

Serving the community:

Cal law students help low-income East Bay residents

By Janet Huseby

This March, amid little fanfare but great expectations, the newly established People's Community Partnership Federal Credit Union quietly opened in an Oakland storefront located in the former Acorn Shopping Center, now known as the Jack London Gateway Plaza. It is the only financial institution in Oakland west of Interstate 880. Founders hope the member-owned cooperative will operate like the friendly, pre-World War II neighborhood banks, with community connections and personalized relationships. But, unlike the banks, which grew, conglomerated and fled poorer neighborhoods, this credit union plans to stay.

The credit union is a project of the nonprofit East Bay Community Law Center, the brainchild of a group of law students from UC Berkeley's Boalt Hall 13 years ago. The organization the students founded is still partially funded by Boalt and largely staffed by law students, but it has grown to include a paid staff of 17, including 13 lawyers who teach, advise, counsel and befriend low-income clients in crisis situations.

The credit union, part of the Community Economic Development Unit, is one of four areas in which the center works. The others are housing, HIV/AIDS, and employment and income support or "welfare-to-work." The legal advice the center dispenses is free to low-income, East Bay residents.

These days housing is the most urgent and upsetting problem. Thousands of East Bay tenants are caught in the squeeze between soaring rents and a hot real estate market. As rental properties change hands and rents skyrocket, evictions have become the center's most pressing problem. Evictions move at a fast pace. Most clients call the law center after receiving notices: 30-day, three-day or an illegal 24-hour notice.

Cseneca Parker and Walter Huertas sit at the front desk of the center - located near the Berkeley/Oakland border at 3130 Shattuck Avenue - answering up to 250 telephone calls a day in English and Spanish. Law students help out in Cantonese, Mandarin and French.

"People call in crisis. We understand and expect that everyone here is in an emergency," Parker says. "We don't have answering machines; we have two men with smiling faces to reassure callers that things will be all right."

For most, a call to the clinic is a good move for a desperate person to make. Berkeley tenants have some rights under the local eviction control ordinance, explains law center attorney Sharon Djemal, while in other cities, landlords can evict for no cause. Even so, a "no cause" eviction can be illegal. It is illegal to evict for discriminatory reasons or to retaliate, for example, because a tenant has asked for repairs. An eviction is also illegal if it does not follow the required 30-day procedure. Some eviction notices are "lost" or never delivered. "However, the burden is on the tenant to prove unjust cause," says Djemal.

The center helps in a number of ways. Twice a week it operates a "Pro Per" clinic at the Alameda County Courthouse, helping tenants represent themselves in landlord disputes. It also holds weekly tenants' rights workshops, and provides full representation in court for as many cases as possible.

"Margaret" first showed up at the center at one of the tenants' rights workshops. Deaf since childhood, she communicated with center lawyers via a pad of paper. A victim of domestic violence, Margaret received an eviction notice from her landlord, who is trying to evict her from her rent-controlled apartment. He claims that the noise from the violence was a nuisance and was upsetting other tenants. The center set up an appointment with Margaret and a deaf translator. They worked with the Family Violence Law Center to get a restraining order on her boyfriend and are now taking the eviction case to a jury trial.

How successful is the center? Clinical Director Jeff Selbin ponders the question: "Success has to do with how you define winning. With housing issues, sometimes winning is buying time for the client to find a new home or securing money to help with move-out costs. Other times it is prevailing in a lawsuit." Annually the center represents some 1,400 clients. "People fare better when we represent them. Ninety percent of the time, we prevail in court," Selbin says.

In addition to housing and economic development, the center represents people facing "sanctions," or a reduction in welfare benefits for failing to meet current work requirements. It helps with hearings on disability insurance for HIV/AIDS clients unable to work. And it explains the maze of regulations clients must negotiate before they receive food stamps or Section 8 housing assistance.

The center provides law students with hands-on training. Each semester, 20 to 25 Boalt Hall students sign up for a clinical law course that sponsors their work at the center. A prestigious summer program attracts hundreds of applicants nationwide for its 20 internship slots.

The center's lawyers train the students in the law and necessary people skills. Each student has his or her own caseload: explaining regulations, attending administrative hearings and representing clients in court. "Students have a lot of responsibility," Selbin says, "but we give them the tools they need."

Jora Trang is a third-year Boalt Hall law student working 20 hours a week at the center this semester, focusing on the HIV/AIDS project. Her group helps people obtain disability benefits, general assistance and food stamps and assists with powers of attorney, wills, care and custody of children, and other family matters.

Trang plans to join a private law firm after graduation. "Corporate law is very different from dealing with agencies, administrative legal systems and hearings," she says. "A lot of people enter practice without these public interest skills." The experience Trang is gaining at the center will allow her to pursue what she knows will always be a part of her life - pro bono or volunteer work for those who need her.

For information on the East Bay Community Law Center, visit www.ebclc.org or call (510) 548-4040.