

Topics: **Employment*, *Immigrants and Migrants**

Date of Elert: August 18, 2006

Elert title: Low-Wage, Temporary Workers Secure Settlement Agreement Over Working Conditions at Del Monte Plant in Oregon

Article title: Del Monte, Ex-Workers Secure Settlement Deal

Author: Brent Hunsberger

Source: The Oregonian

Source date: August 10, 2006

A group of largely immigrant, low-wage, temporary workers in Oregon secured the settlement of a state court employment conditions and retaliation lawsuit against Del Monte Fresh Foods, which owns the plant where the workers were employed. The workers claimed that Del Monte violated state law by firing them for complaining about such issues as health and safety concerns, withheld overtime pay, inadequate meal breaks, and lack of safety gear. Under the settlement, the workers will receive a total of \$400,000 and Del Monte's promise to provide meal breaks and to pay overtime. The plaintiff workers were hired through a temporary employment firm, Quality Manual Labor Inc. (QML), which placed them at a Del Monte Fresh Foods processing plant. As New Year's Eve approached in 2004, approximately 30 workers asked QML for time off to be with their families, and also raised health and safety concerns, at which point, the workers claim, QML declared that they were fired. In January, 2005, eight workers filed complaints with the Oregon Bureau of Labor and Industries alleging that QML violated state law by firing them for opposing safety hazards. The next month, the workers met with an attorney at Oregon Law Center (OLC) and filed a lawsuit against Del Monte, making the same allegations they had earlier raised with QML. In December of 2005, the Oregon Bureau of Labor found that QML had in fact violated the workers' rights under state law, but within a month QML dissolved. The lawsuit against Del Monte continued, however, and on February 27, 2006 the two parties reached a settlement with the assistance of a mediator from the U.S. Department of Agriculture. The settlement was filed in the state court on August 10, 2006 with the Multnomah County Circuit Court. Brent Hunsberger, Del Monte, Ex-Workers Secure Settlement Deal, The Oregonian, Aug. 10, 2006.

Topics: **Government Benefits*, *Issues in Legal Services Delivery*, LEGAL SERVICES ACTIVITIES AND ACHIEVEMENTS*

Date of Elert: August 18, 2006

Elert title: Medical Center and Legal Aid Lawyers in Cleveland, Ohio Team Up for a Holistic Approach to Health and Well-Being

Article title: With Friends' Help, MetroHealth Expands Legal Aid Program

Author: Donna J. Miller

Source: The Plain Dealer (Ohio)

Source date: August 11, 2006

Children, seniors, homeless people, and persons with previous criminal convictions will benefit from a newly expanded program in Cleveland, Ohio that will connect MetroHealth Medical Center with legal aid attorneys to provide holistic services to clients. This month, four attorneys and a paralegal will begin meeting with patients at the Medical Center and at its three neighborhood clinics. The program, which expands an initiative that began in 2003, will connect attorneys with patients who need support in attaining Social Security benefits, special education, public assistance, food stamps, Medicaid, child care, and housing. The LSC-funded Legal Aid Society of Cleveland and MetroHealth, along with private foundations and law firms, have committed \$1.27 million for the planned expansion, which will hopefully reach over 400 families in the next year. Melanie Shakarian, spokeswoman for Cleveland's Legal Aid Office, says, "It only makes sense that doctors with low-income patients and Legal Aid attorneys for low-income families work together." Donna J. Miller, With Friends' Help, MetroHealth Expands Legal Aid Program, The Plain Dealer (Ohio), Aug. 11, 2006.

Topics: **Immigrants and Migrants*, LEGAL SERVICES ACTIVITIES AND*

ACHIEVEMENTS**Date of Elert:** August 18, 2006**Elert title:** Legal Services Program Helps Permanent Residents Apply for Citizenship at Free Naturalization Clinic in Michigan**Article title:** Aspiring Citizens Take First Steps to New Status**Author:** Shandra Martinez**Source:** The Grand Rapids Press (Mich.)**Source date:** August 6, 2006

This summer, permanent residents will be able to file the necessary paperwork to become naturalized citizens with the assistance of Farmworker Legal Services (FLS), a division of LSC-funded Legal Services of South Central Michigan Inc. Twenty-four attorneys have volunteered their time to help 50 permanent residents complete the daunting and often overwhelming paperwork necessary to obtain citizenship, through naturalization clinics hosted by FLS. For Santiago Galaviz-Lopez, a permanent resident who is 72 years old and is the grandfather and great-grandfather of more than 40 citizens of the United States, becoming a citizen is about more than just a piece of paper. He says, "I want to vote. After this many years, I feel like this is my country. I want to have a voice." Shandra Martinez, Aspiring Citizens Take First Steps to New Status, The Grand Rapids Press (Mich.), August 6, 2006.

Topic: ATTACKS**Date of Elert:** August 18, 2006**Elert title:** LSC Board Members and President Criticized for Alleged Excessive Spending, Respond with Detailed Statement Refuting Critique**Article titles:** Luxury Spending Found in Legal Program / Legal Defender of Poor Under Scrutiny / Legal Services Corporation Response to Issues in CBS and AP News Stories**Author:** Larry Margasak**Sources:** The Associated Press / CBS News / Also based on original reporting by Brennan Center staff

Ken Boehm, a disgruntled former employee of LSC, was quoted in news stories this week charging that LSC's Board Members and President engaged in excessive spending of LSC funds on meals, transportation, and rent. LSC issued a short statement on August 16, 2006, rebutting each attack. LSC also wrote, "As a matter of principle, we are committed to being a careful and frugal steward of taxpayer funds – we have strict policies in place to ensure that LSC funds are spent wisely and appropriately." Of note, articles carrying the story typically also pointed to the valuable and sometimes incredible work being undertaken by local legal aid organizations that rely on modest resources to make a big difference for their clients. These stories made clear that, beyond the current controversy, LSC funds are having a beneficial impact on the lives of low-income people throughout the country. Larry Margasak, Luxury Spending Found in Legal Program, The Associated Press, Aug. 14, 2006; Legal Defender of Poor Under Scrutiny, CBS News, Aug. 13, 2006; Press Release, Legal Services Corporation Response to Issues in CBS and AP News Stories, Aug. 16, 2006; also based on original reporting by Brennan Center staff.

Topics: **Issues in Legal Services Delivery**, LEGAL SERVICES STRUCTURE**Date of Elert:** August 18, 2006**Elert title:** Clearinghouse Review Journal of Poverty Law and Policy Explores the Right to Counsel in Civil Cases**Source:** Based on original reporting by Brennan Center staff**Source date:** August 1, 2006

The July/August, 2006 issue of the Clearinghouse Review Journal of Poverty Law and Policy, which is published by the Sargent Shriver National Center of Poverty Law, explores the growing momentum in the movement for a right to counsel in civil legal cases. The articles provide a multifaceted view of the current scholarship and initiatives pushing for a right to counsel. Paul Marvy, coordinator of the

Committee for Indigent Representation and Civil Legal Equality, traces the thinking in the United States about a civil right to counsel back to a 1923 Harvard Law Review article and provides an historical understanding of the right to counsel. Other articles explore state initiatives, statutes, and cases regarding a right to counsel for certain types of cases, drawing examples from California, Washington, Wisconsin, Ohio, and Maryland. Wade Henderson, executive director of the Leadership Conference on Civil Rights, and Jonathan Smith, executive director of the Legal Aid Society, place the movement for a right to counsel in the context of the broader civil rights struggle. They argue, "The intersection of a civil right to counsel and racial, ethnic, and gender fairness is an area that can offer new arguments in support of the right and can bring important new allies into the campaign." Laura Abel, deputy director of the poverty program at the Brennan Center for Justice, describes lessons the civil right to counsel movement can learn from the experience gained in establishing and enforcing the criminal right to counsel (including, the critical importance of securing adequate funding to finance the right, not tolerating inadequate representation, and developing clear minimum standards to guide the provision of representation). The final articles explore the right to counsel in the context of international law and human rights. To subscribe or for more information, see: <http://www.povertylaw.org/clearinghouse-review>. Based on original reporting by Brennan Center staff.

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