

JUSTICE IN ACTION

Texas RioGrande Legal Aid (TRLA)

Fall 2017

Robert Doggett Selected as New TRLA Executive Director

TRLA Executive Director David Hall, who pioneered delivery of legal assistance to low-income people in Texas, has passed the torch to Robert Doggett, a General Counsel who has litigated precedent-setting cases for TRLA and other legal aid groups for 27 years. Doggett will assume his responsibilities as TRLA Executive Director at the start of January 2018.



John Henneberger presents David Hall with the Texas Housers Award during a fall 2017 luncheon in Austin.

Hall, who led TRLA through its 40-year development from a handful of attorneys in South Texas to one of the nation's largest legal aid providers, serving 25,000 Texans annually, said, "We are fortunate to have someone like Robert take on

leadership of TRLA. He has been a powerful, tireless advocate for low-income Texans, acting as counsel or co-counsel in cases that have benefited not only our individual clients but also their larger communities. Under his leadership, TRLA will continue its trajectory as an aggressive defender of the people often least able to defend themselves."

"TRLA is an exemplary legal services program because of the dedication, passion and talent of its staff," Hall continued. "I am leaving with full confidence that those attributes will

sustain this program for decades to come as a zealous force for the communities it serves."

Doggett, who has been recognized by numerous legal aid and community organizations throughout Texas, described his new role as "a great honor, and greater responsibility. David has cut the path for us for 40 years, and I intend to help keep us on it."

TRLA Defends Harvey Survivors

In the days after Hurricane Harvey's

landfall, TRLA launched a multifaceted disaster response team for survivors, drawing on help from 80 attorneys, paralegals and student volunteers from across the state.

Attorneys **Tracy Figueroa** and **Sita Stone** (Corpus Christi-Courthouse), **Linley**



TRLA's Corpus Christi-Pueblo staff has maintained a presence at FEMA's Ingleside Disaster Resource Center (DRC). From left: Matthew Dennis, Rachel Zummo, Myda Gonzalez, and Paul Hill.

Boone-Almaguer (Edinburg), and **Nicole Worsley Love** (San Antonio) organized TRLA's boots on the ground response. Paralegals and attorneys fanned out to shelters in Austin, San Antonio, Corpus Christi, Victoria, and elsewhere. Once FEMA's Disaster Resource Centers were up and running, TRLA sent staff to 11 DRCs in Coastal Bend towns and cities.

Vickie Benitez (Austin) oversaw activation of TRLA's main disaster hotline. In collaboration with the Washington D.C.-based Lawyers Committee for Civil Rights Under Law, TRLA launched a second hotline to help displaced families with enrollment and getting special education services in their new school districts.

By mid-October, TRLA had taken calls from about 3,000 survivors, opened cases for more than 1,200 people and closed about 600 of those.

"The amount of destruction in people's homes is unreal," Boone-Almaguer said. "Their houses, their trailers, it's all gone. People are devastated, and trying to help them all is like drinking out of a firehose."

In the first weeks, most hotline survivors sought help with landlord-tenant conflicts. More recently, survivors are seeking aid to file appeals of FEMA claims that were denied.

"We're helping people clear title to their homes so they can apply for FEMA aid," Figueroa said. "We're representing people who've been denied aid in their appeals to FEMA. But even when people get FEMA aid for housing, there aren't enough places for them to rent. The storm damaged 80 percent, even 100 percent of the housing in places where housing stock was already diminished."

"Texas is working with FEMA to come up with a housing solution, but it's not enough to meet this kind of need. People are living out of their cars and in houses that aren't habitable because there's nothing available.

People are leaving the areas entirely never to return."

Human Trafficking

TRLA's anti-human trafficking team has formed a new partnership with the Buffett-McCain Institute Initiative to Combat Modern Slavery. TRLA will receive funding to identify and represent agricultural workers who've been subjected to labor trafficking or other workplace crimes in South and Northwest Texas.

As part of the partnership, trafficking team manager **Stacie Jonas** (Austin) in October trained advocates, attorneys, educators, and law enforcement agencies in Webb County and the Rio Grande Valley on issues related to labor trafficking and the relationship between domestic violence and human trafficking. With another grant partner, Fuerza del Valle, members of TRLA's farmworker, colonias, and trafficking teams met in the Valley to strategize about outreach.

Public Defender Program

In the fall, attorney Laurie Hallmark joined TRLA's public defender program to open a new practice – the Bee County Public Defender Mental Health Project. The project, which will add a staff member, will work to reduce prison recidivism by providing intensive, holistic representation for clients with serious mental illness who cycle through the criminal justice system.

"People with schizophrenia, schizoaffective disorder, and bipolar disorder are the physical embodiment of the failures of our system," Hallmark said. "They cycle through the criminal justice system, hospitalization, and homelessness." The program will break that cycle by working with clients, their families, and traditional and nontraditional support systems to help them become integrated

into their communities. Vitaly, the project will develop a plan for moving forward entirely based on the client's wishes.

“We’ll be able to leverage TRLA’s vast civil legal resources on behalf of our clients,” Hallmark said. “We’ll be able to help them with the kinds of problems – housing, employment, accessing public benefits and disability accommodation – that can contribute to cycling in and out of prisons, hospitals, and homelessness.

Under attorney Abner Burnett’s (Edinburg) direction, the Public Defender program expanded into Refugio County in October. In coming months, two Refugio-based attorneys will work with a legal secretary and a private investigator to provide criminal defense for low-income and indigent people. With the opening of the new practice, TRLA now has four public defender offices providing service in eight counties – Willacy, Starr, Jim Hogg, Duval, Live Oak, Bee, McMullen and Refugio.

Environmental Justice

The lawsuit filed last summer by TRLA clients against Formosa Plastics Corp. for polluting Lavaca Bay has been assigned to Senior U.S. District Judge Hayden Head in Corpus Christi.

The suit – filed on behalf of Lavaca Bay resident Diane Wilson by **Erin Gaines**, (Austin) **Enrique Valdivia** (San Antonio), and consulting attorney **Amy Johnson** – provided evidence that Formosa’s Point Comfort facility has for years illegally discharged plastic pellets into regional waterways, polluting water and land vital to residents’ livelihood and way of life.

In Formosa’s response, the company denied the claims, arguing that its discharges were either permitted because they were in “trace amounts” or were owed to an “act of God,” meaning caused by a major weather event. The firm also claimed it has

stopped the discharges. However, TRLA clients continue to find plastic pellets along the shores and at Formosa’s outfall.

Johnson said Judge Head quickly held a prehearing conference and is ready to schedule another one soon after disclosures by the parties. “He seems serious and on top of things,” she said. “We’re fortunate to have a local Corpus Christi lawyer, David Bright, who is helping with the case.”

The complaint was filed against Formosa for continuing violations of the Clean Water Act. The EPA has documented illegal discharge from the Formosa facility as long ago as 2004, and the plaintiffs have complained repeatedly over the years to Texas environmental agencies. Yet the firm has yet to be sanctioned.

Bright and the environmental law firm Frederick, Perales, Allmon & Rockwell are representing the San Antonio Bay Estuarine Waterkeeper in the suit.

Honors & Awards

In collaboration with Lone Star Legal Aid and Legal Aid of North West Texas, TRLA this fall announced the launch of the Texas Bankruptcy Pro Bono Project.

U.S. Bankruptcy Judge Eduardo Rodriguez helped secure gifts of \$5,000 from the Bankruptcy Section of the State Bar for each of the legal aid organizations. The pro bono directors from each firm, including TRLA’s **Pablo Almaguer** (Edinburg), pooled the gifts to create a statewide program modelled after the Family Law Essentials program.

The program includes a three-hour Continuing Legal Education (CLE) videotape to train new attorneys to handle Chapter 7 cases on a pro bono basis. Each organization also received grants that will provide free bankruptcy preparation and filing software to attorneys who attend viewings of the CLE videotape. Like the Family Law Essentials program, attorneys

may attend the CLE program and receive all materials free of charge in exchange for accepting at least two Chapter 7 cases on referral from legal aid in the next two years.



Attorney Mahleaha Brown (Corpus Christi-Pueblo) was featured in Howard University Law School's Alumni Spotlight. Brown graduated from

Howard in 2016 with the school's Family Law Certificate. At TRLA she has joined the LASSA team, representing survivors of sexual assault and domestic violence, particularly at the Women's Shelter of South Texas.

LASSA attorney Caitlin Fish and paralegal **Alberto Sandoval** (Laredo) were named Domestic Advocates of the Year by Laredo's Webb County Domestic Violence Coalition. The recognition was announced during the coalition's 21st Annual Domestic Violence Conference in early October, which is Domestic Violence Awareness month.

TRLA was represented at the event by **Adriana Rodriguez** (Laredo), Sandoval, and Fish. Stacie Jonas (Austin) also attended, giving a presentation on the links between trafficking and domestic violence.

LASSA attorney Sarah Worthington (Austin) was a distinguished panelist at the Continuing Legal Education (CLE) program sponsored by Lawyers Against Domestic Violence.

The CLE program, titled "Domestic Violence Issues Facing Cultural Populations," focused on the impact of domestic violence on different cultural populations and included discussions of family violence in teenage and immigrant communities.

Mandi Matlock (Austin) and Polly Bone (San Antonio) gave panel presentations at the American Bar Association's 2017 Joint Fall CLE Meeting. Matlock gave presentations as part of panels addressing private debt collection, private causes of action for issuance of incorrect information returns, and tax issues for disaster survivors. Bone presented as part of the panel on tax issues facing international, low-income families.

