

The 2006 Trina Grillo Public Interest and Social Justice Law Retreat: Don't Let the Transactional World Get You Down.

By Juan Calzetta, Liza-Jane Capatos, and Kimberly Love, all of Santa Clara University School of Law, '08.

The Eighth Annual Trina Grillo Public Interest and Social Justice Law Retreat was held in Santa Cruz, California on March 11th and 12th. An unexpected and highly unusual snowstorm couldn't keep the wonderful group of ninety plus practitioners and students from convening at the Coast Santa Cruz Hotel to spend the weekend discussing public interest and social justice law issues. In the hotel's cozy conference room we reflected on the interplay between social justice work and funding, while enjoying a spectacular panoramic view of the Pacific Ocean.

From the tactical to the organizational, historical to prospective, we explored the nature of modern social justice lawyering and how to best approach and enhance it. This year's Retreat also marked the creation of the Grillo Consortium. The consortium ensures that the spirit of Trina Grillo will continue to motivate and inspire those who come in contact with her memory.

Dean Donald Polden, Stephanie Wildman, and Margaret Russell of Santa Clara University made introductory remarks recalling the life and work of Trina Grillo. The plenary sessions followed, punctuated mid-morning by the Memorial Address honoring Ralph Santiago Abascal, general counsel for the California Rural Legal Assistance and a champion of social justice. The Address featured James Head (San Francisco Foundation) with moderator the Honorable Cruz Reynoso. The Retreat provided valuable insight that can be divided into three categories: student-oriented advice, methods for organizing and effecting change, and coordinating public and private efforts.

Advice for Law Students

From the student's perspective, the Retreat's focus on the role of money in social justice lawyering addressed prevalent concerns of students considering careers in that area of the law. The first plenary explored the relationship between social justice lawyers and money. In addition to explaining diverse ways to fund social justice work, Joan Graff (Legal Aid Society/Employment Law Center) discussed how social justice lawyers have struggled to admit the importance of money to their work, particularly when faced with the general assumption that social justice lawyers should be paid modestly. While money is not everything, it is a reality that must be confronted in order to continue that work. Jane Dolkart (Southern Methodist University) suggested helping clients with other issues, like wills and mediation, as an alternative source of funding.

This tension was juxtaposed with Lia Epperson's (Santa Clara University School of Law, formerly of the NAACP Legal Defense & Educational Fund) discussion of the increasing influence corporations have on public policy, its effect on civil rights, and the possibilities of corporate partnership. Overall, the importance of money cannot be overlooked and many practitioners encouraged students to develop business and managerial skills during school to help them in their practice.

Law students interested in pursuing public interest and social justice work may become discouraged when faced with looming debt and the attractive option of working at a large firm. However, as Sonia Mercado (Sonia Mercado and Associates) eloquently noted, loan concerns are not unique to the profession of law but common to many careers. James Head (San Francisco Foundation), urged staying focused on goals, despite the debt. If all else fails, loan forgiveness plans can ease some suffering.

In addition, many speakers discussed ways to contribute to public interest and social justice work besides working for a non-profit organization. For example, Malcolm Yeung (Asian Law Caucus) maintained his contacts within the community during several years of private firm work. When he decided to switch over to non-profit work, he was well positioned to take a job opening at the Asian Law Caucus. Alternatively, in response to the September 2002 election, Lida Rodriguez-Taseff (Duane Morris LLP) helped form the Miami-Dade Election Reform Coalition to address problems such as voting access and complications with the electronic voting machines. A partner in a large firm, Ms. Rodriguez-Taseff worked pro bono for the Coalition, which benefited from having the firm's resources to support her work. From the academic side, Martha Mahoney (University of Miami) created a bridge from the Coalition to the law school community to generate further support.

Social justice objectives can be brought into any type of practice. Whether through pro bono assistance or making donations, attorneys can create a "culture of public interest and social justice" within law firms. As Patricia Massey (Law Offices of Patricia Massey) stated, the law is not self-executing. It is important not only to contribute to the community, but also to maintain flexibility. The destination may change, but focusing on the work completed rather than the limitations encountered will bring you closer to your goals.

Organizing and Effecting Change

Some speakers explored the reason that money matters: It enables social justice lawyers to organize and affect change in their communities. In the After Dinner Address, Bernida Reagan (Director of Social Responsibility, Port of Oakland) focused on the "three C's" of social justice work. Whether through community economic development or impact litigation, social

change requires Commitment, Creativity, and Courage. As an example, Ms. Reagan pointed to her experience creating a credit union that enabled low-income people to save and invest their money, thereby building equity in their community. Regardless of the outcome or the risk of a potential lawsuit, some fights simply must be fought.

Zeena Batliwalla (Rai & Associates) commented on the different considerations organizations weigh when determining whether to take a case. Whereas non-profit groups weigh the strength of a case, private firms focus on the cost. Working for a firm, Ms. Batliwalla has been able to help many people that would have been turned away by a non-profit organization. Alternatively, Ritu Goswamy (Law Foundation of Silicon Valley) will use her Equal Justice Works Fellowship to bring direct legal services to Homeboy Industries, an East Los Angeles organization that helps people extricate themselves from gangs and become contributing community members. Her project will help people overcome legal barriers to employment.

In the third plenary, Martha Mahoney (University of Miami) and Lida Rodriguez-Taseff (Duane Morris LLP) discussed their involvement in the Miami-Dade Election Reform Coalition and presented a twelve-step plan for social justice entrepreneurs to create successful coalitions:

1. Translate the percolating passions of mistreated people into an effective emergency response
2. Bring in experts and find available resources
3. Begin immediate research and study
4. Build credibility and become a credible adversary
5. Maintain relationships
6. Think outside the box

7. Demonstrate respect for individual contributions by members of the coalition
8. Take an early position on accessibility and verifiability
9. Create your own product
10. Use your grassroots group like a think tank, and employ the data collected
11. Advocate creatively
12. Have a future plan

The Coalition first considered what should be done and encouraged community members to incorporate their own ideas. By having international observers at the November 2002 election (a first in the United States), enlisting poll workers familiar with the voting system, and obtaining tri-lingual ballots and back-up paper ballots, they built credibility and achieved change.

The Coalition maintained a thriving relationship with their base by meeting weekly and by holding several town hall meetings on voting issues. By remaining inclusive, they could draw on members for creative solutions, such as utilizing an existing Florida statute to demand an audit of the election. Furthermore, the Coalition benefited from individuals who became experts on particular areas and who could in turn educate the media on those issues. The Coalition later used the data collected to compile a report, "Get It Right the First Time," which they provided to the Government Accountability Office. As the Coalition demonstrated, organized, inclusive advocacy can accomplish a lot with very little money.

Public/Private Collaborations

Money makes the world go round but unfortunately it doesn't grow on trees. Panelists encouraged envisioning fruitful cooperation between the private and public sectors. James Head

discussed the San Francisco Foundation, which funds organizations to help them become self-sustaining. Particularly attractive are projects to change how money flows and how communities work. Benjamin Todd Jealous (The Rosenberg Foundation) recommended seeking out both past and present employees, supporters, and donors of organizations to catalyze social justice work.

Grant writing is a valuable tool to link public and private efforts. Gail Hillebrand (Consumers Union) stressed that a person with strong grant writing skills is invaluable. As a form of advocacy, grant writing demands precision and persuasiveness to be effective. The best proposals articulate a project's intended impact instead of relying heavily on the underlying hardship.

Sudha Shetty (Access to Justice Institute, Seattle University School of Law) discussed how social justice projects benefit by tapping the resources of private firms. Professor Shetty enlisted 15 firms to provide pro bono counsel for the Institute's project assisting women in immigration court. In tandem, the Institute runs a Language Bank, filled with bi-lingual students trained as interpreters, who help the volunteer attorneys. The firms also help pay for flyers and multilingual radio advertisements. By combining resources at hand with those around her, Professor Shetty is developing model solutions to social justice problems.

In a transactional world, public interest and social justice lawyers are not alone in fighting for those who need a voice.