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A STUDY AND EVALUATION
OF
CALIFORNIA RURAL LEGAL ASSISTANCE, INC.
BY
CALIFORNIA OFFICE OF ECONOMIC OPPORTUNITY

1971

LEWIS K. UHLER, DIRECTOR

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In commenting on their lobbying office in Sacramento, the report states:

"It is abundantly clear that this office not only generates new legislation, but lobbies extensively on behalf of its own legislative programs and those of others it considers appropriate. During the 1970 session of the Legislature, James F. Smith, CRLA lobbyist, successfully opposed certain amendments to the State Welfare laws that would have reduced the cost of Welfare to the State."

"Although lobbying is not specifically proscribed in the CRLA grant or OEO legal guidelines, neither is it explicitly authorized."

"It is time that Congress and/or National OEO clarifies this area of activity. The lobbying question is a very close bedfellow of the 'suit against the government' activity. Clearly it is time that policy decisions were made regarding these activities."

The report also accuses CRLA of handling fee-generating cases (even though it is prohibited from handling such cases by terms of its grant) and cites the following examples:

A case of police beating and false imprisonment - \$125,000; unlawful detention in violation of civil rights - \$423,000 general and punitive damages; infliction of corporal punishment upon a school child - \$39,600 general and punitive damages; a claim of illegal firing for union activity - over \$500,000 general and punitive damages; false arrest and police brutality case claiming \$40,000 damages; a claim of personal injuries in the counterclaim to an unlawful detainer action - \$20,000 damages; a personal injury action against the City of Delano - claim of \$100,000 general damages; an action against the City of Delano and its police officers - a claim of \$11,000 in exemplary and general damages; a charge of injuries sustained due to an unlawful dismissal by the City of Delano - \$5,000 damages.

CRLA, in the voluminous evaluation report, is accused of "institutional and structural defects beyond repair."

According to the report, CRLA is:

"constituted at odds with OEO's prevailing premise. CRLA has had the problems it has, substantially because its organization ignored the rest of OEO's experience - which has demonstrated the value of community participation and home rule."

The report emphasizes the lack of community participation displayed by CRLA - with local bar associations, the community structure and the citizens of the community.

The report states:

We were startled when we went out into these communities and watched CRLA try to relate to the communities."

In most of its service areas, CRLA is the largest office in the town, with probably the only law firm Xerox machine. In virtually every case, CRLA moved into town and began making demands on everyone with whom they had any contact: judges, the local district attorney, welfare department, farm labor bureau, and so on. Often they dress in blue jeans, even in court, and sometimes without shoes.

"They typically become involved in school activities, in which they encourage high school students to prosecute legal claims based on a constitutional right of a student to be immune from reasonable school disciplinary procedures. In their relations with children, often they act as if they were above the law, indifferent to the wishes of the children's parents, where the children may be useful to them in pursuing a 'cause' that they may think is important. Usually it relates to their general assault on authority and discipline.

CRLA's impact on the poor themselves was subject to the greatest concern, according to the evaluation report. Cases are documented in which CRLA attorneys openly state

they will not handle domestic relations cases and seem out of patience and indifferent to what the evaluators consider were "legitimate needs of the rural poor."

The evaluation suggests the need for a better rural assistance program that is oriented to the needs of the community and to the rural poor in those communities. The report states:

This Administration's deep concern for meeting the legitimate civil legal needs of indigents has prompted us to devise a privately financed alternative to CRLA which holds enormous promise to truly serving the rural poor."

The program, according to the evaluation, intends to create variations in the structure of each individual office of the legal program through which it can be determined the most effective way, as well as the most efficient way, to meet the legal needs of the area. The program in depth will be announced before the end of January, when OEO in Washington must make the decision whether to override or sustain Governor Reagan's veto.

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In commenting on their lobbying office in Sacramento, the report states:

It is abundantly clear that this office not only generates new legislation, but lobbies extensively on behalf of its own legislative programs and those of others it considers appropriate. During the 1970 session of the Legislature, James F. Smith, CRLA lobbyist, successfully opposed certain amendments to the State Welfare laws that would have reduced the cost of Welfare to the State.

"Although lobbying is not specifically proscribed in the CRLA grant or OEO legal guidelines, neither is it explicitly authorized.

'It is time that Congress and/or National OEO clarifies this area of activity. The lobbying question is a very close bedfellow of the 'suit against the government' activity. Clearly it is time that policy decisions were made regarding these activities."

The report also accuses CRLA of handling fee-generating cases (even though it is prohibited from handling such cases by terms of its grant) and cites the following examples:

A case of police beating and false imprisonment - \$125,000; unlawful detention in violation of civil rights - \$423,000 general and punitive damages; infliction of corporal punishment upon a school child - \$39,600 general and punitive damages; a claim of illegal firing for union activity - over \$500,000 general and punitive damages; false arrest and police brutality case claiming \$40,000 damages; a claim of personal injuries in the counterclaim to an unlawful detainer action - \$20,000 damages; a personal injury action against the City of Delano - claim of \$100,000 general damages; an action against the City of Delano and its police officers - a claim of \$11,000 in exemplary and general damages; a charge of injuries sustained due to an unlawful dismissal by the City of Delano - \$5,000 damages.

CRLA, in the voluminous evaluation report, is accused of "institutional and structural defects beyond repair."

According to the report, CRLA is:

"constituted at odds with OEO's prevailing premise. CRLA has had the problems it has, substantially because its organization ignored the rest of OEO's experience - which has demonstrated the value of community participation and home rule."

The report emphasizes the lack of community participation displayed by CRLA - with local bar associations, the community structure and the citizens of the community.

The report states:

We were startled when we went out into these communities and watched CRLA try to relate to the communities."

In most of its service areas, CRLA is the largest office in the town, with probably the only law firm Xerox machine. In virtually every case, CRLA moved into town and began making demands on everyone with whom they had any contact: judges, the local district attorney, welfare department, farm labor bureau, and so on. Often they dress in blue jeans, even in court, and sometimes without shoes.

"They typically become involved in school activities, in which they encourage high school students to prosecute legal claims based on a constitutional right of a student to be immune from reasonable school disciplinary procedures. In their relations with children, often they act as if they were above the law, indifferent to the wishes of the children's parents, where the children may be useful to them in pursuing a 'cause' that they may think is important. Usually it relates to their general assault on authority and discipline.

CRLA's impact on the poor themselves was subject to the greatest concern, according to the evaluation report. Cases are documented in which CRLA attorneys openly state

they will not handle domestic relations cases and seem out of patience and indifferent to what the evaluators consider were "legitimate needs of the rural poor."

The evaluation suggests the need for a better rural assistance program that is oriented to the needs of the community and to the rural poor in those communities. The report states:

This Administration's deep concern for meeting the legitimate civil legal needs of indigents has prompted us to devise a privately financed alternative to CRLA which holds enormous promise to truly serving the rural poor.

The program, according to the evaluation, intends to create variations in the structure of each individual office of the legal program through which it can be determined the most effective way, as well as the most efficient way, to meet the legal needs of the area. The program in depth will be announced before the end of January, when OEO in Washington must make the decision whether to override or sustain Governor Reagan's veto.