



Irene Gomez-Bethke Papers.

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Legal Rights Center (LRC)  
Anuncia de Trabajo: Trabajador de la Comunidad

El Centro de Derechos Legales (LRC) busca una (1) persona bilingue/bi-cultural para ser trabajador(a) de la comunidad.

Para ser trabajador(a) de la comunidad uno tiene que conocer el area del condado de Hennepin en donde trabaja. La persona tiene que saber los recursos de la comunidad que son sensitivos a las necesidades de personas Chicano/Hispano.

LAS RESPONSABILIDADES DE ESTA POSISION INCLUYEN LO SIGUIENTE:

Investigacion de casos criminales.

Determinar la condicion social que motivo a un individuo a verse comprometido con el sistema de Justicia Criminal.

Coordinar servicios sociales existentes designados a cambiar esas condiciones.

Comunicar los problemas especiales de Jente pobre y de miembros de la minoria ethnica a otros empleados del Legal Rights Center, del sistema de Justicia Criminal y otras agencias de servicio social.

El Centro de Derechos Legales (LRC) es oficina que da defensa criminal a personas pobres que estan acusados por crimines cometidos en el condado de Hennepin.

Personas interesadas deben de mandar su resumen antes del 10 de Agosto, 1981 a:

Administrator  
Legal Rights Center, Inc.  
808 E. Franklin Avenue  
Minneapolis, MN 55404

LEGAL RIGHTS CENTER

Job Announcement: Community Worker

The Legal Rights Center is seeking one (1) bi-lingual/bi-cultural part-time community worker. The position of community worker requires that the person be familiar with the Hennepin County area which (s)he serves. The community worker must also be knowledgeable with community resources which are sensitive to the needs of Chicano/Hispanic persons.

Responsibilities of the position include:

- Investigation of criminal cases;

- Ascertaining the social conditions which may have led an individual to involvement with the criminal justice system;

- Coordinating available social services designed to change those conditions;

- Communicating the special problems of poor and minority defendants to other staff members of the Legal Rights Center, the criminal justice system and social service agencies.

The Legal Rights Center is a non-profit organization which provides legal defense and coordinated social services to poor persons charged with crimes in Hennepin County.

Resumes should be submitted by August 10, 1981 to Administrator, Legal Rights Center, 808 E. Franklin Avenue, Minneapolis, MN 55404. Interviews will be conducted the following week.

## C80 Racial Characteristics

The concept of race as used by the Census Bureau does not denote any clear-cut definition of biological stock. Race categories included on the 1980 Census questionnaire are White, Black or Negro, American Indian, Eskimo, Aleut, Japanese, Chinese, Filipino, Korean, Asian Indian, Vietnamese, Hawaiian, Guamanian, Polynesian, Thai, and 'other' races not included in the specific categories listed. For purposes of this report, minority population includes persons identified within the following groups: Black, Indian (including Eskimo and Aleut), Asian, Pacific Island and 'other'.

The 1980 Minneapolis population which is identified as minority is placed at 47,119 persons. This reflects an increase of 19,133 persons from the level of 27,986 in 1970, and is consistent with the Planning Department estimate of 1980 minority population in excess of 45,000 persons. Minorities now comprise 12.7 percent of the Minneapolis population, compared to 6.4 percent in 1970, and less than two percent in 1950.

### Minneapolis Minority Population, 1950-1980

	Number	Percent
1980	47,119	12.7
1970	27,986	6.4
1960	15,594	3.2
1950	8,468	1.6

### Minority Population by Community, 1980\*

Community	Number	Percent of Community
Camden	1,450	4.9
Northeast	948	2.6
Near North	13,465	39.9
Central	2,807	14.7
University	3,331	11.0
Calhoun-Isles	1,500	4.9
Powderhorn	10,774	20.9
Phillips	5,864	34.3
Longfellow	1,573	5.4
Southwest	2,078	3.9
Nokomis	3,329	8.3

Minority population continues to be concentrated in the Near North, Phillips, and Powderhorn Communities. However, there are signals of dispersion of the City's minorities. Several areas of traditionally high minority population reflect minority population loss over the decade, while increases in minorities occurred in areas with traditionally small minority populations.

Minneapolis' Black population is placed at 28,433, reflecting an increase of 9,428 persons from the 1970 Census. The Black population represents 7.7 percent of the City's total, compared to 4.3 percent in 1970. The Indian population is placed at 8,932, reflecting an increase of 3,103 persons from the 1970 Census. The Indian population represents 2.4 percent of the City's total, compared to 1.3 percent in 1970. The Asian, Pacific Island and 'other' populations, placed at 9,754 persons, have increased by 6,602 persons since 1970. This reflects in part the influx of Southeast Asian refugees during the decade. These populations comprise 2.6 percent of the City's total, compared to less than one percent in 1970.

The number of persons identified as of Spanish origin is placed at 4,684. Spanish origin includes Mexican, Puerto Rican, Cuban, and other Spanish. However, Spanish origin is not treated as a distinct racial category by the Census, and persons of Spanish origin may be of any race. (See Appendix Tables A, B and I for Spanish origin populations by Community, neighborhood, and census tract.)

The 1980 Minneapolis population which is identified as White is placed at 323,832. This reflects a decrease of 82,582 persons from the level reported in 1970. The White population now comprises 87.3 percent of the City total, compared to 93.5 percent in 1970.

The following sections describe populations and changes within the following Census-defined racial groups: Black, Indian, Asian, Pacific Island and 'other', and White.

\*See Appendix Tables B and D for minority populations by neighborhood and census tract.



TABLE A  
POPULATION and RACIAL CHARACTERISTICS BY COMMUNITY, 1980



AREA NAME	TOTAL POPULATION	WHITE	BLACK	INDIAN	ASIAN, PACIFIC ISLAND and OTHER	SPANISH ORIGIN
CAMDEN COMMUNITY	29652	28202	740	355	355	305
NORTHEAST COMMUNITY	37080	36132	73	397	478	262
NEAR NORTH COMMUNITY	33721	20256	11306	1194	965	923
CENTRAL COMMUNITY	19035	16228	1232	672	903	263
UNIVERSITY COMMUNITY	30273	26942	1233	327	1771	408
CALHOUN-ISLE COMMUNITY	30687	29187	681	268	551	313
POWDERHORN COMMUNITY	51443	40669	7587	1780	1407	798
PHILLIPS COMMUNITY	17115	11251	1365	3026	1473	414
LONGFELLOW COMMUNITY	28962	27389	539	504	530	335
SOUTHWEST COMMUNITY	52946	50868	1044	176	858	336
NOKOMIS COMMUNITY	40037	36708	2633	233	463	327
MINNEAPOLIS	370951	323832	28433	8932	9754	<u>4684</u>

Source: 1980 Census

## JOB DESCRIPTION

### Administrator

- .Supervise all office personnel
- .Negotiate with insurance, xerox and auditors
- .Complete any and all correspondence not related to fundraising
- .Approve all travel and expenses
- .Sign all checks
- .Write and post announcements for job openings
- .Do monthly attorney hours for County
- .Do monthly statistics on new cases
- .Monitor and complete all forms for CPYR
- .Meet with fundraiser monthly
- .Attend all staff meetings
- .Informal meetings with Board chairman to set Board agenda
- .Mail out Board minutes, two weeks prior to meeting
- .Report to board on finances monthly
- .Prepare with Board yearly budgets, attend All Board meetings
- .Perform any other tasks requested by President or Executive Director

### Fundraiser

- .Write proposals, Write and put out Annual Report
- .Meet with funding sources
- .Lobby State
- .Lobby County
- .Send out all correspondence regarding funding including thank you letters
- .Supervise Annual Lawyers Fund Drive
- .Meet with office manager, twice monthly
- .Report to board on progress
- .Attend one staff meeting per month
- .Investigate new sources of funding
- .Perform any other tasks requested by President or Executive Director

In March '76, four million persons of Spanish origin, 16 years old and older

April 9, 1979

Comments on Plan for the '80s, Representatives of Protected Class Groups

April 4, 1979

Mayor's Conference Room

Chair: Wes Hayden, City Planning Department

Those attending:

Kay Williams - Sabathani  
Wanda Lawrence - Am Indian Advisory Committee  
Judy Fairbanks Lindstrom - Am Indian Advisory Committee  
Joe Weller - Twin Cities N.O.W.  
Joan Weller - Twin Cities N.O.W.  
Kate Wulf - Twin Cities N.O.W.  
Bill Hopkins - Courage Center  
Al Martinez - Chicano/Latino Advisory Committee  
Joyce Scanlan - National Federation of the Blind  
Tom Scanlan - National Federation of the Blind  
Richard Parker - Northside Residents Redevelopment Council  
Irene Gomez-Bethke - Chicano/Latino Advisory Committee

Margaret Jones - Mayor's Office  
Jan Hively - City Planning Department

General comments:

..There's a lot of boring rhetoric and first class plannerese in these documents. I can't tell if what I want to see is here or not. It's not made clear if some of these ideas are feasible from the point of view of cost. We have a declining population which means less dollars..can we afford these things? What I want to see is more open space, no more highrises on the river. The highrises should be in someone else's community for a change, like Southwest. I'm interested in Southeast and Franklin Avenue. Spread out the service programs and the 1/2-way houses through the City and provide better transportation so that they can be effectively dispersed. I'm concerned about the emphasis on increased density. I want fewer bedrooms and bigger yards.

..I agree that there's not enough attention to costs. Even though it's a policy statement, the cost of implementation should be clear.

..It doesn't hit the have-nots. It doesn't hit the issue of affordability of housing. It doesn't talk about organizing people to help themselves. People are where they are whereas planners plan for utopia. Conditions are perpetuated when these documents are thrown at us for our reaction after they've been drafted.

..There's no emphasis on affirmative action. In general the documents do not emphasize the lack of equality, of equity. We need equal opportunity for services, for housing. People could not afford to live in the grandiose style that these plans describe. City offices are insensitive -- everybody should have participated before now in this planning. Indians don't reap benefits from being part of the data even though their figures are used to get funds for housing, education and jobs.

..The plans were written by white males with above average incomes. What can you expect? They didn't have us in



General comments, contd. mind. The plan is missing emphasis on affirmative action. There's nothing in the housing plan about battered shelters.

### Housing

..There's nothing in here about building low-income public housing. We need more section 8, more subsidized housing and more public housing on the Northside. This plan is the dream of a lot of fellows up at the Planning Department. Prices for this stuff would be far from reality.

..\$46 million is now available from 26 lending institutions for people who earn up to \$22,000 to get low interest mortgage loans and help with down payments.

..I don't like the definition of "family" used in the housing plan. The law recognizes that sexual or affectional preference does not affect the reality of whether you're a family or not. A lot of same sex families are low-income. When the allocation plan talks about elderly or family housing, it doesn't recognize the law.

..Criteria for taking advantage of HRA programs should be more explicit. So if you earn up to \$22,000 you can get a low-interest loan...but what other qualifications are there? What about the invisible Americans with no credit rating?...do they qualify too? The have-nots are becoming expendable with these programs. There is no room in progress for poor people. What is most needed is job training. Start with people where they are and help them to move up.

### Economic Development

#### ...Jobs

Jobs come first, housing second.

..The new legislation which wipes out some single parents' eligibility for assistance in obtaining day care for their children is sick. There should be another way for those outside of NSAs to get the help.

..There should have been more people analysis to go along with these recommendations...of inner-city needs.

..Remove barriers to employment. Look into every aspect of getting a job.

..I get four letters a week from planning groups all saying the same thing, at 30¢ a letter. Skip all that and get industry to come in on our vacant land. That would be worth the money. Employment is most important.

..We need education which meets the needs of people who are different...support services for mainstreaming the handicapped.

..We need to have access to more of those jobs in town.

..We need job development but we see companies leaving town. We need technical training.

### Discrimination

..Some of these planning meetings were held in places which were not accessible to the handicapped. No public meeting should be held where there is not accessibility.

..The bottom line is the City Council on these decisions. The councilmen should be out in the communities talking about these recommendations.

..Get rid of prejudice and racism. That theme should be in every part of the plan. Make sure that all those people who don't want or can't own a home can find a decent rental property even though they've got kids and pets. Where does the single head of household with three kids go?

April 4, page 3

Discrimination, contd.

In the new plant where I work, women are really put down. There should be more about equal opportunity.

Next Meeting

We need to get copies of those parts of the plan which we don't have...read them....mark them up with our comments and come back together again.

Time set for next meeting: April 11, Wednesday, 7 p.m., same place..In the Mayor's Conference Room.



## Introduction ; Affirmative Action & Chic./Lat.

### In Minnesota

200 years ago, a republic known as the United States of America began... whose citizens were to govern themselves, by representative democracy. To this day the heart leaps to hear the words The right to life, liberty and the pursuit of happiness, with liberty and justice for all.

200 years ago the declaration of Independence said: We hold these truths to be self evident, that all men are created equal. That was the basis of the dream.

The heritage for many Americans has been something less. In Sept. of '75, The Dept. of Human rights issued a probable cause finding against the Mpls. civil service commission. The Dept. found that the commission had operated a system that denied equal employment opportunities, to persons on the basis of race, sex, color.

Through conciliation the Dept of Human rights and the civil service commission reached an agreement. The agreement affected all depts. of the city and called for a result Orientated Recruitment program, and the elimination of non-job related selections, promotions, transfer and termination criteria.

The current affirmative action policy as it stands and relates to the chicano/latino community in mpls, has been a great failure. The data on the economic condition of chicanos/latinos, nationally, statewide, and metrowide indicates that strong action must be taken to address the needs of the chicano/latino unemployed and the lack of representation of minorities on planning organizations in government. The representation of minorities on planning organizations, committees or commissions has been minimal. Chicano/ Latino representation has been non-existent!

According to recent studies, the Chicano/latino population is the largest minority population in Minnesota. (49,500). This reflects the number of permanent residents. This figure swells by ten to fifteen thousand when southwest migrants come to the state to help harvest the crops.

Five percent of all migrants who come to Minn. to harvest crops decide to settle permanently. The majority of chicanos and latinos live in the Minneapolis and St. Paul area. 11,661 chic/lat reside in the Hennipen county area, according to a 1970 census.

Legal Rights Center

Personnel Committee Report - March 20th, 1979

Present: David Nasby, Merle Carlson, Syl Davis, JoAnn

Attention was given to the following:

- A. Should the Personnel Committee be more effectively involved in budget preparation?

Recommendations: That a meeting be scheduled in October to discuss budget preparation and involvement in setting the budget.

- B. Should Personnel Committee be involved in hiring of new staff.


Recommendation: Hiring of new line staff should be completed by community and community workers - Administrative position by Board and staff.

- C. Responsibility for job description:

Recommendations: That the representatives of community and staff workers be responsible to develop the job description for Board and Committee approval (according to policy).

Suggest that staff receive a reprimand for not giving a description of job.

- D. Financial accountability

- 
- Recommendations:
1. That a complete audit should be implemented by a CPA firm.
  2. That each month a clear and concise statement and report be given to the Board.
  3. That statistics on number of cases and disposition be given to the Board each month.



# -Dance-



DATE: MAY 12, 1979 Time: 7:00 P.m. - 1:00 A.m.

PLACE: MACALESTER COLLEGE, STUDENT UNION  
1600 GRAND AVE. CORNER OF GRAND + SNELLING

SPONSORED BY:

Aztlan Cultural Organization Inc.

OUTSIDE CORD:

LYDIA RODRIGUEZ - MARIA RIOS  
TONY MORENO - CARMEN MERCADO

ADMISSION PRICE:

\$3.00 PER PERSON

\$1.50 FOR SENIOR CITIZENS

TONY MORENO  
and PANORAMA

VICTOR TEDESCO  
and his ORCHESTRA

MORRIS WILSON  
QUARTET

MARCIAL VASQUEZ  
GUITARIST and SINGER

RICARDO GARAY  
and UNDERDOG

ENRIQUE MERCADO  
and LAS PAJAMAS DEL GALLITO



IN BENEFIT of the  
AZTLAN CULTURAL Org.

"Bring your own  
Bottle"



AGENDA

Chicano Latino Criminal Justice Needs Assessment  
Sponsored By

Neighborhood Justice Center  
National Council of the Raza  
Metropolitan Council room E 3rd Floor  
Metro Square Building,  
7th and Robert, St. Paul.

10:00 - 10:15 Room E	CONVENER: A Frank Gallegos - Attorney, N.J.C. Samuel O Verdeja - Community Worker Robert Scarlett - Manager Criminal Justice Committee. Metro Council
10:15 - 10:30 Room E	WELCOME: José Trejo - Executive Director Minnesota Spanish Speaking Affairs
10:30 - 10:45	BREAK: Coffee and Rolls.
10:45 - 11:15 Room E	OVERVIEW OF CHICANO LATINO: Criminal Justice Needs A Frank Gallegos
11:15 - 12:15 Room E	WORKSHOPS: Chicano Latinos Cultural and Social values and Conflicts, between Police and community Marcella Truillo - U of Mn. Chicano Studies Dept.
12:15 - 1:30	LUNCH:
1:30 - 2:30 Room A	WORKSHOPS: Chicano Latinos Cultural and Social values and Conflicts, between Police and community relations.
Room B	CHICANO LATINOS And the Courts.
2:30 - 2:45	BREAK:
2:45 - 4:00 Room A	CHICANO/LATINO: Values and norms that may contribute to crime in the community. Manuel Guerro - Attorney and Former Judge
Room B	CRIMINAL JUSTICE AND CRIME PREVENTION: Community Education in the Chicano Latino Community. Samuel O Verdeja and Kathy Chavez N.J.C.
4:00 - 5:00 Room	WORKSHOPS: Change of Groups
5:00 - 5:30 Rm. to be Announced	COMMUNITY ANTI-CRIME: Erma Kramer National Council of the Raza.
5:30 - 6:00 Rm to be Announced	FINAL GROUP DISCUSSION AND RECOMMENDATION:
6:00	ADJOURNMENT:

Conference will be held,  
December 6th 1978.

We offer legal services to any Ramsey County resident who cannot afford to go to a private attorney, and whose income falls within L.A.R.C. guidelines. We can also give you advice which can prevent legal problems from arising.

L.A.R.C. Staff can represent individuals or community groups before courts, agency hearings, and the legislature.

If you would like our help, please call us at the office most convenient for you. If we can't help you with a particular problem (such as criminal matters), we can tell you who can help.

Ofrecemos servicios legales a cualquier residente del condado de Ramsey quien no tiene fondos para pagar a un abogado privado y quien sus ingresos caen dentro de los reglamentos gobernando el programa. También le ofrecemos consejos que pueden prevenir problemas legales.

L.A.R.C. puede representar a individuos o grupos ante las tribunales, legislatura, o proceso legal.

Si usted necesita nuestra ayuda, por favor llame a la oficina mas conveniente para usted.

Si no es posible ayudarle con su problema (por ejemplo, cuestiones criminales) le podemos decir quien le puede ayudar.

**OFICINA LEGAL  
DEL WEST SIDE**  
530 Andrew Street  
Iglesia de Nuestra Senora de  
Guadalupe  
St. Paul, Minnesota 55107  
291-2806 or 291-2579

**ST. PAUL AMERICAN  
INDIAN CENTER**  
**LEGAL ASSISTANCE**  
1001 Payne Avenue  
St. Paul, Minnesota 55101  
776-8592

**SENIOR ADVOCATES**  
372 Lowry Building  
25 West Fourth Street  
St. Paul, Minnesota 55101  
224-7301

**LEGAL ASSISTANCE  
OF RAMSEY COUNTY**  
370 Selby Avenue  
St. Paul, Minnesota 55102  
222-5863  
222-4731 (Appointment Desk)

## **THE OFICINA LEGAL DEL WEST SIDE**

Legal Assistance of Ramsey County in its efforts to provide effective legal services in the various communities of St. Paul, has established a branch office in the West Side.

The Oficina Legal del West Side, which is located in Our Lady of Guadalupe Church, provides bilingual and bicultural legal services to the predominantly Mexican American West Side Community.

Office hours are Monday, Wednesday, and Friday from 8:30 a.m. until 5:00p.m., and on Tuesdays and Thursdays from 8:30 a.m. until 7:00 p.m.

Asistencia Legal del Condado de Ramsey, Inc., en sus esfuerzos para ofrecer servicios legales efectivos en las varias comunidades de St. Paul, ha establecido una oficina en el West Side.

La Oficina Legal del West Side, que esta localizada en la Iglesia de Nuestra Senora de Guadalupe, dispone de servicios legales bilingues y biculturales para la comunidad del West Side que es predominantemente Mejico Americana.

El horario de la Oficina Legal es 8:30 a.m. am a 5:00 p.m. los lunes, miercoles, y viernes, y 8:30 a.m. am a 7:00 p.m. los martes y jueves.

## **WELFARE**

(WIN, AFDC, MA, GA, SSI, SOC. SEC., FOOD STAMPS.) If you are having hassles with welfare, we can represent you at agency proceedings and help you secure your benefits.

## **BIENESTAR**

(WIN, AFDC, MA, GA, SSI, SEGURO SOCIAL, ESTAMPILLAS DE COMIDA.) Si tiene líos con el Departamento de Bienestar, nosotros podemos ayudarle asegurar beneficios y representarlo en los procedimientos legales con esta agencia.

## **FAMILY LAW**

If you have family problems, such as divorce, separation, child support, or physical abuse, we can be of service to you. We also have a special program that can help juveniles accused of delinquency.

## **LEY DOMESTICA**

Podemos ayudarle si tiene problemas con su familia o lo han maltratado físicamente. También podemos asistir con su divorcio, separación, y sostén de familia. Tenemos un programa especial para ayudar a jóvenes acusados de delincuencia.

## **SENIOR ADVOCATES**

If you are a Senior Citizen with any of the above problems, particularly those of social security, medicare, or SSI, we offer assistance.

## **AYUDA PARA ANCIANOS**

Si usted es un anciano con las problemas mencionados arriba o, particularmente, con el seguro social, ayuda medica, o SSI, nosotros podemos ayudarle.

## **HOUSING**

If you are having trouble with your landlord, or are being evicted, or if your apartment does not measure up to legally adequate living standards, we can help you solve your problems. In addition, we can advise you if you are having difficulties with public housing, with buying or selling your home, or with your mortgage or contract for deed arrangements.

## **VIVIENDAS**

Si tiene dificultades con su propietario, o lo quieren desalojar, o si su apartamento esta debajo de condiciones adecuadas para vivir, nosotros le podemos asistir. También ayudamos si tiene problemas con viviendas públicas, o en comprando, vendiendo, o manteniendo su hogar.

## **IMMIGRATION**

We can advise you if you are faced by immigration difficulties. If you are applying for citizenship or are being deported, we can offer you our services.

## **INMIGRACION**

Podemos ayudarle con cualquier problema de inmigración. Si lo quieren deportar, o si tiene dificultades en llenando los papeles de aplicación, nosotros le ofrecemos nuestros servicios.

## **CIVIL RIGHTS**

If you are being illegally discriminated against in areas of housing, employment, education, public facilities, ect., we can advise you as to your rights.

## **DERECHOS CIVILES**

Si alguien ha discriminado ilegalmente en contra de usted en las areas de

viviendas, empleo, educación, servicios públicos, ect., nosotros le podemos avisar de sus derechos.

## **CONSUMER LAW**

If you have been sold shoddy goods, or are behind in your utility payments, or are having loan difficulties, we can be of service to you.

## **LEYS PARA LOS CONSUMIDORES**

Le podemos ayudar si le han vendido mercancía de mala calidad, si está retrasado en sus pagos, o si tiene dificultades con sus préstamos o deudas. También ofrecemos aviso legal si le han cortado sus servicios públicos, o le quieren redimir su hipoteca.

## **AMERICAN INDIAN LAW**

If you have any of the above legal problems or problems such as land issues or tribal enrollment, we can help.

## **LEY AMERICANA INDIANA**

Si tiene cualquiera de estas problemas o algún problema con temas de terrenos o tribus, podemos ayudarle.

## **OTHER LEGAL PROBLEMS**

Other problems we can help you with include veterans' benefits, employment, migrant issues, mental health, and hospital problems.

## **OTROS PROBLEMAS LEGALES**

También ofrecemos ayuda con beneficios de veteranos, empleo, desempleo, problemas de migrantes, problemas de salud y problemas de hospital.



## Personnel Committee Report

The Personnel Committee held two meetings between 10/3/78 and 11/14/78. Committee members were Merle Carlson, Syl Davis, Kevin Burke, Tony Arellano and David Nasby. Discussion revolved around program needs and our ability to provide long term financial resources to meet those needs. The committee makes the following recommendation:

- 1) No personnel be added until January 1, 1979
- 2) Personnel decisions continue to be made by staff with non-voting participation by Board members; particularly the members representing the served communities.
- 3) All personnel decisions must be made within the limitations of Board approved annual budgets regardless of special financial resource assistance.
- 4) A clear statement of personnel policies and job descriptions should be approved by the Board no later than February, 1979.

The committee requests staff to design job descriptions for attorneys, community workers, clerks and office staff. In addition, the staff should discuss the components of personnel policies to include items such as vacation, salary advances, loans, business trips, transportation reimbursement, hiring and termination of staff and whatever else the staff feels should be included. The committee will submit the final draft of the staff initiated job descriptions and personnel policies to the Board for approval.

Included in job descriptions will be proposed salary ranges for each position.

11/14/78

DN:dk

## Nominating Committee

Members: Ike Watkins, Irene Bethke, Pat Bellanger, Irv Weiser

The committee met on November 8, 1978.

Board members recommended for 1979:

### Native American Community Representatives

Clyde Bellecourt  
Pat Bellanger  
Frances Fairbanks  
Vincent Beyl  
Ed Bearheart

} ? 2

### Chicano - Latino Representatives

Irene Bethke  
Anita Lopez  
Fernina Hernandez  
Jose Gaitan  
Antonio Arellano  
Felino DelaPeña

*Alberto O. Miranda*

### Black Community Representatives

Izear Watkins  
Ed West  
Harry Moss — ?  
Earl Craig  
Syl Davis

1

### Law Firm Representatives

Stuart Rider  
Norman Newhall  
Sid Feinburg  
Kevin Burke  
David Bennett  
Irv Weiser  
(Faegre)

6.

### Executive Committee

Chairman  
Vice Chair  
Secretary  
Treasurer

Peter Heegaard  
Syl Davis  
Pat Bellanger  
Irv Weiser

### Other Representatives

Dave Nasby  
Peter Heegaard  
Tom Halloran  
Merle Carlson

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*Member 28*

# **THE HUMAN RIGHTS WORKING GROUP**

of

## **THE TWIN CITIES**

The Human Rights Working Group of the Twin Cities has been established to promote the advancement of international human rights. It is comprised of people with experience and knowledge of the status of human rights and related issues of concern today throughout the world. The group was formed to elucidate the extent of human rights violations and explore the means to end them.

We offer a series of four to six forums focusing on civil rights (speech, assembly, religion, juridical process and representation) as well as social and economic rights (food, shelter, health, education and employment). The forums consist of a number of presentations by members of the group, each with extensive knowledge of specific areas of the world including Latin America, Africa, the Philippines, the Middle East, Korea, China and New Guinea. The speakers employ films, slide shows, reading material and simulation games in relating information. The essential content of the forums, however, is derived from the wide scope of personal experiences and interests of the speakers themselves.

The Human Rights Working Group of the Twin Cities requires no fees for these presentations. It is hoped that these educational forums will motivate those involved to assume their responsibility as U. S. citizens with bonds to all people. Human Rights forums are offered to educational institutions, churches and any other interested organizations. If you wish to know more please contact ;

### **HUMAN RIGHTS WORKING GROUP OF THE TWIN CITIES**

1920 Girard Avenue South

Minneapolis, Minn. 55403

Phone (612) 377-2784

*Fr. Paul Newpower*

## UNITED WAY OF MINNEAPOLIS AREA

Actual Program Service Cost Analysis for Previous Year 1979

Number of Product Units

Name of product unit All contacts by Community Workers  
and Lawyers

Number of product units to be produced during the year

Cost of unit of service

9	10	11	12	13
PROGRAM SERVICES				
700				
419.00				

Projected Program Service Cost Analysis for Next Budget Year 1980

Name of product unit All contacts by Community Workers  
and Lawyers

Number of product units to be produced during the year

Cost per unit of service

9	10	11	12	13
PROGRAM SERVICES				
900				
393.00				

## UNITED WAY OF MINNEAPOLIS AREA

Annual Program Budget

Support/Revenue 1980

BUDGET FORM

1	2	3	4	5	6	7	8	9	10	11	12	13
LINE NO.	ACCT. NO.	ACCOUNT	ANNUAL AGENCY BUDGET	SUPPORTING SERVICES			TOTAL PROGRAM SERVICES	PROGRAM SERVICES				
		DESCRIPTION		TOTAL SUPPORT SERVICES	MGMNT. AND GENERAL	FUND RAISING						
		SUPPORT/REVENUE										
1	0100	Contributions										
			170,500	21,000	8,000	14,000	213,500					
2	0300	Special Events										
3	0500	Bequest, Nonendowments										
4	0700	Associated Organizations										
5	0800	Allocated from other United Ways										
6	0900	Unassociated & Non-federated Fund Raising Organizations										
7	1010	Purchase of Service Contracts Hennepin County	55,000									
8	1020	Grants from Government Agencies State of Minnesota	106,000				55,000					
9	1100	Membership Dues					106,000					
10	1200	Assessments & Dues — Local Member Units										
11	1300	Program Service Fees										
12	1400	Sales of Supplies & Services — Member Units										
13	1500	Sales to the Public										
14	1600	Investment Income										
15	1700	Miscellaneous Revenue										
16		TOTAL SUPPORT/REVENUE	331,500	21,000	8,000	14,000	353,500					

**UNITED WAY OF MINNEAPOLIS AREA**  
Annual Statement of Support/Revenue and Expenditures Budget  
By Fund

Page 2 of 2

BUDGET FORM B

LINE NO.	DESCRIPTION	ANNUAL AGENCY BUDGET	CURRENT FUNDS		LAND BUILDINGS & ENDOWMENT	ENDOWMENT	
			UNRESTRICTED	RESTRICTED			
	<b>EXPENDITURES:</b>						
	Program Services:						
18	Community Workers & Legal Service exclusive of Chicano program	214,680	214,680				
19	Chicano Community Worker Program	21,000		21,000			
20							
21							
22							
23	<b>TOTAL PROGRAM SERVICES</b>	235,680	214,680	21,000			
24	Supporting Services:						
25	Fund Raising						
26	Management and General						
27	<b>TOTAL SUPPORTING SERVICES</b>						
28	<b>TOTAL EXPENDITURES (lines 23 &amp; 27)</b>						
29	Excess Support/Revenue Over Expend.						
30	Other Changes in Fund Balances:						
31							
32							
33							
34							
35							
36	Fund Balance January 1, 1980 Cash carryover		5,000-8,000				
37	Fund Balance December 31, 1980		8,000-10,000				



# UNITED WAY OF MINNEAPOLIS AREA

## Annual Program Budget Expenditures

BUDGET FORM A

Page 2 of 4

1	2	3	4	5	6	7	8	9	10	11	12	13
LINE NO.	ACCOUNT		ANNUAL AGENCY BUDGET	SUPPORTING SERVICES			PROGRAM SERVICES					
	ACCT. NO.	DESCRIPTION		TOTAL SUPPORT SERVICES	MGMNT. AND GENERAL	FUND RAISING	TOTAL PROGRAM SERVICES					
		EXPENDITURES										
19	2100	Salaries	290,000	22,000	8,000	14,000	268,000					
20	2200	Employee, Health & Retirement Benefits	5,100	550	225	325	4,550					
21	2300	Payroll Taxes	14,700	1,470	590	880	13,230					
22	2400	Professional Fees & Contract Services Accountant	1,200	1,200	1,200							
23	2500	Supplies	3,400	350	150	200	3,050					
24	2600	Telephone & Telegraph	9,200	800	325	475	8,400					
25	2700	Postage & Shipping	600	250	75	175	350					
26	2800	Occupancy (Buildings & Grounds)	9,600	1,200	475	725	8,400					
27	3100	Outside Printing, Artwork, Etc.	250	225	70	155						
28	3200	Local Transportation	18,400	1,900	650	1,250	16,500					
29	3300	Conferences, Conventions Meetings & Major Trips										
30	3400	Subscriptions & Reference Publ.	500				500					
31	3500	Special Assistance to Individuals										
32	4100	Organization Dues continuing education	500				500					
33	4200	Awards & Grants										
34	4300	Equipment & Other Fixed Assets	1,000	100	35	65	900					

### Annual Program Budget Expenditures

BUDGET FORM A

[illegible]

## UNITED WAY OF MINNEAPOLIS AREA

### Annual Program Budget Expenditures

Page 3 of 4

BUDGET FORM A

[illegible]

# CENTER for LAW and EDUCATION, Inc. NEWSNOTES

Gutman Library — 6 Appian Way, Cambridge, Massachusetts 02138 (617) 495-4666

No. 3

October, 1979

## UPDATE

### Topeka Parents Want To Reopen Historic Integration Case

Eight black parents in Topeka, Kansas have requested that the Federal District Court there reopen the *Brown v. Board of Education* case. The parents, whose number includes Linda Brown Smith, daughter of Rev. Oliver Brown, plaintiff in the original suit, allege that during the past twenty-five years, officials have not ended segregation in Topeka's public schools.

The parents submitted data from the school district showing that even though 22% of Topeka's 17,490 students are members of a minority group, several elementary and junior high schools have minority enrollments ranging from 40-73% while others in the district have a minority student population of only 3-6%. One of Topeka's three high schools is 95% white.

School officials do not dispute these statistics, but deny

allegations that the segregation is deliberate and that schools with large minority populations are inferior to those schools which are predominantly white.

School Board President Duane Pomeroy told the *New York Times* that "We don't have any kind of goal. We just try to make it as good as we can and keep neighborhood schools. There is no way to get the same percentages of white and minority students in all schools without crosstown busing and the board is against that." (*New York Times*, Sept. 4, 1979)

Topeka has had a continuing battle with Federal authorities over implementation of the historic *Brown* decision of 1954. Technically, the case will remain alive until the court declares the district in compliance with the mandates of that decision.

### Testing: Suit Seeks Release of Data from FTC "Coachability" Study

A study on the "coachability" of standardized tests, released by the Federal Trade Commission (FTC) last March, is continuing to generate controversy in legal and educational circles.

The study showed that student performance on standardized tests such as the Scholastic Aptitude Test (SAT, used for college admission) and the Law School Admission Test (LSAT) can be improved by coaching.

The study was completed a year ago by the FTC's Boston Regional Office. Some eyebrows were raised when the agency delayed release of the information while it reanalyzed the data. An intensive pressure campaign, spearheaded by the National Education Association, led up to the FTC's finally going public with investigation results which could be seriously damaging to the massive testing industry.

In a recent development, the NEA has filed a suit against the FTC because the agency refused to release computer tapes used in the study. NEA claims the data should now fall into the public domain, under the Freedom of Information Act. Although some sample tapes have been released, the master tapes have gone back to the Educational Testing Service (ETS), the company that develops and administers the standardized tests discussed in the study.

ETS and the College Entrance Examination Board have always maintained that the tests measure skills acquired throughout a lifetime. They say these skills cannot be developed by short-term improvement attempts, and claim the tests are accurate predictors of future performance in college and graduate school.

#### Significant Difference

However, the original study on the effects of coaching, done by the FTC's regional office in Boston, states that "there is a statistically significant difference between the score increases obtained by coached and uncoached individuals." The average score increase of twenty-five points after coaching "can be the determining factor in deciding who is admitted to undergraduate and graduate colleges and universities," said the report.

The original report was released after a delay of eight months, along with a follow-up study by FTC's Bureau of Consumer Protection, which used the same data base but rejected some of the original methodology. Although the conclusions were more understated than those of the Boston Regional Office, the Bureau's "more sophisticated analysis of the survey data" also found coaching to have a statistically significant effect on SAT scores.

Coaching was shown to benefit students described as "underachievers," because they score lower than one

continued on page five

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## D.C. REPORT

### Protest Wins Changes in Competency Testing Study

Due to a nationwide protest by education advocates and civil rights organizations, HEW's National Institute of Education (NIE) has decided not to fund Phase II of a proposed competency testing study by National Evaluation Systems, Inc. (NES) of Amherst, Mass., and to limit Phase I of the project.

NIE had contracted with NES for a two-phase, four year study of competency testing programs (see *NEWSNOTES* #1). The Center for Law and Education, along with other interested groups and individuals, sent a letter of concern to HEW Secretary Patricia Harris urging her to withdraw the contract because NES, which developed part of the Florida minimum competency test, is deeply involved in the development and sale of competency tests and therefore not an unbiased evaluator.

Phase I has now been limited to descriptive studies of competency testing projects visited during the course of the contract and to the formulation of program development guides. The development guides, which hope to show educators how to develop their own competency test programs, are of great concern to education advocates. Phase I will not include an evaluation of competency testing programs, as originally planned.

The Center and other concerned parties will continue to pressure NIE, urging it to fund a second study by a neutral group and to include parents, students, and minority constituencies in planning such a project.

Anyone who is concerned about NIE and the federal government's role in minimum competency testing may contact Beverly Glenn or Diana Pullin at the Center.

### Special Education: Surrogate Parent Programs Await BEH Advice

Legal concerns which have contributed to the delayed implementation of the "surrogate parent" requirement of P.L. 94-142 (The Education for All Handicapped Children Act of 1975) were discussed at a July conference sponsored by the Bureau of Education for the Handicapped (BEH) in Washington, D.C.

Public Law 94-142 and its regulations require additional safeguards for children whose parents or guardian cannot be identified or located and children who are wards of the state, including the assignment of a "surrogate parent" to act as an educational advocate on each such child's behalf. Only a few states have progressed very far in implementing this requirement, and many complex issues await BEH clarification.

As a result of the conference, a report and set of recommendations were submitted to BEH higher-ups in September and are currently awaiting action. Although the conference report has not been released to the public, BEH is expected to rely on it to formulate much-needed policy interpretations, and a technical assistance package for states to use in shaping their surrogate parent programs. A BEH spokesperson declined to comment on when the draft policies are expected to be issued to state education agencies.

Discussion at the conference focused mainly upon the importance of the surrogate parent requirement to children who are placed out of their homes either by a court proceeding or by voluntary action of their parents; the constitutional rights of children to whom surrogate parents are assigned; and the relationship between the surrogate parent requirement and existing guardianship laws.

Presentations were made by attorneys Daniel Yohalem of the Children's Defense Fund, Martin Gerry, former director of the Office for Civil Rights under President Nixon and currently in private practice, and Susan Leviton, a former legal services attorney who is now teaching at the University of Maryland Law School.

Other participants at the conference included representatives of four states which are actively attempting to implement the surrogate parent requirement, representatives from the National Center on Law and the Handicapped, the Council on Exceptional Children, BEH, and the Federation for Children with Special Needs, a

Massachusetts advocacy group which assisted in organizing the conference. Representatives of the U.S. Justice Department and the HEW's Office of General Counsel were present during part of the proceedings as observers.

Attorney Larry Kotin expressed the hope of other conferees that "the states will soon receive some interpretation of what the regulations governing this program mean." Kotin has been active in working with Massachusetts state agencies which are attempting to set up the long overdue system for assigning, training, and supervising surrogate parents. "It is important that they [the states] receive information on the legal background of this requirement, and various options for developing legally acceptable programs," he also noted.

Once clarified, active intervention will probably be necessary in many states for this citizen advocacy program for the neediest of special needs children to be implemented in a timely and effective manner.

For information about the status of BEH action on this issue, contact Kevin Gallagher, Education Program Specialist, BEH, 400 Maryland Avenue, S.W., Washington, D.C. 20202 (202-254-2230).

### CENTER for LAW and EDUCATION, Inc. NEWSNOTES

Gutman Library — 6 Applan Way, Cambridge, MA 02138

Editor: Sharon Schumack

The Center for Law and Education, Inc. is funded by the Legal Services Corporation, Washington, D.C. as the specialized national support center in education law.

Single copies of this newsletter are distributed free to each legal services program's main and branch offices, to specialists in education advocacy, and to paid subscribers to other Center periodicals. Please send us the names and addresses of legal services clients and education advocates who should be added to our mailing list.

\*Robert Pressman, Director; \*Stephen Cotton, Deputy Director; \*Kathleen Boundy, Gloria Briseno, Geraldine Hines, Richard Jefferson, Larry Johnson, Diana Pullin, Roger Rice, Paul Weckstein, Staff Attorneys; Beverly Glenn, Education Specialist; Eugene Harris, Administrative Assistant; \*Ralph Oppenheim, Librarian; \*Sharon Schumack, Director of Publications; William Thrasher, Office Manager; Beverly Burnett, Kathleen Douglas, Lanetta Harris, Carol Mitch, Bernice Robinson, \*Judith Ross, Support Staff.

\*NEWSNOTES Editorial Board

# AROUND THE CENTER

## Regional Conference on Minimum Competency Testing

On September 9, 10 and 11, 1979, the Center for Law and Education, under the sponsorship of the Legal Services Corporation, conducted training in Atlanta, Georgia for approximately sixty legal services workers and clients from southern and border states. The training addressed policy issues, litigation, and other advocacy strategies concerning minimum competency testing.

The training consisted of discussion groups on the meaning and goals of public education, arguments raised for and against minimum competency testing, and policy issues concerning the appropriate use of tests for minority and low-income students. In addition, sessions were held to address the special needs of language minority pupils and handicapped pupils in jurisdictions in which minimum competency testing programs are implemented.

Other topics addressed by the conference included educational test and measurement issues, techniques and terminology; a description of how the successful challenge to minimum competency testing in the case of *Debra P. v. Turlington* was conducted (See *NEWSNOTES* #2); and an analysis of the decision reached in that case and the implications of that decision.

The lessons of the *Debra P.* case in Florida are most applicable to southern and border states due to their history of *de jure* segregation. The teams which attended the conference, consisting of attorneys, paralegals, and clients, are to serve as resource persons in their home states. They will work on litigation and non-litigation advocacy efforts to address the problems of low-income, minority, limited-English speaking, and handicapped students in jurisdictions implementing minimum competency tests.

The widespread participation of legal services clients, particularly in sessions addressing the policy issues concerning minimum competency testing, made a substantial contribution to the effectiveness of the training conference.

## Competency Testing Materials

A manual on minimum competency testing, prepared initially for use in the southern regional training session on that topic (see above), is now available from the Center.

The materials describe the nature of competency testing, provide a basis for considering the policy issues which it raises, and discuss legal challenges and other advocacy approaches. There are also materials on special populations (special education students and those whose primary language is not English) and a bibliography. A separate section contains reports on the status of competency testing in the jurisdictions involved in the conference.

The section of the materials on non-litigation advocacy describes efforts in Rhode Island, New York State, and Minneapolis. The section on litigation includes the decision and many other papers from the Florida competency testing case, *Debra P. v. Turlington*. (See *NEWSNOTES* #2 for a description of the decision in that case.)

Copies of the manual are available free to legal services programs on request.

## Training

Staff attorneys Kathy Boundy and Diana Pullin recently participated in education law training for

legal services attorneys, clients, and parent advocates in Oregon and Hawaii.

The two-day session conducted at a mountain camp near Sisters, Oregon covered school discipline, special education, student records, Title I, bilingual education, and migrant education. The training consisted of lectures, discussions, consideration of hypothetical education law problems, and individual consultation. Training materials included publications from the Center.

The training in Hawaii, sponsored by the Legal Aid Society of Hawaii and a private advocacy group, Association for Individuals Developmentally and Emotionally Disabled (AIDED), was conducted on two separate islands in Hawaii for a number of staff attorneys, parents, clients, and lay advocates. The training focused on special education issues, including rights to student records, provisions of §504 of the Rehabilitation Act of 1973, and procedural and substantive rights under Public Law 94-142, The Education for All Handicapped Children Act. The special needs of parents and advocates working in a state in which there is a single school system statewide with no local governmental school districts were also discussed. In addition, Center and local attorneys had the opportunity to confer about other education law issues and cases in Hawaii.

The Center is now participating in a growing number of localized training sessions. Any legal services program may request Center assistance in training by contacting Deputy Director Steve Cotton by phone or mail.

## Planning for 1980

The Center needs your help in planning for the coming year. If there are services you think we are not doing and should be doing, or things we are not doing well, we need to hear from you. If there are services which you think especially important that we continue or expand, we need to know that, too.

Like other Legal Services Corporation funded support centers, we will soon be preparing our workplan for 1980. Input from the Legal Services community—clients, project directors, managing attorneys, education law specialists, paralegals, and community advocates—forms a valuable part of our planning. We ask that you take this opportunity to let us know how we are doing, and to make suggestions to us for the future.

As reported in the last issue of *NEWSNOTES*, the current priority areas for the Center are: testing/ability grouping / tracking; bilingual-bicultural education; discriminatory discipline / discriminatory grading / pushouts; special education / special needs / institutionalization; special needs of Native Americans, aliens, migrants and Hispanics; and parent/community participation. The Center also places a high priority on responding promptly and fully to every request for assistance from legal services programs on all matters related to education.

A description of the Center's current activities and a list of our publications are available, on request. Please address your comments or suggestions to Bob Pressman, Director.

## NEWSNOTES

We would like to hear from our readers with ideas for articles for this newsletter. Please let us know about the education advocacy activities going on in your area, and what topics you would like covered in future issues of *NEWSNOTES*.



# LOCAL ADVOCACY

## Conference Trains Title I PAC Resource People For Southeast States

Communities in six southeastern states will be the beneficiaries of a conference held in late August to train resource people in the basics of improving parent involvement in the ESEA Title I program.

The new Title I law (20 U.S.C. §§ 241 *et. seq.*) requires that:

Each local educational agency application for funding ... shall describe a program for training the members of advisory councils ... to carry out their responsibilities ... Such training program shall be planned in full consultation with the members of such advisory councils ... [§125(d)]

To promote the availability of qualified trainers to carry out this Congressional mandate, the American Friends Service Committee's Southeastern Public Education Program (SEPEP) sponsored a one week conference in Eufaula, Alabama to train Parent Advisory Council (PAC) members, community workers, and other interested persons in the rights and requirements of Title I.

The participants were selected by the SEPEP staff, after screening to ascertain their commitment to serve as resource people to their local PACs. Trainers came from Louisiana, Arkansas, Alabama, Mississippi, Georgia, and

South Carolina.

The conference utilized lectures, discussions, role-playing and games to train the participants in the following areas: understanding Title I laws and procedures; organizing Title I PACs; and administering Title I Projects.

An understanding of Title I laws and procedures was developed over several workshops which examined the Title I law and focussed on the standard terms, documents and processes utilized by Title I. The trainees were instructed in how to establish PACs, and the roles and responsibilities of PACs within Title I. Suggested monthly PAC activities and a sample calendar of events were discussed.

Finally, the participants were taken through the administrative process, including how schools and students are selected for participation in Title I, the review of a project application, and the evaluation of a Title I program.

Although the trainees are not members of the SEPEP staff, further information regarding the conference or how to contact a trainer within your state may be obtained from Jackie Williams, Southeastern Public Education Program, American Friends Service Committee, 401 Columbia Bldg., Columbia, South Carolina 29201 (803-252-0975).

## Minneapolis Task Force Seeks Quality Education For All

A task force selected by the Urban Coalition of Minneapolis recently reported to the Minneapolis School Board its findings and recommendations concerning the quality of education for Black, Indian and Chicano/Latino students in the district.

The group's report, *Quality Education For All*, was the product of nine months of work by the task force, comprised for the most part of parents of minority and white students within the Minneapolis Public Schools (MPS).

The report first discusses one overriding problem. This is the system's acceptance of the idea that socioeconomic factors which school personnel cannot control impede effective educational efforts for minority pupils. The task force viewed this philosophy, which they labeled "socioeconomic determinism," as a way in which MPS tries to avoid accountability for the education of non-white pupils.

The report discusses a number of particular problems for minority pupils in the system. They have been over-represented in special education classes and in the drop-out category and underrepresented in college preparatory classes. While non-white student enrollment approximates 26%, non-white faculty is 8.5%. When the staff has been reduced, non-white personnel have been disproportionately laid off, due to their generally more recent hiring.

The report offers some explanation for the common situation of minority overrepresentation in special education classes. It notes that a greater proportion of the minority student population is referred for psychological services, and that of pupils evaluated, recommendations of special class placement are more frequent for non-white than white pupils. It is suggested, based on data from another study, that teacher bias may be the source of the disproportionate referrals.

Other problems in the school system are also identified. Students are socially promoted from grade to grade and graduated from high school, although they have not mastered basic skills. Parent-teacher conferences are

optional. Evaluation of tenured teachers is "a system to protect school personnel from scrutiny by parents and students; ..." It occurs every other year, the evaluator is not required to visit the classroom, parents are not involved in evaluations, and student achievement is not considered.

The task force made recommendations with respect to each of the problems which it identified. Those with respect to basic skills and testing are of particular interest. The group proposed that "[t]he basic skills of reading, writing and mathematics be given top priority throughout the elementary and secondary grades." There should be a regular program of testing in the basic skills, with the results to serve as the basis for promotion. To avoid a system where students, alone, shoulder the burden for poor achievement, the task force stipulated that this testing "must be directly linked to rigorous personnel evaluation and system accountability processes." For example, teacher evaluations should be conducted, in part, "on the basis of ... quantifiable objectives for student progress in each area of study ..." and the system should publicly adopt goals, including quantifiable objectives, subject to measurement, with respect to basic skills. The task force also favored competency testing as a requirement for high school graduation only if certain conditions were satisfied (elimination of cultural bias, implementation "for several years" of the testing program at the lower grades, and implementation of the revised personnel and system accountability mechanisms).

An Urban Coalition staff member reports that after initially agreeing to meet with the task force, the Minneapolis school board subsequently decided to refer the report to its staff to develop ideas for a response. Although the report was presented on May 29, 1979, the group is still awaiting an official response.

Copies of the report, *Quality Education For All*, are available for \$5.00 each from the Urban Coalition of Minneapolis, 89 South Tenth Street, Minneapolis, MN 55402.

## Testing . . . continued from page one

would predict based on their grades and certain demographic characteristics. Those who are not "underachievers" might also benefit from coaching, according to the study.

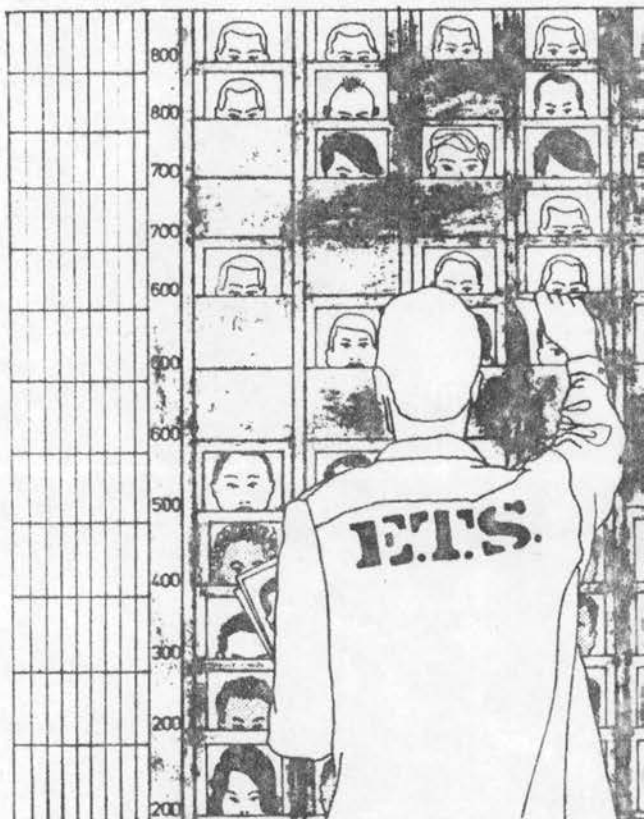
Critics have long contended that scores are as much a measure of a student's test-taking ability as they are of the skills supposedly being tested. The ability to raise scores by certain types of short-term coaching would seem to support that view. Instruction which helps students understand how to handle questions in various complicated formats is one way to help raise scores, according to Lewis Pike, a former ETS researcher who takes issue with the company's position that the tests are not susceptible to coaching. He believes that helping the student to be well reviewed and sophisticated about how to take the test serves to help students demonstrate their real capacity to the fullest.

### Coaching is Expensive

But coaching schools are often expensive. For example, the school that was the subject of the original FTC investigation charged \$275.00 for a ten session course. "Even supporters of testing agree that a serious question of equity would arise if some students performed well on the test mainly because they could afford a private coaching course while others could not," reported *The Chronicle of Higher Education*.

The Boston study also noted that "the examinations appear to discriminate on the basis of race . . . This result may be attributed to the failure of coaching schools to develop materials and techniques aimed at these groups or it may be a manifestation of an inherent bias in the examinations themselves."

NEA is suing for the release of the tapes, which contain test scores and other data on the SATs and LSATs collected over the past three years, so that the public can judge for itself how accurate a predictor of college and



graduate school performance these tests are. "It is criminal that an organization [ETS] which affects so many lives can be allowed to operate in secrecy," said NEA spokesperson Rozanne Weissman in a recent telephone interview.

The case is now in the discovery phase, and counsel for the NEA is trying to obtain a complete index of unreleased computer tapes.

## Sex Discrimination: Survey Shows It's Still A Man's World

Male strongholds persist in the nation's public schools, according to a study released last month by the Project on Equal Education Rights (PEER) of the NOW Legal Defense and Education Fund.

In a continuing effort to monitor enforcement of federal laws forbidding sex discrimination, PEER examined state and national progress toward more equal participation of females in three key areas: school administration, athletics, and vocational education.

The general conclusion of PEER's "Back-to School Line-Up" is that the educational system still significantly narrows the life choices of millions of girls and women.

The situation proves especially damaging to girls from low-income families. They are all the more likely to be doomed to confinement in dead-end, low-paying jobs; are statistically more likely to become the head of a single-parent household; and are excluded from higher education athletic scholarships for which their male peers may compete.

In school training programs for the higher-paying, traditionally male jobs, girls have moved up from six to eleven percent in the seven years since Title IX of the Education Amendments of 1972 was passed, barring sex discrimination in education programs receiving federal financial assistance.

"The proportion of girls in those vocational training programs has nearly doubled," said PEER's Director H. Knox. "It's gone from miniscule to tiny. Girls are shuttled into home ec and typing, while boys train for higher-paying jobs." Since most girls in school today eventually enter the workforce, "today's educational imbalance is tomorrow's economic inequality between sexes."

The other components of PEER's recent study show that although some gains have been made on the athletic field, women have gained only one percent of the top school administrative posts since 1972, and represent only thirteen percent of the total. The report ranks the states and the District of Columbia against each other. Alabama takes the prize for the worst overall record, while the District of Columbia ranked first in the national picture.

For further information about PEER's activities or to encourage stronger federal enforcement of the law against sex discrimination in the schools, write to them at 1029 Vermont Avenue, Suite 800, Washington, D.C. 20005.

\*The Center for Law and Education has the following materials available on this issue: "Eliminating Sex Bias and Discrimination in Vocational Education" by Kathi Boundy (article reprint), and *ELB/Legislative Report #2*, which summarizes provisions of the Vocational Education Act, as amended in 1976 to remedy the denial of occupational training programs to economically and culturally disadvantaged students, handicapped students, language minorities, and females. Copies are available free from the Center.



# COMMUNITY LEGAL EDUCATION

This column will feature descriptions of community legal education activities on education law topics. Please send us copies of brochures, posters, or booklets you have developed or used. We would also like to know about audio-visual materials which are available, and about the types of events which your programs have sponsored to increase client involvement in education advocacy.

## Colorado Newsletter Spreads Information About Education Law

"Legal services attorneys come and go," says Norm Aaronson, who spent almost six years with Colorado Rural Legal Services, "so clients must become educated about what is going on in their schools and what they can do about it. They should be in a position to educate new attorneys who come into the community."

For this reason, and several others, Aaronson began last January to publish the *Colorado Education Law News: Update*, subtitled "A Colorado Rural Legal Services Newsletter on Legal Developments in Education in Rural Colorado."

The newsletter serves as a communication link for parent groups and legal services staffers working in sometimes isolated small communities around the state. The emphasis is on sharing information about the types of education advocacy going on in various communities, rather than on legal citations and analysis.

The newsletter's role in building a network is important to Aaronson, who believes lawyers should serve as catalysts to community groups as they develop their own leadership and sense of assertiveness. Clients have commented that reading the newsletter gives them greater confidence, as they learn how others are tackling problems similar to their own.

For example, Title I parents in one small community filed a complaint with the Colorado State Department of Education because their school demanded \$1.25 per page for the copying of documents. By publicizing a favorable ruling, those parents and others were motivated to move on to dealing with other, more complex issues.

"Challenging the authority of professional educators is not something that comes easily to the Chicano parents of rural Colorado, who, like most parents, need some reminders that the school system is not infallible," commented Aaronson, in describing one of the functions of the CRLS newsletter.

The newsletter has generated interest in education advocacy in various communities, such as in having administrative complaints filed with the state and federal governments. This has led to clients instigating cases despite the fact that some attorneys were not initially aware of the potential for improving the quality of education through administrative processes or by focusing on federal rules and regulations.

In fact, said Aaronson, "the newsletter has generally

increased attorney interest in handling education cases by making them more aware of certain procedures and how they work." In addition, it has proven useful in improving interoffice communication within a legal services program that has branch offices dotting a large and rugged state.

A wide range of education topics have been covered, including articles with headlines such as these:

- "La Junta student reinstated after expulsion hearing";
- "Integration of handicapped children taking place in San Luis Valley";
- "Bilingual education threatened by Senate Bill 85";
- "Teacher suspension challenged";
- "The dangers of the minimum competency testing bill";
- "Court finds Colorado school finance system unconstitutional"; and
- "Trinidad Title I appeal filed in Washington".

The straightforward writing style and uncluttered format make the contents accessible to both clients and attorneys. Issues have been typed on regular sized paper (8 1/2" x 11"), with bold press-on lettering for headlines and a liberal sprinkling of relevant cartoons "borrowed" from newspapers and magazines. No complicated design process here — "I just *did* it," said the newsletter's founder and editor, and format improvements such as a table of contents were added in later issues.

The existence of this newsletter is a tribute to the community legal education philosophy Norm Aaronson has held since he arrived in Colorado's San Luis Valley as a VISTA attorney. In his extensive work on education cases, he has emphasized the importance of the knowledge parents have about their own communities and the need for lawyers and clients to educate each other, as they develop administrative, legislative, litigative, and political strategies for improving the quality of public education.

Although Aaronson has recently left CRLS for a teaching position in the clinical program of the University of Colorado Law School, it is hoped that one of the other staff attorneys who has been active in working on education matters will be able to pick up the responsibility for continuing the newsletter.

Legal services programs which may be interested in publishing community legal education materials, either as newsletters or in some other format, should feel free to contact the Center for Law and Education for technical assistance.

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From: Wesley Hayden

Mpls. Star 2/15/80

# Is juvenile court chief too tough?

DAVID PETERSON  
Minneapolis Star Staff Writer

A husky, truculent young man is led in handcuffs from the old-fashioned courtroom of Hennepin County Juvenile Court Judge Allen Oleisky. The weary judge lifts himself from the bench, walks a few steps into his chambers and strips off his robe.

"He's a nice kid," Oleisky says of the subject of the day's last hearing. "The only problem is, he's been having sex with his niece."

He drops into his thickly padded chair and leans back.

"And the niece is two years old."

Allen Oleisky is getting himself an education.

And, in the process, he's surprising some people by pushing the ju-

venile court in a firm—almost hard-nosed—new direction.

So much so, in fact, that defense attorneys are contesting his methods in the Minnesota Supreme Court, arguing that one tactic he's using to deal with incorrigible children violates state law.

Oleisky is finishing his first year at the apex of the county's far-reaching juvenile system. It was a mantle he assumed when the controversial 18-year reign of Judge Lindsay G. Arthur was abruptly ended by an act of the Legislature.

Arthur was known as something of a softie—a man who would give a kid a second chance, and a third, and a fourth to mend his ways before punishing him.

Although it was an extreme case, one prosecutor remembers, for example, a youngster who had had no less than 40 contacts with the police and the juvenile court before he was punished.

"Some people believe in punishing everyone for everything," Ar-



Judge Allen Oleisky



Judge Lindsay Arthur

Juveniles committed to state institutions from Hennepin County, 1978-79

1978:	(Judge Lindsay Arthur) 92	
March-Dec. 1979:	(Judge Allen Oleisky) 142	

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**Judge**  
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# NEW JUVENILE COURT JUDGE PRAISED, FAULTED

(Judge, from Page 1A)

thurs says. "I tried to call each case as I saw it."

Soon after Oleisky traded offices with Arthur—moving from his lofty 15th-floor chambers in the Hennepin County Government Center to grittier juvenile court quarters in the City Hall—Oleisky saw the pattern.

"I began looking through juvenile files," he recalls, "and I kept seeing these cases in which kids had first been released and reprimanded several times by the police; then they'd finally get to court, and the court wouldn't do anything."

"Nobody was ever doing anything to them."

Oleisky had never been known, during several years on the district bench, as a hanging judge—quite the opposite, in fact. And he still isn't. He's known as an earnest young workaholic who would rather rehabilitate than punish.

But he has changed.

"I'm becoming much more consequence-oriented," he says. "Much more."

In the last full year of his tenure, Arthur sent 92 youths to the state juvenile institutions in Red Wing and Sauk Centre, the severest punishment the juvenile system can offer.

Last year, with Oleisky at the helm beginning in March, that fig-

ure was up more than 50 percent, to 142.

Oleisky says he's also sending more juveniles to the county home school. Under a program begun in March, 1,600 youths have been put on restitution programs that make them pay back their victims.

And Oleisky is making much more use of a program, begun during Arthur's tenure, called Beta. Under that program, juveniles who get in trouble for the first time are sent to western Hennepin County to do a couple of weeks of "hard labor,"—chopping down trees and the like.

Lawyers on both sides of the fence say they like what they see.

"There's a difference in approach the lawyers appreciate," says the county's chief public defender, William Kennedy. "Al acts more like a regular district court judge, rather than a social worker."

"The plain truth is that social workers run that system, and that's unfortunate."

A county prosecutor agrees, saying Oleisky seems to be dealing with youngsters with a firmer hand.

"What was worse than not punishing kids," he says, "was Judge Arthur's tendency to promise to punish them *next time*—and then not delivering. You can't train a dog like that!"

And a district judge says that the



Judge Lindsay Arthur

judges who handled juveniles once they got to adult court found that they often couldn't get the young offenders' attention.

"You'd tell a young man that if you saw him in court again he'd be in for such-and-such, and you'd see this look on his face like, 'Oh, sure . . . .' It was something the judges often talked about, and I'm sure Judge Oleisky is aware of the problem."

At the same time, however, that



Judge Allen Oleisky

firm hand has stirred the anger of a number of defense lawyers when it comes to one sticky issue: What to do with so-called "status offenders."

Status offenders are youngsters who have run away from home, skipped school or committed other offenses that would not be crimes if they had been committed by adults.

In Minnesota, status offenders are not supposed to be locked up with juveniles who've committed serious crimes. In fact, they're not supposed to be locked up at all—not for more than a day.

But during Oleisky's term in office, many of them have been. And so have juveniles in other parts of the state.

Oleisky and other juvenile court judges are using a legal tactic that they defend as legal, but that others—mostly defense attorneys—view as a ruse.

The tactic is quite simple. In the case of a 16-year-old girl named Stacy, it worked this way:

Last June, Stacy was charged in court with being "wayward and disobedient," a status offense.

In July, Stacy was placed at St. Joseph's Children's Shelter, which

is not a locked facility. She did not stay there.

In August, Oleisky issued an order requiring Stacy to stay in St. Joseph's. She violated it.

In September, Stacy was found in contempt of court for violating the order and she was locked up.

And that, more or less, is how it works in each case. A status offender who can not legally be locked up is placed under court order—an order that, if it is violated, means he or she *can* be locked up.

Defense attorneys believe this is a setup—that the judges issue the orders knowing the young people will violate them, and then use that as a pretext for locking them up and placing them firmly under the control of the court.

"They're doing indirectly what they can't do directly," fumes public defender Kennedy. "That's called 'bootstrapping' and it's wrong."

Kennedy's office, with support from five legal aid agencies from other parts of the state, is now challenging this use of contempt orders before the Minnesota Supreme Court. Stacy's story, together with those of four other adolescent girls, are the cases at issue. A decision is expected in the next several weeks.

Oleisky concedes, after repeated questioning, that "there's a strong argument that we are bootstrapping."

But he strongly believes that to deal firmly with a runaway is to nip a serious juvenile delinquent in the bud. There's "no question," he says, but that the status offender of today is the delinquent of tomorrow.

A number of researchers disagree. In his influential study of the criminal justice system, "Criminal Violence, Criminal Justice," published in 1978, Charles Silberman says:

"There is no evidence to support judges' faith in their own, or anybody else's, ability to predict future delinquent or criminal behavior."

Oleisky relies in part on a study of serious juvenile offenders in Hennepin County that showed that

more than half had status offenses on their records. But he concedes that there may be no causal relationship:

"I suppose you could argue that they all drank milk, too."

In further defense of contempt orders, he says they're used relatively sparingly ("I don't think I've used them more than 20 times"), that they seem to work ("I've seen amazing changes in some of these kids"), that he doesn't like to lock them up with delinquents but has no choice because there isn't a separate facility and that the idea of using contempt orders came from a state legislator at a hearing last session.

Although Arthur, too, was criticized in the Silberman book for his stern treatment of status offenders, Arthur says he did not use and would not have used contempt orders to have them locked up.

"The intent of the Legislature is that they not be involuntarily locked up," Arthur says. "I don't happen to agree with that, and I wish they'd change it, but it isn't the court's function to adopt policies for the state."

Arthur was removed from the juvenile court by a state law that said that judges in Hennepin and Ramsey Counties can't hold the juvenile assignment for more than three years. Oleisky was the only district judge who volunteered to replace Arthur, who was the only judge affected, on what some judges look down on as "Kiddy Court."

Arthur believes the law was passed at least in part because he is a Republican and legislators imagined that with hundreds of employees and a budget of more than \$10 million, the juvenile court system was a fount of GOP patronage.

"Now that they have a Democrat there," he says, "I hope they'll change the law. It's going to take a judge one year to learn the system; he'll serve a year, and spend a year as a lame duck. The staff will run the place."

Oleisky agrees the term should be extended.

"It has literally taken me a year to learn this job," he says.

# YOU & THE LAW

## A guide in plain English to your legal rights

By **ELLEN SWITZER**  
with **WENDY SUSCO**,

Associate Professor of Law,  
University of Connecticut

**No one likes to tangle with the law, but most of us will run into legal confrontations at some time or another—whether it's a simple traffic ticket and fine or a more serious matter, such as a divorce or a child's arrest. These encounters with our legal system are confusing and complicated—but they don't have to be. Our practical guide to the law tells you how to deal calmly and intelligently with the legal problems you may face.**

RIGHT NOW America is experiencing a law explosion. More laws have been enacted during the past 10 years than during the previous 100—laws that affect your employment, credit, housing and education rights. Recent decisions handed down by the Supreme Court have also had a significant impact on the lives of married couples, pregnant women, children in public and private schools, college students, persons accused of crimes and members of pension plans.

We've come a long way from

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the days when you could get a lawyer only if you could afford one. Today, legal-assistance corporations, store-front law clinics and special legal advisory services for women and minorities are springing up in many communities. College groups retain lawyers to advise students on personal matters, and some unions even make provisions in their employment contracts for legal as well as medical insurance. Add to this the growing popularity of do-it-yourself law kits that enable one to handle his or her own divorce. All these changes in our legal system have caused the number of citizens using the courts to fight for their rights to skyrocket.

The legal profession itself is undergoing transition. The old image of imposing law offices accessible only to the rich and elite has been swapped for a more down-to-earth, approachable one. There has been a dramatic increase in the number of attorneys in practice. In fact, there are almost twice as many lawyers today as there were in 1970, and their numbers will continue to rise (college graduates are "flocking to law schools like lemmings," as the admissions dean at one

school put it). What's more, lawyers who formerly were permitted only to list their names in a telephone book's yellow pages are now advertising their qualifications and fees for common legal services such as making a will or getting a simple, uncontested divorce.

Furthermore, many of the country's top lawyers are touting a new concept, *preventive law*, claiming that it may be almost as important as preventive medicine in protecting individuals from time-consuming, anxiety-provoking and expensive legal problems.

All these changes make it increasingly important for us to know the basic facts about the laws which govern us and how the legal profession works. Many of the legal tangles we experience could probably be solved simply and inexpensively—and perhaps avoided entirely—if we only took the time to learn our rights. But how do you begin?

### CONSTITUTIONAL LAW

As the first step, open a good almanac or high school history book for a careful reading of the U.S. Constitution, paying special attention to the first 10

amendments, known as the Bill of Rights. This document spells out clearly and simply your basic rights as an American citizen:

- freedom of the press
- freedom of assembly (the right to gather peaceably and petition the government on grievances)
- freedom of religion
- freedom from unreasonable searches and seizures (this now includes tapped telephones)
- freedom from government intervention in your home
- the right to be arrested only for a just cause
- the right to confront any witnesses against you
- the right to a fair and speedy trial (without unnecessarily high bail before conviction)
- the right to a trial by a jury of your peers
- the right to keep and bear arms

Believe it or not, most Americans are unfamiliar with these constitutional rights. A recent survey by CBS News indicated that a sizable number of U.S. citizens didn't know what the Bill of Rights contained. In fact, many considered its provisions, when presented in a different context, "radical," "extreme" and even "communistic."



# 5 COMMON LEGAL MISCONCEPTIONS

**1. The U.S. Constitution grants all citizens the right to bear arms.**  
Here's what the Bill of Rights actually has to say on this subject: "A well-regulated militia being necessary to the security of a free State, the right of the people to keep and bear arms shall not be infringed." The courts have interpreted this to mean that the bearing of arms in a militia should not be infringed. However, state and municipalities are empowered to pass laws regulating the sale, possession and bearing of arms.

**2. A wife cannot testify against her husband.**  
A wife—or a husband, for that matter—cannot be *forced* to testify against a spouse, because the court considers this an interference in the marital relationship. However, any spouse who volunteers to testify is certainly permitted to do so.

**3. In a state in which the law requires a husband to support his wife, the wife is entitled to support commensurate with his income and standard of living.**

A great many women believe this and often regret how wrong they have been. In all cases the term "support" is defined very narrowly. It means that a husband is obliged to provide his wife with sufficient food to keep her from becoming malnourished, enough clothing to keep her warm in the winter and decently covered in the summer, some kind of roof over her head, and minimal medical care.

The classic case came before the courts in Nebraska in 1953 when a Mrs. McGuire asked that her husband be ordered to increase her standard of living slightly. Mr. McGuire owned property valued in excess of \$200,000, yet their home had no bathroom, inside toilet or kitchen sink. His wife had only an unheated, dilapidated pick-up truck to use for trips into town and she was not allowed to use the telephone without permission. Mrs. McGuire had to raise chickens in her backyard for money to buy groceries and clothing. When she asked to be awarded \$50 per month, a better car and some winter clothing, the court found that, although Mr. McGuire might be considered somewhat miserly, he had, in effect, the right to determine the level of support he would give his wife. His standard of living need not be the same as hers. The courts would not intervene in what the judge called "an ongoing marriage." If Mrs. McGuire wished to attain a higher standard of living, she would have to sue for a legal separation or divorce before the court would intervene.

The McGuire case is still used as the model in similar support cases in courts throughout the United States.

**4. A contract is legal only if it's written down.**  
A verbal contract may be legal and binding when an item of limited value (in most states up to \$500) has been put up for sale and a binder's fee (such as a down payment) has been given and accepted. In most states, there is one exception: All transactions involving the sale of *real estate* should be put in writing. Throughout legal history, lawmakers have ascertained that the buying and selling of real estate is too important to be concluded with a handshake and a verbal promise. However, it is not always necessary to have an attorney draw up a lengthy legal document. A simple exchange of letters—in which one party offers to buy the property and the other accepts the offer—almost always constitutes a legal contract.

**5. If you are innocent, you don't need a lawyer.**  
Some people carry this misconception too far; they believe that retaining a lawyer is somehow an admission of guilt. Nothing could be further from the truth. Anyone accused of a crime, regardless of his or her innocence, must get legal counsel as soon as possible. No matter how fair and careful a legal system is, innocent people have been convicted of crimes. The best defense against this is a good attorney.

# HOW CONSTITUTIONAL LAW APPLIES TO US

MOST OF US THINK of constitutional law only in terms of vast general principles that don't really touch our daily lives. But the outcome of many everyday legal disputes depends on our knowledge of constitutional rights. The following case histories of two families illustrate how familiarity with constitutional law made an enormous difference in their lives. The first case concerns a law-abiding family in a suburb of a large New England city. (The names and other identifying facts have been changed to protect their privacy.) The second case appears on New Jersey court records and therefore names and other facts are real.

**Case I:** Jane Olson, 15, was giving a birthday party at her home. While her parents were on an errand, a policeman came to the door and said a neighbor had complained about the noise. Jane reassured him that she'd tell her guests to quiet down. The policeman seemed satisfied, but he had an additional request. There was a rumor around town, he said, that someone in Jane's home was in possession of illegal drugs. Of course, he didn't believe a word of this slander, he said, but would she mind if he just came in and looked around? Jane let him in. He searched the premises and emerged with two partially-smoked marijuana cigarettes. When Jane's parents returned, he arrested them for possession of illegal drugs.

Mr. Olson explained he had no idea where the pot came from—presumably one of Jane's guests had brought it. Since he knew that conviction for possession of illegal drugs constituted a felony, he became very concerned and called his attorney.

It turned out that the policeman had no right to enter the Olson house, even though Jane had permitted it. He had no warrant.

**Case II:** A New Jersey high school girl, Lori Paton, wrote for information to a political party that had once been on the (now defunct and illegal) Attorney General's subversive list. Lori was doing a paper on extreme political groups for her civics class.

However, she noticed that she was being watched. FBI agents came calling in her neighborhood, asking questions about her character, habits and possible arrest record, her father's credit rating, drinking habits and so on. After a complaint from the Paton family, local authorities notified the FBI that Lori was not manufacturing bombs in the family's basement; she was just completing a high school project. The Patons received an apology, but Lori's file was kept active for "subversive connections" at FBI headquarters. Lori sued and her file was finally removed and destroyed. Had she not sued, in later life she might have been refused security clearance for a job, denied a passport or experienced any number of other unpleasant after-effects from her innocent school project.

# TEST YOUR LAW I.Q.

**1.** Before Bob and Janet got married, they signed a so-called "marriage contract," which carefully spelled out future privileges and responsibilities. They would take turns cooking meals and cleaning house. They would be entitled to take separate vacations. Janet would continue her career, and Bob would not take a job in another city without her approval. After two years of marriage, Bob is not keeping his part of the bargain. Janet doesn't want a divorce but feels Bob is not living up to their legal agreement. Has she grounds for a lawsuit?

☐ YES ☐ NO

**Answer:** No. Such contracts governing personal behavior are considered by the courts to be private agreements and therefore of no concern to the state. Besides, courts rarely interfere in ongoing marriages. If Janet wishes to divorce Bob, then she may be able to use his breach of marriage contract as evidence.

**2.** Ted and Alice have signed a premarital agreement in which Alice keeps complete control of a sizable inheritance from her grandfather's estate. Ted also promised to pay Alice's way through graduate school after he finished his own training to become an orthodontist. He is now in private practice, and Alice insists that he pay her way through law school. He wants her to use the money from her inheritance. Has she a legal case?

☐ YES ☐ NO

**Answer:** Yes. Courts' concern with financial matters dates back to times when women brought dowries into marriage and husbands-to-be settled sums of money on future brides. So-called prenuptial financial agreements are legal contracts and will usually be regarded in that light by the court.

**3.** Eighteen-year-old Sam runs a red light on Main Street. He is stopped by a policeman who thinks he detects a faint aroma of marijuana in the car. He asks Sam to get out so he can search. When Sam asks to see a search warrant, the officer tells him none is needed. Is the officer right?

☐ YES ☐ NO

**Answer:** Yes. The U.S. Supreme Court recently ruled that a police officer may search the car of a driver

stopped for a traffic violation. The reason: A warrantless search of the immediate premises is legal if an offense has already been committed, and this includes traffic violations. Parents should tell children this simple legal fact.

**4.** Fourteen-year-old Susan is stopped by a store detective in a local department store as she carries a record from the music department on the second floor down to the first floor. She tearfully insists that she was only planning to buy a birthday card on the first floor to send along with the record. The store calls the police and has her arrested. Was the arrest legal?

☐ YES ☐ NO

**Answer:** No. Shoplifting charges can be brought only if the suspect has actually left the store. Susan's parents may have grounds to sue the store for falsely accusing and arresting their daughter.

**5.** Agatha buys an expensive food-processing machine at a local discount store. When she uses the machine, it doesn't blend, chop or mix. Since the warranty says the appliance is guaranteed for one year, she takes it back to the store to be fixed and is told that she will have to send the machine to the factory in California (she lives in Vermont) for repairs, which may take months. Is the store responsible for giving her a new appliance, or at least repairing the machine, within a more reasonable length of time?

☐ YES ☐ NO

**Answer:** No. Agatha's warranty stated explicitly that the manufacturer was responsible for repairing the machine during a twelve-month period, unless the store made special provisions. It's wise to read warranties before making a purchase and to ask about a store's policy for appliance breakdowns. If the store indicates that the repairs will be done locally, get this promise in writing.

**6.** Elizabeth picked the best-qualified doctor in her community for gallbladder surgery, which was successful. Accidentally, she found out that her doctor only stood by and supervised a young resident, who actually wielded the scalpel. Can the surgeon make her

pay his \$1,000 fee for an operation he did not perform?

☐ YES ☐ NO

**Answer:** Yes. Elizabeth had "ghost surgery," which occurs frequently, especially in teaching hospitals. Before her operation Elizabeth signed a consent form that probably said something like this: "Dr. Jones is authorized to perform a gallbladder operation, assisted by any physicians he may designate." The courts define the word "assisted" very broadly. As long as Dr. Jones was in the operating room, he has the right to charge his customary fee. If Elizabeth encounters any serious problems after her gallbladder surgery, and it turns out that the resident bungled the job, she may, of course, sue Dr. Jones for medical malpractice.

To avoid a similar problem the next time she needs an operation, Elizabeth may cross out that line about "assistance by other physicians," or she may get a written promise that Dr. Jones will indeed perform the operation himself.

**7.** Anthony and Elsa own a Laundromat. One night a defective dryer explodes and ruins the whole establishment. They retain an attorney who promises to file suit against the manufacturer. After more than a year has elapsed, Anthony and Elsa have had no word about the progress of their case. They call their lawyer (for the tenth time), and he confesses that he forgot to file the necessary papers. Now it's too late, he says, because in their state, the statute of limitations has run out. Can Anthony and Elsa still sue anybody?

☐ YES ☐ NO

**Answer:** Yes. They can sue the lawyer for malpractice. Most people don't realize that all professionals are liable to malpractice suits if through failure to perform their duties in a responsible manner they damage their clients.

**8.** Beverly, age 53, has been working as a receptionist for a wholesale cosmetics firm for five years. One day she is called into the manager's office and told that times are bad and that the staff is being cut. She gets two weeks' severance pay. A few days later, she comes back to pick up a plant she forgot to take home and finds a very attractive woman, probably no older than 20, sitting at her former desk. She suspects that she was fired because

the management wanted a younger, better-looking receptionist. Can she file a legal complaint?

☐ YES ☐ NO

**Answer:** Yes. Federal law prohibits job discrimination on grounds of age, as well as on grounds of sex, race, religion and place of national origin. If her employer felt a younger receptionist was needed, he could have transferred Beverly to another job at a comparable salary. She should file a complaint with her state's Equal Opportunity agency and/or with the nearest office of the U.S. Department of Labor.

**9.** Twenty-six-year-old Sandy has been going steady for more than five years with Ben, who has told her he is single and promises to marry her as soon as "certain financial matters" have been straightened out. One day, she meets an old friend who's known Ben for years and who tells Sandy that he has a wife and three children in Oklahoma. Can she sue Ben?

☐ YES ☐ NO

**Answer:** No. Breach-of-promise suits went out with crinolines. Most states have eliminated them from their books, and even those that still have such laws refuse to enforce them. Remember one legal principle: *Usually hurt feelings don't count.* A plaintiff must prove real physical or financial damage or serious injury to his reputation before any award will be considered. (Sandy might consider consulting a therapist, instead of a lawyer, to find out why she was so gullible for such a long time.)

**10.** Althea has signed a two-year lease on an apartment, which specifically prohibits subletting. When she is transferred to another city, Althea decides to "lend" her sister Dorothy the apartment. Althea then sends a rent check to the landlord every month, and Dorothy reimburses her. One day, the landlord discovers who is really living in the apartment and evicts Dorothy. Can he do this?

☐ YES ☐ NO

**Answer:** Yes. Althea is doing exactly what she has contractually agreed not to do: Subletting the apartment. That the tenant happens to be her sister has absolutely nothing to do with the case.



## THREE WAYS TO FIND A LAWYER

MOST OF US have a family doctor we call if someone is seriously ill. But in a legal emergency few of us know where to turn, since very few of us have a family lawyer.

Lawyers are, of course, listed alphabetically in the Yellow Pages under "Lawyers," but this listing tells very little about the lawyer—only his or her name, address and telephone number. Since many lawyers, like physicians, specialize, it doesn't make much sense to call an attorney who deals in estates and trusts if a youngster has been arrested on a drug charge. So, how does one go about finding the right lawyer in a legal emergency?

1. Ask a friend who has recently been involved in a comparable legal dispute. Most legal problems are fairly common ones, and chances are that you know at least one person who has had a similar experience. If your friend was satisfied with the way he was represented, you may want to call his lawyer. If not, the friend may have been especially impressed with the way the opposing lawyer handled the case. Then that's the lawyer to contact.

2. Use the referral service of your local Bar Association, which is usually listed in the Yellow Pages under "Lawyer Referral Service" or "Bar Association Information Service." Tell the person who answers your call what your particular legal problem is, and you'll be given the names of several lawyers (usually three) who are knowledgeable in the area of law that concerns you at the moment. You can call one or all of these. Since it's important to find a lawyer whom you like and trust, you may want to talk to the lawyer in person. Many lawyers will allow you to come in once to outline your problem and will charge you a moderate fee—or nothing at all—for a

first consultation. However, be sure to ask what the initial visit will cost before making an appointment.

It's even more important to find out what kind of fees an attorney charges before deciding to retain one. Lawyers' fees vary, depending on a number of factors, including the type of experience the attorney has in a special field, the amount of time he has been in legal practice, and even the type of neighborhood in which he rents an office. (See "How Lawyers Set Their Fees," this page.) The most expensive lawyer may not necessarily be the best one for you.

3. If you feel that you are unable to afford a lawyer, call the legal assistance agency in your community. If you can't locate the number in your phone book, ask your Community Council, Family Service Agency or United Way organization how to contact this agency.

You may be eligible for free legal advice. Even if you don't meet the legal assistance agency's income requirements, the organization will usually be able to refer you to a legal clinic or a lawyer in your community who will take a certain number of low-fee paying clients.

**A Note of Advice:** Don't allow yourself to be panicked into retaining an attorney about whom you know nothing. Legal emergencies, unlike medical ones, can usually wait for at least 24 hours before being resolved. So take as much time as you need to find the lawyer who is right for you. It is, of course, entirely possible to dismiss a lawyer, even in the middle of a case. But you must let the lawyer know in writing that you will be seeking legal help elsewhere. No ethical attorney may discuss a case with a person who is still the client of another attorney.

## SELF-HELP LAW

ALTHOUGH MOST LEGAL experts would agree that a person who serves as his own attorney has a fool for a client, here are three instances when a lawyer is not really needed.

1. **Neighborhood disputes involving no personal injuries and limited property damage.** If an intermediary is needed, a person whom both families like and respect—a clergyman, for instance—might be called upon for help.

2. **Automobile mishaps involving no personal injuries and no serious charges.** Report automobile accidents to your insurance company, whose lawyers should fight any serious legal problem in court at no cost to the insured.

3. **Claims of property loss or damage that may be settled in Small Claims Court.** The amount of money considered "a small claim" varies from state to state, the upper limit usually anywhere from \$500 to \$1,000. To determine the amount of the limit and how to take this kind of legal action, call the clerk of your local small-claims court.

Lawyers are not necessary in small-claims court; indeed, many judges actively discourage plaintiffs from bringing in professional legal counsel. However, if you have no knowledge of the laws of evidence, it may be worthwhile to discuss your small-claims case with a knowledgeable friend or attorney. It's important to bring in all relevant documents and other material and to ask witnesses to appear. It usually costs about \$10 to file papers to be served on the defendant. If you win the case, the defendant may be asked to pay court costs along with the claim.

## HOW LAWYERS SET THEIR FEES:

**BY THE CASE:** A lawyer may charge a predetermined, fixed amount for specific cases such as making a will, filing for an uncontested divorce, settling a bankruptcy petition, writing a lease or sales contract, or searching a title for a piece of real estate.

**BY THE HOUR (or, more exactly, by the minute):** Most lawyers charge clients according to time spent, with fees ranging from \$25 per hour to over \$200 per hour, depending on the attorney's experience and expertise. Telephone calls count, and usually so does time spent discussing cases over lunch or dinner. When consulting a lawyer professionally, either in person or on the telephone, it's advisable to get right down to business.

**ON A CONTINGENCY BASIS:** Most attorneys will take cases involving damages for personal injuries or serious financial losses for a percentage of the amount the client is awarded. Usually, the lawyer gets one-third of the award if the case is settled out of court, 50% or more if a courtroom appearance is required. This may seem like a great deal of money, but lawyers receive no payment, except their own expenses, if the case is lost.

**NOTE:** BEFORE RETAINING AN ATTORNEY ASK HOW HE SETS HIS FEE AND HOW MUCH HE ESTIMATES THE SERVICE WILL COST.

# HOW TO COPE WITH 10 COMMON LEGAL PROBLEMS

**1.** Your grandfather has been telling you for years that he plans to leave you his entire estate. He has made this promise verbally, in front of witnesses, and you have a letter he wrote to you on your last birthday, repeating his intention. You are sure that Grandpa does not have a will. Are his verbal and written promises sufficient to assure your heirs status?

**Answer:** No. Many people believe that a simple letter of intent or a verbal promise made in front of witnesses is as good as a legal will, but if Grandpa dies without a will, his property will be divided according to the laws of your state, as they apply to persons who die intestate (without a will). In most states, if a person dies without immediate surviving relatives (spouse or children), the estate is divided among remaining relations, including brothers, sisters and occasionally even nephews, nieces or cousins. It might be a good idea to have someone tell Grandpa this fact, and to encourage him to make a will as soon as possible. In fact everyone old and young should have a will no matter what size the estate. If you have children under 18, there should be a provision for their legal guardianship.

**2.** You have noticed that your husband seems to be getting very interested in another woman. Lately, he has hinted that he might be considering a separation or divorce. What legal steps can you take now?

**Answer:** Make sure that he does not dispose of property you own jointly. In community-property states (see *Your Marriage: Who Owns What?*), this means half of everything both of you have acquired since your marriage. If you have a joint checking or savings account, take out as much money as you think fair. (You can legally take it all without asking him first.) Keep an accurate record of your household and child-care expenses. You may need these figures later to claim fair alimony and child-support payments. If your husband indicates that he has seen a lawyer, hire one yourself—the sooner, the better.

**3.** You left your car in a parking lot, the attendant took your keys to move the car around if needed. Four days later, the police telephone: Someone has accused you of ramming into his car on the lot, and you are charged with a hit-and-run driving offense. This is a minor offense, they say, but you and your car should make an appearance at the police station as

soon as possible. What is the first thing you should do?

**Answer:** Call your lawyer. "Hit-and-run" may seem like a minor offense to policemen, accustomed to dealing with mayhem and murder, but a conviction could make an important difference in your life. In some states, this is considered a misdemeanor, which is a crime. A conviction could also cause your insurance company to cancel your policy or at least raise your insurance costs drastically. Your lawyer may want to accompany you to the police station to make sure that your rights are respected.

**4.** You are being interviewed for a job. You were recently married and the interviewer asks you whether you plan to have a family. You tell him that you may decide to have children a few years from now. The interviewer tells you that the person who is hired for the job will undergo an expensive training program and that, because of your marital situation and childbearing plans, he does not consider you a good prospect. You don't get the job. Has an employer a legal right to ask such questions and to base a final decision on your answers?

**Answer:** He does not, unless he asks all male job applicants the same questions and bases his decision on the same facts. The employer is in violation of Title VII and you may issue a formal complaint. If the employer realizes that you know your rights, you may still be hired. If not, you may have grounds for a discrimination suit.

If an employer refuses to hire you because you have small children, he is also in violation of the law—unless he also won't hire men with small children.

**5.** Your son's school suspends him for 12 days because he got into a fight on the school bus. He tells you he was just defending himself from the class bully, who was threatening to wrap his tuna fish sandwich in your child's term paper. You ask to see the principal, but he tells you there's nothing he or you can do; the suspension stands. Can a school deny your son a fair hearing, and is there anything you can do to change the principal's mind?

**Answer:** Your son is indeed entitled to a hearing, and you should insist that he get one. In 1976 the Supreme Court ruled that "total exclusion from the educational process for more than a trivial period"

without a chance to answer the charges violates a child's right to due process; 12 days would certainly be considered "more than a trivial period." The student is entitled to oral or written notice of the charges against him. He must have a chance to hear the evidence in his case, to confront witnesses, and to present his side of the story.

Incidentally, some private schools now require parents to sign a statement, prior to their child's admission, that they will not sue the school or take any other legal steps should the child be suspended or expelled. There is a question whether such a waiver of a child's rights is legal. In any case, a parent should think carefully before giving up a youngster's right to due process.

**6.** Your usually friendly poodle has had a bad day and bites the postman. The postman threatens to sue. What can you do?

**Answer:** In this case, don't call your lawyer, call your insurance company. If you have a standard liability policy, you probably are covered for any damages a court may award the postman. What's more, the insurance company's lawyers should handle the case at no expense to you. In view of the fact that postmen, day-workers, and even friends or relatives may sustain injuries in a rented apartment as well as in an owner-occupied house, it's just as important for apartment dwellers as for home-owners to obtain liability insurance. Homeowners do this as a matter of course. Apartment dwellers, even those with fire and theft insurance, rarely think about the damage a liability suit could do to their finances.

**7.** While you were out, an attractive encyclopedia salesman charmed your 14-year-old daughter into purchasing a set of books at a cost of \$350 (plus interest) to be paid over a period of one year. You don't need and can't afford the books. What can you do?

**Answer:** Call the company the salesman represents and tell them your daughter is a minor and therefore has no right to sign contracts. Follow up your telephone call with a letter, preferably sent via registered mail. That should be the end of the matter.

Even if your daughter was not a minor, or if you had signed the contract yourself, in many states you have the right to cancel such an agreement, if you change your mind within one or two days. To find out the laws of your state in such a case,

call your Department of Consumer Protection or your Better Business Bureau. If state law permits, cancel the contract *in writing* within the stated period of time, by sending the cancellation by registered, "return receipt requested" mail and keeping a carbon of the letter plus the receipt from the post office.

**8.** A health spa has opened in your neighborhood. Since you want to lose weight, you talk to the manager, who promises that you'll be 20 pounds lighter in six weeks if you simply follow the spa's diet and exercise program. If you don't lose the weight, you'll get your money back, she says. You pay your \$75 registration fee, stick to the diet, and attend the spa three times a week. At the end of the six weeks you have lost only two pounds. You ask for your money back and are told that you probably didn't follow the diet properly and that you didn't do the exercises exactly as they were prescribed. Is there anything you can do to get your money back?

**Answer:** Only if that money-back guarantee was given to you in writing (and without any small print qualifying the original promise). It's almost impossible for you to prove that you did indeed follow the spa's instructions exactly, and a verbal promise of a refund is not much help in any case. When signing up for any type of course—exercise, dancing, foreign languages, etc.—it's important to read what you are signing. Are you committing yourself to more than you intended? Do you have a period in which you can cancel the agreement if you are not satisfied with the service? Are all the advertised services specifically listed in the contract?

Once you have signed a contract (or paid for the course), it's usually very difficult to reverse the situation. If the organization has made false promises such as telling you about a swimming pool without providing one, or hiring clearly unqualified instructors, you may be able to get some help from your Consumer Protection Department or Better Business Bureau (to be found in the white pages of your telephone book). You could also try to get your money back via Small Claims Court (see *Self-Help Law*). It's rarely worthwhile to hire an attorney to pursue your claim. Your legal fees would probably cancel out whatever cash award you may realize from a court suit of this kind.



## YOUR MARRIAGE: WHO OWNS WHAT?

**9.** Your lease is up next week and you find a letter from your landlord in your mailbox indicating that your rent will be raised by 25%. Is there anything you can do besides looking for a new place to live?

**Answer:** Get out your old lease and read it carefully. Most leases contain a clause that requires a landlord to give you notice within a specific period of time if the rent or any other aspects of the lease are to be changed. Usually the notice period is at least one month. If you were not notified, you can assume your lease will be renewed at the same rent and that you don't have to pay the increase. If there is no rent increase notification clause in your lease, or if you have no lease at all, you probably have to pay the rent increase or move.

Incidentally, if you have a lease and want to move out when it expires, you may also be required to give the landlord reasonable notice. It's a good idea to look over any lease two or three months before its expiration date to make sure you know what your rights and obligations are.

**10.** You have been divorced for four years and have custody of your three children. At the time of your divorce your husband was a struggling young accountant. Based on what he was earning at the time, you were awarded \$200 a month in child support payments. The financial situation has now changed; your ex-husband is no longer struggling since his income has more than tripled since your divorce. On the other hand, your money situation has become worse: Inflation and increased taxes have strapped you. Is it possible to get those support payments raised?

**Answer:** It certainly may be. If you are on good terms with your ex-husband, you might just want to tell him about your financial problems and ask him to raise his child-support payments voluntarily. If he says he will, get his agreement in writing.

If your present relationship is tense or if he refuses to discuss increased support, get a lawyer (preferably the one who represented you in the divorce) to talk to your husband's lawyer. If that doesn't produce results, your lawyer can formally petition the court to raise the amount of child-support your ex-husband was ordered to pay. Chances are good that a judge will take your ex-husband's present prosperity and your financial difficulties into consideration and award you increased child-support payments.

If you live in one of the eight so-called "community property" states—Arizona, California, Idaho, Louisiana, Nevada, New Mexico, Texas and Washington—all property acquired during a marriage, even if it consists entirely of the earnings of one spouse, belong to both husband and wife equally. If they split up, each is entitled to half.

In all other states, known as "common law" states, property in the husband's name—even if previously owned or earned during the marriage by the wife—is regarded as his. If the marriage ends, a judge may award the wife a percentage of those holdings at the court's discretion.

Following are six suggestions from lawyers for couples about to be married, presently married, or on the verge of breaking up:

1. Although this may sound very unromantic, discuss the way you plan to handle money and property before you get married. A woman, for instance, who gives up an education or a career should consider asking for some kind of premarital agreement before relinquishing her earning power. After all, those Victorians who insisted that marriage settlements be discussed even before a couple announced their engagement were just being realistic.

2. Husbands and wives should be open with each other about all financial matters such as property owned by either spouse or how much money is available for the household budget. A wife whose husband refuses to give her such information (or, for that matter, a husband who is denied such facts) should reflect seriously on the basic structure of the marriage. Such secrecy usually indicates a lack of trust, and marriage counseling might be needed.

3. Any couple deciding to divorce should try to come to an agreement about property settlement, parental rights, custody, and other matters before going to court—and, if the breakup is a reasonably friendly one, before retaining a lawyer. Trying to settle such matters later on can be expensive, both financially and emotionally.

4. Every husband and wife should draw up a will, no matter how little property the family owns. If there are minor children, the will should name a legal guardian in case both parents die before the

youngsters reach maturity. Lynne Caine, author of the book *Widow*, suggests that every couple institute "Contingency Day," a day when they carefully plan how either would live if he or she were suddenly widowed and left to care for their children. (She mentions the day after Christmas or an anniversary as a good time.)

5. Don't overestimate your legal rights in marriage. It's wise to check exactly what your rights are before getting married and even more important if you're seeking separation or divorce.

6. To learn more about your rights as a wife, visit your nearest public library. Here are three recent books on the subject that

you might want to look at:

a) *Your Introduction to Law* by George G. Coughlin (Chapters 14 and 15 on marriage, divorce, separation and annulment). Barnes and Noble Books.

b) *Women and the Law* by Leo Kanowitz (Chapter 3: "The Married Woman"). University of New Mexico Press.

c) *The Law for a Woman: Real Cases and What Happened* by Switzer and Susco (Chapter 5: Rights in Marriage and the Family). Charles Scribner and Sons.

If you want a slightly different view of the subject, read Chapter 8 on "Family Law" in *Sexist Justice* by Karen DeCrow, Random House.

## WHAT TO TELL YOUR CHILDREN ABOUT THEIR RIGHTS

Most of us don't expect our children to get into trouble with the law, but a surprisingly large number of youngsters do—including some from good and loving homes. It's therefore important to pass on to your children five rules for dealing with the police:

1. Never resist arrest, no matter how unreasonable the arrest may seem. Resisting arrest is, in itself, illegal.

2. If you are arrested and taken to a police station, don't answer any questions until your parents have been notified and are with you.

3. If the arrest is for an action that, in an adult court, would be considered a felony (this includes shoplifting and drug possession), ask for a lawyer. Don't make statements or answer questions until you and your parents have had a chance to consult with an attorney. (At this point, a great many charges are dismissed.)

4. If a policeman comes to your home to search the premises, and neither parents nor adult guardians are home, politely tell the policeman to come back when an adult has returned. (This instruction should be given baby-sitters as well.)

5. Tell your children that you might indeed get upset or even furious with them if they are caught breaking the law, but facing the music at home is a great deal less serious than facing legal consequences alone in a police station. Many juvenile officers in police departments report that some children are so afraid of their parents' anger that they won't readily give their names or other information; in these cases, notification of parents and lawyers is delayed.

# FEDERAL LAWS THAT AFFECT YOUR EMPLOYMENT AND CREDIT RIGHTS

The 1970's marked a legislative crackdown on unfair practices in employment, hiring, promotions, firing and retirement. New legislation also provided consumer protection in areas affecting the granting of credit and collection of debts. Here's a run-down on employment and credit laws and what they mean to you.

## Title VII of the Civil Rights Act of 1964, as amended by the Equal Employment Opportunities Act of 1972 (usually referred to as Title VII).

This law prohibits all discrimination in employment, including hiring, upgrading salaries, fringe benefits, promotion and training on the basis of sex as well as race, color, religion or national origin. It covers all employers with more than 15 employees.

If you feel that your rights have been violated, complain to your state's Human Rights or Fair Employment Practices Commission or the nearest regional office of the U.S. Equal Employment Opportunity Commission.

## Protection of Age Discrimination in Employment Act extended to Age 70 in 1978

This law prevents employers from forcing the retirement of employees before they reach age 70, except for tenured college professors, executives collecting large pensions, policemen and firemen.

If you feel that you are being pressured to retire before age 70, register complaints with the same agencies concerned with Title VII.

## Social Security Amendments of 1977

This law provides Social Security benefits to ex-wives and ex-husbands on their former spouses' accounts if the marriage lasted for 10 years or more. An ex-wife or husband may collect full benefits even if the former spouse has remarried. Before this 1977 amendment, an ex-spouse had to be married for 20 years or more to be eligible to collect Social Security.

The law also eliminates the penalty of forfeiture of benefits when a widow or widower, collecting as a surviving spouse, remarries after age 60. This means that all those elderly couples living together, without benefit of a marriage license in order to not lose Social Security benefits, may now legalize their relationships.

In case of problems, contact your nearest Social Security office.

Another important recent Supreme Court decision (*Los Angeles vs. Manhart*, 1978) prohibits

employers from charging women more than men to participate in company pension plans. This ruling was made in spite of the fact that, according to the best available statistics, women live longer than men. The decision means that women employees in company-operated pension plans will now pay the same monthly rates as men for the same benefits.

## Equal Credit Opportunity Act

It is now unlawful for creditors to discriminate on the basis of sex or marital status in any aspect of a credit transaction. Creditors may not:

- inquire into birth control practices or child-bearing intentions.
- refuse to credit income because it is from part-time employment
- refuse separate accounts to married women who are creditworthy
- inquire into a spouse's credit history unless a joint application is made or spouse furnishes the basis for credit.

Applicants can now ask that joint credit accounts be maintained in the name of each person. They may choose whether or not to disclose income from alimony and child-support in applying for credit.

## Fair Credit Billing Act

You have the right to question the propriety of an item billed to you. The query must be in writing. During investigation, creditors may not report adversely on your failure to pay the disputed bill to a credit bureau. Resolution must occur within 90 days of inquiry. Creditors must provide evidence of mailing or delivery of merchandise billed in order to charge for it.

## Fair Debt Collection Practices Act

This law forbids outrageous collection practices—debt collectors posing as attorneys, threatening legal actions that cannot be brought (usually arrest for failure to pay a bill), telephone calls at all hours of the night ("restricted to reasonable hours"). If you have a problem, call or write the Federal Trade Commission. They will advise you on what further action is necessary in your state.

# LANDMARK SUPREME COURT DECISIONS THAT HAVE AFFECTED YOUR LIFE

**Brown vs. the Board of Education** (This decision changed the laws on segregation in schools. It called for desegregation, 1954.)

Until 1954, legal opinion held that school systems could maintain separate schools for children of different races, as long as facilities and teaching staff were considered "equal." In the *Brown* case the Supreme Court ruled that separate schools for children of different races were *inherently unequal*, and therefore a violation of the constitutional guarantee of equal protection under the law. From that date on, boards of education were on notice that public school systems should be desegregated with all deliberate speed. The Court has upheld this ruling over the past two decades in spite of various appeals arguing for modification of the decision.

**Gideon vs. Wainwright** (This decision guarantees a person the right to legal counsel even if one can't afford to pay, 1963.)

Clarence Earl Gideon, a penniless itinerant, was charged with breaking into a poolroom with the intent of committing a misdemeanor. He had no funds to retain an attorney, and Florida had no provision for a public defender unless an indigent person was charged with a capital crime that might result in the death penalty. Gideon represented himself in court as best he could and was convicted. While in jail, he filed a habeas corpus petition on his own behalf. The Florida courts turned him down. At that point, Abe Fortas, then an attorney in private practice and later a member of the U.S. Supreme Court, was appointed to aid in Gideon's appeal to the Supreme Court. The Court found that *any defendant had the right to counsel if conviction of the crime with which he was charged might result in a jail sentence*, and that the state was obligated, under law, to provide such counsel *free-of-charge* if the defendant could not pay.

**Escobedo vs. Illinois** (Established a person's right to counsel before and during questioning by the police, 1964.)

Danny Escobedo was arrested and charged with the murder of his brother-in-law. Relatives notified an attorney, who went to the police station immediately but was denied access to the prisoner, then being questioned by the police. Escobedo, although protesting repeatedly that he wanted to talk to a lawyer before answering further questions, eventually made some incriminating statements. He was convicted of the crime in court. On appeal, the Supreme Court held that the police must allow any person in their custody free access to an attorney, before and during questioning.

**Miranda vs. Arizona** (Established that a defendant has specific legal rights and must be informed of these before arrest, 1966.)

Ernesto Miranda was charged with kidnapping and rape, taken into custody and questioned extensively in an interrogation room. He was not informed that he had a right to free legal counsel and did not have to answer questions without a lawyer present. He was convicted, but his conviction was overturned by the Supreme Court on the grounds that a defendant must be *told* of his rights before questioning. This resulted in the so-called "Miranda warning," which policemen carry and read to all persons about to be arrested. There are no specific words to the Miranda warning, but the police usually say something like this: "You have the right to remain silent. Anything you say can and will be used against you in court. You have the right to have a lawyer present during questioning. If you cannot afford a lawyer, one will be appointed for you, and questioning will not proceed until an attorney is present. Do you understand these rights?" A policeman may ask an individual if he wishes to waive these rights. It's a very bad idea to agree to do this UNDER ALMOST ANY CIRCUMSTANCES.



# MAKING SENSE OF "LEGALESE"

Commonly used law terms and their definitions

**CIVIL CASE:** A lawsuit involving enforcement of private rights, such as medical malpractice or divorce, as opposed to a criminal case which involves a charge by the government against a defendant alleging a public wrong, such as murder.

**CLASS ACTION:** A suit brought by several persons who have suffered the same kind of harm, on behalf of others in similar circumstances, at the hands of a defendant.

**COMMON LAW:** The "unwritten" law, a body of court decisions declaring what the law is, inherited from England and enlarged and changed by our courts. The rule that "You are presumed innocent unless proven guilty beyond a reasonable doubt" is from the common law.

**CONTRACTS:** That body of law governing the agreement process.

## CRIMES, types of:

**Felony:** A crime which may result in imprisonment for more than six months.

**Misdemeanor:** A crime which may result in imprisonment for up to six months, or in a fine.

**Violation:** Charge of breach of a state or municipal ordinance, for instance a parking ticket and most minor traffic offenses.

## DEBT:

**Creditor:** One to whom a debt is owed.

**Debtor:** One owing a debt.

**Garnishment:** Attachment of a debt, often wages owed, to satisfy a claim against a debtor.

**Lien:** A claim against the property of another, usually arising out of work done by the claimant on the property, or because of assistance provided.

**DEFENDANT:** The party against whom suit is brought (sometimes known as a respondent).

**HABEAS CORPUS:** An ancient writ, literally meaning "produce the body," which demands that one who has a person in custody justify the grounds for detaining them.

**LIBEL:** Written or permanently recorded untruth causing harm

to the person about whom the untruth is said.

**NO-FAULT:** System which does away with the need to prove fault in order to prevail or recover damages—no-fault systems have been adopted with regard to divorces and automobile accidents.

**PERPETRATOR:** A policeman's term used to describe a person (usually unknown) who committed a criminal act.

**PLAINTIFF:** The party who brings a lawsuit (sometimes known as a petitioner or complainant).

**"PRO BONO":** "Pro bono publico" means for the public good. This term is used by lawyers to describe work they do for free, usually because the client is poor.

**SLANDER:** Oral untruth causing harm to the person about whom the untruth is said.

**STATUTE:** A legislatively enacted law.

**TORTS:** The law of private wrongs, governing the behavior of persons and setting out their obligations toward each other, such as assaults.

**WARRANT:** A legal writ authorizing an officer of the law to take action (as in making an arrest, seizure or search).

## WILLS AND TRUSTS:

**Administrator:** A person (or bank) who performs the same function as outlined for an executor for an intestate estate.

**Conservator:** Someone appointed by a court to administer the affairs of a person no longer able to manage his own affairs, usually because of illness or advanced age.

**Executor:** One whose job it is to administer the provisions of a will, gather the testator's assets, pay the bills and distribute the remaining estate according to the will's directions. (Executrix is the feminine form of this word.)

**Guardian:** One into whose care another may be entrusted by a court. Guardians may be appointed to care for children and/or their property.

**Intestate:** One who dies having no will.

**Testator:** One who makes a will. (Testatrix is the feminine form of this word.)

# YOU CAN FIGHT CITY HALL!

FORMER U.S. ATTORNEY General Ramsey Clark may have summed it up best: "A legal right is not what someone gives you; it's what no one can take away!" Many of us tend to be frightened by loud voices, official-sounding letters, and opinions uttered with more conviction than accuracy. But if a decision made by an official seems outrageously unfair, it's probably also illegal. And if it is, you can take action by complaining to the appropriate Government agency, writing to your state legislator or U.S. representative, and, if necessary, asking a lawyer to help you obtain your legal rights.

If you think you've been bamboozled, swindled, or generally mistreated by a salesperson, a home repair service or a creditor, you don't have to sit back and take it. There are consumer fraud sections in the police department and other agencies that are prepared to remedy fraud or misrepresentation.

If a marriage looks like an impossible trap, there are legal ways

out, even for those who have little or no money. Legal aid services, women's counseling agencies and others provide help.

If laws seem to hinder, rather than help, you can do something to get them changed. Politicians, from City Council members to the president, depend on your vote for public survival. It takes a group of citizens, willing to organize to change unfair laws. For more information on how to fight for your rights, send for a free copy of *A Guide to Consumer Action*, a 58-page booklet. To get it, mail a postcard with your name, address and Zip code to Consumer Information Center, Dept. 686F, Pueblo, Colo. 81009.

If someone tells you that City Hall is impregnable, don't believe it. Often City Hall fears you more than you could possibly fear it. In fact, we know of one mayor who had a set of fire stairs put in at the back of his office, not because he had any particular phobia about flames, but because he wanted to be able to get out fast when groups of citizens arrived with complaints. He lasted one term! ■

RESOLVED:

That the Legal Rights Center, Inc., enter into a contract in 1980 with Hennepin County whereby the Center undertakes representation of indigent adults and juveniles charged with offenses in Hennepin County Courts, and the county pays the Center \$30 per attorney hour to a maximum of \$55,000.

That Irving Weiser, Treasurer and Ralph L. Crowder, Administrator be authorized to negotiate this contact and bind the Center to the contract.

Resolution passed February 5, 1980.

Dated: \_\_\_\_\_

\_\_\_\_\_  
Peter Heegaard  
Chairman

Subscribed and sworn to before me  
this \_\_\_\_ day of \_\_\_\_\_, 1980.

\_\_\_\_\_  
Notary Public

SUGGESTED 1980 PROGRAM PRESENTATION GUIDE-OUTLINE

(Based on one hour and 15 minutes total per agency)

A. Brief Overview of the Agency (10 min.)

1. Mission - Overall Agency Goals\*
2. Main Emphasis - Thrust for 1980.
3. Locations - Area of Service.
4. General Description of Clients Served\*
5. Statistical Reports used by the Agency to Record Clients Served.\*
  - a) Recent report(s) or year ending 1979.
6. Agency Organization Chart\*

B. Review of Overall Agency Services (10 min.)

1. Program Outline of Agency Services Either by:\*
  - a. United Way Service Descriptions,
  - b. How Agency Describes its Services.
2. Delineation of those Programs Funded Wholly or Partially by the United Way.\*

C. Focus on United Way Funded Services (30 min.)

1. Briefly Describe One or More Services, and/or Program(s). Panel-Agency Consultation to identify mutual interests or focus.

D. 1. Provide Progress Reports (if applicable) on: (10 min.)

- a. 1980 New Program(s)
- b. 1980 Target Population Program(s)
- c. Capital Campaign.

E. Future Considerations (5 min.)

1. Briefly Review any Upcoming Highlights or Contemplated Changes in Agency for the Balance of 1980 and for the Next Year or Two.

a. For example:

- 1) New Programs or Thrusts
  - 2) Location
  - 3) Staffing, etc.
- 

Leave time for questions.

Rearrange time for a tour if planned.



Executive Officers recommended for 1981 by the Nominations  
Committee:

President	Izear Watkins
Vice-President	William Koenen
Treasurer	Vikki Howard
Secretary	Kevin Burke
At Large Member	Irving Weiser

# Legal Rights Center, Inc.

808 E. Franklin Avenue Minneapolis, Minnesota 55404  
(612) 871-4886

## M E M O

DATE: September 6, 1979  
TO: Search Committee  
FROM: Joanne R. Levin  
RE: Interviews for Legal Rights Center Administrator

Enclosed please find copies of those people to be interviewed for the Administrator position. Interviews will be held on Tuesday, September 11th at 3:00 p.m. at the Center. If you are unable to attend please call me and I will inform the other members.

P.S. I have enclosed a copy of the job description for you to review when going over the resumes.

Attorneys  
Douglas Hall  
Executive Director  
J. Craig Boone  
Jerod H. Peterson  
Pamela G. Smith  
Community Workers  
Frank Dickenson  
Jerry S. Patterson  
Mary Jane Wilson  
Administrator  
Joanne R. Levin  
Directors  
Antonio Arellano  
Clyde Bellecourt  
David Bennett  
Irene Bethke  
Vincent Beyl  
Rev. Merle Carlson  
Earl Craig  
Syl Davis  
Felino de la Pena  
Frances Downwind  
Frances Fairbanks  
Sidney Feinberg  
Jose Gaitan  
Peter Heegaard  
Vikki Howard  
Anita Lopez  
Alberto O. Miera, Jr.  
Harry Moss  
David Nasby  
Norman Newhall  
Morris Sherman  
Ralph Ware  
Izear Watkins  
Ed West  
Irving Weiser

5:00 Tues. 9/11

Jerrie Eoff Sudderth  
1611 E. River Road  
Minneapolis, Minnesota 55414  
(612) 332-3796

### Education

1959-1960 Texas Woman's University, Denton, Texas  
1960-1962 Austin College, Sherman, Texas  
1963-1964 University of California at Berkeley,  
BA in Psychology  
1976 National Training and Information Center, Chicago, Illinois:  
Community Organizing Training  
1977 United Way Program Evaluation Seminar, two day seminar for  
United Way agencies' administrative staff  
1977 United Way Management Development Course, twelve day  
program for United Way agencies' administrative personnel

### Employment History

November, 1978, to present: Legislative Assistant, Senate Finance Subcommittee on Health, Welfare, and Corrections, State Capitol, St. Paul, Minnesota. Program research and analysis, constituent casework, public information, public speaking, departmental and special interest/lobbyist contact.

June, 1978, to September, 1978: Consultant/Fundraiser, Nursing Home Residents' Advisory Council. Responsible for fundraising for Nursing Home Residents' Advocates Program, including program development, proposal writing, and presentation. Secured funds to match Older Americans Act, Title III, grant.

August, 1978, to October, 1978: Training Consultant, Salvation Army, 1516 West Lake Street, Minneapolis. Developed and presented two advocacy training programs for Salvation Army Social Service staff and volunteers.

May, 1975, to May 1978: Director, Family Advocacy Department, Family and Children's Service, 414 South 8th Street, Minneapolis. Supervised social change activities of this family service agency, including responsibility for staff of four, facilitating social change activities of other agency staff, development of referral resources, planning of departmental priorities and process. Participated as a member of agency administration and staffed Board Advocacy Committee. Provided training in advocacy skills for various community groups. Co-organizer of several coalitions affecting county and state policy regarding assistance to the handicapped, including Title XX Coalition and the Minnesota Supplemental Aid/Medical Assistance Coalition. Worked with members of the handicapped community and county government officials to develop attendant care programs for Hennepin County.



February, 1975, to April, 1975: Advocacy Coordinator, Northside Tenants' Union, 1120 Oliver Avenue North, Minneapolis. Temporary position to facilitate separation of advocacy and organizing components of agency program for near-Northside residents, including individual assistance, fundraising, training and supervision of volunteer advocates, development of case documentation systems, outreach publicity, and development of tenants' rights materials.

August, 1973, to February, 1975: Staff, Urban Center YWCA, Minneapolis. For six months, implemented programs aimed at the changing roles of women. Researched and developed educational programs with other community groups around concerns of low-income women. For one year, shared responsibility for staffing the Women's Advocacy Service and recruitment, training, coordination, and supervision of volunteers. Organized several short-term coalitions on welfare-related issues, one of which was instrumental in the establishment of the Hennepin County Welfare Department's Financial Crisis Unit. Another brought about changes in the county's payment standards for General Assistance. With small group, was responsible for publication of a local welfare rights manual, including research, coordination, layout, fundraising, distribution, and publicity.

January, 1971, to August, 1973: Staff Coordinator, Advocate Services, Inc., 12 East 25th Street, Minneapolis. Managed office, supervised volunteers and student interns. Provided direct services for low-income clients, organized short-term coalitions with other groups around issues of concern to clients. Developed fundraising proposals. For 16 months, VISTA provided financial support.

1969 - 1970: Taught community participation in the League of Women Voters' Citizen Power course for groups such as TCOIC and Hennepin County WIN participants.

1968 - 1969: As a volunteer, taught arts and crafts in an all-black elementary school in Atlanta, Georgia.

As a volunteer, helped establish and supervise an informal girls club at the Cabbagetown Neighborhood House, a project of Atlanta Church Women United in an urban milltown. Assisted community members in planning and development of educational and recreational program for Appalachian elementary school-aged girls two afternoons a week.

As a member of the Morehouse College Faculty Wives Club, documented the need for and planned fundraising events for Student Emergency Grant Program to assist students with small grants.

July, 1965, to June, 1967: Deputy Probation Officer, Alameda County, Oakland, California. After six-month training program, assigned to county institution for delinquent girls. Responsible for intensive casework with four to six girls at a time and for super-

vision of daily activities and program planning in the living unit. Initiated and coached the first program in which incarcerated girls competed in interscholastic speech and drama contests outside the institution.

August, 1964, to July, 1965: Executive Director, Alameda Girls Club, Inc., Alameda, California. First director of a new organization affiliated with Girls Clubs of America. Responsible for program development, recruitment and supervision of volunteers, publicity, and supervision of five afternoon per week program.

September, 1962, to June, 1963: Secretary to Manager of Quality Control Department, Winchester-Western Division, Olin Mathison Chemical Corporation, New Haven, Connecticut.

Related Experiences:

Advocacy presentations given to:

Women's Institute for Social Change  
University of Minnesota School of Social Work (Esther Wattenberg)  
University of Minnesota Human Services Generalist Program  
(David Foat)  
St. Cloud State University Social Work Classes (Rick Present)  
United Seniors, Inc.  
Human Relations Committee, Virginia, Minnesota  
N.I.P. Information and Referral Service  
Junior League (Provisional Class, VIE Project, Design for Family Living)  
Legal Aid Society Migrant Program  
Catholic Welfare Services (Branch I and II Staffs)  
Salvation Army

Several radio and television presentations, including Madagimo, Good Morning, Minnesota, and The Charlie Bush Show

Panel Participant:

NASW Chapter Meeting  
Governor's Conference for the Handicapped  
Minnesota Committee for the Handicapped Conference  
Muscular Dystrophy Association Workshop  
Hennepin County Welfare Department Forums  
Minnesota Social Service Association Region IX Workshop  
Dakota Association for the Retarded Meeting

4130

## RESUME

Stuart Lucks  
528 20th Avenue So.  
Minneapolis, Minnesota 55454  
tel. 612-336-8269

### I. EDUCATION:

- A. Masters in Social Work (MSW): granted March, 1979 from the University of Minnesota.
  - 1. GPA: 3.96
  - 2. Coursework Concentration:
    - a. Family counseling, human growth and development
    - b. Social service planning, policy development
    - c. Public health administration and policy
    - d. Research and evaluation methods
- B. Bachelors of Science in Urban Studies: granted December, 1973 from the University of Minnesota.
  - 1. GPA: 3.86
  - 2. Internships: (1971- 1973):
    - a. Euclid Central East Development Corporation, Cleveland, Ohio, Rose Ross, supervisor.
    - b. Minneapolis Housing and Redevelopment Authority, Saint Anthony Office Mike Ojile, supervisor.
    - c. North East Community Organization, Minneapolis, Greg Pierce, supervisor.
    - d. Honors Thesis, "Minneapolis as an Ecosystem," Roger Clemence, advisor.
- C. High School: diploma granted June, 1970 from Schreiber H.S., Port Washington New York.

### II. EMPLOYMENT:

- A. Title IV Indian Education Social Worker Aide (September, 1976 - April, 1977)
  - 1. Responsibilities: I worked with American Indian students in grades one through twelve, and their families providing supplemental school social work services. These include meeting cultural needs through classes and groups, individual and family counseling, advocacy, and outreach. Title IV aides serve as primary links between Indian families, Indian community resources, and the schools through mediation and referral.
  - 2. Sites in Minneapolis Public Schools:
    - a. Webster, Putnam, Holland Schools 1976- 1977 school year (full time).
    - b. Marshall- University High School 1977- 1978 (20 hours per week).
    - c. Marshall- University H.S. and Pratt Elementary School 1978- 1979 (20 hours per week).
- B. Planning Assistant, Minnesota Department of Health Office of Community Health Services (June, 1978 - December, 1978):
  - Responsibilities: Researching and writing first and final drafts of "Guidelines for Indian Health Care" (copy available). Duties included participation as staff for special State Task Force on urban Indian Health Care.
- C. Pianist and Manager of full- time nine- piece band, "West Bank Trackers" July, 1974 - June, 1976. Duties included performing and arranging for Rhythm and Blues Dance Band, booking, managing finances, and promotion.



D. Other Part Time Employment:

1. Piano Teaching (March, 1974 - present) through West Bank School of Music and privately.
2. Senior Clerk Typist, University of Minnesota Office of Sponsored Programs, (April, 1972 - January, 1973).
3. Youth Worker (unpaid), Sioux Indian YMCA at Wounded Knee, South Dakota (Summer, 1971).
4. Key Punch Operator, Long Island Tinsmith Supply Corp., Richmond Hill, N.Y., (Summer, 1970).

III. AREAS OF SPECIALIZATION:

- A. Provision of personal social services to families, children, and adolescents including individual and group counseling, outreach, preventive mental health care, education, and advocacy. I feel especially prepared to provide services which are sensitive to the needs of culturally diverse people.
- B. Administration of community based programs to meet social service, health, and education needs. Emphasis is placed on developing community leadership through employment of indigenous workers in direct service and management, and involvement in setting priorities and evaluating services.
- C. Research, needs assessment, evaluation of social service, education, health care programs. Focus on client needs, agency goals, and performance.

IV. REFERENCES:

Rosemary Christensen  
Director, Dept. of Indian Education  
Minneapolis Public Schools  
807 Broadway N.E.  
Minneapolis, Minnesota 55413  
tel. 612-348-6258

Margaret Sandberg  
Director, Support Services  
Minnesota Department of Health  
Office of Community Health Services  
717 Delaware S.E.  
Minneapolis, Minnesota 55440  
tel. 612-296-5480

Eva Neubeck  
Social Worker on Special Assignment  
Department of Indian Education  
807 Broadway N.E.  
Minneapolis, Minnesota 55413  
tel. 612-348-6258

Patrick Davis  
School Social Worker  
Marshall- University High School  
1313 Fifth Street S.E.  
Minneapolis, Minnesota 55414  
tel. 612-378-1824

Dr. Philip Au Claire  
School of Social Work  
University of Minnesota  
400 Ford Hall  
Minneapolis, Minnesota 55455  
tel. 612-373-2632

Dr. John Red Horse  
School of Public Health  
University of California  
Berkeley, California  
tel. 415-642-6000

(Letter)

RESUME

Tues 9/11 - 5:30

CONRAD BALFOUR  
4151 WENTWORTH AVE. SOUTH  
MPLS. MINN. 55409  
824 5049

future address: 4209 QUEEN AVE S.

current                      Director Consolidated HELP Center - Univ of Minn.  
1976                          Instructor Extension U. of M. - writing  
                                Tutor - English  
                                Student U. of M.  
1974                          Instructor Dale Carnegie Courses (national award)  
                                Consultant to Bahamian government  
                                Published a book - A SACK FULL OF SUN  
1972                          Director Mpls. Urban Coalition  
1970                          Commissioner Minn. Department Of Human Rights

\*\*\*\*\*

B.A.                          Univ. of Minn.                  English  
                                With completion of language requirement will rec.  
                                Masters in English - Masters in Writing

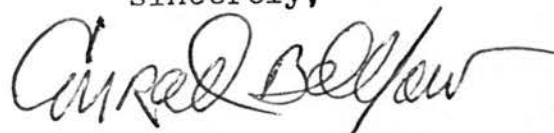
\*\*\*\*\*

General College (U of M) has invited me to plan a long range funding package as well as create promotional programs. The University has a highly successful program now (5th nationally), however no monies filter into General College. My concern is that Central Administration will not permit an independent department to do likewise. Therefore I wish to take my skills to an entity that will welcome this opportunity. Although my job description is not in this area most of my energy is invested in fund raising. In the last year I have solidified a shaky legislative special of \$230,000.00, increased by \$45,000.00 a Dayton Hudson grant after directed by them not to return, and raised 67,000.00 from Hennepin County when cautioned by the Commissioners not to seek it.

Significantly I have wide access to New York and Washington D. C. sources of funding. In anticipation of my future role, I and a Washington D.C. lobbyist for business interests have mapped out a methodology for reaching new as well as established monies.

In 1976 the Minnesota Twins Baseball organization sought to employ me in a similar role. Because of their negative human relations I turned the offer down. I am extremely enthusiastic in the opportunity to contribute my skills for similar efforts with Legal Rights.

sincerely,



Conrad Balfour

4:00 9/11/79

Resume of Kathleen M. Moore  
2524 Aldrich Avenue South  
Minneapolis, Minnesota 55405  
(612) 823-8526

August, 1979

Education:

Master of Arts in Public Affairs, University of Minnesota, Hubert H.  
Humphrey Institute of Public Affairs, completed June, 1979

Bachelor of Arts, University of Detroit, June, 1964  
Major: English Literature

Work Experience:

June-September, 1978: National Council of Senior Citizens, 1511 K Street N.W.,  
Washington, D.C. 20005

Position: Graduate Intern; Research Department  
Responsibilities: Prepared a major study of a national  
employment program for older workers

Nov., 1970 to Sept., 1976: Metropolitan Child Development, 2835 Nicollet,  
Minneapolis, Minnesota 55408

Position: Assistant Director  
Responsibilities: Prepared budgets (\$1 million); monitored programs;  
hired and trained staff; evaluated programs; admin-  
istrative liaison with City and County funding  
bodies and other governmental units; established  
internal operating procedures.

Nov., 1969 to Oct., 1970: Minnesota Resource Center for Social Work Education,  
201 South Seventh Street, Minneapolis, Minnesota

Position: Administrative Assistant  
Responsibilities: Researched materials on social welfare issues and  
distributed them to practitioners, teachers and  
students; planned and operationalized seminars on  
specific social welfare topics.

March, 1968 to June, 1969: Mobilization of Economic Resources, (was the  
Hennepin County Community Action Program of OEO)

Position: Education Programs Coordinator and Research Analyst  
Responsibilities: Needs assessment; monitored programs for federal  
compliance; assisted community groups in planning;  
evaluated programs; wrote new programs for federal  
funding.



Work Experience, continued

July, 1967 to March, 1968: McCoy Job Corps Center for Men, Sparta, Wisconsin

Position: Language Arts Instructor

Responsibilities: Taught English grammar and literature to former high school drop-outs

March-July, 1967: City of Detroit Public Health Department

Position: Community Services Assistant

Responsibilities: Inform community of services through the Children's and Youth health program

Sept., 1964 to August, 1966: Peace Corps, Ethiopia

Position: Volunteer English Teacher

Responsibilities: Taught English to village children; established village/school library; reorganized nursing school library

Special Projects

Administration on Aging Traineeship - received assistance from the U.S. Department of Health, Education, and Welfare to complete the Master's Degree program at the Hubert H. Humphrey Institute of Public Affairs with emphasis on human services and aging.

Resource Development Internship Project - financial assistance from the Economic Development Administration facilitated an internship with the National Council of Senior Citizens in Washington, D.C. (Summer, 1978)

References:

Ms. Jeanne Bader, Instructor, Hubert H. Humphrey Institute of Public Affairs, University of Minnesota, 909 Social Sciences, 267-19th Avenue South, Minneapolis, Minnesota 55455

Dr. Barbara Knudson, Professor, Criminal Justice Studies Department, University of Minnesota, 314 Social Sciences, 267-19th Avenue South, Minneapolis, Minnesota 55455

Ms. Sharon K. Patten, Instructor, Hubert H. Humphrey Institute of Public Affairs, University of Minnesota, 909 Social Sciences, Minneapolis, Minnesota 55455

## RESUME

### PERSONAL DATA

James T. Senter  
Date of Birth----- January 1, 1952  
Height----- 6'4"  
Weight----- 205  
Hair----- Brown  
S.S. No.----- 488-52-0556  
Address ----- 3115 Avenue South  
Minneapolis, MN 55431  
Phone----- 871-1375  
Health ----- Excellent  
Marital Status ----- Single

### EDUCATIONAL HISTORY

### DATE ATTENDED

Beaumont High School  
2900 Natural Bridge  
St. Louis, MO  
Course - (College Prep.)

from 9/64 to 6/68

Southern Il. University  
Carbondale IL.  
Course "Sociology" Major  
Business Adm. Minor  
Bachelor Science Degree  
Grade Point - 4.129-(on a 5 point scale)

from 9/68 to 6/72

University of Mexico  
Mexico City, Mexico (Summer School)

from 6/71 to 9/71

University of Minnesota  
(Began Working on Masters)

from 6/75 to 9/75

### Special Educational Achievements & Activities:

Student Council President - 1 year - 1967 to 1968  
National Merits - A.C.T.  
N.C.A.A. Scholarship  
Member of 1972 Pan American Team (Mexico City)  
Member of 1972 Olympic Team (Munich)  
All American Basketball Team 1970 - 1971  
Member of the All-American Scholastic Team 1972  
Member Kappa Alpha Psi  
Volunteer of Amega  
Member of National Chess Club

### EMPLOYMENT HISTORY

Urban Coalition Weatherization  
3400 Nicollet  
Starting Salary ---- \$12,000.  
Reason for leaving --- To find better position  
Supervisor ---- Frank Jackson  
From: 10/78 to 7/79

RESUME  
Page 2  
James T. Senter

EMPLOYMENT HISTORY Cont.

Minneapolis Police Community center  
Counselor  
From: 1/77/to 4/78  
Salary ---- \$10,000 to \$10,800.  
Supervisor ---- Diaz  
Reason for leaving ---- program folded

Pro Basketball Team  
San Diego Contisador  
Starting Salary ---- \$43,500 to \$63,000.  
Reason for leaving ---- injuries  
Supervisor ---- W. Chamberland (Coach)

HOBBIES & SPORTS

Basketball, Baseball, Football, Chess, & Fencing

REFERENCES

John Jacobs  
YMCA - Youth Diversion Program  
Franklin and First  
Raymar Building  
Minneapolis, MN 55406

Walter Harris Jr.  
2212 Grand Avenue South  
Minneapolis, MN 55405  
Occupation: Sales Representative

W.L. Whittaker  
326 East 44th Street  
Minneapolis, MN 55407  
Occupation - General Foremen, Honeywell  
Phone Number: 823-5703

William McGee  
2301 Pillsbury  
Minneapolis, MN  
Phone Number - 871-3787  
Senior Counsel



RESUME

Page 2

James T. Senter

Future employment location desired (Minneapolis) will relocate, will travel extensively, permanent employment desired.  
Salary Desired ---- Open

ADDITIONAL DATA

I was involved in a research program at San Diego State University under the direction of Dr. Eugene Fawley, the program lasted 3½ years. We were involved in setting up a Juvenile & Adult Treatment program for drug abuser's. The function of the program was Counseling, Rehabilitation, Medication, and Job Placement. My particular function as Deputy Director was to Supervise six other Counselors. I was still playing Pro Basketball at the time. I left because the team for which I played - the Contisadors went bankrupt. My contract was sold to the Detroit Piston's. Also while in San Diego for 5 years, I owned and operated a Boutique called Senter of Attraction. We dealt primarily in men's and women's high fashions. The business was sold in 1976.

James T. Senter

minneapolis

city of lakes

PARKER TROSTEL  
ALDERMAN SEVENTH WARD

December 15, 1978

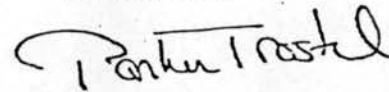
J. Michael Senter  
Weatherization Program  
3400 Nicollet Avenue  
Minneapolis, MN.

Dear Mr. Senter:

A constituent of mine called to tell me what a fine job you are doing in the Urban Coalition's weatherization program. Not many people call to thank or commend the City, so this is a rare and welcome occurrence.

The weatherization program is a fine program which I support. Thank you so much for doing such a fine job which has reflected well on the City as well as yourself.

Sincerely,



Parker Trostel  
Alderman, 7th Ward

PT:jh

cc: Gleason Glover  
Bill Dudley  
Al Lopez

EQUAL OPPORTUNITY EMPLOYER

PAMELA GAYLE SMITH  
3031 Ewing Avenue South  
Apt. 330  
Minneapolis, Mn. 55416  
(612) 920-4985

Birthdate: 9/25/52

Health: Excellent

Memberships: Minnesota State Bar Association  
American Bar Association

Education:

University of Minnesota, School of Law  
J. D. Degree awarded June 10, 1977  
Activities:

Law School Council  
Board of Directors for Student Legal Services  
Teacher's Caucus  
Third World Caucus

Augsburg College  
B. A. Degree awarded May 16, 1974  
Major: Political Science Minor: Sociology  
Honors:

Cum Laude  
Who's Who Among Students in American College's and  
Universities, 1972-74

Activities:

Pre-Law Students Club  
Work Study Program  
Black Student Union

Internships:

Legal Aid Assistant  
Juvenile Counselor - Operation DeNovo  
Legislative Study of the U.S. Virgin Islands

Minneapolis Central High School  
High School Diploma, awarded June, 1970

Areas of Interest: Litigation and Trial Work

Employment:

Trust Administrator, Corporate Trust Division

First National Bank of Minneapolis  
120 South Sixth Street, Mpls. Mn.  
January 1978 to present  
Supervisor: James L. Anderson  
Vice President: John W. Scanlan



Law Intern for indigents charged with criminal offenses.

Legal Rights Center, 808 East Franklin Avenue, Mpls. Mn.  
June 1976 to June 1977

Supervisor: Mike Davis

Director: Douglas Hall

Law Clerk

Neighborhood Justice Center, 500 Laurel Avenue, St. Paul, Mn.  
Summer of 1975

Supervisor: Mike Fetsch

Resident Advisor

Centennial Hall, University of Minnesota, Mpls., Mn.  
Sept. 1975 to June 1977

Director: Ralph Rickgarn

During my four years as an under-graduate, I also worked as a resident advisor at Augsburg College, secretary, steno-clerk, micro-film operator, cashier, sales-person and waitress.

References furnished upon request.

Joel R. Thompson  
2339 Buford  
St. Paul, MN. 55108

Age: 26  
Marital Status: Married  
Phone: (612)647-9233

ACADEMIC BACKGROUND:

Law School: University of Minnesota, Class of 1977  
Editor: "AILSAN NEWS"-Official publication for  
the American Indian Law Students Assoc.  
Co-founder and Staff Student Attorney-Upper  
Midwest American Indian Legal Assistance Inc.  
(doing pro bono civil legal aid in the St.  
Paul American Indian Community).

Undergraduate: University of Oklahoma, Norman, Oklahoma 73069.  
Major: Political Science B.A. 1974  
Grade Average: B  
Activities: Indian Student Association, also  
worked 20hrs/week.

High School: Tahlequah High School, Tahlequah, Oklahoma 74464  
Senior Class President, 1969.

EMPLOYMENT:

Research Assistant, American Indian Law Center, Albuquerque,  
New Mexico, Summer 1976. Worked on the authorized revision  
of Felix Cohen's Handbook on Federal Indian Law.

Teaching Assistant, American Indian Law Center, Special  
Pre-Law Summer Session, Summer 1975.

Teaching Assistant, University of Minnesota Dept. of Indian  
Studies, January 1976-June 1976. Class was in Federal Indian  
Law with Larry Leventhal.

REFERENCES:

furnished upon request.

This resume is not up to date.  
What should be included, is the  
following information:

Age: 27

Married, 1 child, Joshua.

Bar Admission: October, 1977.

Employment: Minneapolis

Legal Aid, Southside Office

June 1977 to present - I

Am currently on a six-month  
leave of absence. During

my leave I am employed

with the White Earth

Indian Reservation, Conservation

Committee. Prior to my

leave, I was interim

Managing Attorney at

Southside from May, 1978

to August, 1978. My

work with the Reservation

regards the implementation

and training of a

Conservation (Hunting, fishing,

trapping, and vicing), Court

regulating and enforcing

the aforementioned activities

and violations thereof.

I Am also on the Board  
of Directors of the Indian  
Health Board, Minneapolis.



## RESUME

Lewis C. Freeman  
2738 Pillsbury Ave., Apt. 303  
Minneapolis, Minnesota 55408  
Law School: University of Minnesota  
Graduation: June, 1975

Age: 30  
Marital Status: Single  
Phone: 612-824-7466

### ACADEMIC BACKGROUND:

High School: Ruth Carter High School; Talbotton,  
Georgia; Graduated 1966; Valedictorian

College: Fort Valley State College, B.A. 1972  
Major: History and Political Science  
Activities: Who's Who  
Alpha Kappa Mu Honor Society  
Omega Psi Phi Fraternity, Inc.  
Student Court  
Political Science Association  
Alpha Sigma Mu Veterans Fraternity  
Citizens & Students Committee  
for a Better Community (CASCBC)  
Honors: Summa Cum Laude

Law School: University of Minnesota - Class of 1975  
Activities: Law School Council 1972-73  
Black American Law Students  
Association

BAR ADMISSION: Minnesota, April 22, 1976

EMPLOYMENT: Baxbaum Bros.; Brooklyn, N.Y.  
Laborer, Summer of 1970

Fort Valley State College; Fort Valley, Georgia  
Full time resident assistant, 1970-71 school year

Trans World Builders; Fort Valley, Georgia  
Laborer, Summer of 1971

Hennepin County Public Defender: Minneapolis, Minn.  
Law Clerk, summers of 1973 and 1974

West Publishing Co.; St. Paul, Minnesota  
Index and Statute Editor, December 8, 1975 to present

ACTIVITIES: Powderhorn Community Council, member  
-- Executive Committee  
-- Economic Development Committee

Whittier Fair Share, member

Central Hennepin Human Services Committee, member

Democratic - Farmer - Labor Party

-- Sustaining Member

-- Precinct Chair

-- 59th District Central Committee

-- 59th District Affirmative Action Committee Chair

-- 5th District Central Committee

-- 5th District Affirmative Action Committee

-- State Central Committee

-- State Affirmative Action Commission

Minneapottans for Carter, organizer

Carter/Mondale Presidential Campaign, Minnesota  
Legal Staff

Freeman For Congress, Advanceperson

*she seems like a powderpuff* Maria N. Rios

Home: 5641 - 69th Ave. N, #211  
Brooklyn Park, MN 55429  
(612) 561-0561

Age: 23

Marital Status: ~~Single~~

Health: Excellent

*married*

Education:

Jun, 1973 Ferris State College, Big Rapids, Michigan

May, 1974 Major: Accounting; Minor: Business Administration

Aug, 1975 Central Michigan University, Mt. Pleasant, Michigan

May, 1977 Major; Journalism and Political Science; Minor: Business Ad.

Employment:

May, 1978 Self-employed as a business consultant to persons interested  
Oct, 1978 in starting their own businesses. As such advised persons on  
the various aspects of the business world that they would need  
to be aware and familiar with including local, state and federal  
regulations which would affect their business and with which they  
would have to comply.

May, 1977 Para-legal for Michigan Migrant Legal Assistance Project, Inc.,  
May, 1978 providing legal assistance and education exclusively to migrants  
and farmworkers, primarily Spanish-speakers.

Duties ranged from initial interviews and determination of the  
problems through documentation for litigation and/or presentation  
before administrative agencies.

Worked closely with state, federal and administrative regulations  
and legislation concerning wages, labor relations, education,  
health, housing, immigration, taxes, civil rights, welfare rights,  
Worker's Compensation, and disability. Also dealt with family,  
traffic and consumer laws.

Provided supportive services and supervision to summer employees  
in satellite offices via telephone and periodic field visits.

Produced a bi-lingual newsletter for distribution to our client  
population and interested agencies/persons.

Represented the organization on several service agency committees  
and participated in testimony before state and federal committees  
on issues of concern to our clients.

May, 1976 Para-legal for Michigan Migrant Legal Assistance Project in satel-  
Apr, 1976 lite offices. Summer employment only.

Duties included outreach to housing and work sites, documentation  
of problems/complaints, negotiation with farmers/employers and  
agencies for resolution of problems, and filing of formal complaints  
when necessary.

*she wants  
to go back  
to school*



Mar, 1975 Administrative assistant to the Director, Centro Latino, Inc.  
Aug, 1975 Duties included hiring and supervision of persons hired under the Youth Development Program, maintaining organizational books, submitting accountability reports to funding sources, preparation of bilings to training fund sources(OJT), payroll preparation and disbursement, general office administration and assisting in the preparation of funding proposals.  
Also, was responsible for development of components in the Self-Improvement section of the Centro's service program. Taught Basic Photography and Figure Drawing to small classes.

In addition to the professional work reflected in my resume I have been working on a consultant basis with a variety of small businesses which have been referred to me by friends and associates.

The work I have done for these businesses ranged from establishing book-keeping procedures and teaching owners/managers how to maintain day-to-day records through re-organization and 'overhauling' of existing procedures being used by businesses troubled by mismanagement.

In the course of this consultant work I have become familiar with most facets of accounting including accounts payable, accounts receivable, payroll, invoicing, taxes, inventory control, preparation of daily receipts and deposits, and preparation of monthly statements.

---

M E M O R A N D U M

DATE: December 5, 1978  
TO: Staff  
FROM: Joanne Levin  
RE: Chicano Community Worker

This Friday, December 8th, we will be interviewing three people for the position of Chicano Community Worker, resumes are attached.

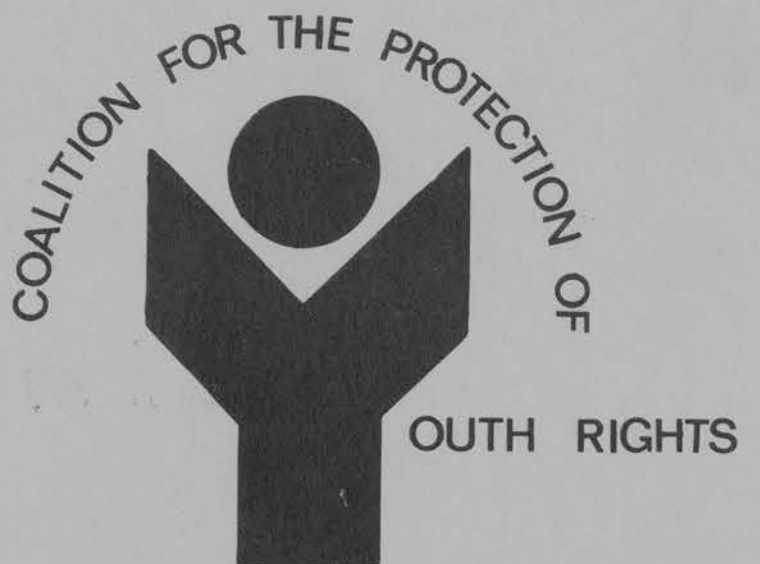
12:30 Maria Rios

1:00 Rosa Ruiz

1:30 Delia Metcalf

If you have not turned in your hours (community workers - October & November) (Attorneys - November) please do so by this Friday.

# FREE LEGAL ASSISTANCE FOR JUVENILES



Administrative Office  
Central Minnesota Legal Services  
222 Grain Exchange Bldg.  
323 4th Ave. So.  
Mpls. MN. 55415  
612-332-1441



## Central Minnesota Legal Services

Juvenile Project Office  
Southside Legal Aid Society  
1929 Chicago Ave. So.  
Mpls. MN. 55404  
612-870-1162

St. Cloud Area Legal Services  
P.O. Box 886  
21 Ct. House Square  
St. Cloud, MN. 56301  
612-253-0121

St. Cloud Area/Little Falls  
P.O. Box 348  
125 1/2 E. Broadway  
Little Falls, MN. 56345  
612-632-5431

## Southern Minnesota Regional Legal Services

Mankato Office  
529 South Fifth St.  
Mankato 56001  
507-387-5588  
Winona Office  
400 Exchange-4th Center St.  
Winona MN. 55987  
507-454-6660

Legal Assistance of Ramsey County  
370 Selby Ave.  
St. Paul, MN. 55102  
612-222-5863

## Legal Rights Center

808 East Franklin  
Minneapolis, MN. 55404  
612-871-4886

## Neighborhood Justice Center

500 Laurel Ave.  
St. Paul, MN. 55102  
612-222-4703  
N.J.C. - West Side Office  
462 South Robert  
St. Paul, MN.  
612-227-8497

## LASNEM

Legal Aid Service of  
Northeastern Minnesota  
302 Ordean Bldg.  
424 W. Superior St.  
Duluth, MN. 55802



# COALITION FOR THE PROTECTION OF YOUTH RIGHTS



Juveniles have legal rights,  
and can get FREE legal assistance,  
in these areas:

- jail and arrest
- juvenile court
- school suspension or dismissal
- other school problems
- runaway charges
- contracts
- being placed outside your home
- child custody
- other legal problems

The staff of the Coalition  
includes lawyers, paralegals,  
and community workers who can  
advise and represent juveniles  
in all these areas.

Los jóvenes tienen derechos  
legales y pueden obtener  
asistencia legal con problemas  
en los siguientes areas:

- Arrestos y cárcel
- Corte juvenil
- Suspensión de la escuela
- Problemas por huirse
- Contratos
- Seindo forzado a vivir fuera de su casa
- Entremetición de la corte con sus niños
- Otras problemas legales

Los trabajadores de la Junta  
Para Protejer los Derechos  
de los Jóvenes incluye abogados,  
asistentes legales y trabajadores  
de comunidad quienes le pueden  
consejar y representar jóvenes  
en casos de estas clases.

## IN YOUR AREA CALL:

### ST. PAUL

**Neighborhood Justice Center**  
**612-222-4703**

**Legal Aid of Ramsey County**  
**612-222-5863**

### MINNEAPOLIS

**Legal Rights Center**  
**612-871-4886**

**Southside Legal Aid Society**  
**612-870-1162**