more applicants due to our limited resources stretched to the maximum.

Often, even though they are in tremendous need of legal representation and may have a strong and compelling case, legal aid attorneys and advocates find themselves turning people away. Our housing advocates can only provide full representation to about 20% of the eviction cases where the tenants have good defenses. The percentage of persons we can represent with good defenses to foreclosures is much smaller.

There has never been enough funding for legal aid programs to represent all of the people with meritorious claims involving fundamental rights. The federal support of legal services reached a high water mark in 1995 when Congress appropriated \$400 million for services nationwide. The following year our funding was cut by over 30%. Since then, funding has stayed well below the \$400 million mark.

Last year, a strong majority of senators signed a letter seeking the first significant increase in funding for legal services since 1995. Among the signers were then Senators Barack Obama and Joseph R. Biden. The letter pointed out that for the Legal Services Corporation (LSC) to be funded at the 1995 level in real dollars, a \$200 million increase in funding would be needed.

The budget just passed last month by Congress and signed by President Obama included a \$40 million increase in funding. For 2009, LSC is funded at \$390 million -- \$10 million less than in 1995 and \$160 million less than what is needed in real dollars to restore the 1995 level adjusted for inflation. (I can't help to note that the \$160 million is just a tad bit more than the amount of the tax payer financed bonuses for AIG officials. Where do you think that money would have been better spent?)

Just when our LSC grant increases, funding from other sources are decreasing. Because of the current economic downturn, many legal aid offices will suffer an enormous shortage of funding from the Interest on Lawyers Trust Accounts (IOLTA). IOLTA is a major source of funding for legal aid programs. The Legal Services Trust Fund Program of the State Bar of California who administers these funds and our second largest funder, informs us that their distributions will be reduced by 10% for this coming fiscal year beginning July 1, 2009 and we can expect to see a reduction of more than 50% for the following fiscal year.

In *Alice in Wonderland* the Red Queen admonished Alice: "My dear, here we must run as fast as we *can*, just to stay in place. And if you wish to go anywhere, you must run twice as fast as that." So it feels.

(Continued on page 3)

Staff Update

Welcome Interns

CCLS acknowledges the following interns who provide support to our Fresno staff. We welcome Denise Roberts from the Fresno City College Paralegal Program. She assists Advocate Kristine Allison in drafting correspondence, organizing files and conducting research. She will graduate in May from the program.

Joining the Fresno Health Consumer Center is Lina Gomez. She assists Advocate Nora Salazar distribute educational materials during outreach events. She also helped develop the draft proclamations for both the Fresno City Council and Board of Supervisors presented during the *Cover the Uninsured Week* for the Children's Health Initiative.

Aaron Horowitz is a Fresno State student assisting the development team. He will update the newsletter mailing list and contributes to the production of the newsletter.

Attorney Rosalie Davis assists the Family/Education/Immigration team with restraining orders and representation in court.

From Duncan Polytechnical High School's Legal Occupations course is Miriam Sanchez. She provides clerical support to the Consumer and Family Law Teams. She is gaining experience in court filings, preparation of materials and the use of office equipment. Her bilingual skills are utilized with clients and in drafting letters.

Thank You!

As the 2008 Earned Income Tax Credit campaign comes to an end, we thank Yenni Aguilar, Yolanda Gonzales, Wilfredo Rodriguez, Frances Romero and Marcela Alvarez for their extraordinary work.

CCLS Thanks its Funders (partial list)

Legal Services Corporation
The State Bar of California - IOLTA Program
& Equal Access Fund
The California Endowment
Fresno-Madera Area Agency on Aging
IRS, Department of the Treasury
Merced County Area Agency on Aging
Susan G. Komen Race for the Cure -
Central Valley Affiliate
Kaiser Permanente
The City of Fresno
Tulare County Superior Court

Thank you for your support!

Community Efforts Result in Victory

Alpaugh is one of the all-but-forgotten rural communities where the vast majority of low-income residents live on fixed incomes. Last July, the Alpaugh Joint Powers Authority (AJPA) attempted to implement a \$20 water rate increase to all domestic water users who were also receiving arsenic tainted water. However, they failed to follow the parameters set out by California's Proposition 218 for water rate increases. Concerned and outraged Alpaugh residents rallied to fight the water rate increase.

Central California Legal Services, Inc., California Rural Legal Assistance and the Community Water Center joined forces to assist Alpaugh residents. Patricia Smith and Janice Mendivil stepped forward in their fight to have a fair and lawful water rate implemented while bringing transparency to AJPA. Initially in August, when the AJPA Board voted to increase the water rates, the pressure was put on the Board by residents resulting in the increase being only half of what was originally proposed.

After six months of community involvement and diligent work among the organizations, a settlement was reached. More than a third of the community will return to paying the original water rate. Transparency has been brought to AJPA through better communications with the community and financial accountability. This case is a true testament to what the efforts of a community can accomplish.

Kudos to the following staff members with ten to twenty or more years of service to the community!

Fresno Office

Michael Kanz — 22 years, General Counsel
 Valerie Hanneman — 22 years, Dir. of Fiscal Services
 Kristine Allison — 16 years, Paralegal
 Connie Medina — 16 years, Paralegal
 Sherry McMurry — 16 years, Executive Secretary
 Lydia Velasco — 16 years, Paralegal
 Chris A. Schneider — 15 years, Executive Director
 Manuel Romero — 14 years, Special Projects/HR
 Luisa Medina — 12 years, Development Director
 Jack Daniel — 10 years, Attorney
 Cresencia Biaz — 10 years, Intake Clerk

Merced Office

Elvia Curiel-Ruth — 18 years, Paralegal
 Marce Mahoney — 15 years, Paralegal

Visalia Office

Manuel Rodriguez — 19 years, Paralegal
 Anna Moore-Goodwin — 14 years, Paralegal

Congratulations!

(Continued from page 1)

to extend resources, despite the budget crisis. Overtime and boosting online options are underway to meet the growing demand. EDD is now providing services on Saturday to accommodate the growing numbers among the ranks of the unemployed.

In the meantime, CCLS will continue to assist those who have lost their jobs and are in need of our assistance.

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There is hope. More policy makers are beginning to recognize there should be a right to counsel in certain civil cases. The American Bar Association sponsored a symposium on the civil right to counsel in December of last year. In announcing the conference Robert L. Rotheman of the ABA stated: "We cannot tolerate the fact that every year millions of people are unable to secure representation of counsel when facing the loss of such basic needs such as those involving shelter, sustenance, health, safety and child custody."

California Chief Justice Ronald M. George has championed the right to counsel in certain civil cases and Governor Arnold Schwarzenegger has indicated his support. Assembly member Michael Fuerer recently introduced a bill in the California legislature to establish a pilot project that will provide a right to counsel for low-income people in critical civil cases. President Obama's proposed budget for next year seeks a further increase in LSC funding. It is too early in the legislative and budget process to know the ultimate outcome of these proposals. However, I find hope in knowing that those in positions of power who can have an impact on increasing access to justice are, at least, seriously considering the issues.

Cell Phone Provider Misleads Consumer

A Spanish-speaking consumer came into the Fresno office seeking assistance with her cell phone bill. She agreed to what sounded like a good deal. The client was contacted via the telephone by the provider. The representative spoke Spanish and told the consumer she was entitled to four "free cell phones" for \$80 a month.

Upon receiving her phone bill, she realized she was paying over \$200 a month instead of the \$80 she had been promised. When she came into CCLS for assistance, her bill was \$2,434. In reviewing the contract, Advocate Nora Salazar identified charges the client was never told of by the company's representative.

Nora contacted the provider to negotiate and was unsuccessful. Nora saw the injustice of the situation and contacted their executive offices. The provider agreed to drop the charges and credit her account. The consumer's credit history was also cleared allowing her to continue service with a different provider.

The Central Valley supports the Earned Income Tax Credit!

Thank You Union Bank of California for your support!



Ernesto Perez, Vice-President/Branch Manager with Union Bank of California, presents a \$25,000 check to Chris A. Schneider. The grant is to provide free tax assistance to hardworking families and raise the awareness of the Earned Income Tax Credit (EITC).

“For the last three years, Union Bank has made it possible for CCLS to help families and individuals achieve financial stability as we face critical economic times,” says Schneider.



The Jimenez family is among the hundreds of families who sought assistance from the EITC Program. In previous years, they have paid enormous fees and weren't always happy with the service provided. This year, they will receive a refund of \$4,238 with \$1,647 in EITC.

“I was very happy with the free tax preparation assistance and pleased to have been walked through the process in Spanish,” says Ms. Jimenez.

Thanks EITC team!



Special Project Director, Manuel Romero along with Chris A. Schneider and EITC staff join the Fresno Mayor Ashley Swearengin at the press conference to kick-off the EITC. Tax filer Yvonne Gonzalez (*fourth from left*) demonstrated the ease of the ICAN! E-File computer software.



Individuals wait for tax assistance during the “We Connect” event at the Fresno Adult School Manchester Center on Tuesday, March 10, 2009. First Lady of California Maria Shriver along with Mayor Ashley Swearengin and Chris A. Schneider talk about the turn out and the benefit the campaign brings to families and to the city.



LIVE from CCLS It's Immigration Thursday!

On Thursday, March 26, beginning at 5:00 pm and during commercial breaks Channel 21 reporter Caro Rico encouraged viewers to call the CCLS toll free number and obtain information on immigration issues. Univision Channel 21 viewers had an opportunity to talk to lawyers and legal advocates. At the top of the 6:00 pm news cast, Ms. Rico reported live from the CCLS Voluntary Legal Services Program (VLSP) offices.

CCLS applauds the following attorneys and consultants: Jeremy M. Clason, Camille Cook, Rosario Hernandez, Sarah Goss Overacker, Lozaro Salazar, Silas Shawer, Rosemary Moreno and Ana Cantor Rodriguez for taking time to volunteer their time. The individuals mentioned above answered more than 180 calls.

"The experience for me, talking from the heart, was enlightening to see that there is so much misinformation being given out in the community. I participated last year with this event and found that the questions being asked this time around were much more varied than last year. I am happy to give out legal advice and advise people to provide relief in their case. I was pleased to learn that providing direct advice will produce results and is a service which is greatly needed," states Rosario Hernandez.

For two years in a row, CCLS and Channel 21 have teamed up for the "Immigration Thursday" call-in program. This was such a great success that CCLS and Univision will team up again in the coming months to present other issues of interest to the Channel 21 viewing audience.

"The value of these pro-bono volunteers is well over \$6,000. This is a great example of how attorneys can take just a little time and give back greatly to the community," commented VLSP Managing Attorney Paul Mullen.

Attorney Rosario Hernandez (pictured below) has generously agreed to lend assistance on pro bono cases related to victims of domestic violence. "Whenever I have an opportunity to give to the community, I am only too happy to do so," states Hernandez.



McGeorge Law Students visit the Central Valley

For the fifth year in a row, CCLS has partnered with the Public Interest Clearinghouse (PIC) to provide law students from the McGeorge School of Law with an opportunity to connect with Central Valley residents for a two day clinic. The mission of the Rural Education and Access to the Law (REAL) Project is to expose urban law students to the great need for legal services in rural areas of California and to inspire them to provide pro bono work once they become lawyers.

Fourteen law students had an opportunity to visit with CCLS staff, Antoinette Taillac, Juvenile Public Defender; Silas Shawver, Attorney for the Agricultural Worker Health Project at Californial Rural Legal Assistance, Inc. and with the Honorable Hilary Chittick.

After meeting with local community leaders, students were taken to the Cesar E. Chavez Adult Education Center where they assisted with EITC tax filings. On their second day, they traveled to Mendota to provide direct services and outreach, where they again assisted families with completing their EITC returns. "Seeing the passion that the food co-op workers in Mendota had made me want to be involved with pro bono work for the poor," commented a McGeorge student.

The REAL program provides law students with an opportunity to gain first hand experience and understand the problems faced by rural communities. This experience has a lasting impact and promotes volunteer opportunities while expanding the legal resources in low-income and underserved communities.

"I am really encouraged by the number of students who are committed to future pro bono involvement," states Salena Copeland with the Equal Justice Works AmeriCorps Legal/REAL, a project of the Public Interest Clearinghouse.



Students were impressed with Judge Chittick's perspective from the bench of a rural court program and about the needs of low-income clients and unrepresented litigants.

VLSP will Representation Guardianship Litigants

Throughout the central valley, a growing number of children are abandoned by their parent(s) due to incarceration, drug addiction, mental illness, or neglect. Often these children are left with a family member – usually a grandparent on a fixed income. These new guardians are unprepared to tackle the legal and financial challenges of obtaining guardianship of a minor.

Since 2005, VLSP in conjunction with the Fresno County Superior Court’s Probate Division and the Fresno County Public Law Library has operated a free monthly self-help Guardianship Clinic. The two-part clinic helps educate pro per clients about the guardianship process and features free legal advice by a volunteer attorney. The clinic is designed to compliment the Court’s “Guardianship Basics” workshops.

The Guardianship Clinic has successfully assisted over 100 clients better understand the guardianship process and represent themselves in court. Unfortunately, many of these clients still need the assistance of an attorney in court and to finalize the guardianship process.

Last December, the California Bar Foundation awarded a grant to CCLS to address the dramatic disparity in pro bono services in rural (as contrasted with urban) areas. In a new collaboration with the Bar Association of San Francisco’s Volunteer Legal Services Program, CCLS will bring volunteer attorneys from the Bay Area law firms to work with local volunteers and represent low-income clients in guardianship proceedings.

Dubbed the “Rural-Urban Pro Bono Collaborative” the project will represent 75 clients. It’s believed that this will create a formal collaboration to address the dramatic disparity in pro bono services in rural areas.

The Guardianship Clinic is held the third Thursday of every month at 1401 Fulton Street, Suite 608, from 8:30 am to 11:30 am. To become a volunteer, please contact Paul C. Mullen, VLSP Supervising Attorney at (559) 570-1238 or email: pmullen@centralcallegal.org.

Local attorney supports VLSP efforts!

Restaurant owner and Attorney Kendall Simsarian supports the Voluntary Legal Services Program (VLSP). Every Tuesday, Milano’s Restaurant donates 15% of their profits to VLSP. Milanos celebrates “Attorney Tuesday,” where attorney’s receive 1/2 price off a second entree. Attorneys can choose from Milano’s variety of dishes that include soups/salads, sandwiches, pastas and pizza.

Proceeds from “Attorney Tuesday” help VLSP programs serve low-income families, seniors, the disabled, and victims of domestic violence. VLSP strives to help individuals and ensures equal access to our judicial system.

Milano’s Restaurant is located at 1243 Fulton Mall, next door to the Fresno County Dependency Court. They are open Monday through Saturday from 11:00 am to 5:00 pm. Stop in, enjoy a delicious meal and help VLSP!

Voluntary Legal Service Program FREE LEGAL CLINICS

Self-help materials and possible court representation in many areas including legal clinics for:

- Victims of domestic violence
- HIV/AIDS
- Guardianship
- Veterans
- Senior Law Day (Simple Wills)

For more information, please contact Paul Mullen, VLSP Supervising Attorney at (559) 570-1238 or email: pmullen@centralcallegal.org.

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We acknowledge the following businesses who have provided their financial support!



CCLS in the Community



During the “We Connect” event, 72 filings were made possible using the ICAN! E-FILE software.



EITC staff member Wilfredo Rodriguez assists a tax filer claim her taxes, free of charge.



Attorney Christina Hathaway greets Congressman Jim Costa as he tours the CCLS Fresno office on Monday, April 13.



Norma Forbes, Administrator for the Children’s Health Initiative, presents an award to Assemblymember Arambula for his support in securing health insurance coverage for uninsured children in the Central Valley. The Fresno Health Consumer Center is a member of the local CHI that enrolls children and their families into the available health plans.



Assemblymember Juan Arambula recently selected CCLS Development Director, Ms. Luisa Medina, for recognition as the “2009 Woman of the Year” for the 31st Assembly District. The ceremony took place on March 16th on the California State Assembly floor.

“Throughout her career, Luisa has always been an advocate for the people of the Central Valley and directly served the community with passion and dedication by donating her time and knowledge to numerous causes. It is such a pleasure to have such a distinguished and community involved individual,” stated Arambula.

“We are honored to have Luisa recognized for her extraordinary and exemplary work,” says CCLS Executive Director Chris A. Schneider.

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Senior Awareness Day 2009
Presented by the Elder Abuse Prevention Roundtable
Conference Registration
Friday, May 8, 2009 Fresno, CA

Registrant Information (deadline: May 1, 2009):

Name: _____ Last: _____

Agency: _____ Title: _____

City: _____ State: _____ Zip: _____

Phone: _____ Fax: _____

Email: _____

Please indicate:

- \$50.00 Conference & MCLE credits
- \$35.00 Conference - General (includes lunch & materials)
- \$15.00 Conference - Students (with Student I.D.)
- FREE Conference - Senior's (65+)

Exhibitor Booth Space (includes conference registration fee):

- \$100.00 Business
- \$50.00 Non-profit

Please complete the form, return with check payable to:

CCLS/Elder Abuse Prevention 2009
1401 Fulton Street, Suite 700
Fresno, CA 93721

For further information, please feel free to contact Sherry McMurry at: (559) 570-1215 or by e-mail at: sherry@centralcallegal.org