

OFELIA ZAPATA
CLIENT BOARD MEMBER, TEXAS RIOGRANDE LEGAL AID
PRESENTATION TO LSC BOARD OF DIRECTORS
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My name is Ofelia Zapata. Member of San Jose Catholic church and Leader of Austin Interfaith. I currently serve as client representative on the boards of TX Rio Grande Legal Aid, TX Legal Services, Nat'l Law & Economic Justice and the Nat'l Legal Aid & Defenders Association, respectively. I am also Vice President of the Texas Client Council. Welcome to Austin, Texas.

On behalf of the client community, I am here to address several restrictions that affect the ability for LSC funded grantees, across the nation, the ability to provide the same level of representation for the poor as is available for the rich and powerful.

UNDOCUMENTED PEOPLE - The restriction on representation of undocumented people. Our lawyers cannot represent undocumented workers, those are the people that employers prefer to hire and exploit, and that drives down wages and working conditions for ALL low-wage workers.

PRISONERS - Restrictions on representation of prisoners, and Texas has the highest number of people in prison (150,000+). Many more are held in local jails, often under deplorable conditions. Our lawyers cannot represent prisoners who may have valid constitutional claims for protection from abuse.

CLASS ACTIONS - The restrictions on the way our programs can practice law. Since 1996 we have been unable to file class actions to obtain relief for large numbers of people in the same case. For example, our lawyers see a hundred farm workers being paid less than the wage that the crew leader promised them during recruitment, our lawyers have to name each individual worker in the lawsuit. That exposes them to retaliation from the crew leader or the farmer, and drives up the costs and resources necessary for other aspects of litigation. Enforcement of laws protecting farm workers, consumers, and others is much less efficient and requires a greater investment of program resources to achieve the same ends. In times of declining resources, we should be practicing law in the most, not the least, efficient manner.

LOBBYING - The restrictions on lobbying and legislative advocacy are designed to take from poor people a resource that the rich have in abundance - the ability to influence the laws that are passed by the legislature, city council, or school board. The restrictions on welfare reform and redistricting litigation are there to remove critically important, and legitimate, legal objectives from the reach of poor people.

I do understand that you, the LSC Board did not write these restrictions into law. I understand that was done by the Congress. I have a very difficult time understanding how we can claim we stand for "Justice" when there is "INJUSTICE" written all over the restrictions noted above. These restrictions discriminate against the poor. These restrictions are contrary to the values and norms of the legal profession.

I respectfully urge you to advocate for removing such restrictions placed only on those who provide legal services to the poor. Thank you!