

NEWS

IN
PERSPECTIVE



Legal Aid Society Executive Director Eleanor Eisenberg makes a point.

Law

Legal Aid Society Enters Its Third Decade

UNLIKE many agencies created in the heady liberal atmosphere of Lyndon Johnson's "Great Society," the Legal Aid Society of Santa Cruz County has made significant strides in correcting injustices.

In its 20 years, the society forced Cabrillo College to actively recruit Hispanic students. It was instrumental in closing the Front Street jail. Low-income residents have received invaluable help securing benefits and having their rights upheld by a crack team of attorneys and volunteers, including many who have gone on to become big names in the local legal profession.

"The law requires the availability of public defenders, but there's no law requiring access to legal services," said Municipal Court judge Richard McAdams, once a Legal Aid Society attorney himself. "It's a measure of a community's commitment to excellence."

At the society's 20th anniversary bash in November, there was great cause for celebration. Not only had the society accomplished those feats listed above, their presence had become an almost expected element of the local legal system.

"Just the volume of work we do in the landlord-tenant field (through its subsidiary Housing Law Center) raises the level of awareness among landlords and tenants that they each have rights and responsibilities," said Eleanor Eisenberg, executive director

of the society for the past nine years.

Operating out of a main office in Watsonville and a branch in Santa Cruz (home of the Housing Law Center), the society serves 1,500 or more new clients each year, Eisenberg said. There aren't any accurate statistics on the number of people they've served over the 20 years, she added.

Created for those who can't afford their own lawyers, the society has helped thousands of people secure government benefits.

One welfare recipient, who asked not to be identified, recalled how the society came to her aid when her benefits were cut off because she lost her fixed address.

"I had enough understanding of the system to know they couldn't throw me out of the program because I didn't have an address. I went to Legal Aid. I still had to go out and deal with all those bureaucrats myself, but I was armed with the law."

"It's a minimal subsistence cash grant," said Eisenberg, describing the county's general assistance program. "The people who needed it the most were those who could not afford to have four walls affixed the ground, and we were able to renegotiate the residency requirements so that people who are legally residing in the county, but not necessarily in a house or apartment, can now qualify for general assistance."

Although its primary mission is to provide legal services to the poor (with the exception of criminal cases;

those must, by law, be handled by the public defender's office), the society has on occasion become a spearhead for activist causes.

Both Monterey and Santa Cruz counties felt the society's wrath when it filed suit against them in 1979 over their policy requiring indigents who needed health care to sign liens against "any property they owned or would own in the future," Eisenberg said.

Such liens are still required, but people signing them have the right to hearings, and a "determination of ability to pay must be made. If that ability doesn't exist, there really isn't a debt," she said.

Action by the society forced the creation of the new Blaine Street minimum-security facility for women. Previously, all women inmates that couldn't get into the limited spaces at two other facilities or the work furlough program were placed in the medium security Water Street jail,

regardless of the severity of their offense.

"There's a great deal of difference to a person who's incarcerated they're in a minimum or medium security facility. One of the ramifications was women could not see children for security reasons," said Eisenberg.

While McAdams was at the society, it embarked on an effort to reach senior citizens and help them receive or improve benefits. "We trained elderly poor to act as paralegals. At the time, it was novel," McAdams said.

UCSC students were then solicited as volunteers. "It enabled me to expand my time, to handle dozens and dozens of cases," he said. McAdams' wife Claire was "one of the original UCSC student volunteers." Her thesis became the foundation of a handbook published by the California Rural Senior Legal Assistance Association on how to establish legal aid services for the elderly.

Despite all these successes, the people at the society aren't superhuman. Although Linda Lemaster, of the Welfare Parents Support Group, has great faith and confidence in the society, she understands its limitations. She's worked as an intern with the society, assisting people with GAIN, the new "workfare" program.

"If a person understands before they go to Legal Aid what their legal needs are, they can probably find help at Legal Aid. But if the whole legal

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**Society's presence
has become an
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Legal Aid Society

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system is new to them and they suddenly have to deal with it, they're going to have to talk to three or four lawyers just to get the basics."

And the future is uncertain.

"We have federal money coming through the Legal Services Corp., a federal non-profit corporation which is a creature of Congress and receives an annual appropriation from Congress," said Eisenberg. "We have no idea, given deficit reductions, what's going to happen with that money. We are anticipating substantial cuts in funding."

The society has other sources of

income, so loss of the federal money may hurt but won't kill the organization. And local attorneys donate their own time and money, she said.

"We have had to refine our priorities as well as make decisions with community input and with our board of directors, which also has low-income people on it, as to which cases we'll accept," said Eisenberg.

Odds are good that as long as there are people who need help getting legal help, the society or something like it will survive.

"We've not attained complete access to the courts," said McAdams. "But everybody is conscious of the need." •

—Rick Hildreth & Chela Zabin