



CCLS

Central California Legal Services, Inc.

To advance justice and empower people

PEOPLES' ADVOCATE

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Combating Felony Theft of Labor

Central California Legal Services, Inc. (CCLS) comes across workers who have not been paid their wages. Annually, hundreds of thousands of dollars are stolen from minority and other low-wage workers by unscrupulous employers. "In the past, much like elder abuse, this problem has been seen as a civil problem rather than a crime," states Steve Malm. "In an unstable economy with jobs becoming harder to come by, this theft of labor is on the increase," he added.

"Wage theft is a major problem affecting San Joaquin Valley workers. Farm laborers, janitorial and construction workers are among the victims. For many of these workers cultural and language barriers create additional hardships," states CCLS Deputy Director Jeffrey Clason.

Last November, CCLS launched a project involving several community groups to help identify wage theft victims, educate workers about their rights and encourage criminal prosecution of the offender.

In many instances, CCLS encounters deliberate non-payment of wages by repeat offenders. CCLS recently investigated unpaid Labor Commissioner awards for a two-year period and found 291 such awards totaling more than \$1.5 million in Fresno County alone. One particular case involved ten employees who are owed a total of \$68,000.

"California is one of few states in the country that recognizes theft of labor as a criminal offense. Traditionally, local district attorneys refer these cases to the Labor Commissioner for civil action, where it may take many years to resolve. The Theft of Labor Collaborative believes that the threat of jail time is a greater deterrent than the risk of civil penalties," says Mr. Malm.

Current activities are focused on the prosecution side. To join these efforts, please contact Steve Malm at steve-malm@centralcallegal.org.

Attorneys Tackle Foreclosure Cases



The central San Joaquin Valley suffers some of the highest foreclosure rates in the nation. However, there are limited legal resources to respond to this continuing crisis. Among those most affected are non-English speakers who became targets of predatory lending and fraudulent business practices.

CCLS is overwhelmed with a number of homeowners facing foreclosure who need an attorney. Consumer Team attorney Ofra Pleban (pictured above) and pro bono attorneys play a critical role in finding legal solutions. The following cases illustrate the need:

After the death of her mother, the daughter struggled to meet the high mortgage payments. As is common these days, the value of the house was less than what was owed. She tried to negotiate a loan modification with her lender but they refused. They issued a notice of default and also served her with an eviction notice. She negotiated a payment agreement with the bank, who brought the property and agreed not to foreclose on the home.

Although she sent her payment, on that same day the agreement was executed, the bank recorded a notice of trustee's sale and proceeded with the foreclosure. The bank failed to give her a new notice of default. Subsequently, the house was sold to a third party.

Attorney Ofra Pleban filed and obtained an injunction against the lender, the trustee, the loan servicer and the buyer seeking to set aside the sale. The complaint alleged fraud, negligence, unfair business practices and breach of contract and sought to stop the eviction action. The client's application for preliminary injunction was granted. Pro Bono attorney Melvin Richtel is co-counsel on the case.

In another case, Pro Bono Attorney Sara Hedgpeth-Harris stopped the sale of the homeowner's house at auction. The homeowner and her husband were induced to refinance their home of over 40 years. The refinanced loan came with excessive costs, high interest rates and a balloon payment of \$78,000 after five years. At the time of the refinance, the house was almost paid off.

After attempts to negotiate with the lender failed and with just a day before the scheduled auction, Attorney Hedgpeth-Harris filed a complaint against the lender and

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Remarks from the Executive Director

A recent *Fresno Bee* headline read “Fresno Banks Shunned by 11% of Fresno Residents.” The article focused on the “unbanked” residents of Fresno. Being unbanked is expensive. According to Governor Schwarzenegger’s Bank on California web site “An average unbanked worker will throw away more than \$40,000 over a life-time to cash checks and pay bills.”

The article included a map of where banks are, and where they are not, in Fresno. In viewing this, I believe a more accurate headline would be “Fresno Banks Shun Residents of Low-Income Neighborhoods.”

The article highlights a report by the Fresno Works for Better Health Advocacy Center. As reported by *The Bee*, the study finds: “Of 109 bank branches in Fresno and Clovis, all but 30 are either north of, or on Shaw Avenue. Only one is west of Highway 99, and none is in southwest Fresno.” In other words, the banks avoid the areas of concentrated poverty. As a result, low-income residents lack convenient access to traditional banking institutions and have little choice but to use payday lenders or check cashing services where they are charged outrageous fees and use money orders rather than checks to pay bills.

The problem is not unique to Fresno. Throughout central California neighborhoods and entire towns are without banks. The economic impact on the individuals without access to convenient banking helps keep them in poverty as they spend more on financial services than do those with higher incomes. It is tremendously expensive to live in an area of concentrated poverty.

In *The Bee* article, bank officials are quoted about how they decide to site their banks. The bottom line of their reasoning is their economic bottom line. They claim they won’t make money in low-income neighborhoods. This argument is reminiscent of arguments by spokespersons for big name super-market chains years ago who claimed it was not feasible to locate in southwest Fresno. The community members refused to accept those claims. Instead, they came together and demanded a supermarket. Through years of efforts, the Kearny Palms Shopping Center was developed. The big name supermarket that located in the center has been successful since the day it opened its doors.

Community members and banks should learn from the Kearny Palms’ supermarket experience. Banks are to be commended for participating in the Bank on Fresno campaign which makes low-cost or no cost accounts available to try to attract low-income customers. However, the only real way to convince the unbanked to open accounts is to establish branches in those neighborhoods which the banks have redlined for so long. Such a move would allow them to gain new customers, help fulfill their Community Reinvestment Act obligations, allow community members to hold onto and build their assets and help to economically revitalize low-income neighborhoods and towns throughout Central California.

Staff/Volunteer Update

Welcome!

CCLS thanks Lupe Magana, Rene Cantu and Frances Romero for their volunteer efforts in the Fresno office. Lupe and Frances are assigned to the front desk where their primary responsibilities are to greet clients and screen for eligibility. Rene Cantu, a student in the Fresno City College Paralegal Program, helps Janie Munoz-Tafoya with clients.

Kathleen Kern, a law student from Loyola Law School, provides support to the Consumer Team. She assists attorney Ofra Pleban in researching foreclosure issues, drafts and edits documents, and participates in meetings regarding the mortgage crisis.

Michele Zugnoni joins the Merced staff as an attorney in the Housing/Community Economic Development Team. Michele previously worked as a Law Clerk for the Law Firm of Rediger, McHugh and Hubbert. She received her Juris Doctor in 2008 from the University of California, Davis School of Law and a Bachelor of Arts from California State University, Hayward. She is also engaged in The California Endowment’s Building Healthy Communities Southwest/East Merced meetings.

Welcome Back!

Rejoining FHCC is Certified Application Assistant/Advocate Chris Torres. Chris assists uninsured families obtain health coverage, providing enrollment and renewals through the One-e-App program.

Congratulations and a hearty welcome back to FHCC Secretary Rosalia Saldana. Rosie is the proud mother of a healthy baby boy. Vidal A. Garza Jr. was born June 8, weighing 7 lbs. 9 oz.

We are glad to have Marcela Alvarez back at CCLS. She temporarily filled in as secretary for FHCC and now provides support to the front desk in the Fresno office.

Way to Go!

We congratulate former Robert F. Krafty Fellowship recipient Steve Malm for passing the California State Bar Exam. Steve has been assisting with the “*Theft of Labor*” project.

Best Wishes!

We say goodbye to four employees, Merced Managing Attorney Annette Hiatt, Advocate Raquel Torres, Intake Clerk Kris Biaz and Attorney Paul Mullen.

Annette helped supervise the Merced office. Raquel helped families enroll into various health insurance plans and was an advocate for families. Kris was the first point of contact with clients. Paul accepted a position with the Fresno County Family Law Facilitator’s Office. He previously worked with the Voluntary Legal Services Program as the Supervising Attorney.

Fresno Building Healthy Communities Launches

Community planning sessions are underway to reach the goals of the Building Healthy Communities Central/West Fresno Place. The purpose is to develop local plans to strengthen, build capacity and sustain neighborhoods around the ten outcomes. The planning process continues until February 2010.

The Blue Thistle Consulting firm was hired to guide key stakeholders through this process. As previously reported, CCLS is the fiscal sponsor/applicant for this Central/West Fresno Place endeavor funded by The California Endowment.

Community partners meet regularly to decide how to engage community residents. The overall goal is to ensure that children and youth are healthy, safe and ready to learn in making the "The Place" healthier.



Pictured above: Keith Kelley, Reverend Doctor Sharon Stanley and Allysunn Williams listen to an update on activities at a BHC community meeting. Below: Sandra Celedón-Castro and Debra McKenzie applaud team members.



To get involved with the Fresno Building Healthy Communities activities, contact: Ms. Linda Grubb at (559) 570-1213 or by email: lgrubb@centralcallegal.org.

Effective Legal Advocacy

Family Saved from Homelessness

A tenant facing eviction due to foreclosure received \$7,000 to help her and her family relocate. She was served with an eviction notice due to the former owner defaulting on the loan. Paralegal Anna Moore Goodwin assisted her in fighting the eviction. Initially, the tenant had attempted to negotiate on her own but the mortgage company was adamant in wanting to keep her appliances. The tenant purchased her own as the previous owner had taken the appliances with him. She was able to take her appliances and relocate with the settlement CCLS was able to obtain for her.

Court Grants Custody to Domestic Violence Victim

A domestic violence victim was harassed by her ex-husband and his family members while he was incarcerated. They demanded her to drop the restraining order and re-establish visitation with his daughter. After his release, he failed to exercise his visitation rights. However, when the client petitioned the court to renew the restraining order, he tried to change the existing child custody and support orders. Attorney Michelle Ewert represented her in court where she was awarded full custody of her daughter. Paralegal Lana French helped with this case.

Identity Theft Victim has UI Benefits Reinstated

The Employment Development Department sought to disqualify the client from receiving benefits due to an alleged overpayment. The client contacted CCLS after receiving an overpayment notice of \$7,920. Paralegal Lydia Velasco represented the client at the hearing and presented evidence that clearly demonstrated the client was a victim of identity theft. She now receives her benefits every two weeks and no overpayment was assessed.

Benefits Restored for Clients

Paralegal Lydia Velasco represented two clients at their Department of Social Services hearing. After reporting a decrease in her income, the eligibility worker reduced her food stamps from \$298 to \$14. The client sought our assistance as \$14 a month was not enough to feed her children. Ms. Velasco filed an appeal and during the hearing the Administrative Law Judge ordered Fresno County to rescind their action and recompute the food stamps benefits. The client's food stamps have been reinstated.

A nonimmigrant program (U-Visa) provides domestic violence victims an immunity when seeking permanent status. The client, a domestic violence victim, contacted the office after her cash aid was reduced. Benefits were reduced because the client failed to provide the social security numbers for herself and two of her children. During the hearing Lydia provided proof that the client has a U-Visa application pending. The eligibility worker wasn't unaware of the special immunity of domestic violence victims. Her cash aid was fully restored.

Dedicated Housing Team Member



Tenants are fortunate to have Paralegal Sean Sidarth help them with their housing problem. For more than twenty years, Sean has assisted residents in Fresno County. This year, the number of tenants seeking help has increased due to the foreclosure crisis. What follows is a sample of success stories:

A senior citizen tenant sought help after she received an improper eviction notice. Sean contacted the attorney and discovered the owner lost the home due to foreclosure. Sean negotiated additional time for her to move, thus preventing her from becoming homeless.

A single mother with six children received a sixty-day notice to move and her water service was illegally turned off. Sean contacted the lender's attorney, demanding the water service be turned back on immediately. The homeowner never informed our client that he faced foreclosure. Instead he continued to accept rent payments. She was provided with \$3,000 to relocate.

A single father and his two children were provided with housing through the subsidized low-income housing program. He applied to the program but never heard back regarding his eligibility; his application was denied due to a prior criminal conviction. With no recent criminal history, Sean pursued an appeal on his behalf. In July, the tenant was granted an apartment.

Tenants like these benefit from the dedication of employees such as Sean.

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Heartfelt Thanks!

We take the time to recognize the following staff members who have been with CCLS for one to ten years. You are making an exceptional contribution to the individuals we serve.

Fresno Office

Linda Richardson — 10 years, Attorney

Yolanda Morales — 10 years, Fiscal Clerk

Jack Daniel — 10 years, Attorney

Hilda Medrano — 9 years, Legal Secretary

Manuel Franco — 9 years, Fiscal Clerk

Jeff Clason — 8 years, Deputy Director Legal

Yolonda Reeves — 7 years, Attorney

Hilda Vásquez — 6 years, Development Assistant

Hilda Ramirez — 5 years, Legal Secretary

Ofra Pleban — 5 years, Attorney

Lorraine Esparza — 5 years, Fiscal Clerk

Bao Thao — 4 years, Advocate

Frank Huerta — 4 years, Attorney

Nora Salazar — 4 years, Paralegal

Monica Blanco-Etheridge — 3 years, FHCC Director

Rosalía Saldana — 2 years, FHCC Secretary

Alice Gutierrez — 2 years, Legal Secretary

Chris Torres — 2 years, Advocate

Christina Hathaway — 1 year, Attorney

Merced Office

Roland Kelly — 4 years, Attorney

Visalia Office

Suzanne Swenk — 9 years, Attorney/Team Leader

Christine Delgado — 8 years, Legal Secretary

Michelle Ewert — 2 years, Attorney

Jith Meganathan — 2 years, Attorney

Michael Brooks — 1 year, Attorney

"I personally thank all of you for your remarkable efforts on behalf of our clients. It is much appreciated," states Board President Penny Moore.

CCLS Expands Legal Services to Seniors

For more than forty years Central California Legal Services, Inc. (CCLS) has provided legal services to eligible seniors in Fresno County. With funding from the Fresno-Madera Area Agency on Aging (FMAAAA) seniors in Fresno County have access to legal services. As of July 1, 2009 CCLS expanded its services to seniors in Madera County with a small grant from the FMAAAA.

Four years ago, Merced County seniors saw legal services expand with funds from the County of Merced Legal Services for Senior Program. This past July, the CCLS contract to serve seniors was renewed for another year. Attorney Roland Kelly provides legal information and advice; represents individuals in administrative hearings and civil legal proceedings; provides community outreach; and conducts annual training sessions for HICAP, Ombusman and Adult Protective Services agencies.

With funds from the Kings County Commission on Aging, Attorney Michelle Ewert and Michael Brooks travel weekly from the Visalia office to the Kings County Commission on Aging offices. Seniors in the county may access services by visiting the Kings County Commission on Aging in their Hanford office.

Over the years, thousands of seniors throughout the service areas have turned to CCLS for legal assistance. For further information, please call or visit our nearby offices (*see the office listing on page 7*).

Small Claims Advisory Services Grant Renewed

With funding from the Superior Court of California, County of Tulare, CCLS has operated the Small Claims Advisory Services program to Tulare County residents. The Visalia office provides services on a walk-in basis or by phone during regular office hours. The toll-free number (800) 675-8001 is available along with the TTY phone number (559) 570-1256 for the deaf and hard of hearing. Individuals have access to the I-CAN! Small Claims Advisor program via the Internet and in the Visalia office.

For further information, feel free to visit the Visalia office located at 208 W. Main Street, Suite U-1, Visalia, CA. You can also call the office at (559) 733-8770.

Support CCLS Throughout the Year!

Consider making a tax-deductible donation through payroll deduction at your job. Employees of the State of California or the federal government, designate payroll deduction dollars to the program. CCLS participates in both the California State Employees' Charitable Campaign and the Combined Federal Campaign throughout our six-county service area.

To learn more about how you can support CCLS year round, please contact Ms. Luisa Medina at (559) 570-1242 or email: luisa@centralcallegal.org.

CCLS Welcomes AmeriCorps Member



Linda Grubb joined the Fresno staff as an AmeriCorps member with the Volunteer Infrastructure Program (VIP), a project of HandsOn Central California. She will be with CCLS for a year.

Her primary responsibility is to provide support to and coordination for the engagement of volunteers with the Building Healthy Communities for the Central/West Fresno Place.

She has a background in health care and volunteers in the Lowell neighborhood as part of an urban mission's project with Bringing Broken Neighborhoods Back to Life.

Building Healthy Communities Needs You!

Are you...

- talented, creative but overlooked?
- skilled, decisive but underappreciated?
- hardworking, diligent but underwhelmed?

Building Healthy Communities is a community-wide planning effort sponsored by The California Endowment.

If you have 3-4 hours that you are willing to put to use in a helping manner, would you like to volunteer your most valuable asset (time)? Want to make a positive change in your community? Please contact Linda Grubb, AmeriCorps VIP Coordinator at (559) 570-1213 or email: lgrubb@centralcallegal.org.

"You must be the change you wish to see in the world" - Gandhi

(Continued from page 1)

broker, seeking a temporary restraining order to stop the sale of the home. On the morning of the auction, the Court granted the order. The client and Ofra arrived at the steps of the courthouse, with the order in hand, to find the auctioneer on the ladder selling off properties. The order was served on the trustee who was already calling the properties. The sale of her home was stopped just minutes before it could have been auctioned.

New Board Members Join CCLS

Central California Legal Services, Inc.
welcomes attorneys
Carl M. Faller and Leonard Herr
to the Board of Directors!

Welcome Aboard!



It is a pleasure to announce that Ugochi L. Anaebere joins our staff as the Supervising Attorney for the Voluntary Legal Services Program (VLSP). Ugochi brings with her experience as a Housing and Consumer Advocate and an enthusiasm which is contagious.

Ms. Anaebere previously worked with the Neighborhood Legal Services of Los Angeles County, as a staff attorney with the Housing and Consumer Advocacy Group. She supervised and worked with *pro bono* counsel on a condominium conversion action in the San Fernando Valley. She also served as a technical advisor for community groups and tenants.

As the Supervising Attorney for VLSP, Ugochi will provide day-to-day management in all aspects of VLSP. She will recruit and place cases with *pro bono* attorneys and administer the work of *pro bono* attorneys and students.

Ugochi walks the walk on pro-bono. Volunteer work with Legal Aid Foundation of Los Angeles convinced her to pursue a career in legal services. Later, on her own time, she worked closely in collaboration with members of the Black Women Lawyers Association of Los Angeles and community leaders to assist families facing foreclosure. When Ugochi asks someone to volunteer through VLSP she's not doing it merely because it is her job but because she sincerely believes in the rewards of pro-bono.

A Southwestern Law School (J.D. 2004) and University of California, Los Angeles graduate, Ugochi was admitted into practice in 2004. She can be reached at (559) 570-1238 or by email at: ugochi@centralcallegal.org.

Voluntary Legal Service Program

Recruits and supports "pro bono" attorneys who represent low-income clients in civil legal matters.

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)
- Good Samaritan Center (Visalia, CA)

For more information, please contact, Ms. Ugochi L. Anaebere VLSP Supervising Attorney at (559) 570-1238 or email: ugochi@centralcallegal.org.

Two Local Attorneys Join VLSP

A warm welcome to Howard K. Watkins and Melvin M. Richtel to the Fresno office. Both Howard and Melvin are pro bono attorneys with the Voluntary Legal Service Program (VLSP) as volunteer attorneys.



Howard retired after working for twenty-two years with the Fresno County Counsel's office. Howard began his legal career with Fresno County Legal Services (FCLS) predecessor to Central California Legal Services, Inc. At FCLS Howard served as a staff attorney and as Executive Director.

As the first coordinator for the *pro bono* project at CCLS, he returns to continue to carry out what he once began. It has always been in Howard's heart to help the less fortunate. He assists with Project First Step.



In private practice for thirty years, attorney Richtel's passion for equal justice continues. He has spent most of his career in courthouses throughout the Central Valley.

Mel works with attorney Ofra Pleban on foreclosure cases. He also participates with the Theft of Labor project.

"Both attorneys are great public servants. They continue to work hard to make sure every client has equal access to justice," states Executive Director Chris A. Schneider.

Become Part of the Pro Bono Practice Program

The California State Bar Pro Bono Practice Program (Formerly the Emeritus Attorney Pro Bono Program) is designed to take advantage of the legal skills, training and experience of attorneys. It offers them the opportunity to contribute valuable legal expertise to low-income Central Valley residents.

The program waives the state bar dues for eligible attorneys who represent *pro bono* cases through a qualified legal services program, such as VLSP. They receive free malpractice insurance, free MCLE, and case management support through VLSP. Volunteers may include retired attorneys or judges, those on maternity leave or attorneys on sabbatical from private practice.

There are many opportunities available for any attorney interested in volunteering. If you would like more information, please contact Ms. Ugochi L. Anaebere at (559) 570-1238 or email: ugochi@centralcallegal.org.

CCLS in the Community

Impressive Work, Jack!

Congratulations to CCLS Attorney Jack Daniel who recently received two awards for his extraordinary work. The first award was given to him by the National Association for the Advancement of Colored People and the other by the Sierra Education and Research Institute. Jack also recently co-authored an article for the Clearinghouse REVIEW (Volume 43), "Fresno's Juvenile Behavioral Health Court: A Better Way to Serve Youth." CCLS is proud of the work Jack has achieved over the years.



Attorney, Jack Daniel (right) of the CCLS' Fresno Health Consumer Center accepts an award from the Sierra Education and Research Institute (SERI) for his contributions to the community and to the youth with mental illnesses. The award was presented by Dr. Amy Tillery (left) with SERI. Also, pictured with Jack is his wife Mary Betteschild.

Way to Go!

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 for the Cure -
Central Valley Affiliate
Kaiser Permanente
The City of Fresno
Tulare County Superior Court
Self Help for the Elderly
Kings County Commission on Aging Council

Thank you for your support!

Senior Awareness Day

The annual Elder Abuse Prevention Roundtable Conference drew 105 seniors and representatives from adult protective services, attorneys, law enforcement, nursing home administrators and health care workers.

This year, the conference provided attendees an opportunity to: examine the nature, scope and consequences of elder abuse; address collective approaches to intervening; and discuss the application process of the Social Security Administration.

Conference attendees also enjoyed an outstanding Law Day Luncheon program held at the Radisson Hotel. If you would like to participate in next year's conference, please contact Sherry McMurry at (559) 570-1215 or by email at: sherry@centralcallegal.org.



Pictured above are members of the AARP who provided educational information about their services to attendees at the conference. Below, District Attorney Timothy Donovan and Complaint Specialist Judy Steinhardt staff a booth at the event. They have provided continuous support for the conference every year.



STAY TUNED!!!
CCLS's New and Improved
Website
Coming Fall 2009

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Champions of Justice Annual Reception



We appreciate your ongoing support for CCLS and its services to our community. Normally, at this time of year, we invite you to join us for our Annual Champions of Justice Reception. It is always a fun time where we celebrate our successes as we work to improve access to justice for those less fortunate in our community.

We are not holding our reception this year. Instead, we ask that you make a contribution in support of our efforts to help families whose daily struggle to survive is the very reason for our existence. The economic downturn makes it harder for all of us and, especially for the communities we serve.

Your generous support remains critical to our success. Please consider a donation to CCLS in support of our services. Thank you!



Please mail your contribution to CCLS:

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