See a Social Security Number? Say Something!
Report Privacy Problems to https://public.resource.org/privacy
Or call the IRS Identity Theft Hotline at 1-800-908-4490
Return of Organization Exempt From Income Tax

Under section 501(c) of the Internal Revenue Code (except black lung benefit trust or private foundation) or section 4947(a)(1) nonexempt charitable trusts must attach a completed Schedule A (Form 990 or 990-EZ).

For Paperwork Reduction Act Notice, see page 1 of the separate instructions.

A For the 2000 calendar year, OR tax year period beginning MAY 1, 2000, and ending APRIL 30, 2001

B Check if applicable

<table>
<thead>
<tr>
<th>Change of name</th>
<th>Change of address</th>
<th>Initial return</th>
<th>Final return</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

C Name of organization

MALDEF

Note: (H and I are not applicable to section 527 orgs.)

D Employer identification number

74-1563270

E Telephone number

(213) 629-2512

F Check ▶ if application pending

G Organization type (check only one) X 501(c)(3) (insert no.) 527 OR 4947(a)(1)

H(a) Is this a group return for affiliates? □ Yes □ No

H(b) If "Yes," enter number of affiliates □

H(c) Are all affiliates included? □

H(d) If "No" attach a list. See inst.

H(e) Is this a separate return filed by an organization covered by a group ruling? □

I Enter 4-digit group exemption no. (GEN)

J Accounting method: □ Cash □ Accrual □ Other (specify)

K Check here ▶ if the organization's gross receipts are normally not more than $25,000. The organization need not file a return with the IRS, but if the organization received a Form 990 Package in the mail, it should file a return without financial data.

Some states require a complete return.

Part I Revenue, Expenses, and Changes in Net Assets or Fund Balances (See Specific Instructions on page 16.)

<table>
<thead>
<tr>
<th>1</th>
<th>Contributions, gifts, grants, and similar amounts received:</th>
</tr>
</thead>
</table>
| a | Direct public support □
| b | Indirect public support □
| c | Government contributions (grants) □
| d | Total (add lines 1a through 1c) □

| 2 | Program service revenue including government fees and contracts (from Part VII, line 93) □
| 3 | Membership dues and assessments □
| 4 | Interest on savings and temporary cash investments □
| 5 | Dividends and interest from securities □
| 6 | Gross rents □
| 7 | Less: rental expenses □
| 8 | Net rental income or (loss) (subtract line 6b from line 6a) □

| 9 | Other investment income (describe) □

| 10a | Gross amount from sales of assets other than inventory (REALIZED GAIN) □
| 10b | Less: cost or other basis and sales expenses □
| 10c | Gain or (loss) (attach schedule) □
| 10d | Net gain or (loss) (combine line 8c, columns (A) and (B)) □

| 11a | Special events and activities (attach schedule) □
| 11b | Gross revenue (not including $ contributions reported on line 1a) □
| 11c | Less: direct expenses other than fundraising expenses □
| 11d | Net income or (loss) from special events (subtract line 11c from line 11a) □

| 11e | Gross sales of inventory, less returns and allowances □
| 11f | Less: cost of goods sold □

| 12 | Other revenue (from Part VII, line 103) □
| 13 | Program services (from line 44, column (B)) □
| 14 | Management and general (from line 44, column (C)) □
| 15 | Fundraising (from line 44, column (D)) □
| 16 | Payments to affiliates (attach schedule) □
| 17 | Total expenses (add lines 16 and 44, column (A)) □
| 18 | Excess or (deficit) for the year (subtract line 17 from line 12) □
| 19 | Net assets or fund balances at beginning of year (from line 73, column (A)) □
| 20 | Other changes in net assets or fund balances (attach explanation) [UNREALIZED LOSS] □
| 21 | Net assets or fund balances at end of year (combine lines 18, 19, and 20) □
### Part II Statement of Functional Expenses

Do not include amounts reported on line 6b, 8b, 9b, 10b, or 16 of Part I

<table>
<thead>
<tr>
<th>(A) Total</th>
<th>(B) Program services</th>
<th>(C) Management and general</th>
<th>(D) Fundraising</th>
</tr>
</thead>
<tbody>
<tr>
<td>22</td>
<td>50,000</td>
<td>50,000</td>
<td></td>
</tr>
<tr>
<td>23</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>24</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>25</td>
<td>447,117</td>
<td></td>
<td>447,117</td>
</tr>
<tr>
<td>26</td>
<td>2,629,571</td>
<td>2,256,379</td>
<td>373,192</td>
</tr>
<tr>
<td>27</td>
<td>51,003</td>
<td>37,405</td>
<td>13,598</td>
</tr>
<tr>
<td>28</td>
<td>354,421</td>
<td>259,926</td>
<td>94,495</td>
</tr>
<tr>
<td>29</td>
<td>256,227</td>
<td>187,912</td>
<td>68,315</td>
</tr>
<tr>
<td>30</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>31</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>32</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>33</td>
<td>57,912</td>
<td>45,385</td>
<td>12,527</td>
</tr>
<tr>
<td>34</td>
<td>103,956</td>
<td>76,318</td>
<td>27,638</td>
</tr>
<tr>
<td>35</td>
<td>26,653</td>
<td>11,914</td>
<td>14,739</td>
</tr>
<tr>
<td>36</td>
<td>451,828</td>
<td>376,703</td>
<td>75,125</td>
</tr>
<tr>
<td>37</td>
<td>96,628</td>
<td>70,968</td>
<td>25,660</td>
</tr>
<tr>
<td>38</td>
<td>105,677</td>
<td>58,427</td>
<td>47,250</td>
</tr>
<tr>
<td>39</td>
<td>111,593</td>
<td>71,958</td>
<td>39,635</td>
</tr>
<tr>
<td>40</td>
<td>6,494</td>
<td></td>
<td>6,494</td>
</tr>
<tr>
<td>41</td>
<td>58,949</td>
<td></td>
<td>58,949</td>
</tr>
<tr>
<td>42</td>
<td>142,314</td>
<td>104,255</td>
<td>38,059</td>
</tr>
<tr>
<td>43</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>44</td>
<td>5,849,819</td>
<td>5,311,232</td>
<td>207,901</td>
</tr>
</tbody>
</table>

### Reporting of Joint Costs

Did you report in column (B) (Program services) any joint costs from a combined educational campaign and fundraising solicitation? [ ] Yes [ ] No

If "Yes," enter (i) the aggregate amount of these joint costs $ (ii) the amount allocated to Management and general $ and (iv) the amount allocated to Fundraising $

### Part III Statement of Program Service Accomplishments

What is the organization's primary exempt purpose? [ ] LATINO CIVIL RIGHTS

All organizations must describe their exempt purpose achievements in a clear and concise manner. State the number of clients served, publications issued, etc. Discuss achievements that are not measurable. (Section 501(c)(3) and (4) organizations and 4947(a)(1) nonexempt charitable trusts must also enter the amount of grants and allocations to others.)

<table>
<thead>
<tr>
<th>Program Service Expenses (Required for 501(c)(3) and (4) orgs. and 4947(a)(1) trusts, but optional for others.)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Program Service Expenses</td>
</tr>
<tr>
<td>a</td>
</tr>
<tr>
<td>b</td>
</tr>
<tr>
<td>c</td>
</tr>
<tr>
<td>d</td>
</tr>
<tr>
<td>e</td>
</tr>
<tr>
<td>f</td>
</tr>
</tbody>
</table>

JSA 061226 2.000 Form 990 (2000)
## Part IV Balance Sheets (See Specific Instructions on page 23.)

**Note:** Where required, attached schedules and amounts within the description column should be for end-of-year amounts only.

<table>
<thead>
<tr>
<th>(A) Beginning of year</th>
<th>(B) End of year</th>
</tr>
</thead>
<tbody>
<tr>
<td>45 Cash - non-interest-bearing</td>
<td>4,700   45   4,400</td>
</tr>
<tr>
<td>46 Savings and temporary cash investments</td>
<td>1,201,286  46  4,423,738</td>
</tr>
<tr>
<td>47a Accounts receivable</td>
<td>286,194</td>
</tr>
<tr>
<td>b Less: allowance for doubtful accounts</td>
<td>168,841  47c  286,194</td>
</tr>
<tr>
<td>48a Pledges receivable</td>
<td></td>
</tr>
<tr>
<td>b Less: allowance for doubtful accounts</td>
<td>518b</td>
</tr>
<tr>
<td>49 Grants receivable</td>
<td>798,800  49  849,564</td>
</tr>
<tr>
<td>50 Receivables from officers, directors, trustees, and key employees (attach schedule)</td>
<td></td>
</tr>
<tr>
<td>51a Other notes and loans receivable (attach schedule)</td>
<td>51a</td>
</tr>
<tr>
<td>b Less: allowance for doubtful accounts</td>
<td>51b  51c</td>
</tr>
<tr>
<td>52 Inventories for sale or use</td>
<td>52</td>
</tr>
<tr>
<td>53 Prepaid expenses and deferred charges</td>
<td>45,953  53  55,146</td>
</tr>
<tr>
<td>54 Investments - securities (attach schedule)</td>
<td>5,997,917  54  8,851,068</td>
</tr>
<tr>
<td>55a Investments - land, buildings, and equipment: basis</td>
<td></td>
</tr>
<tr>
<td>b Less: accumulated depreciation (attach schedule)</td>
<td>55b  55c</td>
</tr>
<tr>
<td>56 Investments - other (attach schedule)</td>
<td>56</td>
</tr>
<tr>
<td>57a Land, buildings, and equipment: basis</td>
<td>1,278,729</td>
</tr>
<tr>
<td>b Less: accumulated depreciation (attach schedule)</td>
<td>878,665  57b  441,391  57c  400,064</td>
</tr>
<tr>
<td>58 Other assets (describe DUE FROM AFFILIATE)</td>
<td>511,057  58  360,098</td>
</tr>
<tr>
<td>59 Total assets (add lines 45 through 58) must equal line 74</td>
<td>9,169,945  59  15,230,272</td>
</tr>
<tr>
<td>60 Accounts payable and accrued expenses</td>
<td>381,291  60  317,849</td>
</tr>
<tr>
<td>61 Grants payable</td>
<td>61</td>
</tr>
<tr>
<td>62 Deferred revenue</td>
<td>9,338  62  9,338</td>
</tr>
<tr>
<td>63 Loans from officers, directors, trustees, and key employees (attach schedule)</td>
<td>63</td>
</tr>
<tr>
<td>64a Tax-exempt bond liabilities (attach schedule)</td>
<td>64a</td>
</tr>
<tr>
<td>b Mortgages and other notes payable (attach schedule)</td>
<td>452,146  64b  723,336</td>
</tr>
<tr>
<td>65 Other liabilities (describe FIDUCIARY/CUSTODIAL ACCOUNTS)</td>
<td>142,901  65  1,960,320</td>
</tr>
<tr>
<td>66 Total liabilities (add lines 60 through 65)</td>
<td>985,676  66  3,010,843</td>
</tr>
<tr>
<td>Organizations that follow SFAS 117, check here X and complete lines 67 through 69 and lines 73 and 74.</td>
<td></td>
</tr>
<tr>
<td>67 Unrestricted</td>
<td>5,230,685  67  4,283,056</td>
</tr>
<tr>
<td>68 Temporarily restricted</td>
<td>1,308,018  68  6,028,079</td>
</tr>
<tr>
<td>69 Permanently restricted</td>
<td>1,645,566  69  1,908,294</td>
</tr>
<tr>
<td>Organizations that do not follow SFAS 117, check here and complete lines 70 through 74.</td>
<td></td>
</tr>
<tr>
<td>70 Capital stock, trust principal, or current funds</td>
<td>70</td>
</tr>
<tr>
<td>71 Paid-in or capital surplus, or land, building, and equipment fund</td>
<td>71</td>
</tr>
<tr>
<td>72 Retained earnings, endowment, accumulated income, or other funds</td>
<td>72</td>
</tr>
<tr>
<td>73 Total net assets or fund balances (add lines 67 through 69 OR lines 70 through 72; column (A) must equal line 19 and column (B) must equal line 21)</td>
<td>8,184,269  73  12,219,429</td>
</tr>
<tr>
<td>74 Total liabilities and net assets/fund balances (add lines 88 and 73)</td>
<td>9,169,945  74  15,230,272</td>
</tr>
</tbody>
</table>

Form 990 is available for public inspection and, for some people, serves as the primary or sole source of information about a particular organization. How the public perceives an organization in such cases may be determined by the information presented on its return. Therefore, please make sure the return is complete and accurate and fully describes, in Part III, the organization’s programs and accomplishments.
Part IV-A  Reconciliation of Revenue per Audited Financial Statements with Revenue per Return (See Specific Instructions, page 25.)

- a. Total revenue, gains, and other support per audited financial statements  
  ► a. $9,862,091

- b. Amounts included on line a but not on line 12, Form 990  
  (LOSSES)
  
  (1) Net unrealized gains on investments  
      $(1,008,983)
  
  (2) Donated services and use of facilities  
  
  (3) Recoveries of prior year grants  
  
  (4) Other (specify):
  
      NOTE (A)  $ (130,538)
  
  Add amounts on lines (1) through (4)  
  ◄ b. $(1,139,521)

- c. Line a minus line b  
  ◄ c. $11,001,612

- d. Amounts included on line 12, Form 990 but not on line a:
  
  (1) Investment expense not included on line 6b, Form 990  
  
  (2) Other (specify):
  
      NOTE (B)  $ (137,650)
  
  Add amounts on lines (1) and (2)  
  ◄ d. $(137,650)

- e. Total revenue per line 12, Form 990 (line c plus line d)  
  ◄ e. $10,863,962

Part IV-B  Reconciliation of Expenses per Audited Financial Statements with Expenses per Return

- a. Total expenses and losses per audited financial statements  
  ► a. $5,852,625

- b. Amounts included on line a but not on line 17, Form 990
  
  (1) Donated services and use of facilities  
  
  (2) Prior year adjustments reported on line 20, Form 990  
  
  (3) Losses reported on line 20, Form 990  
  
  (4) Other (specify):
  
      NOTE (B)  $ 137,650
  
  Add amounts on lines (1) through (4)  
  ◄ b. $137,650

- c. Line a minus line b  
  ◄ c. $5,714,975

- d. Amounts included on line 17, Form 990 but not on line a:
  
  (1) Investment expense not included on line 6b, Form 990  
  
  (2) Other (specify):
  
      NOTE (C)  $ 134,844
  
  Add amounts on lines (1) and (2)  
  ◄ d. $134,844

- e. Total expenses per line 17, Form 990 (line c plus line d)  
  ◄ e. $5,849,819

Part V  List of Officers, Directors, Trustees, and Key Employees (List each one even if not compensated, see Specific Instructions on page 25.)

<table>
<thead>
<tr>
<th>(A) Name and address</th>
<th>(B) Title and average number of hours per week devoted to position</th>
<th>(C) Compensation (if not paid, enter -0-)</th>
<th>(D) Contributions to employee benefit plans &amp; deferred compensation</th>
<th>(E) Expense account and other allowances</th>
</tr>
</thead>
<tbody>
<tr>
<td>ANTONIA HERNANDEZ</td>
<td>PRESIDENT 40+ HRS.</td>
<td>135,000 5,400 0</td>
<td></td>
<td></td>
</tr>
<tr>
<td>VIBIANA M. ANDRADE</td>
<td>VICE PRES. 40+ HRS.</td>
<td>90,000 3,220 0</td>
<td></td>
<td></td>
</tr>
<tr>
<td>BEATRIZ LOPEZ-FLORES</td>
<td>VICE PRES. 40+ HRS.</td>
<td>75,225 2,527 0</td>
<td></td>
<td></td>
</tr>
<tr>
<td>GEORGE P. UGARTE</td>
<td>VICE PRES. 40+ HRS.</td>
<td>76,892 0 0</td>
<td></td>
<td></td>
</tr>
<tr>
<td>MARGARET LEAL-SOTELO</td>
<td>VICE PRES. 40+ HRS.</td>
<td>70,000 0 0</td>
<td></td>
<td></td>
</tr>
<tr>
<td>NONCOMPENSATED OFFICERS AND BOARD MEMBERS (SEE SCHEDULE 7)</td>
<td></td>
<td>0 0 0</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Note: Did any officer, director, trustee, or key employee receive aggregate compensation of more than $100,000 from your organization and all related organizations, of which more than $10,000 was provided by the related organizations?  □ Yes  □ No

Footnotes: (A) COMBINED (LOSS) OF AFFILIATE. (B) DIRECT COSTS OF SPECIAL EVENTS. (C) RENT PAID TO AFFILIATE.
26 Did the organization engage in any activity not previously reported to the IRS? If "Yes," attach a detailed description of each activity. Yes  

76  

27 Were any changes made in the organizing or governing documents but not reported to the IRS? Yes  

77  

28 a Did the organization have unrelated business gross income of $1,000 or more during the year covered by this return? X  

78a  

28 b If "Yes," has it filed a tax return on Form 990-T for this year? X  

78b  

79 Was there a liquidation, dissolution, termination, or substantial contraction during the year? If "Yes," attach a statement. X  

79  

80 a Is the organization related (other than by association with a statewide or nationwide organization) through common membership, governing bodies, trustees, officers, etc., to any other exempt or nonexempt organization? X  

80a  

80 b If "Yes," enter the name of the organization ▶ MALDEF PROPERTY MANAGEMENT CORP.  

80b  

81 a Enter the amount of political expenditures, direct or indirect, as described in the instructions for line 11. 0  

81a  

81 b Did the organization file Form 1120-POL for this year? X  

81b  

82 a Did the organization receive donated services or the use of materials, equipment, or facilities at no charge or at substantially less than fair rental value? X  

82a  

82 b If "Yes," you may indicate the value of these items here. Do not include this amount as revenue in Part I or as an expense in Part II. (See instructions for reporting in Part III.)  

82b  

83 a Did the organization comply with the public inspection requirements for returns and exemption applications? X  

83a  

83 b Did the organization comply with the disclosure requirements relating to quid pro quo contributions? X  

83b  

84 a Did the organization solicit any contributions or gifts that were not tax deductible? X  

84a  

84 b If "Yes," did the organization include with every solicitation an express statement that such contributions or gifts were not tax deductible?  

84b  

85 501(c)(4), (5), or (6) organizations, a Were substantially all dues nondeductible by members? N/A  

85a  

85 b If "Yes" was answered to either 85a or 85b, do not complete 85c through 85h below unless the organization received a waiver for proxy tax owed for the prior year.  

85b  

c Dues, assessments, and similar amounts from members  

85c  

d Section 162(e) lobbying and political expenditures  

85d  

e Aggregate nondeductible amount of section 6033(e)(1)(A) dues notices  

85e  

f Taxable amount of lobbying and political expenditures (line 85d less 85e)  

85f  

g Does the organization elect to pay the section 6033(e) tax on the amount in 85f?  

85g  

h If section 6033(e)(1)(A) dues notices were sent, does the organization agree to add the amount in 85f to its reasonable estimate of dues allocable to nondeductible lobbying and political expenditures for the following taxable year?  

85h  

86 501(c)(7) orgs Enter: a Initiation fees and capital contributions included on line 12 N/A  

86a  

b Gross receipts, included on line 12, for public use of club facilities  

86b  

87 501(c)(12) orgs. Enter: a Gross income from members or shareholders N/A  

87a  

b Gross income from other sources. (Do not net amounts due or paid to other sources against amounts due or received from them.)  

87b  

88 At any time during the year, did the organization own a 50% or greater interest in a taxable corporation or partnership, or an entity disregarded as separate from the organization under Regulations sections 301.7701-2 and 301.7701-3? If "Yes," complete Part IX. X  

88  

89 a 501(c)(3) organizations Enter: Amount of tax imposed on the organization during the year under section 4911 ▶ , section 4912 ▶ , section 4955 ▶ 0  

89a  

b 501(c)(3) and 501(c)(4) orgs Did the organization engage in any section 4958 excess benefit transaction during the year or did it become aware of an excess benefit transaction from a prior year? If "Yes," attach a statement explaining each transaction X  

89b  

c Enter: Amount of tax imposed on the organization managers or disqualified persons during the year under sections 4912, 4955, and 4958  

89c  

d Enter: Amount of tax on line 89c, above, reimbursed by the organization  

89d  

90 a List the states with which a copy of this return is filed ▶ CA, DC, IL  

90a  

b Number of employees employed in the pay period that includes March 12, 2000 (See inst.)  

90b 74  

91 The books are in care of ▶ BOB HETTINGER, V.P., FIN. & ADMIN. Telephone no. ▶ (213) 629-2512 Located at ▶ 634 S. SPRING ST., 11TH FLOOR, LOS ANGELES, CA ZIP code ▶ 90014  

91  

92 Section 4947(a)(1) nonexempt charitable trusts filing Form 990 in lieu of Form 1041 - Check here ▶  

92  

and enter the amount of tax-exempt interest received or accrued during the tax year ▶  

92  

Form 990 (2000)
### Part VII  Analysis of Income-Producing Activities (See Specific Instructions on page 30.)

Enter gross amounts unless otherwise indicated.

<table>
<thead>
<tr>
<th>(A) Business code</th>
<th>(B) Amount</th>
<th>(C) Exclusion code</th>
<th>(D) Amount</th>
<th>(E) Related or exempt function income</th>
</tr>
</thead>
<tbody>
<tr>
<td>93 COURTS AWARDED FEES &amp; COSTS</td>
<td>275,289</td>
<td>14</td>
<td>131,676</td>
<td></td>
</tr>
<tr>
<td>98 Net rental income or (loss) from personal property</td>
<td>21,230</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>100 Gain or (loss) from sales of assets other than inventory</td>
<td>18</td>
<td>109,375</td>
<td></td>
<td></td>
</tr>
<tr>
<td>101 Net income or (loss) from special events</td>
<td>01</td>
<td>894,795</td>
<td></td>
<td></td>
</tr>
<tr>
<td>102 Gross profit or (loss) from sales of inventory</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>103 Other revenue: a PROGRAM FEES &amp; MISC.</td>
<td>21,230</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>104 Subtotal (add columns (B), (D), and (E))</td>
<td>1,347,455</td>
<td>296,519</td>
<td></td>
<td></td>
</tr>
<tr>
<td>105 Total (add line 104, columns (B), (D), and (E))</td>
<td>1,643,974</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Note: Line 105 plus line 1d, Part I, should equal the amount on line 12, Part I.

### Part VIII  Relationship of Activities to the Accomplishment of Exempt Purposes (See Specific Instructions on page 31.)

**Line No.**

- **93** COURT AWARDED FEES AND COSTS OF PUBLIC-INTEREST LAW FIRM.

### Part IX  Information Regarding Taxable Subsidiaries and Disregarded Entities (See Specific Instructions on page 31.)

<table>
<thead>
<tr>
<th>(A) Name, address, and EIN of corporation, partnership, or disregarded entity</th>
<th>(B) Percentage of ownership interest</th>
<th>(C) Nature of activities</th>
<th>(D) Total income</th>
<th>(E) End-of-year assets</th>
</tr>
</thead>
<tbody>
<tr>
<td>N/A</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

### Part X  Information Regarding Transfers Associated with Personal Benefit Contracts (See Specific Instructions on page 31.)

(a) Did the organization, during the year, receive any funds, directly or indirectly, to pay premiums on a personal benefit contract?  
Yes [ ]  No [X]

(b) Did the organization, during the year, pay premiums, directly or indirectly, on a personal benefit contract?  
Yes [ ]  No [X]

Note: If "Yes" to (b), file Form 8870 and Form 4720 (see instructions).
### Part I  Compensation of the Five Highest Paid Employees Other Than Officers, Directors, and Trustees

<table>
<thead>
<tr>
<th>Name and address of each employee paid more than $50,000</th>
<th>Title and average hours per week devoted to position</th>
<th>Compensation</th>
<th>Contributions to employee benefit plans &amp; deferred compensation</th>
<th>Expenditure account and other allowances</th>
</tr>
</thead>
<tbody>
<tr>
<td>AL KAUFFMAN</td>
<td>REGIONAL COUNSEL 40+ HRS.</td>
<td>90,939</td>
<td>3,637</td>
<td>0</td>
</tr>
<tr>
<td>DENISE HULETT</td>
<td>REGIONAL COUNSEL 40+ HRS.</td>
<td>73,000</td>
<td>2,860</td>
<td>0</td>
</tr>
<tr>
<td>MARIA BLANCO</td>
<td>REGIONAL COUNSEL 40+ HRS.</td>
<td>80,000</td>
<td>3,061</td>
<td>0</td>
</tr>
<tr>
<td>THOMAS SAENZ</td>
<td>REGIONAL COUNSEL 40+ HRS.</td>
<td>95,000</td>
<td>2,025</td>
<td>0</td>
</tr>
<tr>
<td>PATRICIA MENDOZA</td>
<td>REGIONAL COUNSEL 40+ HRS.</td>
<td>77,800</td>
<td>2,953</td>
<td>0</td>
</tr>
</tbody>
</table>

Total number of other employees paid over $50,000: 1

### Part II  Compensation of the Five Highest Paid Independent Contractors for Professional Services

<table>
<thead>
<tr>
<th>Name and address of each independent contractor paid more than $50,000</th>
<th>Type of service</th>
<th>Compensation</th>
</tr>
</thead>
<tbody>
<tr>
<td>NONE</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Total number of others receiving over $50,000 for professional services: 0
### Part III  Statements About Activities

#### 1. During the year, has the organization attempted to influence national, state, or local legislation, including any attempt to influence public opinion on a legislative matter or referendum?  
If "Yes," enter the total expenses paid or incurred in connection with the lobbying activities ▶ $ 156,334  
1  X  
Organizations that made an election under section 501(h) by filing Form 5768 must complete Part VI-A. Other organizations checking "Yes," must complete Part VI-B AND attach a statement giving a detailed description of the lobbying activities.

#### 2. During the year, has the organization, either directly or indirectly, engaged in any of the following acts with any of its Trustees, directors, officers, creators, key employees, or members of their families, or with any taxable organization with which any such person is affiliated as an officer, director, trustee, majority owner, or principal beneficiary?  
- [ ] a. Sale, exchange, or leasing of property?  
- [ ] b. Lending of money or other extension of credit?  
- [ ] c. Furnishing of goods, services, or facilities?  
- [ ] d. Payment of compensation (or payment or reimbursement of expenses if more than $1,000)?  
- [ ] e. Transfer of any part of its income or assets?  
  If the answer to any question is "Yes," attach a detailed statement explaining the transactions.  
2a  X  
2b  X  
2c  X  
2d  X  
2e  X

#### 3. Does the organization make grants for scholarships, fellowships, student loans, etc.?  
3  X

#### 4. Do you have a section 403(b) annuity plan for your employees?  
- [ ] a. Yes  
- [ ] b. No  
4a  X

### Part IV  Reason for Non-Private Foundation Status (See pages 2 through 5 of the instructions.)

The organization is not a private foundation because it is: (Please check only ONE applicable box)

- [ ] 6. A school. Section 170(b)(1)(A)(ii). (Also complete Part V, page 5.)
- [ ] 7. A hospital or a cooperative hospital service organization. Section 170(b)(1)(A)(iii).
- [ ] 8. A Federal, state, or local government or governmental unit. Section 170(b)(1)(A)(v).
- [ ] 9. A medical research organization operated in conjunction with a hospital. Section 170(b)(1)(A)(vi). Enter the hospital’s name, city, and state.  
- [ ] 10. An organization operated for the benefit of a college or university owned or operated by a governmental unit. Section 170(b)(1)(A)(iv). (Also complete the Support Schedule in Part IV-A.)
- [ ] 11a  X. An organization that normally receives a substantial part of its support from a governmental unit or from the general public. Section 170(b)(1)(A)(v). (Also complete the Support Schedule in Part IV-A.)

#### 12. An organization that normally receives:  
- [ ] (1) more than 33 1/3% of its support from contributions, membership fees, and gross receipts from activities related to its charitable, etc., functions - subject to certain exceptions, and  
- [ ] (2) no more than 33 1/3% of its support from gross investment income and unrelated business taxable income (less section 511 tax) from businesses acquired by the organization after June 30, 1975  
  See section 509(a)(2). (Also complete the Support Schedule in Part IV-A.)

- [ ] 13. An organization that is not controlled by any disqualified persons (other than foundation managers) and supports organizations described in:  
- [ ] (1) lines 5 through 12 above, or  
- [ ] (2) section 501(c)(4), (5), or (6), if they meet the test of section 509(a)(2). (See section 509(a)(3).)

#### Provide the following information about the supported organizations. (See page 5 of the instructions.)

<table>
<thead>
<tr>
<th>(a) Name(s) of supported organization(s)</th>
<th>(b) Line number from above</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
</tr>
</tbody>
</table>

#### 14. An organization organized and operated to test for public safety. Section 509(a)(4). (See page 5 of the instructions.)
### Support Schedule

**Note:** You may use the worksheet in the instructions for converting from the accrual to the cash method of accounting.

<table>
<thead>
<tr>
<th>Calendar year (or fiscal year beginning in)</th>
<th>(a) 1999</th>
<th>(b) 1998</th>
<th>(c) 1997</th>
<th>(d) 1996</th>
<th>(e) Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>15 Gifts, grants, and contributions received (Do not include unusual grants. See line 28)</td>
<td>2,997,006</td>
<td>4,623,245</td>
<td>2,879,736</td>
<td>3,561,845</td>
<td>14,061,832</td>
</tr>
<tr>
<td>16 Membership fees received</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>17 Gross receipts from admissions, merchandise sold or services performed, or furnishing of facilities in any activity that is not a business unrelated to the organization's charitable, etc., purpose</td>
<td>1,170,970</td>
<td>1,087,606</td>
<td>1,276,603</td>
<td>1,114,649</td>
<td>4,649,828</td>
</tr>
<tr>
<td>18 Gross income from interest, dividends, amounts received from payments on securities loans (section 512(a)(5)), rents, royalties, and unrelated business taxable income (less section 511 taxes) from businesses acquired by the organization after June 30, 1975</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>19 Net income from unrelated business activities not included in line 18</td>
<td>195,190</td>
<td>187,637</td>
<td>153,441</td>
<td>116,736</td>
<td>653,004</td>
</tr>
<tr>
<td>20 Tax revenues levied for the organization's benefit and either paid to it or expended on its behalf</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>21 The value of services or facilities furnished to the organization by a governmental unit without charge. Do not include the value of services or facilities generally furnished to the public without charge</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>22 Other income. Attach a schedule. Do not include gain or (loss) from sale of capital assets</td>
<td>50,800</td>
<td>70,901</td>
<td>80,664</td>
<td>84,685</td>
<td>287,050</td>
</tr>
<tr>
<td>23 Total of lines 15 through 22</td>
<td>4,413,966</td>
<td>5,969,389</td>
<td>4,390,444</td>
<td>4,877,915</td>
<td>19,651,714</td>
</tr>
<tr>
<td>24 Line 23 minus line 17</td>
<td>3,242,996</td>
<td>4,881,783</td>
<td>3,113,841</td>
<td>3,763,266</td>
<td>15,001,886</td>
</tr>
<tr>
<td>25 Enter 1% of line 23</td>
<td>44,140</td>
<td>59,694</td>
<td>43,904</td>
<td>48,779</td>
<td></td>
</tr>
</tbody>
</table>

#### Organizations described in lines 10 or 11

| (a) Enter 2% of amount in column (e), line 24 | 300,038 |
| (b) Attach a list (which is not open to public inspection) showing the name of and amount contributed by each person (other than a governmental unit or publicly supported organization) whose total gifts for 1996 through 1999 exceeded the amount shown in line 26a. Enter the sum of all these excess amounts | 5,203,574 |
| (c) Total support for section 509(a)(1) test: Enter line 24, column (c) | 15,001,886 |
| (d) Add: Amounts from column (e) for lines: 18 | 653,004 |
| | 19 | 22 | 287,050 | 5,203,574 |
| (e) Public support (line 26c minus line 26d total) | 8,858,258 |
| (f) Public support percentage (line 26e (numerator) divided by line 26c (denominator)) | 59.0476% |

#### Organizations described on line 12

For amounts included in lines 16, 17, and 19 that were received from a "disqualified person," attach a list (which is not open to public inspection) to show the name of, and total amounts received in each year from, each "disqualified person." Enter the sum of such amounts for each year.

| (a) For any amount included in line 16 that was received from a nonqualified person, attach a list to show the name of, and amount received for each year, that was more than the larger of (1) the amount on line 25 for the year or (2) $5,000. (Include in the list organizations described in lines 5 through 11, as well as individuals.) After computing the difference between the amount received and the larger amount described in (1) or (2), enter the sum of these differences (the excess amounts) for each year. |

| (b) For any amount included in line 17 that was received from a nonqualified person, attach a list to show the name of, and amount received for each year, that was more than the larger of (1) the amount on line 25 for the year or (2) $5,000. (Include in the list organizations described in lines 5 through 11, as well as individuals.) After computing the difference between the amount received and the larger amount described in (1) or (2), enter the sum of these differences (the excess amounts) for each year. |

### Unusual Grants

For an organization described in line 10, 11, or 12 that received any unusual grants during 1996 through 1999, attach a list (which is not open to public inspection) for each year showing the name of the contributor, the date and amount of the grant, and a brief description of the nature of the grant. Do not include these grants in line 15. (See page 5 of the instructions.)

---

**Schedule A (Form 990 or 990-EZ) 2000**
<table>
<thead>
<tr>
<th></th>
<th>Yes</th>
<th>No</th>
</tr>
</thead>
<tbody>
<tr>
<td>29</td>
<td>Does the organization have a racially nondiscriminatory policy toward students by statement in its charter, bylaws, other governing instrument, or in a resolution of its governing body?</td>
<td>29</td>
</tr>
<tr>
<td>30</td>
<td>Does the organization include a statement of its racially nondiscriminatory policy toward students in all its brochures, catalogues, and other written communications with the public dealing with student admissions, programs, and scholarships?</td>
<td>30</td>
</tr>
<tr>
<td>31</td>
<td>Has the organization publicized its racially nondiscriminatory policy through newspaper or broadcast media during the period of solicitation for students, or during the registration period if it has no solicitation program, in a way that makes the policy known to all parts of the general community it serves? If &quot;Yes,&quot; please describe; if &quot;No,&quot; please explain. (If you need more space, attach a separate statement.)</td>
<td></td>
</tr>
<tr>
<td>32</td>
<td>Does the organization maintain the following:</td>
<td></td>
</tr>
<tr>
<td>a</td>
<td>Records indicating the racial composition of the student body, faculty, and administrative staff?</td>
<td>32a</td>
</tr>
<tr>
<td>b</td>
<td>Records documenting that scholarships and other financial assistance are awarded on a racially nondiscriminatory basis?</td>
<td>32b</td>
</tr>
<tr>
<td>c</td>
<td>Copies of all catalogues, brochures, announcements, and other written communications to the public dealing with student admissions, programs, and scholarships?</td>
<td>32c</td>
</tr>
<tr>
<td>d</td>
<td>Copies of all material used by the organization or on its behalf to solicit contributions?</td>
<td>32d</td>
</tr>
<tr>
<td></td>
<td>If you answered &quot;No&quot; to any of the above, please explain. (If you need more space, attach a separate statement.)</td>
<td></td>
</tr>
<tr>
<td>33</td>
<td>Does the organization discriminate by race in any way with respect to:</td>
<td></td>
</tr>
<tr>
<td>a</td>
<td>Students' rights or privileges?</td>
<td>33a</td>
</tr>
<tr>
<td>b</td>
<td>Admissions policies?</td>
<td>33b</td>
</tr>
<tr>
<td>c</td>
<td>Employment of faculty or administrative staff?</td>
<td>33c</td>
</tr>
<tr>
<td>d</td>
<td>Scholarships or other financial assistance?</td>
<td>33d</td>
</tr>
<tr>
<td>e</td>
<td>Educational policies?</td>
<td>33e</td>
</tr>
<tr>
<td>f</td>
<td>Use of facilities?</td>
<td>33f</td>
</tr>
<tr>
<td>g</td>
<td>Athletic programs?</td>
<td>33g</td>
</tr>
<tr>
<td>h</td>
<td>Other extracurricular activities?</td>
<td>33h</td>
</tr>
<tr>
<td></td>
<td>If you answered &quot;Yes&quot; to any of the above, please explain. (If you need more space, attach a separate statement.)</td>
<td></td>
</tr>
<tr>
<td>34a</td>
<td>Does the organization receive any financial aid or assistance from a governmental agency?</td>
<td>34a</td>
</tr>
<tr>
<td>b</td>
<td>Has the organization's right to such aid ever been revoked or suspended?</td>
<td>34b</td>
</tr>
<tr>
<td></td>
<td>If you answered &quot;Yes&quot; to either 34a or b, please explain using an attached statement.</td>
<td></td>
</tr>
<tr>
<td>35</td>
<td>Does the organization certify that it has complied with the applicable requirements of sections 4.01 through 4.05 of Rev. Proc. 75-50, 1975-2 C.B. 587, covering racial nondiscrimination? If &quot;No,&quot; attach an explanation.</td>
<td>35</td>
</tr>
</tbody>
</table>
### Part VI-A  Lobbying Expenditures by Electing Public Charities

(See page 7 of the instructions.)

(To be completed ONLY by an eligible organization that filed Form 5768)

Check here ▶  if the organization belongs to an affiliated group.

Check here ▶  if you checked "a" above and "limited control" provisions apply.

<table>
<thead>
<tr>
<th>Limits on Lobbying Expenditures</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
</tr>
<tr>
<td>(The term &quot;expenditures&quot; means amounts paid or incurred.)</td>
</tr>
<tr>
<td></td>
</tr>
<tr>
<td>36 Total lobbying expenditures to influence public opinion (grassroots lobbying)</td>
</tr>
<tr>
<td>37 Total lobbying expenditures to influence a legislative body (direct lobbying)</td>
</tr>
<tr>
<td>38 Total lobbying expenditures (add lines 36 and 37)</td>
</tr>
<tr>
<td>39 Other exempt purpose expenditures</td>
</tr>
<tr>
<td>40 Total exempt purpose expenditures (add lines 38 and 39)</td>
</tr>
<tr>
<td>41 Lobbying nontaxable amount: Enter the amount from the following table</td>
</tr>
<tr>
<td>If the amount on line 40 is -</td>
</tr>
<tr>
<td>Not over $500,000</td>
</tr>
<tr>
<td>Over $500,000 but not over $1,000,000</td>
</tr>
<tr>
<td>Over $1,000,000 but not over $1,500,000</td>
</tr>
<tr>
<td>Over $1,500,000 but not over $17,000,000</td>
</tr>
<tr>
<td>Over $17,000,000</td>
</tr>
<tr>
<td>41</td>
</tr>
<tr>
<td>42 Grassroots nontaxable amount (enter 25% of line 41)</td>
</tr>
<tr>
<td>43 Subtract line 42 from line 36. Enter -0- if line 42 is more than line 36</td>
</tr>
<tr>
<td>44 Subtract line 41 from line 38. Enter -0- if line 41 is more than line 38</td>
</tr>
</tbody>
</table>

Caution: If there is an amount on either line 43 or line 44, you must file Form 4720.

#### 4-Year Averaging Period Under Section 501(h)

(Some organizations that made a section 501(h) election do not have to complete all of the five columns below.

See the instructions for lines 45 through 50 on page 9 of the instructions)

<table>
<thead>
<tr>
<th>Calendar year (or fiscal year beginning in) ▶</th>
<th>(a)</th>
<th>(b)</th>
<th>(c)</th>
<th>(d)</th>
<th>(e)</th>
</tr>
</thead>
<tbody>
<tr>
<td>2000</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1999</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1998</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1997</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Total</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Lobbying nontaxable</td>
<td>415,562</td>
<td>422,582</td>
<td>365,128</td>
<td>368,930</td>
<td>1,572,202</td>
</tr>
<tr>
<td>Lobbying ceiling amount</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>46 (150% of line 45(e))</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Total lobbying expenditures</td>
<td>156,334</td>
<td>180,597</td>
<td>156,695</td>
<td>168,170</td>
<td>661,796</td>
</tr>
<tr>
<td>Grassroots nontaxable</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>48 amount</td>
<td>103,891</td>
<td>105,646</td>
<td>91,282</td>
<td>92,233</td>
<td>393,052</td>
</tr>
<tr>
<td>Grasroots ceiling amount</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>49 (150% of line 48(e))</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Grassroots lobbying</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>50 expenditures</td>
<td>33,200</td>
<td>44,109</td>
<td>36,750</td>
<td>41,197</td>
<td>155,256</td>
</tr>
</tbody>
</table>

#### Part VI-B  Lobbying Activity by Nonelecting Public Charities

(For reporting only by organizations that did not complete Part VI-A) (See page 9 of the instructions)

During the year, did the organization attempt to influence national, state or local legislation, including any attempt to influence public opinion on a legislative matter or referendum, through the use of:

<table>
<thead>
<tr>
<th>a Volunteers</th>
<th>Yes</th>
<th>No</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>b Paid staff or management (Include compensation in expenses reported on lines c through h)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>c Media advertisements</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>d Mailings to members, legislators, or the public</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>e Publications, or published or broadcast statements</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>f Grants to other organizations for lobbying purposes</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>g Direct contact with legislators, their staffs, government officials, or a legislative body</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>h Rallies, demonstrations, seminars, conventions, speeches, lectures, or any other means</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>i Total lobbying expenditures (add lines c through h)</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
Information Regarding Transfers To and Transactions and Relationships With Noncharitable Exempt Organizations (See page 9 of the instructions)

51 Did the reporting organization directly or indirectly engage in any of the following with any other organization described in section 501(c) of the Code (other than section 501(c)(3) organizations) or in section 527, relating to political organizations?

a Transfers from the reporting organization to a noncharitable exempt organization of:
   (i) Cash ......................................................... 51a(i)  X
   (ii) Other assets ................................................. a(ii)  X

b Other transactions
   (i) Sales or exchanges of assets with a noncharitable exempt organization ........................................ b(i)  X
   (ii) Purchases of assets from a noncharitable exempt organization ................................................... b(ii)  X
   (iii) Rental of facilities, equipment, or other assets ................................................................. b(iii)  X
   (iv) Reimbursement arrangements .................................................. b(iv)  X
   (v) Loans or loan guarantees .................................................. b(v)  X
   (vi) Performance of services or membership or fundraising solicitations ........................................ b(vi)  X

c Sharing of facilities, equipment, mailing lists, other assets, or paid employees ........................................ c  X

d If the answer to any of the above is "Yes," complete the following schedule. Column (b) should always show the fair market value of the goods, other assets, or services given by the reporting organization. If the organization received less than fair market value in any transaction or sharing arrangement, show in column (d) the value of the goods, other assets, or services received.

<table>
<thead>
<tr>
<th>Line no</th>
<th>Amount involved</th>
<th>Name of noncharitable exempt organization</th>
<th>Description of transfers, transactions, and sharing arrangements</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>N/A</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

52a Is the organization directly or indirectly affiliated with, or related to, one or more tax-exempt organizations described in section 501(c) of the Code (other than section 501(c)(3)) or in section 527?  Yes  No

b If "Yes," complete the following schedule

<table>
<thead>
<tr>
<th>(a) Name of organization</th>
<th>(b) Type of organization</th>
<th>(c) Description of relationship</th>
</tr>
</thead>
<tbody>
<tr>
<td>N/A</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

|                                    |                          |                                |
|                                    |                          |                                |
|                                    |                          |                                |
|                                    |                          |                                |
|                                    |                          |                                |
|                                    |                          |                                |
|                                    |                          |                                |
|                                    |                          |                                |
|                                    |                          |                                |
|                                    |                          |                                |
|                                    |                          |                                |
|                                    |                          |                                |
|                                    |                          |                                |

Schedule B (Form 990 or 990-EZ)

Department of the Treasury
Internal Revenue Service

Name of organization

MALDEF

Organization type (check only one) - Section X 501(c)(3) (enter number) 527 or 4947(a)(1) nonexempt charitable trust

A Section 501(c)(7), (8), or (10) organizations -
Check this box if the organization had no charitable contributors who contributed more than $1,000 during the year. (But see General rule below)

Enter here the total gifts received during the year for a religious, charitable, etc., purpose ▶ $

Note: This form is generally not open to public inspection except for section 527 organizations.

General Instructions

Purpose of Form

Schedule B (Form 990 or 990-EZ) is used by organizations required to file Form 990, Return of Organization Exempt From Income Tax, or Form 990-EZ, Short Form Return of Organization Exempt From Income Tax, to provide the information regarding their contributors that is required for line 1d of Form 990 (or line 1 of Form 990-EZ).

Attach the Schedule B (Form 990 or 990-EZ) to Form 990 or 990-EZ. Attach Schedule B after Schedule A (Form 990 or 990-EZ). Organization Exempt Under Section 501(c)(3), if that return is required for the organization.

Who Must File Schedule B (Form 990 or 990-EZ)

All organizations must file Schedule B (Form 990 or 990-EZ) unless they certify that they do not meet the filing requirements of Schedule B (Form 990 or 990EZ) by checking the box in item L of the heading of their Form 990 or Form 990-EZ.

See the instructions for item L in the Instructions for Form 990 and Form 990-EZ.

Caution: Schedule B (Form 990 or 990-EZ) is not a substitute for the list of "contributors" required for Part IV-A, Support Schedule, of Schedule A (Form 990 or 990-EZ).

Public Inspection

Schedule B (Form 990 or 990-EZ) is:

- Open to public inspection for a section 527 political organization.
- Generally not open to public inspection for the other organizations that must file this form.

If a non-section 527 organization files a copy of Form 990, or Form 990-EZ, and attachments with any state, it should not include its Schedule B (Form 990 or 990-EZ) in the attachments for the state, unless a schedule of contributors is specifically required by the state. States that do not require the information might make the schedule available for public inspection along with the rest of the Form 990 or Form 990-EZ.

Contributors Required To Be Listed on Part I

"Contributor" includes individuals, fiduciaries, partnerships, corporations, associations, trusts, and exempt organizations.

General Rule. Unless the organization is covered by one of the special rules below, it must list on Part I every contributor who, during the year, gave the organization directly or indirectly, money, securities, or any other type of property totaling $5,000 or more for the year. Also complete Part II for a noncash contribution. In determining the $5,000 amount, total all of the contributor's gifts of $1,000 or more for the year.

Section 501(c)(3) organizations. For an organization described in section 501(c)(3) that meets the 331/3% support test of the Regulations under sections 509(a)(1)/170(b)(1)(A)(vi) (whether or not the organization is otherwise described in section 170(b)(1)(A)) -

List in Part I only those contributors whose contribution of $5,000 or more is greater than 2% of the amount reported on line 1d of Form 990 (or line 1 of Form 990-EZ) (Regulations section 1.6033-2(a)(2)(iii)(a)).

Example: A section 501(c)(3) organization, of the type described above, reported $700,000 in total contributions, gifts, grants, and similar amounts received on line 1d of its Form 990. The organization is only required to list in Parts I and II of its Schedule B (Form 990 or 990-EZ) each person who contributed more than the greater of $5,000 or $14,000 (2% of $700,000). Thus, a contributor who gave a total of $11,000 would not be reported in Parts I and II for this section 501(c)(3) organization. Even though the $11,000 contribution to the organization exceeded $5,000, it did not exceed $14,000.

Section 501(c)(7), (8), or (10) organizations. For noncharitable contributions to one of these organizations, list in Part I contributors who gave $5,000 or more as described in the General Rule discussed above.
<table>
<thead>
<tr>
<th>(a) No.</th>
<th>(b) Name, address and zip code</th>
<th>(c) Aggregate contributions</th>
<th>(d) Type of contribution</th>
</tr>
</thead>
<tbody>
<tr>
<td>25</td>
<td>[PLEASE SEE SUPPORTING SCHEDULE 1]</td>
<td>8,937,691</td>
<td>Individual X, Payroll</td>
</tr>
</tbody>
</table>
<pre><code>                    |                                |                            | Noncash                 |
                    |                                |                            | (Complete Part II if a noncash contribution.) |
</code></pre>
<p>|         |                                |                            | Individual              |
|                                |                            | Payroll                 |
|                                |                            | Noncash                 |
|                                |                            | (Complete Part II if a noncash contribution.) |
|         |                                |                            | Individual              |
|                                |                            | Payroll                 |
|                                |                            | Noncash                 |
|                                |                            | (Complete Part II if a noncash contribution.) |
|         |                                |                            | Individual              |
|                                |                            | Payroll                 |
|                                |                            | Noncash                 |
|                                |                            | (Complete Part II if a noncash contribution.) |
|         |                                |                            | Individual              |
|                                |                            | Payroll                 |
|                                |                            | Noncash                 |
|                                |                            | (Complete Part II if a noncash contribution.) |</p>
## PART I, LINE 9: SPECIAL EVENTS

<table>
<thead>
<tr>
<th>EVENT</th>
<th>GROSS REVENUE</th>
<th>DIRECT COSTS</th>
<th>NET INCOME</th>
</tr>
</thead>
<tbody>
<tr>
<td>SAN ANTONIO DINNER</td>
<td>$190,775</td>
<td>$22,096</td>
<td>$168,679</td>
</tr>
<tr>
<td>ANNUAL GOLF TOURNAMENT</td>
<td>50,150</td>
<td>11,143</td>
<td>39,007</td>
</tr>
<tr>
<td>LOS ANGELES DINNER</td>
<td>533,376</td>
<td>86,603</td>
<td>446,773</td>
</tr>
<tr>
<td>CHICAGO DINNER</td>
<td>143,245</td>
<td>10,500</td>
<td>132,745</td>
</tr>
<tr>
<td>OTHER EVENTS</td>
<td>114,899</td>
<td>7,308</td>
<td>107,591</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td><strong>$1,032,445</strong></td>
<td><strong>$137,650</strong></td>
<td><strong>$894,795</strong></td>
</tr>
</tbody>
</table>
PART II, LINE 42: DEPRECIATION
PART IV, LINE 57: PROPERTY & EQUIPMENT

<table>
<thead>
<tr>
<th>ASSET</th>
<th>COST OR BASIS</th>
<th>METHOD &amp; LIFE</th>
<th>PRIOR</th>
<th>CURRENT</th>
</tr>
</thead>
<tbody>
<tr>
<td>FURNITURE &amp; EQUIPMENT</td>
<td>$1,061,230</td>
<td>SL 5YRS</td>
<td>$518,852</td>
<td>$142,314</td>
</tr>
<tr>
<td>LAW LIBRARY</td>
<td>217,499</td>
<td>SL 10YRS</td>
<td>217,499</td>
<td>0</td>
</tr>
<tr>
<td>TOTAL</td>
<td>$1,278,729</td>
<td></td>
<td>$736,351</td>
<td>$142,314</td>
</tr>
</tbody>
</table>
PART IV, LINE 64b: MORTGAGES & NOTES PAYABLE

<table>
<thead>
<tr>
<th>LENDER</th>
<th>ORIGINAL BALANCE</th>
<th>CURRENT BALANCE</th>
</tr>
</thead>
<tbody>
<tr>
<td>BANK OF AMERICA, LINE OF CREDIT (500,000 LIMIT)</td>
<td>$ 478,384</td>
<td>$ 478,384</td>
</tr>
<tr>
<td>LEGALLEASE.COM, CAPITAL LEASE OF COMPUTER HARDWARE</td>
<td>185,912</td>
<td>124,485</td>
</tr>
<tr>
<td>LEGALLEASE.COM, CAPITAL LEASE OF COMPUTER SOFTWARE</td>
<td>166,141</td>
<td>120,467</td>
</tr>
<tr>
<td></td>
<td></td>
<td>$ 723,336</td>
</tr>
</tbody>
</table>

LINE OF CREDIT

The Organization has a $500,000 revolving line of credit, of which $21,616 was unused at April 30, 2001. Bank advances on the credit line are payable on demand and carry an interest rate of 7.75% (0.75% over the Bank’s periodically changing reference rate). The credit line is secured by MALDEF’s accounts receivable, inventory, and equipment.

CAPITAL LEASE OBLIGATIONS

MALDEF leases a substantial amount of its computer systems under two capital leases. The economic substance of these leases is that MALDEF is financing the acquisition of the systems through them, and accordingly, the computer systems are recorded as assets and the lease obligations as liabilities.

As of April 30, 2001, the cost basis and accumulated depreciation for these computer systems were $352,052 and $105,615, respectively, and are included in MALDEF’s property and equipment.

As of April 30, 2001, the future minimum rentals due under these capital leases over the next five fiscal years are as follows:

<table>
<thead>
<tr>
<th>April 30</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>2002</td>
<td>$ 82,460</td>
</tr>
<tr>
<td>2003</td>
<td>82,460</td>
</tr>
<tr>
<td>2004</td>
<td>82,460</td>
</tr>
<tr>
<td>2005</td>
<td>26,640</td>
</tr>
<tr>
<td>Total minimum payments</td>
<td>274,020</td>
</tr>
</tbody>
</table>

Amount representing interest     (29,068)

Present value of payments       $ 244,952

SCHEDULE 4
<table>
<thead>
<tr>
<th>DESCRIPTION</th>
<th>COST</th>
<th>MARKET VALUE</th>
<th>UNREALIZED GAIN (LOSS)</th>
</tr>
</thead>
<tbody>
<tr>
<td>U.S. TREASURY BONDS &amp; NOTES</td>
<td>$691,769</td>
<td>$729,088</td>
<td>$37,319</td>
</tr>
<tr>
<td>CORPORATE BONDS &amp; FIXED INCOME FUNDS</td>
<td>2,045,867</td>
<td>2,147,822</td>
<td>101,955</td>
</tr>
<tr>
<td>COMMON STOCKS &amp; EQUITY FUNDS</td>
<td>4,687,427</td>
<td>5,974,158</td>
<td>1,286,731</td>
</tr>
<tr>
<td></td>
<td><strong>$7,425,063</strong></td>
<td><strong>$8,851,068</strong></td>
<td><strong>$1,426,005</strong></td>
</tr>
</tbody>
</table>
PART II, LINE 43d: OTHER EXPENSES

<table>
<thead>
<tr>
<th>DESCRIPTION</th>
<th>TOTAL (A)</th>
<th>PROGRAM SERVICES (B)</th>
<th>MANAGEMENT &amp; GENERAL (C)</th>
<th>FUND-RAISING (D)</th>
</tr>
</thead>
<tbody>
<tr>
<td>INDIRECT SPECIAL EVENTS COSTS</td>
<td>$85,544$</td>
<td>$</td>
<td>$85,544</td>
<td></td>
</tr>
<tr>
<td>PURCHASED SERVICES</td>
<td>70,291</td>
<td>35,430</td>
<td>34,861</td>
<td></td>
</tr>
<tr>
<td>INSURANCE</td>
<td>32,132</td>
<td>23,741</td>
<td>8,391</td>
<td></td>
</tr>
<tr>
<td>DIRECT MAIL</td>
<td>2,353</td>
<td>2,353</td>
<td></td>
<td></td>
</tr>
<tr>
<td>BOARD OF DIRECTORS</td>
<td>73,298</td>
<td></td>
<td>73,298</td>
<td></td>
</tr>
<tr>
<td>GRADUATIONS</td>
<td>8,252</td>
<td>8,252</td>
<td></td>
<td></td>
</tr>
<tr>
<td>INTERNS</td>
<td>10,738</td>
<td>5,627</td>
<td>5,111</td>
<td></td>
</tr>
<tr>
<td>INVESTMENT FEES</td>
<td>78,389</td>
<td></td>
<td>78,389</td>
<td></td>
</tr>
</tbody>
</table>

TOTAL $360,997 $73,050 $200,050 $87,897
PART V: NONCOMPENSATED OFFICERS & DIRECTORS

MALDEF Board of Directors
1999-2000

Hon. Gloria Molina
Chair
Supervisor, Los Angeles County
Los Angeles, CA

Herlinda Garcia
2nd Vice Chair
Principal
J.P. Henderson School & Houston Community College System
Board of Trustees, District III
Houston, TX

Teresa Leger de Fernandez
3rd Vice Chair
Partner
Nordhaus, Hariton, Taylor,
Taradash & Frye
Santa Fe, NM

Joseph Stern
Secretary/Treasurer & Fiscal & Fundraising Committee Chair
Partner
Fred, Frank, Harris, Shriver & Jacobson
New York, NY

Thomas B. Reston
Program & Planning Committee Chair
Attorney at Law
Washington, DC

Ann Marie Wheeler
Community Education Sr.
Activation Committee Chair
President & Chief Executive Officer
Fannie Mae Foundation
Washington, DC

Frank J. Quevedo
Personnel & Nominations Committee Chair
Vice President of Equal Opportunity
Southern California Edison Co
Rosemead, CA

Frank Herrera, Jr.
MALDEF Property Management Corp. Chair
President
The Law Offices of Frank Herrera
San Antonio, TX

Antonia Hernandez
President & General Counsel

Barbara Aldave
Professor
University of Oregon School of Law
Eugene, OR

Edward J. Avila
President
Project Restore
Los Angeles, CA

Zoe Baird
President
John and Mary R. Markle Foundation
New York, NY

Joseph Barish
President
Joe Barish and Associates
Sacramento, CA

Carlos Canuto
The ServiceMaster Company
Memphis, TN

Gilberto Cardenas
Assistant Provost and Director
Institute for Latino Studies
University of Notre Dame
Notre Dame, IN

Martin R. Castro
Managing Director for Global Business Development
Jtilas.com
Chicago, IL

Hector J. Cuellar
Managing Director
Bank of America
Los Angeles, CA

Bette F. deGraw
Dean, College of Extended Education
Arizona State University
Phoenix, AZ

Patricia Diaz Dennis
Senior Vice President, Regulatory and Public Affairs
SBC Communications Inc.
San Antonio, TX

Leo Gomez
Vice President, Public Affairs
San Antonio Spurs
San Antonio, TX

Paul Gutierrez
Managing Partner
Gutierrez & Associates LLP
San Francisco, CA

Tatcho Mindiola, Jr.
Director
Center for Mexican American Studies
University of Houston
Houston, TX

Matthew J. Plersch
Partner
Gassler, Hughes & Sutcli, Ltd.
Chicago, IL

Andrew Segovia
General Motors Legal Staff
Detroit, MI

Marcia Silverman
President of the Americas
Ogilvy Public Relations Worldwide
Washington, DC

NEWLY ELECTED OFFICERS FOR 2000-2001

Al Gurule
3rd Vice Chair

NEWLY ELECTED MEMBERS FOR 2000-2001

Mike Bailey
Partner
Sapperstein, Coldstein, Demchak & Baier
Oakland, CA

Rene Diaz
President & CEO
Diaz Foods, Inc.
Atlanta, CA

Susana Duarte
Senior Group Director, Corporate Relations
Anheuser Busch
St. Louis, MO

Liz Figueroa
Senator
California State Senate
Sacramento, CA

Federico Jimenez
Owner
FEDERICO
Venice, CA

Donald Pierce
Rand, CO

Guadalupe Rangel
Corpus Christi, TX

Maria Saldana
Attorney
Altshuler & Cray
Chicago, IL

Ed Stedal
Executive Vice President, General Counsel and Secretary
Blockbuster, Inc.
Dallas, TX

1999 - 2000 MALDEF PROPERTY MANAGEMENT CORPORATION ROSTER

Frank Herrera, Jr.
Chair

Edward J. Avila

Linda Griego

Donald Pierce

Frank Quevedo

Jesus Rangel

Thomas B. Reston

SCHEDULE 7
Law School Scholarship Program

The need for lawyers who will protect and defend Latinos’ civil rights has escalated dramatically in recent years. However, the abandonment of affirmative action in admissions by the University of California and threats of similar legislation throughout the country have reduced the number of Latinos being admitted into law schools. MALDEF continues to provide a scholarship program to help increase the number of talented and committed Latinos pursuing law degrees.

This year, MALDEF awarded eight law school students with scholarships.

Valerie Kantor Memorial Scholarship ($4,000)
Liliana Coronado
Stanford University

Vilma Martinez/Helena Rubenstein ($3,000)
Susana Ochoa
University of Illinois

MALDEF Law School Scholarship ($3,000)
Sean Anderade
University of Pennsylvania

MALDEF Law School Scholarship ($2,000)
Adela Carrin
University of Illinois

Phillip Crabbe
University of Southern California

Lucia Cruz
Northeastern University

Robert Passios
Arizona State University

Wilfredo Trevino-Perez
Whitman College

Communications Scholarship Program

MALDEF provides Communication Scholarships in an effort to increase Latino participation in the world of journalism and mass communication and to give our nation’s news coverage a broader perspective and increase the number of Latinos in the nation’s newsrooms. MALDEF annually awards scholarships to Latino students who are pursuing a graduate or professional degree in communications. We thank Univision Television Group, Inc., which established this communication scholarship through a generous grant.

This year, MALDEF awarded four communications students with scholarships.

Most Outstanding Applicants

Sylvia Sepulveda ($4,000)
New York University

Wendy C. Limas ($4,000)
Columbia University

Heidi Morales ($3,000)
Northwestern University

Frances K. Mejia ($1,000)
London School of Economics and Political Science

MALDEF welcomes donations to help support these much needed scholarship programs.
### Grants & Allocations

<table>
<thead>
<tr>
<th>Recipient</th>
<th>Address</th>
<th>Scholarship</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Araceli Campos</td>
<td>Stanford, CA</td>
<td>Valerie Kantor Memorial</td>
<td>$7,000</td>
</tr>
<tr>
<td>Sandra M. Gallardo</td>
<td>Berkeley, CA</td>
<td>Vilma S. Martinez/Helema Rubinstein</td>
<td>6,000</td>
</tr>
<tr>
<td>Brigit Greeson-Alvarez</td>
<td>Brooklyn, NY</td>
<td>MalDEF Law School</td>
<td>3,000</td>
</tr>
<tr>
<td>An cris Munoz</td>
<td>Rockaway Park, NY</td>
<td>William Randolph Hearst Endowment</td>
<td>6,000</td>
</tr>
<tr>
<td>Lucria Ortiz</td>
<td>Bronx, NY</td>
<td>MalDEF Law School</td>
<td>3,000</td>
</tr>
<tr>
<td>Araceli S. Perez</td>
<td>San Francisco, CA</td>
<td>MalDEF Law School</td>
<td>3,000</td>
</tr>
<tr>
<td>Ana M. Quintana</td>
<td>New York, NY</td>
<td>MalDEF Law School</td>
<td>3,000</td>
</tr>
<tr>
<td>Jasmine B. Rose</td>
<td>Cambridge, MA</td>
<td>MalDEF Law School</td>
<td>3,000</td>
</tr>
<tr>
<td>Daniel P. Torres</td>
<td>Davis, CA</td>
<td>MalDEF Law School</td>
<td>3,000</td>
</tr>
<tr>
<td>Yasmin Yavar</td>
<td>Houston, TX</td>
<td>MalDEF Law School</td>
<td>3,000</td>
</tr>
<tr>
<td>Yaliza Gutierrez</td>
<td>Cicero, IL</td>
<td>Chicago Dinner</td>
<td>2,000</td>
</tr>
<tr>
<td>Yerlin Sanchez</td>
<td>Chicago, IL</td>
<td>Chicago Dinner</td>
<td>2,000</td>
</tr>
<tr>
<td>Luis Juan Soliz</td>
<td>Chicago, IL</td>
<td>Chicago Dinner</td>
<td>2,000</td>
</tr>
<tr>
<td>Victor Garcia</td>
<td>Chicago, IL</td>
<td>Chicago Dinner</td>
<td>2,000</td>
</tr>
<tr>
<td>Maria Antonia Marquez</td>
<td>Cicero, IL</td>
<td>Chicago Dinner</td>
<td>2,000</td>
</tr>
</tbody>
</table>

**Total** $50,000

---

**Schedule 8 (Part 2)**
PART VII, LINE 93: PROGRAM SERVICE REVENUE

<table>
<thead>
<tr>
<th>CASE #</th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>1048</td>
<td>CANTU V. CHICAGO SCHOOL REF</td>
<td>$ 2,000</td>
</tr>
<tr>
<td>2020</td>
<td>VASQUEZ V. SAN JOSE USD</td>
<td>53,481</td>
</tr>
<tr>
<td>2049</td>
<td>CARBAJAL V. ALBUQUERQUE S.D.</td>
<td>37,800</td>
</tr>
<tr>
<td>1065</td>
<td>QUINONEZ ET AL., V. ELEPHANT SNACK</td>
<td>2,008</td>
</tr>
<tr>
<td>1062</td>
<td>GOMEZ V. AMERICAN GARMENT</td>
<td>43,639</td>
</tr>
<tr>
<td>2020</td>
<td>VASQUEZ V. SAN JOSE USD</td>
<td>3,823</td>
</tr>
<tr>
<td>4021</td>
<td>CHIRLA V. BURKE SB</td>
<td>24,203</td>
</tr>
<tr>
<td></td>
<td>SEARS, ROEBUCK &amp; CO.</td>
<td></td>
</tr>
<tr>
<td>5026</td>
<td>ROCHA V. CITY OF POTH, TX</td>
<td>12,000</td>
</tr>
</tbody>
</table>

**TOTAL RECEIVED**

179,189

ACCRUED FEES RECEIVABLE, BEGINNING OF YEAR

(39,700)

ACCRUED FEES RECEIVABLE, END OF YEAR

135,800

REVENUE REPORTED, PART VII, LINE 93a

$ 275,289
MEXICAN AMERICAN LEGAL DEFENSE
AND EDUCATIONAL FUND

LITIGATION DOCKET

Antonia Hernandez
President and General Counsel

May 2000 - April 2001
MEXICAN AMERICAN LEGAL DEFENSE AND EDUCATIONAL FUND

NATIONAL OFFICE

Antonia Hernandez, President and General Counsel
Vibiana Andrade, Vice President of Legal Programs
Thomas Saenz, National Senior Counsel
634 South Spring Street, 11th Floor
(213) 629-2512
(213) 629-0266 FAX

REGIONAL OFFICES

Chicago
Patricia Mendoza
Regional Counsel
188 W. Randolph St., Suite 1405
Chicago, IL 60601
(312) 782-1422
(312) 782-1428 FAX

Los Angeles
634 S. Spring Street, 11th Floor
Los Angeles, CA 90014
(213) 629-2512
(213) 629-0266 FAX

San Antonio
Albert H. Kauffman
Regional Counsel
140 E. Houston, Suite 300
San Antonio, TX 78205
(210) 224-5476
(210) 224-5383 FAX

San Francisco
Maria Blanco
Regional Counsel
660 Market Street, Suite #206
San Francisco, CA 94104
(415) 248-5803
(415) 248-5816 FAX

Washington, D.C.
Marisa Demeo
Regional Counsel
1717 “K” Street NW, #311
Washington, D.C. 20036
(202) 293-2828
(202) 293-2849 FAX
# TABLE OF CONTENTS

<table>
<thead>
<tr>
<th>Section</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>Preface</td>
<td>iii</td>
</tr>
<tr>
<td>Explanation of Docket Control Numbers</td>
<td>iii</td>
</tr>
<tr>
<td>Index to Regional Office Dockets</td>
<td>iv</td>
</tr>
<tr>
<td>Title I: Employment</td>
<td>1</td>
</tr>
<tr>
<td>Title II: Education</td>
<td>14</td>
</tr>
<tr>
<td>Title III: Political Access</td>
<td>34</td>
</tr>
<tr>
<td>Title IV: Immigrants' Rights</td>
<td>41</td>
</tr>
<tr>
<td>Title V: Public Resource Equity</td>
<td>51</td>
</tr>
<tr>
<td>Title VI: Access to Justice</td>
<td>55</td>
</tr>
</tbody>
</table>
PREFACE TO LITIGATION DOCKET

This litigation docket covers only litigation matters in which MALDEF attorneys represent parties in court or in formal administrative proceedings or where MALDEF has filed an amicus brief. Matters under investigation or in informal proceedings or involving public policy advocacy are not included. Entries in bold are the activities which occurred during the current fiscal year.

EXPLANATION OF DOCKET CONTROL NUMBERS

The symbols preceding each case listed and summarized in this litigation docket are part of MALDEF’s docket control system.

Four digit numbers have been assigned to each of MALDEF’s six litigation and advocacy programs and to all of MALDEF’s active cases. Each litigation and advocacy program has been assigned 1000 numbers as set forth below:

- **1000 - 1999** Employment
- **2000 - 2999** Education
- **3000 - 3999** Political Access
- **4000 - 4999** Immigrants’ Rights
- **5000 - 5999** Public Resource Equity
- **6000 - 6999** Access to Justice

The letters preceding the first slash indicate the MALDEF office in which the case originated or the lead office currently handling the case. The codes are:

- **CH = Chicago**
- **LA = Los Angeles**
- **SA = San Antonio**
- **SF = San Francisco**
- **NT = National**

In some cases, staff from more than one regional office may be working on a case. In these instances, the case may be listed in the regional office index under more than one regional office. However, the office code remains the same because it continues to denote which is the lead office handling the case.
INDEX TO REGIONAL OFFICE DOCKETS

This index lists the cases on the legal dockets of MALDEF's four regional offices. The Washington D.C. office has no listing of cases as this office focuses exclusively on public policy advocacy. Cases are listed by subject matter according to their docket control numbers. Page number references for each case show where the case is described.

All attorney staff members during fiscal year 2000-2001 are listed under their resident offices.

*** NATIONAL OFFICE ***

Lawyers: Antonio Hernandez, President and General Counsel
          Vibiana Andrade, Vice President of Legal Programs
          Thomas Saenz, National Senior Counsel

Title I: Employment

<table>
<thead>
<tr>
<th>Docket</th>
<th>Case Name</th>
</tr>
</thead>
<tbody>
<tr>
<td>LA/1011</td>
<td>Latin Am. Law Enforcement Ass' n v. City of Los Angeles</td>
</tr>
<tr>
<td>LA/1037</td>
<td>Hernandez v. City of Los Angeles</td>
</tr>
<tr>
<td>LA/1052</td>
<td>Salinas v. Kate Mantilini</td>
</tr>
<tr>
<td>LA/1054</td>
<td>Ramirez v. Kroonen</td>
</tr>
<tr>
<td>LA/1055</td>
<td>Hernandez v. City of Los Angeles</td>
</tr>
<tr>
<td>LA/1065</td>
<td>Quiñones v. Yi</td>
</tr>
<tr>
<td>LA/1068</td>
<td>Flores v. Albertson's, Inc.</td>
</tr>
<tr>
<td>LA/1071</td>
<td>Baiz v. Screen Actors Guild, Inc.</td>
</tr>
</tbody>
</table>

Title II: Education

<table>
<thead>
<tr>
<th>Docket</th>
<th>Case Name</th>
</tr>
</thead>
<tbody>
<tr>
<td>SF/2028</td>
<td>Guerrero v. Univ. of Cal. Regents</td>
</tr>
<tr>
<td>LA/2032</td>
<td>Jesus Doe v. Regents of the Univ. of Cal.</td>
</tr>
<tr>
<td>LA/2045</td>
<td>Angel V. v. Davis</td>
</tr>
<tr>
<td>LA/2050</td>
<td>Diana Doe v. Los Angeles Unified Sch. Dist.</td>
</tr>
<tr>
<td>LA/2061</td>
<td>Godinez v. Davis</td>
</tr>
<tr>
<td>LA/2062</td>
<td>Williams v. State of California</td>
</tr>
<tr>
<td>LA/2065</td>
<td>Sotomayor v. Burns</td>
</tr>
</tbody>
</table>
Title III: Political Access

SF/3017  
* Ruiz v. Santa Maria ........................................ 34

Title IV: Immigrants' Rights

LA/4021  
* Coalition for Humane Immigrant Rights of Los Angeles v. Burke ........................................ 41
LA/4026  
* Gregorio T. v. Wilson ........................................ 42
LA/4044  
* Rodriguez v. United States ....................................... 46
SF/4046  
* Veles v. Lindow ........................................ 47

Title V: Public Resource Equity

LA/5027  
* Proyecto Pastoral v. County of Los Angeles ....................... 52
LA/5031  
* Anderson v. State of Utah ........................................ 53
LA/5032  
* In re Petition No. 366 ........................................ 54

Title VI: Access to Justice

** ** ** CHICAGO OFFICE ** ** **

Lawyers:  
Patricia Mendoza, Regional Counsel  
Marta Delgado, Staff Attorney¹  
Maria Valdez, Senior Litigator  
Ruperto Alba, Staff Attorney²  
Susan Barbosa Fisch, Staff Attorney³

Title I: Employment

CH/1043  
* Thomson v. Ohio State Univ. Hosp  .................................. 5
CH/1056  
* Israel v. Avis Rent-A-Car ........................................ 8

Title II: Education

CH/2022  
* Noyola v. Chicago Bd. of Educ. .................................. 16

¹ Hired effective January 3, 2000.
² Pro bono counsel.
³ Resigned effective October 29, 1999.
Title III: Political Access

CH/3050  King v. Illinois State Bd. of Elections  35
CH/3064  Moreno v. Loren-Maltese  39
CH/3067  Del Valle v. Illinois State Bd. of Elections  40

Title IV: Immigrants' Rights

CH/4049  Guevera v. City of Norcross  47
CH/4054  Alexander v. Sandoval  49
CH/4056  Indian Oaks Academy  49

Title V: Public Resource Equity

CH/5022  Burgos v. McDonald  51

Title VI: Access to Justice

CH/6019  Chavez v. Illinois State Police  55
CH/6020  Ford Motor Company v. Sheldon  56
CH/6026  Legal Services Corporation v. Velazquez  57
CH/6028  Yang v. City of Chicago  59

* * * LOS ANGELES OFFICE * * *

Lawyers: Thomas A. Saenz, Regional Counsel
Enrique Gallardo, Staff Attorney
Steven Reyes, Voting Rights Advocate
Hector O. Villagra, MALDEF/Fried Frank Fellow

Title I: Employment

LA/1011  Latin Am. Law Enforcement Ass'n v. City of Los Angeles  1
LA/1052  Salinas v. Kate Mantilini  6
LA/1054  Ramirez v. Kroonen  6

________

4 Transferred to National Office effective November 15, 2000.
Title II: Education

LA/2018 Rodriguez v. Los Angeles Unified Sch. Dist. .......................... 15
LA/2045 Angel V. v. Davis ................................................................... 23
SF/2047 California Dept. of Educ. v. San Francisco Unified Sch. Dist. .... 25
LA/2050 Diana Doe v. Los Angeles Unified Sch. Dist. ......................... 27
LA/2061 Godinez v. Davis ................................................................. 30
LA/2062 Williams v. State of California ............................................ 31
LA/2065 Sotomayor v. Burns ......................................................... 33

Title III: Political Access

SF/3017 Ruiz v. Santa Maria ............................................................... 34

Title IV: Immigrants' Rights

LA/4044 Rodriguez v. United States ................................................ 46

Title V: Public Resource Equity

LA/5031 Anderson v. State of Utah .................................................. 53
LA/5032 In re Petition No. 366 ....................................................... 54

* * * SAN ANTONIO OFFICE * * *

Lawyers: Albert H. Kauffman, Regional Counsel
Nina Perales, Staff Attorney
Leticia Saucedo, MALDEF/Fried Frank Fellow
Joe Berra, Staff Attorney

Fellowship began in San Antonio effective August 19, 1999.

Title I: Employment
SA/1038  Kossman Contracting Co. v. City of Houston .................... 4
SA/1062  Gomez v. American Garment Finishers Corp .................... 9
SA/1070  Avena v. Texas Department of Human Services ............. 12

Title II: Education
SA/2016  United States v. Ector County Indep. Sch. Dist ................ 14
SA/2049  Carbajal v. Albuquerque Public Sch. Dist .................... 26

Title III: Political Access
SA/3014  Valero v. City of Kerrville .................................... 34
SF/3017  Ruiz v. Santa Maria ............................................. 34
SA/3055  Reynoso v. Amarillo Indep. Sch. Dist ................... 38
SA/3066  In re Fifteen Proposed Non-Party Witnesses in Frank Brown v. Steve Spurgin ............................................. 39

Title IV: Immigrants' Rights
SA/4035  Rio Grande Int'l Studies Ctr. v. United States Dept of Defense ............................................. 44
SA/4036  In the Matter of Rodolfo Balderas Martinez .................. 45
SA/4051  Atwater v. City of Lago Vista .................................. 48
SA/4052  Lopez v. City of Rogers, Arkansas ............................ 48

Title V: Public Resource Equity
SA/5026  Rocha v. City of Poth, Texas .................................. 52

Title VI: Access to Justice
SA/6027  Larragoite v. Heitman Properties of New Mexico .......... 58

*** SAN FRANCISCO OFFICE ***

Lawyers: Maria Blanco, Regional Counsel
Denise Hulett, Senior Litigator
Title I: Employment

| SF/1020 | Hispanic Workers Group v. National Forest Serv. | .......... | 2 |
| SF/1059 | Hi-Voltage Wire Works v. City of San Jose | .......... | 9 |

Title II: Education

| SF/2028 | Guerrero v. Univ. of Cal. Regents | .......... | 18 |
| SF/2047 | California Dept. of Educ. v. San Francisco Unified Sch. Dist. | .. | 25 |
| SF/2048 | Castañeda v. Regents of Univ. of California | .......... | 25 |

Title III: Political Access

| SF/3017 | Ruiz v. Santa Maria | .......... | 34 |
| SF/3052 | Lopez v. Monterey County | .......... | 37 |

Title IV: Immigrants' Rights

| SF/4046 | Veles v. Lindow | .......... | 47 |

Title V: Public Resource Equity

Title VI: Access to Justice

| SF/6021 | Ketchum v. Moses. | .......... | 57 |

---

7 Hired effective August 2, 1999.
TITLE I: EMPLOYMENT

LA/1011 Latin Am. Law Enforcement Ass'n v. City of Los Angeles, Case No. CV 92-1897-AWT (U.S. Dist. Ct., C.D. Cal.).

In November 1991, we reached a comprehensive settlement in this promotional discrimination case against the Los Angeles Police Department (LAPD). In order to make the settlement fully enforceable, we filed a class action lawsuit along with a proposed consent decree. The district court approved the decree on August 27, 1992. The court rejected three white officers' arguments that the decree is unfair.

The fifteen-year Consent Decree provides for a $1,000,000 backpay/scholarship fund and a $500,000 fund for promotional training. In addition, the decree establishes promotion goals, paygrade advancement goals, and goals for transfers into "coveted positions"--assignments likely to assist in developing the insight and skills necessary to enhance promotability. The decree also restricts use of written multiple choice tests, establishes procedures for oral interviews, and requires the City to seek revision of the "Rule of Three Whole Scores" to allow greater flexibility in meeting goals set by the decree. Finally, the City must develop affirmative action training for all supervisory officers and institute a cross-training program to enhance the promotability of minority officers.

In light of the City's failure to implement certain required programs, the parties stipulated to a two-year extension of the life of the decree, which the court approved on October 21, 1994. Moreover, as a result of our contention that the test violates the decree, the City eliminated a multiple-choice English proficiency test, developed in the 1950s, which had been used to select officers for particular coveted assignments.

Despite this progress, our analysis of the City's annual reports and meetings with the City led us to conclude that the City has violated and continues to violate the decree in several respects. As a result, we proposed a lengthy modification of the decree to impose conditions designed to secure greater compliance in the future. After several months of negotiation, the City agreed in principle to a stipulated modification in July 1996. The modification would impose daily fines for any City failure to comply with certain reporting and training requirements, establish enhanced goals where the City's failures have been most extreme, permit the City to carry forward its successes above goals but also require that deficits carry forward, and impose substantial fines should the City fail to engage in close and careful analysis of its practices when goals are not met. The City Council subsequently approved the stipulation.

Despite Council approval, the City took the position that it is not bound by the stipulation
until approved by the court. After agreement was reached on the stipulation, the City violated the stipulation in several respects, most importantly by failing to promote certain Latinos to the rank of Lieutenant in early 1997. This occurred when the City unilaterally decided not to follow the "Rule of Three Whole Scores" during the last six months of a promotional list as is expected under the decree. We attempted to reach a negotiated solution under which the Latino officers would be promoted. In part because of a change in leadership of the department after the stipulation was negotiated, we reached an impasse. Therefore, we commenced discovery directed toward contempt proceedings against the City.

As fiscal year 1999 ended, we made some progress toward settlement, with the City's interest in discussions reinvigorated, in part by particularly dismal results in fiscal year 1998 on Latino promotions to Lieutenant. Discussions again fell apart; it became clear that the City does not intend to honor its commitments under the decree. We began to work with co-counsel on designing a contempt filing while we awaited further violations of the decree by the City to bolster the case. (Deadlines are more likely to be missed without our repeated reminders.)

New leadership of La Ley opted to retain other counsel, a law firm that does referral work for the Police Protective League. After consideration of the best interests of the class, we agreed to a request by La Ley and its new counsel to stipulate to substitution of this new counsel as counsel for the class of Latino officers. The court approved the substitution in October 2000.

NAACP Legal Defense and Educational Fund
Asian Pacific American Legal Center
Co-counsel

Thomas A. Saenz
MALDEF National Office


We represent the Hispanic Workers Group of the National Forest Service in a class action claim against the agency for discrimination in hiring, promotion, harassment, and retaliation. MALDEF negotiated a comprehensive settlement of the administrative complaint, and monitored compliance with that agreement until it expired in May 1995. Individual complaints of discrimination and harassment were investigated by a team established under the agreement, and all but one of those claims were favorably settled.

In March 1993, MALDEF and the Hispanic Workers Group lodged formal notice of non-compliance with the settlement agreement. First, although the overall workforce percentage increased slightly, the hiring levels for Hispanics in the Region decreased under the agreement. Second, Hispanic employees, particularly those who were active in monitoring the agreement, were harassed. In fact, one of the lead plaintiffs faced retaliatory termination. MALDEF filed a complaint with the Office of Special Counsel in Washington DC, requesting that the Special
Counsel seek a stay of the proposed termination from the Merit Systems Protection Board. MALDEF reached a settlement with the Region on the employee's behalf that included a $300,000 damage award. We successfully appealed the Region's failure to pay attorneys' fees promised in that settlement agreement.

When the Department of Agriculture ruled against our complaint of non-compliance, MALDEF appealed to the EEOC. The EEOC ruled in plaintiffs' favor on appeal, and remedial issues are now pending before the EEOC.

The EEOC granted the Region's Motion for Reconsideration, finding that the original agreement did not bind the Region to workforce goals. The EEOC also awarded us fees for our first successful appeal. **We have arrived at a settlement with the Department of Justice and are waiting for the final approval of a consent decree from top officials of the Department of Justice. The consent decree includes goals for the hiring and promotion of Latinos and attorney's fees to be determined by the court.**

Heller, Ehrman, White & McAuliffe
Co-counsel

Denise Hulett
MALDEF San Francisco Office


Lt. Patricio Hernandez, a twenty-year veteran of the Los Angeles Police Department (LAPD), was passed over for promotion to the rank of Captain several times over the course of four years. Most recently, the LAPD chose instead to promote several white officers who had scored lower than Hernandez on the department's promotional examination. Earlier, the department was so confident of Hernandez's promotion based upon his examination score that they sent him to command development school, specifically designed for officers at the rank of Captain and above, which he successfully completed in June 1996. Several of the white officers promoted instead of Hernandez had not completed the school. We filed this individual Title VII case in order to deter the LAPD from making such discriminatory promotional decisions at the highest ranks of the department in the future. The percentage of Latinos among the 100 or so officers at the rank of Captain or above is currently roughly half the level of Latino representation among the 9000-plus officers at lower ranks.

We filed a charge of discrimination with the Equal Employment Opportunity Commission (EEOC) in November 1997. After the EEOC issued a right-to-sue letter as we requested, we filed a federal-court lawsuit on January 28, 1998. After discovery was completed, the City moved for summary judgment and for judgment on the pleadings. On July 6, 1999, the district court granted both motions. The Court granted summary judgment on the grounds that plaintiff could not show that the City's proffered reason for not promoting Hernandez was a pretext for discrimination. It also granted judgment on our section 1981 claim based on its
conclusion that California public employment, because it is covered by civil service laws, is immune from challenge under section 1981.

Because we believe the district court improperly weighed the evidence in granting summary judgment and effectively imposed a requirement of producing direct evidence of discrimination, we filed an appeal on August 2, 1999. We also challenge the district court’s legal conclusion that public employment is not contractual and therefore immune from section 1981. We fully briefed the appeal. After a wait of nearly a year from the completion of briefing, oral argument was heard on March 8, 2001. We await a decision.

Thomas A. Saenz
MALDEF National Office

SA/1038 Kossman Contracting Co. v. City of Houston, No. H-96-3100 (U.S. Dist. Ct., S.D. Tex.).

In this federal lawsuit, a white contractor challenges the City of Houston's affirmative action plan for city contracts. The contractor complains that the city's good-faith goals for city contracts and the requirement that prime contractors obtain bids from minority and women business enterprises give minority firms an unfair advantage.

More than sixty percent of Houston residents are minorities, with Latinos comprising the largest ethnic group. Prior to 1984, less than one percent of the city's budget for construction, professional services and vendors was paid to minority or women business enterprises (MWBE). In 1985, the city council established policies to increase utilization of local MWBE's in city procurement. The program was subsequently amended in 1995 after a disparity study was conducted. The affirmative action plan is not a set-aside program but contains reasonable good-faith goals that correlate with MWBE availability in the Houston metropolitan area. Since 1985, participation of MWBE's in city contracts have dramatically increased. In 1996, minority and women firms received about 20 percent of city contract dollars. On November 4, 1997, Houston voters rejected a referendum similar to California's Proposition 209 that sought to eliminate the city's affirmative action plan in city contracts.

On December 4, 1997, MALDEF moved to intervene on behalf of the Mexican American Contractors Association (MACA) and an individual Latino contractor. The court denied our request for intervention but invited MACA to participate as amicus curiae.

On February 9, 1998, the court held a status conference and ordered the City of Houston to submit all its evidence of discrimination against minorities and women by March 19, 1998. In response, our clients submitted a brief describing the history of discrimination by the City of Houston against Latinos in contracting, public employment, public education, housing, and public accommodations. On April 3, 1998, the plaintiff filed its motion for summary judgment,
arguing that the city's affirmative action plan in city construction contracting was unconstitutional. On May 1, 1998, we filed an amicus brief on behalf of our clients arguing that strict scrutiny did not apply to the city's affirmative action plan because minorities were not given any preferential treatment and that the city's inclusive recruitment efforts were lawful business concerns.

The District Court has not ruled on plaintiffs' motion for summary judgment. However, the Fifth Circuit reversed the same district court in a related case. In *Houston Contractors Association v. Metropolitan Transit Authority of Harris County*, No. 97-20619 (5th Cir. 1999), the Fifth Circuit held that the district court had erred in believing plaintiffs' version of the facts regarding the intent and effect of the transit authority's affirmative action plan. The *Contractors Association* case is so similar to the *Kossman* case that we are encouraged that the District Court will deny plaintiffs' summary judgment motion in this case.

While plaintiffs' summary judgement motion in this case remains pending, the District Court has denied all four of plaintiff's motions for Temporary Restraining Order, the latest on October 18, 2000. The parties are now completing the discovery process and proposing jury questions. We expect trial during the year. On behalf of the Latino community, MALDEF will participate in the trial as amicus curiae.

Al Kauffman
Leticia Saucedo
MALDEF San Antonio Office

We participated as amicus curiae in this case before the Sixth Circuit Court of Appeals that addresses whether state employers are immune from suit in federal court for violating the Family and Medical Leave Act (FMLA). The plaintiff, Mary Ann Thomson, worked as an Administrative Assistant at the Ohio State University Hospital. In November 1995, Thomson's father was diagnosed with Alzheimer's disease. She sought unpaid leave to care for him and to secure his long-term care. Her employer denied her request, claiming that they could not spare her from work and that if she took a leave, she would have to resign. In light of this, she resigned.

She filed suit against the hospital and the university in February 1997. The defendants filed a motion to dismiss on the grounds that Congress violated the Eleventh Amendment when it authorized individuals to bring suit in federal court to enforce the FMLA against state employers. The district court granted the defendant's motion. This appeal followed. In our brief we argued that Congress intended to waive a state's immunity when it included state entities in the statutory definition of “employer.” We also argued that Congress has the broad power under the Fourteenth Amendment to enforce equal protection, and that FMLA is sufficiently tailored to
resolve the problem of equal opportunities for women.

On September 26, 2000, the Sixth Circuit notified the parties that *Sims v. Univ. of Cincinnati*, 219 F.3d 559 (6th Cir. 2000) appeared to control this action. All parties acknowledged that *Sims* conclusively answered the posed query and on November 8, 2000, the court issued its holding that, in the Sixth Circuit, the FMLA is not actionable by private citizens in federal court against a state or its instrumentalities. The district court’s final judgment was affirmed.

National Partnership for Women and Families
Wilmer, Cutler, & Pickering
Tobias, Kraus & Torchia
Co-counsel

Patricia Mendoza
MALDEF Chicago Office

LA/1052  *Salinas v. Kate Mantilini*, Nos. BC213900 (Los Angeles County Superior Ct.); CV 99-8549 CAS (U.S. Dist. Ct., C.D. Cal.).

This action challenges the hiring practices of The Kate Mantilini, an upscale restaurant in Beverly Hills. The restaurant has employed an entirely Latino busboy staff, while it has employed a nearly entirely non-Latino staff of servers and food runners. Our lead plaintiff was fired by the restaurant after he and the other busboys signed a writen petition to management seeking an end to unfair tip distribution and other discrimination against the busboys at the restaurant. Our second plaintiff, who organized the busboys in signing the petition, left the restaurant after learning of the firing of his co-plaintiff and after receiving poor treatment and veiled threats from management.

We filed this action in state court on July 22, 1999; the complaint challenges the restaurant’s pattern of discriminatory hiring and job segregation, as well as its actions in discharging our clients. A month later, the restaurant filed its answer and removed the case to federal court because the case raises both state-law and federal-law claims. We moved for class certification as to the discriminatory hiring claims. In late December 1999, the court granted the motion, certifying a class of actual and deterred Latino applicants for server positions.

The parties engaged in discovery through much of the year 2000. In July 2000, we amended the complaint, eliminating the federal-law claims, and the case was remanded to state court. In November 2000, the parties attended a mediation of the case, and agreed to a settlement of the individual hiring discrimination and wrongful termination claims and of the class hiring discrimination claims. The settlement currently awaits court approval.

Enrique Gallardo
MALDEF Los Angeles Office

Vibiana Andrade
MALDEF National Office

We filed this action on July 26, 1999 to challenge the refusal of the College of the Desert in Palm Desert to promote our client to the position of Custodial Supervisor. Jimmy Ramirez has worked for the college as a custodian since 1979. When the incumbent Custodial Supervisor became ill and required much time off, the college gave Ramirez a Custodial Lead position, in which he fulfilled all of the duties of the Custodial Supervisor. Nonetheless, when it came time to hire a new Custodial Supervisor, Ramirez's application was rejected because he lacks a high school diploma. The college refused to permit Ramirez to work toward his G.E.D. while Custodial Supervisor. Even though he was disqualified from receiving the permanent position, the college placed Ramirez on the interviewing committee and asked him to train the individual who was hired.

This lawsuit challenges as discriminatory the college's actions in not hiring Ramirez. After it was filed, the court urged the parties to consider settlement, and stayed the case to permit consideration of settlement. In February 2000, the defendants rejected plaintiff's settlement proposal and made no counter-offer.

Discovery commenced and was completed in January 2001. In February 2001, we moved for partial summary judgment to establish plaintiff's prima facie case, including his qualification for the promotion. Defendants filed their own motion for summary judgment. Briefing continues, with a hearing set for April 16, 2001 on the motions. Because of the case, the College has already changed its policy for all future hires.

Hector O. Villagra
MALDEF Los Angeles Office

Vibiana Andrade
Thomas A. Saenz
MALDEF National Office

LA/1055  Hernandez v. City of Los Angeles, Nos. BC058601 (Los Angeles County Superior Ct.); SACV 00-1075 GLT (U.S. Dist. Ct., C.D. Cal.).

Our client in litigation challenging the Los Angeles Police Department for discrimination in promotions to the rank of Captain (see case 1037 above), became the subject of a targeted investigation by Internal Affairs. Although termed an environmental audit of an entire divisional watch, in fact the investigation focused on our client and was initiated at the instance of a deputy chief. Although the investigation could substantiate none of the allegations initially made against him, the interviews with virtually every officer on the watch turned up some minor allegations of
misconduct in the form of improper remarks allegedly made about other officers. Our client denies all of the charges: we contend that the entire investigation was retaliation for his discrimination lawsuit.

In order to fight this retaliation, we joined with a union representative in defending the client at his internal affairs interview and at a Board of Rights hearing. At the hearing, we succeeded in defeating two of the four charges against him, but the Chief of Police suspended him for ten days for the two remaining charges of improper remarks. We filed an action in state court to overturn the discipline on grounds that it was unsupported by the evidence and that the conduct was not improper as a matter of law.

After the administrative record was produced by the City, the parties briefed the petition for writ of mandamus. In December 2000, the superior court ruled entirely in our client's favor, finding that the evidence did not support any of the Board of Rights' findings of guilt, and expressing serious reservations about why the charges were filed or pursued in the first place. The court ordered the City to vacate all findings of guilt, remove all documentation of punishment from our client's personnel file, and compensate our client for lost pay during his wrongful suspension.

Also, in November 2000, we filed a Title VII complaint in federal court, challenging the entire investigation and pursuit of charges as unlawful retaliation. In February 2001, we revised the complaint to reflect the outcome of the state-court writ of mandamus, and served the First Amended Complaint on the City.

Thomas A. Saenz
MALDEF National Office

Enrique Gallardo
Steven Reyes
MALDEF Los Angeles Office


In the underlying case, plaintiffs alleged that Avis implemented and enforced a policy to screen-out Jewish individuals and corporations to deny them corporate accounts, charge them higher rates and grant fewer benefits. The District Court certified the case under Fed. R. Civ. P. 23(b)(3), but denied class certification under Rule 23(b)(2) on the grounds that individual damages were sought. The court relied on Allison v. Citgo Petroleum Corp., 151 F. 3d 42 (5th Cir. 1998) which held that since the Civil Rights Act of 1991 provided plaintiffs with the opportunity to demand a jury trial and also allowed for monetary damages, a class action was an inappropriate vehicle for the plaintiffs in that action.
Along with other organizations, we filed an amicus brief regarding the issue of damages and class certification, arguing that the decision could conceivably prevent class certification whenever any monetary damages are sought even though they are incidental to the injunctive relief claim.

On May 11, 2000, the Eleventh Circuit issued its opinion reversing the lower court’s decision to certify the class under Rule 23 (b)(3). The court found a lack of commonality under (b)(3), in part, because of the issue of individual monetary damages which the court found required an “individualized inquiry”.

Cyrus Mehri
Pamela Coukos
Mehri, Malkin & Ross, PLLC
Co-counsel

MariaValdez
Patricia Mendoza
MALDEF Chicago Office

SF/1059 Hi-Voltage Wire Works v. City of San Jose, No. S080318 (Cal. S. Ct.).

MALDEF, along with co-counsel, filed an amicus brief before the California Supreme Court in this case. The City of San Jose appealed the Court of Appeal decision invalidating San Jose’s outreach plan for minority and women subcontractors. San Jose put its outreach plan into effect after a study commissioned by the city revealed historic, underrepresentation of women and minority subcontractors in the awarding of city contracts. In January 2001, the Supreme Court ruled that San Jose’s targeted outreach to minority and women contractors and subcontractors constituted an illegal racial preference under Proposition 209.

NAACP Legal Defense and Educational Fund
Lawyers Committee for Civil Rights Under Law
Equal Rights Advocates
Employment Law Center
Co-counsel

Maria Blanco
MALDEF San Francisco Office


In February 2000, MALDEF joined as co-counsel in this class action litigation filed on behalf of plaintiffs who were laid off by American Garment Finishers Corporation without sixty days notice, as required by the WARN Act. Over 350 workers were laid off without notice in violation of the law. Light manufacturing employers in the El Paso area have routinely ignored the WARN Act when they have made their decisions to close shop and move across the border.

The judge in the case issued an order granting class certification status to the plaintiffs
and naming them as class representatives. We are working with experts in the garment industry that will provide testimony about the history of and trends in the garment industry along the border. This expert testimony will bolster our argument that the defendant in this case knew well before it laid off hundreds of workers that it would lose major garment finishing contracts. We are also working with human resource experts who can value the damages to plaintiffs in terms of employee benefits that were lost as a result of the layoffs.

After extensive discovery, including discovery of the defendant’s statements in related litigation, we settled the case with monetary relief for every identified class member. Each class member received two-thirds of the total wages they would have made during the 60-day notice period required by the WARN statute. In addition the case has increased understanding of this important statute’s requirements among both employees and employers in the El Paso area. The defendant also paid our attorneys’ fees and costs. During the next year, we will monitor the decree and assure that all class members receive their monetary judgments.

Law Offices of Carmen Rodriguez
Co-counsel

Leticia Saucedo
MALDEF San Antonio Office

LA/1065 Quiñones v. Yi, No. BC228879 (Los Angeles County Superior Ct.).

The eight plaintiffs in this action all worked at defendant’s restaurant, Elephant Snack Corner, in the Koreatown section of Los Angeles, as dishwashers or kitchen helpers. The plaintiffs all worked between eleven and twelve hours a day, with only one day off every two weeks. They were not paid the minimum wage, nor were they paid premium wages for the tremendous amount of overtime hours they worked. They were paid in cash, without a wage and hour statement, which is required by law. The wage violations against some of the plaintiffs date back several years.

Korean Immigrant Workers Advocates (KIWA) contacted the owner of the restaurant as part of their campaign to outreach to workers and business owners in Koreatown. KIWA attempted to negotiate a resolution of the workers’ wage claims. Subsequently, KIWA was visited by a FBI officer who stated that he was investigating “defamation” of the restaurant owner. After being pressed for more information, the FBI officer admitted that he was a personal acquaintance of the restaurant owner, and that he was investigating the matter “informally.” Additionally, an INS officer visited one of the workers who had pressed claims through KIWA, and issued veiled threats to the worker.

As KIWA’s attempts to resolve the wage claims were rejected, on April 26, 2000 MALDEF and KIWA filed this action in state court. The complaint alleges that defendant failed to pay plaintiffs overtime wages, failed to provide itemized wage statements, and forced three plaintiffs to resign when he refused their request that they receive at least one day off every week as required by state law.
Defendant refused to provide discovery to plaintiffs in this case until finally ordered by the court in November 2000 to pay monetary sanctions and to provide the requested material. In February 2001, defendant finally admitted that he had no documents to disprove plaintiffs' wage claims. The parties conducted a mediation of the case in March 2001, and agreed to a settlement of the wage claims. The settlement included future remedies to ensure that the restaurant owner complies with labor laws. The settlement awaits court approval.

Tori T. Kim
Korean Immigrant Workers Advocates
Co-counsel

Enrique Gallardo
MALDEF Los Angeles Office

Vibiana Andrade
MALDEF National Office

LA/1068   Flores v. Albertson's, Inc., Nos. BC241027 (Los Angeles County Superior Ct.); CV-00-13628 CM (U.S. Dist. Ct., C.D. Cal.).

This action challenges a practice that has become increasingly prevalent: outsourcing work to contractors to avoid responsibility for compliance with wage and hour laws. In the past ten years, supermarkets have increasingly contracted with janitorial service companies, especially the industry giant, Building One Service Solutions, Inc. ("BOSS"), which recently merged with Encompass Staffing Services, Inc. ("Encompass").

Generally, in this supermarket janitorial contracting industry, janitors are hired, ostensibly as "independent contractors," by people who are themselves "independent contractors." In practice, the janitors clean supermarkets for about eight hours each night, beginning at midnight. As a rule, they work every day, with only one day off every two weeks. It is not uncommon for the janitors to work months without a single day off. They do not receive any premium wages for the tremendous amount of overtime they work. They are paid by cash or personal check, and generally do not receive a statement of their hours or their wages as the law requires. They work with strong cleaning agents, but generally are not supplied with any protective clothing at all. If they are injured on the job, the common practice is simply to replace them, with no provision made for the injured worker. Supermarket personnel supervise the work of the janitors, just as they supervise the work of other employees. The supermarkets are aware of the overtime hours worked by the janitors, and of many of the other wage and working condition violations. The "prime" contractors also demonstrate a high level of supervision and control of the provision of janitorial services. Thus, although they attempt to shield themselves by conducting the janitorial work through layers of "independent contractors," both the supermarkets and the "prime" contractors are "employers" of the janitors, and jointly responsible for wage violations and working conditions.
MALDEF, along with a number of civil rights and labor lawyers, filed this class action in state court on November 30, 2000. The case was immediately removed to federal court. The suit alleges a number of wage violations, including the failure to pay overtime wages and the failure to provide workers with itemized wage statements. The class includes affected janitors who work in California for the named defendant supermarkets: Albertson's, Ralph's, and Vons/Pavilions; and the industry giant in janitorial contracting services, BOSS/Encompass. The Service Employees International Union ("SEIU") joined the plaintiff janitor class in their suit, alleging that the defendants engage in unfair business practices. In February 2001, the defendant supermarkets reached a preliminary agreement with the SEIU, agreeing to either hire union contractors or pay union-scale wages to janitors in the future.

Although the agreement by the supermarkets holds much hope for the future, the past damages to janitors still require a remedy. We have begun discovery in this case, and in March or April 2001, we will move for certification of the class.

Bahan & Herold
Hadsell & Stormer
Krakow & Kaplan
Robert D. Newman
Traber, Voorhees & Olguin
Co-counsel

Enrique Gallardo
MALDEF Los Angeles Office

Vibiana Andrade
MALDEF National Office

SA/1070 Avena v. Texas Department of Human Services, No. SA-00-CA-0655-OG (U.S. Dist. Ct., W. D. Tex.)

This individual Title VII disparate treatment case seeks a promotion, back pay and compensatory damages for a Latino with unique experience of 35 years of work in civil rights enforcement and administration who was denied promotion to a state level administrative post in civil rights enforcement by the Texas Department of Human Resources. Mr. Avena was denied the promotion when he was listed a close second on the list of applicants for the position. When the highest ranking employee refused the position, the position was restructured rather than given to Mr. Avena. Then Mr. Avena was denied the opportunity even to compete for one of the newly created positions. The case is in the middle of discovery and trial is set for late August, 2001.

Al Kauffman
MALDEF San Antonio Office

LA/1071 Baiz v. Screen Actors Guild, Inc., No. BC235463 (Los Angeles County Superior Ct.).
This lawsuit challenges the failure of the Screen Actors Guild ("SAG") to promote the plaintiff Thomas Chavez Baiz to the position of Executive Administrator - Affirmative Action, and its termination of Baiz from Assistant Administrator of that office, eliminating the only high-level Latino employee in the office. The case is significant because the affirmative action administrator is charged with working to increase minority representation in the entertainment industry.

Baiz worked for SAG beginning in 1995. In December 1997, the Executive Administrator - Affirmative Action, who was also Latino, left his employment after a dispute with SAG management. SAG asked Baiz to assume the position of Acting Executive Administrator - Affirmative Action, and he did so. He performed the work of Acting Executive Administrator - Affirmative Action proficiently. He was qualified for and applied for the permanent position, but was not selected. He was then assigned again to the position of Assistant Administrator. He was terminated from his position of Assistant Administrator by SAG in July 1998.

Baiz filed a complaint of discrimination with the California Department of Fair Employment and Housing (DFEH) in August 1998. The DFEH issued a Right-To-Sue Notice in August 1999. We filed a complaint in superior court in August 2000. We are proceeding with discovery in this matter and the court has ordered us to mediation.

Enrique Gallardo
MALDEF Los Angeles Office

Thomas A. Saenz
MALDEF National Office
TITLE II: EDUCATION


This is a desegregation case filed by the Department of Justice in 1970. In 1981, MALDEF intervened on behalf of Hispanic and African-American parents. Following a trial in 1981, and an appeal to the Fifth Circuit in 1984, the school district was ordered to desegregate the schools.

In February 1998, MALDEF responded to a motion by the school district to modify the existing plan for desegregation based on the school district's application for funds to expand their magnet school program. Staff investigated the effects of the existing and proposed magnet programs and met with community members to discuss the proposed expansion of the programs. After investigation and community input, we agreed to the proposed modification. As part of the modification, MALDEF secured an agreement from the school district eliminating an element of the magnet program that placed burdensome contractual requirements solely on core neighborhood minority parents whose children were enrolled in the magnet programs. In response to the community concern regarding access by minority children to the programs, MALDEF also secured an agreement that previously unavailable admission criteria to the magnet programs would be published and disseminated to all parents.

In November 1998, the District Court ordered the parties to confer regarding the status of the desegregation order. At the status conference held in December 1998, the parties reported that the school district had agreed to work with MALDEF to address ongoing concerns regarding the testing and placement of students within the school district's magnet and honors programs. In 1999, we continued to discuss the magnet program and other special program issues with the community.

In 2000-2001, we have worked with the Department of Justice Civil Rights Division and have identified several issues on which the district has not complied with the court order: (1) the continued segregation of two elementary schools, (2) low number and proportion of minority students in advanced placement and gifted and talented courses, (3) failure to recruit minority faculty, (4) disparate concentration of uncertified teachers in heavily minority classrooms, and (5) lack of participation by minorities in extracurricular activities. We have sent informal discovery requests to the district to document the district's compliance with the order's provisions and will then either negotiate a settlement on these issues or seek a court hearing to enforce the decree.
In 1982, MALDEF filed an administrative complaint, charging that the Los Angeles Unified School District (LAUSD) does not deliver equivalent school services and school facilities to Latino school sites. In August 1986, MALDEF and co-counsel filed this lawsuit in state court alleging disparities between schools in the provision of experienced teachers, in expenditures per student, and in physical facilities. Four years of discovery and two years of settlement negotiations led to tentative settlement. The teachers' union, administrators' union, and parents from West L.A. and the San Fernando Valley intervened. Despite opposition, the court approved the consent decree in August 1992. Parent intervenors filed an appeal. In July 1994, the appellate court upheld the decree.

The decree requires LAUSD to move toward equal per-pupil expenditures on basic classroom resources, including teacher salaries. Such equalization would prevent the continued concentration of experienced teachers at particular schools or in particular areas. In addition, the decree requires LAUSD to work to mitigate the impact of school populations that exceed the optimum size established by educational research.

Under the decree, school year 1997-98 is the first year that the district's compliance is to be measured. Prior to that year, we closely monitored the district's efforts to initiate compliance. Complications arose from the district's transition to a decentralized model of school funding, which could exacerbate unequal resource distribution, and with implementation of California's class-size reduction program for primary grades. Due to differences in space constraints and in teacher recruitment, district schools' ability to take full advantage of the state's incentive program varies widely.

In 1996, the district proposed numerous modifications to the decree. After studying and evaluating the proposals, we indicated that we could not agree to most of them, some of which would render the decree's equalization imperative nearly unenforceable. Data showed continued dramatic differences between schools despite LAUSD allocating $5 million to low-spending schools in 1996-97 based on prior year expenditures.

In the spring of 1997, LAUSD informed plaintiffs that it had negotiated the settlement of a teachers' union grievance regarding class size in such a manner as to direct $15 million per year to multi-track year-round elementary schools and to secondary schools with high drop-out rates. The intent and effect of the grievance settlement was to direct substantial additional resources to those schools that have typically shown below average per-pupil expenditures. This step brought the district much, much closer to compliance with the decree. The district also allocated, after prodding from plaintiffs, an additional $10.9 million to schools whose budgets showed they
would have below-average expenditures in 1997-98.

We continue to discuss significant compliance issues with the district regularly, including actual per-pupil expenditures, facilities, teacher hiring and assignment, and the small school administrative subsidy. Construction of new schools has become an increasing concern as class size reduction and increased enrollment have severely affected overcrowding and diminished students’ educational experience in inner city areas. Our growing concern about the lack of school construction has led to a focus on that issue. We have attempted to reach agreement with new school district leadership to little avail. **We commenced formal discovery related to the district’s non-compliance with key decree provisions related to construction; this has led to further discussion of the issue directed toward obtaining information on the success or failure of efforts by interim and new superintendents to improve the district’s new school construction staff.**

San Fernando Valley Neighborhood Legal Services  Hector O. Villagra  MALDEF Los Angeles Office
Center for Law in the Public Interest  Thomas A. Saenz  MALDEF National Office
Multicultural Education, Training & Advocacy
Legal Aid Foundation of Los Angeles
Co-counsel

CH/2022  Noyola v. Chicago Bd. of Educ., No. 97 CH 16221 (Ill. Cir. Ct.).

This state-court class action, on behalf of Chicago’s poor children, who are largely African American and Latino, challenges the misuse of state Chapter I education funds by the Chicago public school system. In our complaint filed on November 23, 1988, we allege that in 1988, $42 million was being spent on central office administration, that another $166 million was being provided to all schools rather than targeting schools attended by economically disadvantaged students, and that $2 billion in Chapter I funds had been illegally misspent in the past ten years to remedy the School Board’s general financial crisis.

In April 1990, the Board’s attorneys filed a motion to dismiss, claiming that plaintiffs lacked standing to enforce the state’s Chapter I funding statute. The state defendants joined in this motion. On May 17, 1990, the court granted defendants’ motions to dismiss, holding that plaintiffs lack standing to sue. The court held that the Chicago Board and the State Board of Education had discretion to determine how state Chapter I funds were to be used. We appealed the decision. On March 19, 1992, the Illinois appellate court reversed the trial court’s dismissal of our case and held that an erroneous legal standard had been applied to determine whether plaintiffs have standing. The defendants filed a notice of intent to appeal to the Illinois Supreme Court. On October 8, 1992, the Supreme Court rejected the Chicago Board’s appeal and remanded the case to the lower court. See 542 N.E. 2d 165 (1992).
On remand, we were allowed to amend our complaint and add the School Finance Authority (SFA) as an additional defendant, in light of its responsibility to monitor and enforce the Chicago Board's use of education funds. Both the Chicago Board and the State Board renewed their motions to dismiss. The SFA, on the other hand, opted to explore settlement. On October 7, 1993, after extensive briefing and oral argument, the court once again dismissed our complaint and held that plaintiffs had failed to state a private cause of action under the statute because defendants have absolute discretion over the use of Chapter I funds. We appealed, and on September 30, 1996, the Illinois Appellate Court upheld our position that an implied private right of action exists under the state Chapter I funding statute.

On November 4, 1996, both the Chicago Board and the State Board filed petitions for leave to appeal to the Illinois Supreme Court. The defendants' petitions were granted. On October 23, 1997, the Illinois Supreme Court affirmed the appellate court's decision and held that plaintiffs' complaint was both legally and factually sufficient to withstand defendants' motions to dismiss. However, unlike the appellate court, which found that plaintiffs' complaint stated an implied right of action under the Illinois School Code, the Supreme Court held that plaintiffs could proceed by means of a mandamus action to compel the defendants to comply with the statute and dismissed plaintiffs' claims under their implied right of action theory.

On April 30, 1998, we filed a third amended complaint. Defendants filed a motion to dismiss the third amended complaint on June 16, 1998. On September 1, 1998, the court denied the defendants' motion to dismiss as to the writ of mandamus claim, and dismissed all other claims. Defendants filed an answer to the third amended complaint on October 2, 1998. Subsequently, Defendants approached MALDEF about the possibility of settlement.

On July 14, 2000, all of the parties involved met and reached a tentative agreement. Slight modifications were made to the agreement after consulting with our clients and in January 2001, all parties agreed to the terms. Defendant Illinois State Board of Education (ISBE), has agreed to participate in providing training regarding the appropriate use of Supplemental State Aid. ISBE will also develop a centralized system for filing complaints regarding expenditures of supplemental general state aid for low income students; acknowledge receipt of the complaint; report resolution of the complaint; and train state personnel on complaint resolution.

Defendant Chicago Board of Education (CBOE) has agreed to conduct on a yearly basis two four-hour training sessions for Local School Council (LSC) members and to make Noyola training a component of those LSC member trainings. Plaintiff PURE will be allowed to participate in these trainings the first year. The CBOE has also agreed to provide each Chicago Public School, on a yearly basis, a compilation of all supplemental programs funded by the Central Office and available to any school; and provide each Chicago Public School that is entitled to receive Supplemental General State Aid for low income students a report by February 1 of each school year that details by object and program codes the individual school's expenditure of funds.
The final settlement agreement was approved by the court on March 27, 2001.

Michael Radzilowski
Co-counsel

Patricia Mendoza
Marta Delgado
MALDEF Chicago Office


On March 19, 1997, one individual and four organizations represented by MALDEF and co-counsel filed an administrative complaint with the U.S. Department of Education's Office for Civil Rights (OCR) charging the University of California (UC) with discriminating against women and minorities in its graduate and professional admissions. The complaint alleges that UC implementation of Regents' resolution SP-1, eliminating affirmative action in admissions, has resulted in an admissions system that has a discriminatory effect on women and minorities. The complaint does not allege that the elimination of affirmative action, in and of itself, violates Titles VI and IX. Rather, it is the elimination of admission criteria that have compensated, at least partially, for the disparate impact of other criteria on minorities and women that runs afoul of federal anti-discrimination law. Absent consideration of applicants' experiences in overcoming discrimination, admissions decisions will rest on such criteria as standardized test scores, which have a well-established disparate impact; grade point averages that are adjusted upward for predominantly white colleges and downward for heavily minority colleges; and consideration of parental affiliations with the University. Projections show that minority enrollment will drop significantly as a result of these admissions practices.

Consistent with projections, minority admissions dropped dramatically in several UC graduate and professional programs. For example, 1997 admissions data from the UC law schools showed severe declines in minority admissions, as well as serious disparities in admission rates of Latino and African American applicants as compared to white applicants. We urged OCR to investigate admissions practices at these schools, and, on July 11, 1997, OCR formally informed us that they would begin an investigation of minority admissions at Boalt (Berkeley), UCLA, and UC Davis Law School. Though the investigation continues, Boalt has made several changes to its admissions policies, including eliminating the practice of adjusting grade point averages based on undergraduate school attended. In August 1997, we asked OCR to begin investigations of medical school admissions at UC San Diego and UC Irvine, where data also showed severe discriminatory effects. Although OCR agreed to review the data, we were later advised that additional investigations would not be possible given resource constraints. Therefore, on July 20, 1998, we withdrew the claim with respect to all but the law schools.
In December 2000, we sought a meeting with OCR staff regarding the investigation of the law schools. At the meeting, we were informed that their investigation did find disparate impacts from certain admissions criteria that did not appear to be justified educationally. However, the Clinton Administration did not believe that these findings were significant enough to find a violation. Facing the prospect of a new administration likely to be even less amenable to aggressive application of regulations prohibiting disparate impact, we withdrew the charge on January 5, 2001. We expect to be able to access the investigations' findings and research, which should prove useful in challenging the disparate impact through other means.

California Women's Law Center
NAACP Legal Defense and Educational Fund
Equal Rights Advocates
Asian Pacific American Legal Center
La Raza Centro Legal
Co-counsel

Maria Blanco
MALDEF San Francisco Office
Thomas A. Saenz
MALDEF National Office

LA/2032 Jesus Doe v. Regents of the Univ. of Cal., No. 965090 (San Francisco County Superior Ct.).

This lawsuit was filed on behalf of a class of undocumented college students and applicants who would be denied enrollment and admission to public universities under Proposition 187. The complaint challenges sections eight and nine of the initiative and raises constitutional and statutory claims under both federal and state law, including FERPA (Family Educational Rights and Privacy Act), Contracts Clause, 42 U.S.C. § 1981, privacy rights, and due process. Defendants are California's three public post-secondary educational institutions—the University of California, California State University, and the California Community Colleges—their governing bodies and presidents, and the Attorney General.

On March 15, 1995, Judge Stuart R. Pollak signed a preliminary injunction barring the implementation of sections eight and nine of the initiative pending trial. The three colleges are enjoined from using any provision of sections eight or nine of the initiative as the basis for expelling, or denying admission to, undocumented college students and applicants. The colleges are required to give notice of the injunction to all campuses, particularly employees in admissions and registration functions.

In late 1996, we completed all discovery, including depositions of the state's few declarants. Both sides then submitted to the court the evidence on which they rely. The parties briefed all of the legal and factual issues raised in the case in the spring of 1997. The Court heard oral argument on August 29, 1997, and the case was formally submitted for decision shortly after. In reaction to the federal court's November 1997 order indicating that it would strike all of sections eight and nine in the federal-court challenge to Proposition 187, the Court
asked the parties to brief why this case should not be dismissed as moot. Plaintiffs explained that the preliminary injunction must remain in place until a formal permanent injunction issues in the federal-court litigation, and that a stay would be preferable to dismissal, in case the federal-court decision is reversed on appeal. At a status conference in February 1998, the Court agreed to postpone taking any action until a formal federal-court judgment is issued, and to consider a formal stay of this case at that time. At a status conference in April 1998, the court agreed to stay the case formally pending appeal of the federal cases.

With the full settlement of the federal challenge to Proposition 187 (see description of Gregorio T. v. Wilson, case 4026), this case became moot. We have deferred dismissal until we can attempt to resolve, through settlement or motion, plaintiffs' right to attorney fees and costs. We have engaged attorney fees expert Richard Pearl, who has submitted a demand letter for fees and is in the process of seeking to negotiate the matter or to file an application for fees with the court.

Multicultural Education Training & Advocacy
Lawyers Committee for Civil Rights
Traber, Voorhees & Olguin
Co-counsel

Thomas A. Saenz
MALDEF National Office


This suit challenges as discriminatory planned efforts to mitigate the environmental impact of the completion of the Pasadena (710) freeway. Extensive measures to minimize the disruption of the freeway's presence are planned in the middle class, predominantly white areas of South Pasadena and Pasadena, while far fewer and less complete measures are to be implemented in the predominantly Latino working class community of El Sereno. Our co-counsel initially filed the action on behalf of El Sereno residents and homeowners, challenging the failures to protect against serious impacts on housing and community.

We joined the litigation in December 1995, on behalf of children attending Sierra Vista Elementary School and their parents. The school lies close to where the completed freeway would cut through El Sereno. We have challenged the failure to provide protection from air pollution, noise pollution, increased traffic, and possible school closure. Our complaint alleges that the failure to provide mitigation measures similar to those planned for schools in South Pasadena and Pasadena deprives the students at Sierra Vista of equal access to a quality educational experience.

Defendants filed a motion to dismiss the complaint and opposed class certification. In March 1996, the Court denied the motion to dismiss and certified the class. While continuing to engage in discovery, the parties engaged in preliminary settlement discussions. In mid-1997, we
reached a tentative agreement in principle on a settlement that would have established a process of consultation regarding mitigation measures. Before settlement was finalized, the case was transferred to a new judge because the originally-assigned judge retired; as a result, trial dates were vacated, removing some of the pressure on defendants to reach final settlement. The defendants then indicated that new engineering studies had led them to conclude that certain mitigation measures previously ruled out were in fact feasible, so we commenced discussions about new settlement possibilities. In the meantime, the federal government indicated that it was about to issue its Record of Decision (ROD), permitting the freeway to be constructed. We lobbied aggressively with the Department of Transportation to make the ROD conditional; the Department released the ROD in late 1997, and attached mitigation conditions to address our clients' concerns.

As a result of the ROD, defendants have agreed to many of the mitigation measures sought by plaintiffs. Others were tabled pending resolution through the Design Advisory Committee, of which our clients are members. In a separate lawsuit, the City of South Pasadena has obtained an injunction against completion of the freeway. We are monitoring developments in that case, and will seek to be included in any settlement negotiations.

This case is stayed during the pendency of the South Pasadena suit.

NAACP Legal Defense and Educational Fund Hector O. Villagra
Natural Resources Defense Council MALDEF Los Angeles Office
Environmental Defense
Morrison & Foerster
Greins, Martin, Stein & Richard, LLP
Co-counsel


On October 14, 1997, two white students who were denied admission to the University of Michigan at Ann Arbor filed a lawsuit against the University. Both students are Michigan residents who allege that they were discriminated against on the basis of their race because they had GPA and SAT scores that were higher than those of most minority students who were accepted by the University's College of Liberal Sciences and Arts. Specifically, the plaintiffs contend that the University employed race as one of the predominant factors, rather than as a "plus factor," in determining admission to the College. Plaintiffs also allege that the University lacked any compelling interest and was not motivated either by an interest in furthering educational diversity or an interest in remedying the effects of past discrimination. In the alternative, the plaintiffs allege that even if the University had a compelling interest for considering race, the University failed to employ race neutral alternatives to achieve that interest.

Through this legal challenge to the University's admissions program, the plaintiffs seek to
eliminate the consideration of race as a factor in determining admission to the College.

On February 5, 1998, in conjunction with local Detroit counsel and other national civil rights organizations, we filed intervention papers in defense of the University's admissions program and on behalf of Latino and African American high school students who seek or will seek admission to the University's College of Liberal Science and Arts and who are likely to be denied admission if plaintiffs were to prevail. The plaintiffs opposed our motion to intervene; the University did not.

On July 7, 1998, the district court denied our motion to intervene based on the court's conclusion that the proposed intervenors lacked a "significant protectable interest" in the litigation. Furthermore, the court held that the University of Michigan would adequately represent the interests of Latino and African American students by defending its admissions program. The court invited the proposed intervenors to participate as amici curiae. The district court denied our motion for reconsideration on October 1998. In November 1998, we appealed to the Sixth Circuit Court of Appeals. On June 8, 1999, the Sixth Circuit of Appeals heard oral argument and on August 10, 1999 issued a ruling reversing the district Court's decision and allowing us to intervene. The Sixth Circuit held that the proposed intervenors have a "direct and substantial" interest in the outcome of the lawsuit.

On February 1, 2000, we filed a motion to extend discovery and amend the case management scheduling order. Specifically, we requested a 90-day extension of all deadlines previously listed in the scheduling order. The motion was granted and trial was set for September/October 2000. A subsequent illness of one of defendant's counsel caused that trial date to be postponed.

Meanwhile, summary judgment arguments were heard by the court on November 16, 2000. All three parties--plaintiffs, defendants and intervenors--were heard at oral argument. During argument, the court stated that he did not see a need for this case to go to trial and indicated that it would resolve this matter via summary judgment.

On December 13, 2000, the court issued an opinion that gave plaintiffs and defendants partial victories, but did not address the remedial issues presented by the Intervenors. In its opinion, the court granted plaintiffs' motion for summary judgment with respect to the university's admissions programs in existence from 1995-1998, and the admissions programs for such years were declared unconstitutional. However, the court granted defendant's motion for summary judgment with respect to the admissions programs for 1999 and 2000. The court found that diversity was a compelling interest. Plaintiffs and defendants have each filed petitions for leave to appeal.

The court's December 13, 2000 opinion was limited to issues relating to the "diversity" rationale proposed by the defendants. It did not, in that opinion, address intervenors' arguments that a race-conscious admissions program is constitutional under a
remedial theory.

Subsequently, on February 27, 2001 the court issued an order granting plaintiffs' motion for summary judgment with respect to defendant-intervenors' claim that the University was justified in using race as a factor in admissions to remedy the present effects of past discrimination and dismissing defendant-intervenors' claims that the University was justified in using race as a factor in admissions to remedy the present effects of past discrimination. This order came about despite the fact that plaintiffs did not make a motion for summary judgement with respect to defendant intervenors' claim. Defendant-intervenors will appeal this ruling.

ACLU National & Michigan Office
Godfrey Dillard Evans & Luptak, P.L.C.
Citizens for Affirmative Actions' Preservation
NAACP Legal Defense and Educational Fund
Sachs, Waldman, O'Hare, Helveston, Bogas & McIntosh, P.C.
Co-counsel

Patricia Mendoza
Marta Delgado
MALDEF Chicago Office


This class-action lawsuit, originally filed under the name of Valeria G. v. Wilson, presents a facial challenge to the legality of Proposition 227, the English-only education initiative that California voters enacted in June 1998. The complaint alleges that the initiative, which replaces the multiple English language acquisition programs that California school districts previously used with a single mandated one-year program of “sheltered English immersion,” violates several federal constitutional and statutory provisions. In the lawsuit, filed on June 3, 1998, the day after the election on Proposition 227, we argue that the initiative’s mandated program violates the federal Equal Educational Opportunities Act of 1974 (EEOA) by preventing or impeding districts from providing “appropriate action” to serve the educational needs of limited-English-proficient (LEP) students. The law’s single mandatory program does not rest on sound educational theory, and the program fails to permit adequate time for students to acquire academic English proficiency before transition to mainstream classes. The initiative, by focusing all instruction on language acquisition in a program virtually entirely in English, also fails to provide LEP students equal access to the full academic curriculum.

We also allege that Proposition 227 violates federal regulations implementing Title VI of the Civil Rights Act of 1964 by providing an unequal education, particularly in access to curricula other than language, to LEP students, who are overwhelmingly minority students. The initiative also violates the Supremacy Clause by forbidding federally-favored district development of effective bilingual education programs and prohibiting adjustment of the
mandated program to meet individual student needs. Finally, we also argue that the initiative, which can only be changed by a future voter enactment, violates the Equal Protection Clause by raising a high procedural barrier to policy change in an area – LEP instruction – of particular concern to minorities.

After we filed, Ron Unz and other sponsors of the initiative intervened to join state officials in defending the law. We moved for a preliminary injunction against implementation of the initiative, which was set to begin on August 1, and the court heard argument on July 15. The court denied the requested injunction, concluding that the lawsuit was premature and that plaintiffs had failed to show likely irreparable harm or likely success on the merits of our claims. See Valeria G. v. Wilson, 12 F. Supp. 2d 1007 (N.D. Cal. 1998). We immediately filed an appeal with the Ninth Circuit Court of Appeals; we dismissed the appeal when the appellate court denied a requested stay of implementation of Proposition 227.

While we attempted to work out a schedule for resolution of the case at trial, Unz and his co-intervenors unexpectedly moved to dismiss the action. We opposed the motion, and we also filed our own motion for summary judgment on our preemption/supremacy claim and our Equal Protection claim. After an extended briefing schedule, the court heard argument on both motions on January 15, 1999. On March 31, 1999, the district court denied both motions.

The parties agreed to bifurcate the proceedings, with resolution of the equal protection claim proceeding ahead of the other claims. The parties also agreed on a paper trial process for all claims. Discovery on the equal protection claim was completed, and plaintiffs filed their opening evidence. Meanwhile, the parties commenced the first phase of discovery on the remaining claims. In the meantime, we sent a letter to the Attorney General, presenting a formal settlement offer as to all claims except equal protection. Settlement was rejected.

After due consideration of the likely outcomes and the potential effect on the prospects of future as-applied challenges, we decided to drop all claims other than equal protection. In May 2000, the parties stipulated to the filing of a Second Amended Complaint, which was limited to that single claim.

The parties filed their opening and reply trial briefs on the equal protection claim, and the court held a hearing on November 20, 2000. At the hearing, the court indicated its intention to rule for defendants on the same basis that it denied the preliminary injunction. The court issued its order and judgment against us on December 15, 2000. We filed an appeal on January 12, 2001. Our opening brief is due on April 30, 2001.

Multicultural Education, Training and Advocacy, Inc.
ACLU Foundation of Northern California
Public Advocates, Inc.

Thomas A. Saenz
MALDEF National Office
Hector O. Villagra
SF/2047  California Dep't of Educ. v. San Francisco Unified Sch. Dist., No. 994049 (San Francisco County Superior Ct.).

This case was originally an enforcement action by the California Department of Education against San Francisco Unified School District (SFUSD) for the district's refusal to administer the STAR exam in English to its LEP students, but now consists of several cross-claims by four school districts and LEP students attending SFUSD against the state.

The Legislature enacted and Governor Wilson signed into law the Standardized Testing and Reporting program in October 1997. The State Board directed school districts to administer the SAT9 to all students grades 2 through 11, including limited English Proficient ("LEP") students. On March 16, 1998, the San Francisco Unified School District Board of Education passed a resolution not to administer the SAT9 to LEP students who have been enrolled in school less than 30 months. The California Department of Education filed suit, seeking to compel SFUSD to administer the SAT9 to such students through a petition for writ of mandate. In April, 1998, the San Francisco County Superior Court denied the petition.

In June, Oakland and Berkeley Unified School Districts intervened in the suit and sought a preliminary injunction enjoining the state from requiring the school districts to use the test scores from the Spring 1998 administration of the test. The court granted the injunction. SFUSD, Oakland, and Berkeley schools, and MALDEF are now cross-claiming against the state to block the use of SAT9 on LEP students.

After completing expert discovery and on the eve of trial, all of the parties settled. The settlement removes the gag on teachers that had prohibited them from advising the parents of English learners of their right to waive out of the test, and includes guidelines cautioning schools and teachers about the use of test results for non-English speakers for placement decisions and evaluations. Statewide notice of the terms of the settlement will appear next month in English language, Spanish language, and Asian Language newspapers.

Law Offices of Ruiz & Sperow
Law Offices of Cooley, Godward, LLP
Co-counsel

Aisha Qaasim
MALDEF San Francisco Office

Hector Villagra
MALDEF Los Angeles Office
As predicted, the passage of California's anti-affirmative action initiative, Proposition 209, has resulted in a dramatic drop in the number of Latino students enrolled in the University of California. Without the affirmative action policies that served to counteract the effects of standardized tests, tracking, and underfunded public schools, Latino access to UC has been set back decades. At the University of California at Berkeley, Latino enrollment in Fall 1998 was approximately 50% less than the previous year. Over 700 Latino, African American, and Filipino American students with 4.0 GPAs were rejected by Berkeley.

After Proposition 209, UC Berkeley carefully considered and adopted new admissions criteria. Among Berkeley's goals in devising the new criteria, was guaranteeing and expanding its stature as a preeminent and elite educational institution. To this end, it uncapped the GPA so as to favor students with high school honors and advanced placement courses, despite the fact that Latino and African American students disproportionately attend schools that offer few, if any honors and AP courses. In addition, the new policy places a heavy emphasis on academic achievement as measured by college entrance exams.

We filed a complaint in federal court in February 1999, alleging violation of Title VI of the 1964 Civil Rights Act and the 14th Amendment.

Plaintiffs moved to certify the classes in October of 1999. After completing extended written discovery the parties agreed to mediation, which failed. Plaintiffs will file their motion for class certification in May. Concurrently, and in large part because of the litigation, Berkeley and the UC Regents are looking at significant changes in their admissions criteria, including the elimination of the SAT, that could resolve plaintiffs' lawsuit.

NAACP Legal Defense and Educational Fund
Maria Blanco
Asian Pacific American Legal Center
Aisha Qasim
Lawyers' Committee for Civil Rights
MALDEF San Francisco Office
ACLU Northern California
Co-counsel

MALDEF represents a group of Albuquerque, New Mexico parents and Latino and immigrants' rights organizations intervening in an anti-bilingual education lawsuit brought by a group of parents challenging the constitutionality and legality of the New Mexico Bilingual
Multicultural Education Act and the Albuquerque Public School District bilingual programs. In July 1998, the District Court granted MALDEF's motion to intervene as defendant-intervenors and cross-claimants. In representing the intervenors, MALDEF is defending the constitutionality and legality of the New Mexico Bilingual Multicultural Education Act and those aspects of the Albuquerque Public School District bilingual programs carried out in accordance with federal and state law. Additionally, through cross claims, MALDEF is seeking improvements in the bilingual education program at Albuquerque Public Schools District (APS).

Extensive discovery was conducted from September 1998 through January 1999. MALDEF filed a motion for summary judgment against the plaintiffs in February 1999. In a detailed and scholarly opinion, the District Court entered summary judgment for MALDEF and against plaintiffs on their claims against the New Mexico Bilingual Multicultural Education Act, breach of contract, and most of plaintiffs' individual claims. The Court then considered plaintiffs' remaining claims on a lengthy record of stipulated facts. In the interim, defendant school district and MALDEF and META agreed to an extensive settlement agreement improving the implementation of the bilingual education program.

Finally, in January 2000, the District Court dismissed all of plaintiffs' claims. MALDEF, META and the school district settled the attorneys' fees issues. This case was a complete victory for our clients.

We are monitoring the district's compliance with the decree and the remaining litigation issue of retaliation between the district and the original plaintiffs. We expect an appeal of the underlying issues in the case to be commenced when the retaliation case is completed.

Multicultural Education Training and Advocacy Co-counsel

Al Kauffman
MALDEF San Antonio Office


Despite having submitted an amicus brief in the statewide facial challenge to Proposition 227 (see case 2045 above) arguing that it had insufficient time to develop and implement a successful program that complies with the initiative, the Los Angeles Unified School District (LAUSD) chose to implement its new program earlier than Proposition 227 requires. After sending a letter unsuccessfully urging the district to choose a later implementation date, we filed this as-applied challenge on July 30, 1998, and sought a temporary restraining order to bar LAUSD from implementing Proposition 227 on August 3, 1998 at many of its campuses. We argued that, by its own admission, LAUSD had not developed its full curriculum, obtained classroom materials, or trained its teachers to implement successfully the new "immersion" program for English learners. The suit alleges that inadequate planning, preparation, and training
will deny limited English-proficient students the "appropriate action" guaranteed by the federal Equal Educational Opportunities Act of 1974 (EEOA).

On July 31, 1998, the court denied our TRO application, placing great faith in district teachers' ability to adapt to the radical changes Proposition 227 mandates, and giving credence to the district's new assertions that it was further along than it anticipated it could be when it filed its amicus brief in the facial challenge to the initiative. We discussed the possibility of settlement, but the district expressed no interest. The court set very advanced dates for discovery and trial (scheduled for January 2000), in order to permit the parties to evaluate a full year of implementation of Proposition 227. On April 23, 1999, the district court granted plaintiffs' motion for class certification. See 48 F. Supp. 2d 1233 (C.D. Cal. 1999).

The district expressed greater interest in settlement. At the parties' urging, the district court appointed Senior Judge Mariana Pfaelzer to oversee settlement negotiations. The parties met on numerous occasions to discuss settlement. We submitted a lengthy proposed draft agreement in October 1999. The district responded with its own proposed agreement in February 2000. All trial dates have been stayed in light of our progress on settlement.

We negotiated with LAUSD counsel about specific language for a settlement agreement; a handful of issues remained for which the parties determined they would need the further assistance of the settlement judge. We then experienced a delay in settlement negotiations due to the unavailability of Judge Pfaelzer. Due to this unavailability, Judge Margaret Morrow was appointed at the parties' request to serve as settlement judge. After two meetings with Morrow and attempts to resolve remaining issues, the LAUSD board rejected the settlement agreement in January 2001 and indicated that they did not believe that further negotiations would be helpful. Nonetheless, the district asked that the case remain stayed for six months so that it could prepare new materials for our review. The district believes that these materials will convince plaintiffs to dismiss the case. The courts agreed to leave the stay in place until September 2001. The court also set a trial date in June 2002.

ACLU Foundation of Southern California
Co-counsel

Thomas A. Saenz
MALDEF National Office

Hector O. Villagra
MALDEF Los Angeles Office


MALDEF, in conjunction with the ACLU and the Lawyer's Committee for Civil Rights, filed an amicus brief with the Illinois Supreme Court in July 1998, in support of an interlocutory
appeal filed by minority plaintiffs seeking to defend a school district's right to levy taxes to pay for injunctive remedial relief in a school desegregation case filed on behalf of African American and Hispanic students. See People Who Care v. Rockford Bd. of Educ. Sch. Dist. No. 205, 851 F. Supp. 905 (N.D. Ill. 1994) (hereinafter "PWC"). Throughout the litigation of the PWC school desegregation case, taxpaying residents of Rockford filed a series of tax protest suits challenging the Rockford School District's authority to levy taxes under the Tort Immunity Act to implement the provisions of a 1991 interim school desegregation consent decree and of the 1994 comprehensive desegregation plan. These tax levies provide the school district with the primary source of funding to implement the district court's remedial orders designed to eliminate the present and past effects of widespread discrimination by school district officials.

The tax objectors argued that the Tort Immunity Act could not be used to levy taxes to fund court-ordered desegregation remedies because the cost of complying with the district court's orders, which called for prospective injunctive relief, did not constitute the payment of "compensatory damages" for which public entities are authorized to levy taxes under the Act.

After the federal district court construed the Act and approved the District's use of the tax levy to pay for the costs of injunctive relief, the Seventh Circuit eventually remanded the tax objector's state tax claims to the state courts.

On remand, a state court judge appointed by the Illinois Supreme Court resolved the statutory construction issue in favor of the complaining taxpayers. The decision was appealed. MALDEF filed an amici brief with other civil rights organizations in support of the position that the Illinois Tort Immunity Act authorizes local public officials to levy taxes to pay for compensatory damages, which include the costs of complying with injunctive relief, in constitutional tort litigation.

The Appellate Court rejected the position that the "compensatory damages" under the Act should be construed to include both monetary, injunctive, and equitable relief.

The specific issue that governmental units should be permitted to levy taxes to implement the remedial desegregation plan was appealed to the Illinois Supreme Court. The court issued its opinion on October 26, 2000, affirming the judgment of the Appellate Court.

Mayer, Brown & Platt
Lawyer's Committee for Civil Rights Under Law
American Civil Liberties Union
Futterman & Howard
Soule & Bradtke
Co-counsel

Patricia Mendoza
MALDEF Chicago Office
On June 27, 2000 we filed this lawsuit seeking an injunction requiring the State of Michigan to discontinue use of the Michigan Educational Assessment Program (MEAP) High School Test as the sole academic criterion for awarding Michigan Merit Award Scholarships. The Michigan Merit Award Scholarship Program, created by the Legislature in 1999 with funds from the state’s share of the multi-state tobacco settlement, awards scholarships to graduating seniors on the basis of the students obtaining minimum scores on the MEAP test. Yet the test has never been validated as a means of assessing individual student achievement. The lawsuit charges that the present method of selecting recipients for these scholarships discriminates against high school students on the basis of race, ethnicity, and educational disadvantage. The defendants filed a motion to dismiss the lawsuit as well as a brief in opposition to our motion for a preliminary injunction. On October 3, 2000, we filed our response to defendant’s motion to dismiss. The court has not yet ruled on any of these issues. We will be contacting the court shortly to ask for a status conference and to request that a revised discovery schedule be set.

Pitt, Dowty, McGehee & Miler
ACLU Michigan
Trial Lawyers for Public Justice
NAACP, MI State Conference
Co-Counsel

Patricia Mendoza
MALDEF Chicago Office

LA/2061 Godinez v. Davis, No. BC227352 (Los Angeles County Superior Ct.).

We filed this action on March 29, 2000, challenging the state’s allocation of new school construction funds under Proposition 1A, a state bond enacted by voters in November 1998. The voters were told that the new school construction portion of Proposition 1A funds would be used to relieve overcrowding and accommodate student enrollment growth. The legislation that accompanied the bond measure when it was passed provides a need-based priority system to identify the districts experiencing the most severe overcrowding. Our plaintiffs reside in the Los Angeles Unified School District, where the need for new schools is the greatest. Overcrowding has forced over 45 percent of the District’s students onto educationally inferior multi-track, year-round schedules and has required the daily busing of over 15,000 students because their neighborhood schools have no space for them. The District is eligible for a significant share of Proposition 1A’s new school construction funds, and under the bond legislation’s need-based priority system, LAUSD’s needs would have a high priority.

However, the state refused to distribute funds based on the need-based priority system set forth in the statute. It replaced the statutory priority system with a “first-come,
first-served” system that prejudices students in overcrowded school districts in heavily congested urban areas like LAUSD. Such urban districts face time-consuming obstacles like occupied land or contaminated sites requiring clean-up that prevent them from getting applications in as quickly as suburban or rural areas. LAUSD has 12 percent of the schoolchildren in the state and 33 percent of all students in schools on educationally inferior multi-track, year-round schedules. Yet, under the system defendants were operating, LAUSD stood to receive less than 1 percent of the new school construction money the bond provides.

We challenged the state’s distribution of funds on constitutional grounds as violating the state obligation to provide fundamentally equivalent education across the state, and on statutory grounds as violating the needs-driven legislation implementing the bond. In August 2000, after several hearings on our motion for a preliminary injunction, the court ordered the state to revise its system for distributing funds, finding that the state was under a statutory obligation to distribute funds on a needs basis, and not simply on a first-come, first-served system as it had been.

We then entered negotiations with the state and agreed on a settlement. Under the settlement, the state has implemented a program under which, after deducting $450 million for a final allotment, seven equal allotments of funds shall be made on a quarterly basis between now and the second quarter of 2002. All apportionments, including the reserved $450 million, shall be made on a priority point basis. To be eligible for the final allotment, districts must have legally valid applications accepted for processing by June 26, 2002. (This program is a modified version of a proposal we made to slow down the pace of allocations to ensure that funds would be available at a time when LAUSD could be expected to submit its applications.)

We have stipulated to a stay pending completion of the settlement. We shall dismiss the case on November 1, 2002, if Proposition 1A funds have been apportioned in a manner substantially in compliance with the program as amended.

English, Munger & Rice
Gretchen Nelson
Asian Pacific American Legal Center
Co-Counsel

Hector O. Villagra
MALDEF Los Angeles Office

Thomas A. Saenz
MALDEF National Office

LA/2062 Williams v. State of California, No. 312236 (San Francisco County Superior Ct.).

This action challenges substandard learning conditions in schools throughout the
state, schools overwhelmingly populated by low-income and minority schoolchildren. The suit raises state constitutional and statutory claims, as well as a federal claim under Title VI, and seeks to ensure that all schools meet basic minimal educational standards. The suit contends that state officials charged with responsibility for education have failed to develop or implement appropriate procedures to identify and correct the substandard conditions at the schools the members of the plaintiff class attend. Although the suit challenges a variety of deprivations of equal educational opportunities, including the unequal distribution of textbooks and trained teachers, we represent only the subclass of children who attend schools that have resorted to multi-track calendars or busing to address severe overcrowding. These techniques allow school districts to deal with growing enrollments without building additional schools. However, multi-tracking results in children receiving far fewer days of school, and busing costs children hours a day and impedes parental participation.

The state filed a demurrer, which the court denied. The state then filed a cross-complaint against each of the school districts with schools attended by named plaintiffs, contending that the districts and not the state bear responsibility for the poor conditions. Plaintiffs are currently preparing to move for class certification, including certification of the subclass that MALDEF represents. Both sides have begun extensive discovery.

ACLU Foundation of Southern California  Hector O. Villagra
ACLU Foundation of Northern California  MALDEF Los Angeles Office
Public Advocates  Thomas A. Saenz
Center for Law in the Public Interest  MALDEF National Office
Lawyers' Committee for Civil Rights
Morrison & Foerster  Co-counsel

LA/2064  Belmont G.R.E.E.N. v. Los Angeles Unified Sch. Dist., No. BC233627 (Los Angeles County Superior Ct.).

This action, filed on July 19, 2000, challenges, under the California Environmental Quality Act (CEQA), the decision by the Board of the Los Angeles Unified School District (LAUSD) not to complete construction of the Belmont Learning Complex. CEQA requires that public bodies like the Board consider the environmental consequences of a project before making a decision to approve it. Here, the Board's decision to abandon the half-completed school has obvious environmental consequences that the Board did not assess before making its decision, as required by CEQA. The Board decided to abandon the project, purportedly because it constituted a health and safety risk, but did not study adequately whether any risk was substantial or could be successfully remediated. Moreover, the district failed to study the potential environmental impact of leaving the site
unremediated. Likewise, the district did not study the potential environmental impact of increasing overcrowding and busing, as well as of building many additional schools in the area to replace the Belmont Learning Complex. The lawsuit seeks to rescind the Board's decision and require compliance with CEQA before the Board makes a decision with respect to the Belmont Learning Complex.

We made a settlement proposal that was rejected by LAUSD. We are in the process of preparing the administrative record in order to proceed to hearing. A status conference is scheduled for March 22, 2001.

Jennifer Hernandez  Hector Villagra
Beveridge & Diamond  MALDEF Los Angeles Office
Co-counsel

LA/2065  **Sotomayor v. Burns**, No. CA-00-0305-SA (Ariz. S. Ct.).

This suit was filed with the Arizona Supreme Court on August 14, 2000. It demands that the analysis of Proposition 203--to be published in a publicity pamphlet and distributed to voters throughout the state before the November election--be revised because it illegally fails to provide an impartial analysis of the initiative. Proposition 203, the Arizona version of the Unz initiative, requires that all children not fluent in English be placed in English immersion programs for a period not normally longer than one year. After briefing and argument, the Court agreed that the analysis contained one false and misleading statement that did not fairly describe the initiative, and ordered that that statement--relating to the provisions of current Arizona law on bilingual instruction--be revised or deleted. However, the Court ruled that it was too late to have two other statements in the analysis revised.

Richard M. Martinez  Hector O. Villagra
Co-counsel  MALDEF Los Angeles Office

Vibiana Andrade
MALDEF National Office
TITLE III: POLITICAL ACCESS

SA/3014 Valero v. City of Kerrville, No. 96-CA-0413 (U.S. Dist. Ct., W.D. Tex.).

MALDEF represents the lead plaintiff in this Section 2 challenge to the at-large, numbered post system used to elect members of the City Council of Kerrville, Texas. Kerrville, which has a combined Latino and African American population of 26 percent, has not elected a minority candidate to the five-member City Council in the past twenty years. In a summary judgment motion, the city argued that any majority-minority district proposed by plaintiffs must contain a majority-minority citizen voting age population, may not combine Latinos and African Americans, and may not use race as a predominant criteria. In August, 1997, MALDEF responded and showed that a majority-minority citizen voting age population district can be drawn, with or without combining Latinos and African Americans. The court denied defendants' motion for summary judgment in December 1997.

The parties continued preparing for trial, and filed their joint stipulation of facts. On December 4, 1998, the district court abated the case until the 2000 Census data is released. A trial is expected in 2001.

In early 2001, the district court requested an update on the case on the basis of the 2000 census results. As soon as the Kerrville census information is available in March 2001, the parties will analyze it and report to the court. After that, we will proceed to either negotiation or trial on the significant record already developed.

Rolando Rios Nina Perales
Co-counsel MALDEF San Antonio Office

SF/3017 Ruiz v. Santa Maria, No. 92-4879 (U.S. Dist. Ct., C.D. Cal.).

Through a lawsuit filed in August of 1992, we challenged the at-large electoral system used to elect the Santa Maria City Council. Although Santa Maria is 45 percent Latino, no Latino had ever been elected to the City Council under the at-large system. Following extensive discovery, cross motions for summary judgment were denied, and trial was set for July 1994.
On the eve of trial, the court continued the trial in order to examine the results of the next city council election to be held the following November. In the November 1994 elections, for the first time ever, Latinos were elected to the city council, receiving unprecedented political and financial support from Santa Maria's Anglo political power structure. Nonetheless, preparations for trial proceeded because the one-time election of a Latino, particularly under unusual and suspect circumstances, does not remove the discriminatory effect of the at-large election system.

A year following the election, again on the eve of trial, Judge Ideman, with no motions pending by any party, canceled the trial, and issued an order sua sponte declaring his intention to dismiss the case. The judge received extensive briefing from both sides, and in September 1996, dismissed the lawsuit as moot, and we appealed to the Ninth Circuit.

MALDEF obtained a very favorable voting rights decision from the Ninth Circuit Court of Appeals in November 1998. See 160 F. 3d. 543 (9th Cir. 1998). The Ninth Circuit reversed the dismissal and remanded for trial, with instructions that will significantly aid plaintiffs in their prosecution of the case. The Ninth Circuit held that: 1) the 1994 election was characterized by special circumstances, including the existence of the lawsuit and the lower court's scrutiny of the election, the first-time financial support and endorsements by Anglo political leaders to Latino candidates, and unprecedented Anglo "cross-over" voting for Latino candidates; 2) that the use of single-shot voting and the changing demographics of Santa Maria are irrelevant; and, 3) that the election of a Latino-preferred white candidate is not as probative as the defeat of a Latino-preferred Latino candidate.

Santa Maria petitioned for review and for rehearing en banc, and both petitions were denied. In June of 1999, the U.S. Supreme Court denied Santa Maria's petition for certiorari. Judge Lourdes Baird is assigned to the case on remand to the Central District. In August the case went to trial over a five week period. Post trial briefing was completed in October. The City requested the court to take judicial notice of the November election, which resulted in the election of one Latino and the appointment of a second Latino to fill a city council vacancy. We are waiting for the trial court's decision.

Joaquin Avila
Barbara Phillips
Co-counsel

Denise Hulett
MALDEF San Francisco Office

Tom Saenz
MALDEF National Office

Nina Perales
MALDEF San Antonio Office

Steve Reyes
MALDEF Los Angeles Office
In February 1995, an Anglo plaintiff filed suit challenging the constitutionality of the Latino-majority Fourth Congressional District in Illinois. The district was drawn in 1991 as the result of a Voting Rights Act lawsuit filed by MALDEF on behalf of Latino voters (*Nieves v. Illinois State Bd. of Elections*). In *Nieves*, a three-judge panel found that the Voting Rights Act required the creation of a Latino-majority district and the maintenance of three African American majority districts. The *King* suit was filed after the U.S. Supreme Court's *Shaw v. Reno* decision and sought to challenge the configuration of the Fourth Congressional District as an illegal racial gerrymander.

Shortly after the lawsuit was filed, MALDEF, on behalf of Latino voters, intervened to defend the Fourth Congressional District. African American voters and the U.S. Department of Justice also intervened to defend the challenged plan. However, the African American intervenors took no active role in the litigation since there was no direct challenge to the African American districts.

In December 1995, a trial was held. Following trial, the three-judge panel issued its decision upholding the constitutionality of the Fourth Congressional District. The court held that the district was an appropriate remedial measure for a proven violation of the Voting Rights Act. The court further found that the district advanced the compelling state interest of remedying past electoral discrimination against Latinos in the Chicago area and that the shape of the district was necessary to preserve a Latino shared community of interest.

Following this favorable decision by the three-judge court, the plaintiff sought an appeal in the U.S. Supreme Court. The plaintiff requested summary reversal of the trial court's decision. In response, we filed a motion to affirm. In December 1996, the Court issued an order vacating and remanding the case for further consideration in light of two intervening Supreme Court decisions, *Vera v. Bush* and *Shaw v. Hunt*.

Upon remand to the three-judge court, we asked the court to reinstate its original opinion and to deny the plaintiff's request for a new evidentiary hearing. The three-judge court denied plaintiff's request for a new evidentiary hearing and on August 1, 1997, issued an opinion once again upholding the constitutionality of the Fourth Congressional District. The plaintiff subsequently filed a direct appeal to the U.S. Supreme Court. We filed a motion to affirm the opinion of the three-judge court. On January 26, 1998, the Supreme Court summarily affirmed the favorable decision of the three-judge panel.

We have filed a fee petition requesting fees as a prevailing party. Because the State failed to defend the challenged plan, and MALDEF was compelled to step in and defend the action, we argue that the principle of quantum meruit and the meaning and intent of the fee-shifting provisions support an award of fees (to be payable by the State) in this case. Our petition for fees is still pending.
Plaintiffs filed this challenge on September 6, 1991, under section 5 of the Voting Rights Act, for failure to preclear implementation of six county ordinances that consolidated two municipal and seven justice court districts into a single municipal court at-large district.

The plaintiffs and Monterey County agreed to the implementation of a district plan for the election of municipal court judges, and requested that the court order the county to adopt the plan. The state intervened, alleging that the plan interfered with Article VI, Section 16(b) of the California Constitution, because it removed the linkage between a judge's electoral and jurisdictional bases, and because it split Salinas into two districts. The court ordered the county to take the necessary steps to obtain changes in existing state law and county ordinances to effectuate a plan that complied with state law and with the Voting Rights Act.

To avoid further delay in elections for the Monterey County Municipal Court district, the court ordered a special election to be held in 1995 under the previously submitted district election plan, and enjoined future elections pending the adoption and section 5 preclearance of a permanent plan. See 871 F. Supp. 1254 (N.D. Cal. 1994) The temporary plan for the special election was precleared by the Department of Justice, the election was held, and two Latino judges were elected.

Because Monterey County had not implemented a precleared permanent plan for the next election, the court ordered the March 1996 elections to be held at-large. Plaintiffs appealed, and the Supreme Court issued a decision in plaintiffs' favor on November 6, 1996. See 519 U.S. 6 (1996). MALDEF joined the case during Supreme Court briefing.

On remand from the Supreme Court, the district court granted the State of California's motion to dismiss, holding that state law superseded the county consolidation ordinances, and that California state law was not subject to section 5 preclearance requirements regardless of its effect on covered counties. The Supreme Court again ruled in our favor, holding that the laws that eliminated judicial district elections had to be submitted to the Department of Justice before further at-large elections could take place, even though some of the consolidations may have taken place as a result of state law, rather than County ordinances. See 117 S.Ct. 693 (1999).

The State continues to defend the at-large system of judicial elections, and in January 2000, submitted the county-wide plan to the Department of Justice for preclearance. In September, the Justice Department approved preclearance of the county-wide plan. Fees have been negotiated successfully, though we still await approval from the State.
Legislature.

Joaquin Avila
Robert Rubin
Lawyers' Committee for Civil Rights
Barbara Phillips
Co-counsel


In May 1998, MALDEF filed this at-large challenge on behalf of Latino and African American voters in the Amarillo Independent School District. The lawsuit asserts that the at-large and numbered place voting system in the Amarillo ISD illegally prevents minority voters from electing a candidate of their choice; although Latino and African American candidates have run for a seat on the school board on numerous occasions, no minority has been elected to the Board since 1978. The lawsuit seeks a single member district election system with one voting district containing a majority of Latino and African American voters.

MALDEF successfully defeated an attempt by the defendants to excuse the individual Board members from the litigation in August 1998, prevailed in a motion to add the Amarillo Branch of the NAACP to the litigation in December 1998, and successfully resolved a motion to compel discovery filed against the school district in February 1999.

Following a Court-ordered mediation between the parties in January 1999, MALDEF prepared aggressively for trial while continuing to communicate with the defendants regarding the possibility of a settlement that would improve the election system for minority voters. Discovery was completed on March 19, 1999 and the Court has ordered the parties to be trial-ready beginning March 29, 1999.

The plaintiffs prevailed in this case when, on May 7, 1999, the Amarillo School Board agreed to settle the case by abandoning the numbered place method and adopting cumulative voting for future elections. The school board also committed to future negotiations with the minority community over the addition of more polling places. MALDEF is currently preparing and providing materials to minority community representatives to advocate, in their negotiations with the school district, for an increased number of polling places in minority neighborhoods of Amarillo. On November 8, 1999, MALDEF received over $60,000 in attorneys fees and costs for work on this litigation.

We are continuing to monitor the district’s compliance with the parts of the decree.
regarding additional polling places and notice to the community. The case resulted in the
election of both a Latino and an African American on the school board for the first time in
history.

Rolando Rios
J.E. Sauseda
Co-counsel
Nina Perales
MALDEF San Antonio Office


On March 13, 2000, we filed this Voting Rights Act, Equal Protection, and First
Amendment challenge to an ordinance that was passed by the Town of Cicero which sought to
extend the state law residency requirement for elective office from one year to eighteen months.
The U.S. Department of Justice has also filed a lawsuit alleging similar claims. In order for the
ordinance to have legal effect, it must be ratified by the voters at the March 21, 2000 election. If
the change is given legal effect, it will prevent a Latino from being able to run against the current
Town President. The Town of Cicero has undergone dramatic demographic changes. The town
had a Latino population of 9% in 1980. Latinos now comprise 62% of the total population. The
town has a history of discriminating against Latinos in the area of housing, police abuse, and
voting matters. We have alleged intentional discrimination. In addition to filing the complaint,
we asked for a Temporary Restraining Order. seeking to prevent a vote of the referendum.

On March 14, 2000, a federal judge granted the Temporary Restraining Order. Our case
has now proceeded to the discovery phase, and we are in the process of preparing for
depositions. No further deadlines have been set.

Maria Valdez
Patricia Mendoza
MALDEF Chicago Office

SA/3066 In re Fifteen Proposed Non-Party Witnesses in Frank Brown v. Steve Spurgin,
No. 6427 (Presidio County Ct.).

In this case arising from a run-off election for District Attorney in Ft. Stockton,
Texas, MALDEF defended the ballot privacy rights of fifteen elderly Latino voters who
had been subpoenaed to testify in an election contest trial in Marfa, Texas, 117 miles from
their homes.
These voters were subjected to a criminal investigation because of their use of the established mail ballot procedure in Texas. Of the 72 mail-in voters questioned, 69 were Latino. In order to prevent further intimidation by the district attorney—who has overlapping jurisdiction with the district attorney whose election was involved in the election contest—and the grand jury, MALDEF attorneys appeared at the election contest hearing on behalf of the 15 Latinos to quash the subpoenas and protect their voting rights. We were successful in quashing the subpoenas and negotiating to offer their future testimony in the case. We also participated in collaborating with a criminal specialist in convincing the district attorney to drop the grand jury proceedings.

Nina Perales
Leticia Saucedo
MALDEF San Antonio Office

CH/3067 Del Valle v. Illinois State Board of Elections, No. 01 C 0796 (U.S. Dist. Ct., N.D. Ill.).

In this suit filed in February 2001 we challenged the use of the punch card balloting system in Cook County, Illinois. The City of Chicago is contained in Cook County. The lawsuit alleges violations under Section 2 of the Voting Rights Act and the Equal Protection Clause. Evidence suggests that the punch card system used in Cook County resulted in a far greater voter error rate than the non-punch card systems used outside of Cook County. In particular, within the City of Chicago, while there was an overall high error rate, the voter error rate was particularly large in the minority areas of the city. These higher error rates mean that Latino and African American voters were not given an equal opportunity to elect candidates of their choice due to the inferior balloting system. Outside of Cook County, other jurisdictions using non-punch card systems such as optical scan balloting had a far lower error rate than in Cook County.

We are awaiting an Answer to our Complaint. Multiple lawsuits have been filed on this issue by a variety of racial/ethnic and political interests. We expect the court to consolidate all lawsuits for discovery and trial. No further court deadlines have been set.

Judson Miner
Miner, Barnhill & Galland
Co-Counsel

Maria Valdez
MALDEF Chicago Office
TITLE IV: IMMIGRANTS' RIGHTS


This lawsuit, filed in June 1998, challenges a Los Angeles County ordinance that bars solicitation of business, contributions, or employment from vehicle occupants while standing on sidewalks in unincorporated areas of the county. The ordinance, which parallels dozens of others that have proliferated throughout California in the last decade, is targeted at day laborers, who are overwhelmingly Latino immigrants and who congregate near home-improvement stores. In the suit, we argue that the ordinance violates the First Amendment guarantee of free speech by singling out limited categories of expression for regulation in the longstanding “public forum” of sidewalks.

After prodding from the court, the County initially expressed interest in negotiating a settlement, but it has never responded to a detailed settlement proposal that we submitted in early January 1999.

In May and June 1999, the parties briefed the question whether the ordinance discriminates on the basis of content, which determines what level of scrutiny it would have to satisfy. At the hearing on June 7, the court raised on its own the possibility that the ordinance should be treated as content-neutral because it targets the “secondary effects” rather than the message of the targeted speech. In the past, the “secondary effects” doctrine has been applied only to adult businesses. The court ordered the parties to brief the question. After a period of discovery, we briefed the “secondary effects” question and presented oral argument. On October 29, 1999, the district court held that the ordinance is content-neutral because it was adopted to address the “secondary effects” of solicitation speech.

After this decision, the court stayed the action and again urged the County to consider settlement. In three months, however, the County never responded to the plaintiffs’ proposal. Therefore, the stay was lifted, and we conducted discovery on the question whether the ordinance could satisfy the test for content-neutral speech regulation in a public forum—whether the law is narrowly tailored to serve a significant governmental interest, and whether it leaves ample alternative avenues for communication. The parties then briefed the issue, and the court heard oral argument on August 21, 2000.

On September 13, 2000, the court held the ordinance unconstitutional because it is not sufficiently narrowly tailored to serve the County’s asserted interest in traffic flow and safety and because it fails to leave ample alternative avenues of communication available to day laborers. The court enjoined the ordinance from ever being enforced. The court later entered an award of attorney fees, which the County has now paid.
This class action lawsuit challenging every provision of Proposition 187 was filed the week of the November 1994 election. The lawsuit contends that the anti-immigrant initiative—which would deny health care, education, and social services to anyone suspected of being an undocumented immigrant and would mandate reports of such suspicions to the INS by public servants and health care providers—is preempted by federal law and violates due process and equal protection.

On November 16, 1994, Chief Judge Byrne granted a temporary restraining order against implementation of all substantive provisions of Proposition 187 except sections 2 and 3, which create new state crimes involving fraudulent documents. On December 16, 1994, Judge Mariana Pfaelzer, assigned to this case as well as several others challenging Proposition 187, granted a preliminary injunction against all substantive provisions except sections 2 and 3 and section 8, which would deny admission or enrollment in public universities and colleges to undocumented immigrants. Pfaelzer denied the injunction as to section 8 because of the absence of appropriate defendants. We amended the complaint in January 1995 to add higher education defendants. We did not renew our motion for preliminary injunction against section 8 because of the state court injunction entered in February, 1995. See Doe v. Regents, Case 2032. The state filed an appeal of Judge Pfaelzer's preliminary injunction in January. The Ninth Circuit Court of Appeals upheld the injunction on July 14, 1995. See Gregorio T. v. Wilson, 59 F.3d 1002 (9th Cir. 1995).

MALDEF and co-counsel, along with several other plaintiffs and intervenors, filed motions for summary judgment in May, 1995. Our motion asked the court to hold that the entirety of Proposition 187 is unconstitutional because it conflicts with the federal government's exclusive power to regulate immigration. Preparation for trial was suspended while the court considered these motions. After additional briefing and argument on the issue of severability (how much of the initiative could survive if major portions were struck down), the court held on November 20, 1995 that most of Proposition 187 is unconstitutional as a matter of law. See LULAC v. Wilson, 908 F. Supp. 755 (C.D. Cal. 1995). The court struck down all provisions requiring reports to the INS, all provisions requiring that suspected persons be advised to legalize or leave the state, and all provisions allowing public servants to deny services on the basis of their suspicions. The district court also held that the state could never deny public elementary and secondary education enrollment on the basis of immigration status.

Left for resolution after the court's decision were whether the state may deny certain wholly state-funded social service, health, and higher education benefits on the basis of immigration status as verified by the federal government, and whether the new state crimes involving fraudulent documents are constitutional. For several months, we negotiated with the state regarding conditions under which they might disseminate for public comment draft
regulations denying prenatal care and long-term care to the undocumented. Once finalized, these regulations would become the basis for resolving the remaining issues in this case, including whether any implementation is possible under the restrictions established by the court's decision on summary judgment. However, in the fall of 1996, the state took steps to deny such services directly under the federal Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (PRWORA), thus cutting short our discussions of Proposition 187 regulations. We promptly filed an application for a temporary restraining order, arguing that the state was actually implementing Proposition 187 in violation of the preliminary injunction. The court disagreed, denied the restraining order, and explained that the preliminary injunction does not prevent any action taken under the federal welfare reform act, even if the effect is the same or similar to what Proposition 187 would do.

In early 1997, the state filed motions for reconsideration of the court's partial summary judgment entered in November 1995 and for judgment on the pleadings as to sections 2 and 3. In March 1997, the court denied the former motion, which had been limited to the reporting and cooperation provisions of Proposition 187; the court held that the new federal laws on which the state relied do not permit the state to legislate independently in the area of reporting and cooperation. The court granted the motion for judgment as to section 2 (proscribing the manufacture of fraudulent documents), but denied judgment as to section 3 (proscribing use of fraudulent documents). The court also denied a separate motion by the sponsors of Proposition 187 to intervene in this action to defend their initiative. The sponsors, who are upset by how long this case has been pending, appealed the denial of intervention. The Court of Appeals affirmed the denial of intervention in December 1997. See LULAC v. Wilson, 131 F.3d 1297 (9th Cir. 1997).

In an effort to bring the case to a close, the parties requested a status conference. In a status conference report, we urged the court to strike down all of the initiative except sections 2 and 3 because defendants had failed to produce regulations showing they could comply with the conditions imposed under the court's November 1995 ruling in implementing the remaining benefits denial provisions of sections 5, 6, and 8. At the May 19, 1997 status conference, the court voiced tentative agreement with our view.

In October 1997, the court ordered the parties to file briefs regarding the effect of PRWORA on the preemption of Proposition 187. We argued that the federal welfare reform law now made clear that all of Proposition 187 is preempted by federal law. In a November 14, 1997 Memorandum of Law, the court indicated its general agreement with this view, concluding that PRWORA preempts the benefits denial provisions of sections 5, 6, and 8. See LULAC v. Wilson, 997 F. Supp. 1244 (C.D. Cal. 1997). The court also reconsidered its previous view and concluded that these provisions also are not severable from the other provisions struck down in November 1995. Unfortunately, the court also reconsidered its view on section 3, concluding that it is constitutional as a matter of law. The parties subsequently filed motions seeking final judgment and a permanent injunction against the unconstitutional provisions. We also filed a motion urging the court to again consider section 3 and to conclude that it is preempted by recent federal law. These motions were submitted without argument in early February 1998. On March 17, 1998, the court entered its final judgment and injunction barring all provisions of Proposition 187 except sections 2 and 3.
On March 25, 1998, the state defendants filed an appeal of the district court’s decision striking down section 1 and 4-9 of Proposition 187. On April 7, 1998, we filed a cross-appeal challenging the decision to uphold sections 2 and 3. The Ninth Circuit Court of Appeals arrived at an extended briefing schedule for all of the consolidated Proposition 187 appeals. The state defendants filed their opening brief on November 3, 1998. We filed our opening brief on February 3, 1999. However, rather than filing their brief, plaintiffs’ counsel in one of the other consolidated cases asked for a continuance, asserting that the seating of a new state governor and state attorney general now made it possible to settle the cases. The counsel in that related case sent a lengthy settlement proposal letter to the defendants. We then sent a letter to the Attorney General also urging full or partial settlement. The Ninth Circuit stayed proceedings in the appeals.

On April 15, 1999, Governor Gray Davis requested that the Ninth Circuit order the appeals to mediation. Through several months of meetings, mediation resulted in a stipulated agreement that the state would dismiss all appeals and that we would dismiss our cross-appeal. This stipulation was filed with the Ninth Circuit on July 29, 1999. The stipulated agreement was presented to the district court, which approved the settlement as well as an agreed notice to go to district attorneys and public defenders regarding sections 2 and 3 (including the fact that they may still be challenged by criminal defendants). We continue to await resolution of pending applications for fees and costs; in February 2001, we filed an amended application to incorporate substantial rises in market rates and to pressure the defendants to enter settlement talks on the issue of fees.

ACLU Foundation of Southern California
O'Melveny & Myers
Loeb and Loeb
Asian Pacific American Legal Center
Karl Manheim
Many others
Co-counsel

Thomas A. Saenz
Vibiana Andrade
MALDEF National Office


In January 1998, MALDEF filed a lawsuit challenging the military's role in supporting the Immigration and Naturalization Service's law enforcement build-up along the Texas-Mexico border in Laredo, Texas. Specifically, the lawsuit challenged a project along the Rio Grande River that involved the construction of roads, helicopter pads, a bridge and the installation of mercury thallium vapor lights. The construction project was part of an ongoing effort by the Department of Defense Joint Task Force Six in cooperation with local Border Patrol to improve drug interdiction and law enforcement activities along the U.S.-Mexico border.
MALDEF represented two residents from nearby Rio Bravo, Texas, who alleged that the defendants failed to comply with the National Environmental Policy Act of 1969 (NEPA) when the defendants did not conduct an in-depth environmental impact statement for the proposed project. The MALDEF plaintiffs asserted an interest in the social well-being of the town and concern that helicopter noise, dust, and increased armed patrols near their homes would harm Rio Bravo residents.

MALDEF’s motion for a preliminary injunction was denied in February, 1998 because the defendants agreed, at the hearing, to mitigate many of the harms alleged in our motion. Based on the defendants’ subsequent failure after the hearing to mitigate the harms alleged in our motion, the Court granted two motions filed by the plaintiffs in June and November 1998 requesting status reports from the defendants as to the ongoing construction and operations.

Following a status conference in July 2000, the parties entered into settlement negotiations.

We settled the case with INS in September 2000. The agreement provides that work on the project at issue is completed, and any future construction will have to independently meet the requirements of NEPA, including requirements for new or supplemental environmental assessments. The disputed project did not ultimately incorporate the construction of helicopter pads nor the installation of special lights. The INS agreed to operate its vehicles with caution on the roads that were built and/or improved, especially near populated and/or environmentally sensitive areas, and agreed to limit their use of vehicles off the roads to certain exigent circumstances. We continue to monitor defendants’ actions for compliance with the agreement.

Rick Lowerre
Myron Hess
Henry, Lowerre, Hess, Johnson & Frederick
Co-counsel

Al Kauffman
Joe Berra
MALDEF San Antonio Office


In September 1998, MALDEF served as amicus on behalf of Rodolfo Balderas Martinez who had been placed in deportation proceedings as a result of the expanded “aggravated felony” definition created by the IIRIRA. In its brief, MALDEF argued that Balderas was not deportable because the underlying plea in his criminal case had been withdrawn and his conviction vacated by the state district judge with jurisdiction over the case. In November 1998, MALDEF prepared private counsel's oral argument for Balderas’ hearing. Having reviewed the briefs and counsel's
oral arguments, the immigration judge ruled that Balderas was not deportable under the immigration laws.

INS appealed the case to the Board of Immigration Appeals. We wrote a brief on behalf of Balderas. The appeal is pending.

Rolando Rios, Esq. 
Law Offices of Rolando Rios 
San Antonio, Texas 
Co-counsel

Al Kauffman 
Joe Berra 
MALDEF San Antonio Office


The five plaintiffs in this action are family members whose Oxnard home was invaded by INS officers in the early morning of November 16, 1998. Border Patrol agents, who were searching for someone who does not live in the home, barged into the residence without a warrant. The agents treated the entire family with tremendous disrespect, yelling at and intimidating all members of the family who tried to exclaim their innocence. The family’s 10-year old daughter was particularly traumatized by the experience.

Seeking to deter such INS abuses, we filed an administrative claim for damages against the federal government. The INS is investigating the claim. On November 24, 1999, we filed this federal-court action against the individual officers, whose names were then unknown, seeking damages for violation of the family’s constitutional rights.

The INS denied the family’s administrative claims for damages in March 2000. In April 2000, we amended the complaint to include claims under the Federal Tort Claims Act against the United States for the actions of the INS officers. Prior to the inclusion of the United States in the suit, the INS continually refused our requests to disclose the names of the INS officers involved in the raid and to disclose the results of their investigation of the raid. Once it was added as a party to the suit, the United States still refused to provide the information requested through discovery.

Facing our threat of court intervention, in September 2000 the United States finally disclosed the names of the INS officers involved in the raid, and their reports of their investigation into the raid. We amended the complaint in December 2000, adding the true identities of the INS officers. We currently are attempting to serve the individual officers, and we are continuing to conduct discovery.

Enrique Gallardo

46
SF/4046   Veles v. Lindow, No. 99-15795 (U.S. Ct. App., 9th Cir.).

This appeal involves a claim of unlawful discrimination under the Fair Housing Act challenging an English-only rental policy. Joaquin Veles and his family contacted the defendants to inquire about a home for rent in the San Jose area. Defendants refused to provide them with a rental application, explaining that they did not rent to Spanish speakers. The Legal Aid Society of Santa Clara County subsequently used fair housing testers to investigate whether or not defendants did implement an English-only policy. Legal Aid confirmed that the defendants did in fact refuse to offer rental applications to prospective tenants who either were not fluent in English or demonstrated a Spanish accent. Plaintiffs brought suit in federal district court claiming that the defendants unlawfully discriminated against them based on their national origin. The court rejected their claims at trial, holding that defendants did not discriminate on the basis of national origin because defendant’s English-only policy applied to all non-English speakers and not to Spanish speakers, or any national origin group in particular. Plaintiffs appealed. MALDEF filed a brief as amicus curiae challenging the lower court’s definition of national origin discrimination and application of the disparate impact test. The US Department of Justice also filed an amicus brief on similar issues. The Ninth Circuit Court of Appeals upheld the lower court, remarking upon plaintiff’s failure to present evidence as to the adverse impact of the landlord’s policy.

American Civil Liberties Union
Employment Law Center
Co-counsel

Aisha Qasim
MALDEF San Francisco Office

Vibiana Andrade
MALDEF National Office

CH/4049   Guevera v. City of Norcross, No. 1:00-CV-0190-CAP (U.S. Dist. Ct., Ga.).

Guevera v. City of Norcross involves a First and Fourteenth Amendment challenge to a local ordinance which restricts the use of a language other than English when displaying signs for a non-residential purpose. This particular ordinance was enacted in June 1999, replacing a similar ordinance which was privately challenged and subsequently repealed by the City. Carlos Guevera, a Georgia minister, was cited for violating this ordinance because there was a sign outside his church containing information regarding religious services in Spanish. We filed a complaint in federal court on January 25, 2000.
Interrogatories have been filed and depositions are underway. Currently, we have a motion pending regarding the bounds of Rule 30(e). We assert that no substantive changes can be made to the original answers given in a deposition. No ruling has yet been made on this issue.

ACLU of Georgia  
Albert Bolet Hipolito  
Goico Goico & Bolet  
Asian Pacific American Bar Association  
Co-counsel

SA/4051  Atwater v. City of Lago Vista, No. 99-1408 (U.S. S. Ct.).

MALDEF joined the ACLU in filing an amicus in support of petitioners in this case challenging the authority of police under the Fourth Amendment to effect a full, custodial arrest for minor offenses, such as traffic violations, punishable only by fine. MALDEF contributed portions of the brief dealing with racial/ethnic profiling, and the potential for discriminatory abuse if police discretion to effect full, custodial arrests is not limited by the reasonableness requirement of the Fourth Amendment. The case is significant to the immigrant rights program area, in order to limit involvement by local police in immigration enforcement. Broad discretion to take individuals into custody for minor traffic offenses will only facilitate INS/local police collaboration in immigration enforcement, because the INS regularly investigates all detainees. Failure to limit custodial arrests will lead to more racial profiling and involvement by local police in immigration enforcement under the pretext of enforcing state and local laws. This leads to the violation of civil rights of all Latinos, and Latino mistrust of local police.

The amicus was filed in September of 2000. Oral arguments were heard by the Supreme Court in December of 2000, and a final decision on the case is pending.

Susan Herman  
Steven Shapiro  
William Harrell  
ACLU  
Co-counsel

CH/4052  Lopez v. City of Rogers, Arkansas, No. 01-5061 (U.S. Dist. Ct., WD Ark.)
The City of Rodgers Arkansas Police Department has implemented a policy, or pattern and practice of stopping, detaining and questioning Latinos living or traveling in the City in an effort to enforce federal immigration law. We believe that the police department is engaging in racial profiling aimed at Latino newcomers who have increasingly made their home in this part of the state. Plaintiffs are a married couple and an individual who in separate incidents were stopped by the police and questioned about their immigration status. We filed this class action in federal court on March 23, 2001, and seek declaratory and injunctive relief, as well as damages.

Joe Berra
MALDEF San Antonio Office

CH/4054 Alexander v. Sandoval, Nos. 99-1908 (U.S. S. Ct.)

While the substantive issue in this case was the legality of the State of Alabama’s practice of administering the written portion of the driver’s license exam only in English, the issue on review before the Supreme Court was much narrower. The U.S. Supreme Court agreed to hear arguments on whether the regulations promulgated under Title VI that prohibited policies that produced a disparate impact because of race, color or national origin could be challenged by private individuals.

We joined several other civil rights organizations in filing an amicus brief with the Supreme Court, arguing that Congress intended a private right of action because that private right is consistent with the purposes of Title VI and is necessary in order to enforce and fulfill the intent of Title VI. The brief was filed on December 13th, 2000 and the Supreme Court heard oral arguments on January 16, 2001.

Southern Poverty Law Center
Ruperto Alba
Eric Schnapper
Univ. of Washington School of Law
ACLU
Co-counsel

Patricia Mendoza
MALDEF Chicago Office

CH/4056 Indian Oaks Academy, No. 05013131 (U.S. Dept. of Health and Human Serv.).

We have filed a complaint with the Office of Civil Rights - Department of Health

49
and Human Services on behalf of a woman who has been effectively denied visitation with her daughter. The residential facility where she is placed, Indian Oaks, has not attempted to utilize any interpreter services and they do not have bilingual staff. Since the facility is mandated, both through Title VI and through their licensing agreement with the Illinois Department of Children and Family Services, to provide services in a minor's primary language, their repeated failure to do so prompted this filing.

Rene Heybach  
Chicago Coalition for The Homeless  
Patricia Mendoza  
MALDEF Chicago Office
TITLE V: PUBLIC RESOURCE EQUITY

CH/5022 Burgos v. McDonald, No. 75 C 3974 (U.S. Dist. Ct., N.D. Ill.).

In 1975, plaintiffs filed a class action lawsuit under Title VI challenging the failure of the Department of Children and Family Services (DCFS) to address adequately the needs of Spanish speakers. Plaintiffs were represented by the Legal Assistance Foundation of Chicago (LAF).

A consent decree was entered on January 10, 1977. The decree requires DCFS and its vendors to provide child welfare services in Spanish to Latino clients whose primary language is Spanish; requires children with Spanish-speaking parents to be placed with Spanish-speaking foster parents, unless a waiver has been signed; and requires individual or general written communications to Spanish-speaking clients to be in Spanish.

Contempt petitions were filed in 1979 and 1987 and resolved by supplemental agreements. In March 1992, the judge ordered the appointment of an independent monitor to review DCFS compliance.

On December 17, 1993, the monitor filed a report with the court making a number of recommendations concerning compliance with provisions, including the appointment of a new independent monitor who could review progress and ensure compliance for the next 18 months. A long transition period ensued, and finally in September, 1995 a new monitor was appointed. In January 1996, the new monitor began a full review of DCFS compliance. The monitor completed her report and recommendations regarding DCFS compliance in early 1998. The report has not yet been filed with the court. It has however served as the catalyst for DCFS and MALDEF to agree to move from a court monitor to an implementation consultant who will assist DCFS in implementing the changes necessary to bring the department into compliance with the consent decree.

By Agreed Order, on November 12, 1999, the Court Monitor’s Report of 1997 was filed in District Court along with a jointly developed workplan. The workplan was designed to implement the recommendations made in the 1997 Court Monitor’s Report. We are currently in the process of developing indicators and time lines by which IDCFS is to comply with specific provisions outlined in the Workplan. Additionally, IDCFS instituted a "Best Practices" committee and has made the Burgos Coordinator a member of this committee. This has raised concerns about the amount of time being diverted from Burgos issues. Lastly, there have been some recent legal issues raised in our jurisdiction that implicate Burgos, although not directly, e.g. the documented status of parents whose children have been removed by the Department. All of these issues are being dealt with at the monthly Burgos meetings, and we expect satisfactory resolution.

Patricia Mendoza
MALDEF Chicago Office

51
In June 1998, MALDEF filed this lawsuit challenging the failure of the City of Poth, Texas to provide equal city services to the Latino barrio of Poth. Although most of this rural town has paved streets and adequate drainage, the barrio's residents, almost all of whom are Latino, continue to suffer from dusty unpaved residential streets that flood after a heavy rain. Poth's barrio has received all other municipal services later than other areas of the city, including sanitary sewer, street lighting and street signs. In 1997, the Poth city council refused to approve a street paving program for the barrio even after a majority of residents had agreed to pay 90% of the costs themselves.

In March 1999, discovery was suspended by the court to allow the parties to attempt settlement through mediation. Efforts to settle the litigation in the spring and early summer of 1999 were unsuccessful.

On November 19, 1999 the trial court denied a motion by the defendants to excuse the city officials from the litigation. Since the resumption of the pre-trial schedule on January 4, 2000, MALDEF has launched a second round of discovery in order to prepare for trial of the case. In response, the defendants moved for summary judgment and to halt all discovery. MALDEF has filed several responsive briefs and the parties are waiting for the court to decide the extent of further discovery in the case. The court allowed significant additional discovery of newly released documents, 9 depositions and the addition of a rebuttal expert.

MALDEF defeated defendant's motion for summary judgment and efforts to prevent discovery. After final preparations for trial, we settled the case. The City of Poth agreed to pave the Plaintiffs' unpaved streets through a property assessment program similar to that offered to its Anglo residents in the past. In February 2001 the court approved the settlement. The defendant will move forward with a street paving assessment proposal to benefit the Plaintiffs and their neighbors. In addition, the parties agreed on an award of attorneys' fees and costs to MALDEF.

Nina Perales
Leticia Saucedo
MALDEF San Antonio Office

In February 1997, the Los Angeles County Board of Supervisors voted 3-2 to distribute the funds that would have gone to a defunct county program, Community Youth Gang Services,
in five equal parts to each of the supervisors to distribute as they see fit to gang prevention programs within their districts. While the Board pledged to develop a mechanism to distribute these funds countywide on the basis of need, it has not changed the allocation system. Because the gang problem is not distributed evenly among the five supervisorial districts, the Board's adopted system, which seems to have been dictated more by parochial politics than rational policy, has a discriminatory effect on those districts with the greatest need. The Board majority did not change its policy even after we sent a strongly-worded letter protesting the allocation decision.

As a recipient of federal funds, the County must comply with Title VI of the Civil Rights Act and its implementing regulations. These regulations prohibit the adoption of policies with a discriminatory effect on particular racial/ethnic groups. Latinos and African Americans are more heavily represented in the supervisorial districts with the greatest need for gang prevention services. In order to prevent the County from continuing to allocate these important funds in such a discriminatory manner, on February 3, 1998, we filed a federal-court lawsuit challenging the Board’s allocation as a violation of the Title VI regulations. Our clients are two organizations serving the Latino and African American communities in areas with gang prevalence—Proyecto Pastoral at Dolores Mission and the Southern Christian Leadership Conference of Greater Los Angeles.

The County filed its answer in April 1998. We engaged in several initial meetings about the possibility of settlement, to no avail. Both sides have promulgated discovery. The County retained outside counsel to defend it. After two successive transfers of the case to newly-appointed district court judges, we moved through discovery toward trial.

At the close of discovery, the County filed a motion for summary judgment. We opposed the motion. However, acting on its own accord, the district court has twice continued the motion on the eve of scheduled oral argument. As a consequence, the motion, which was originally set for hearing in late August 1999, was not heard until April 10, 2000. On April 12, 2000, the court granted defendants’ motion, holding that our plaintiffs lack standing to challenge the distribution the gang prevention funds.

We filed an appeal on May 11, 2000. Briefing was completed in the fall of 2000, with the final brief filed on December 26, 2000. We now await the setting of an argument date.

Thomas A. Saenz
MALDEF National Office

LA/5031  Anderson v. State of Utah, No. 000909680 (Salt Lake County Dist. Ct.).

This suit, filed in December 2000, challenges the constitutionality of an English-only
initiative passed by Utah voters at the November general election. The initiative declares English to be the sole language of government, and requires, subject to certain exceptions, that all communications by, with, and on behalf of the government shall be in English. The suit contends that the initiative violates the federal and state guarantees of free speech and equal protection. The court held a hearing on our motion for a preliminary injunction on January 30 and 31, and held the statute to be constitutional on March 5, 2001. In upholding the statute, the court seems to have interpreted the statute to be largely symbolic, and as not preventing government officials from communicating in languages other than English.

Giauque, Crockett, Bendinger & Peterson
ACLU of Utah Foundation
Multi-Cultural Legal Center
ACLU Foundation of Northern California
Asian American Legal Defense and Educational Fund
Employment Law Center
Robert L. Rusky
Co-counsel

Hector O. Villagra
MALDEF Los Angeles Office
Vibiana Andrade
MALDEF National Office

LA/5032 **In re Petition No. 366, No. 95,070 (Okla. S. Ct.).**

Together with several other civil rights groups, we filed this amicus brief on December 1, 2000, in support of a challenge to the certification of Initiative 366, which would make English the official language of Oklahoma. Because the state Supreme Court had not certified the initiative as constitutional, it was not included on the November ballot. On January 30, 2001, initiative sponsor U.S. English withdrew its petition to certify the initiative.

ACLU of Oklahoma Foundation
ACLU Foundation of Northern California
Asian American Legal Defense and Educational Fund
Employment Law Center MALDEF
Jackson & Presson
Co-counsel

Hector O. Villagra
MALDEF Los Angeles Office
Vibiana Andrade
MALDEF National Office
TITLE VI: ACCESS TO JUSTICE

CH/6019  Chavez v. Illinois State Police. No. 94 C 5307 (U.S. Ct. App., 7th Cir.).

In February 1999, MALDEF, along with the Chicago Committee for Civil Rights Under Law Inc., filed an amicus brief in support of the plaintiffs' petition for a writ of mandamus to compel the Illinois Secretary of State to produce requested information.

The original suit, filed in the Northern District of Illinois through the ACLU, challenges the practice of the Illinois State police of making unlawful automobile stops, searches and detentions based on the race of the driver. Initial statistical data gathered by the plaintiffs indicated that an abnormally high percentage of African American and Latino drivers were being detained. With the help of Dr. Martin Shapiro, a professor at Emory University, the plaintiffs provided the court with a statistical analysis of the rates of stops and searches of drivers in certain areas of Illinois. The data showed that the rates at which African American and Latino drivers were stopped was not statistically possible if the stops were random.

In order to collect more accurate data, the plaintiffs sought third party discovery from the Illinois Secretary of State requesting information regarding licensed Illinois drivers. The Secretary of State refused to release the social security numbers of the drivers, and would only deliver a list of licensed drivers upon an advance payment of over $160,000. When the district court upheld the Secretary of State's position on both issues, the plaintiffs appealed and MALDEF filed the amicus brief.

In our brief we argued that the Secretary of State was charging the plaintiffs the retail cost of the information rather than the $500 that is prescribed in the Illinois Administrative Code. The Code specifies that for information provided to governmental agencies or for governmental purposes the charge for the requested information is $500. Since the district court ordered the Secretary of State to produce the requested information and the information was to be used in furthering the public interest, we argued that the payment demanded by the Secretary of State violated the clear language of the statute and the accompanying code.

The Secretary of State also cited privacy concerns to justify refusing to provide the drivers' social security numbers. However, the federal statute governing privacy allows release of information from motor vehicle records, including a driver's social security number as long as it is used in connection with a civil proceeding in any state or federal court. The Secretary of State's refusal thus violates the plain language of the federal statute.

The brief was filed in February 1999 and the Seventh Circuit has not yet issued a decision. Meanwhile, the trial court dismissed the case on a summary judgment motion, and held that: 1) the plaintiffs failed to bring forth similarly situated white persons to say that they drove on the same highways as the plaintiffs but they were not stopped and detained, and 2) the class action claim was dismissed because the named plaintiffs did not have injunctive standing. As a
result of this holding, the ACLU elected to withdraw its petition for review from the Seventh Circuit and instead appealed the trial court's dismissal.

We have now joined as amicus curiae along with the Lawyer's Committee for Civil Rights Under Law in the appeal. The issues for appellate review are: 1) whether the requirement of showing similarly situated persons for an equal protection claim may be met by statistical proof rather than naming individual persons, and 2) whether individuals who are victims of racially discriminatory automobile stops are required to demonstrate that they have been repeatedly stopped throughout the pendency of their suit, despite being able to demonstrate a persistent pattern and practice of discrimination to members of their class.

The trial court's decision limits the ability of individuals to bring lawsuits and to demonstrate "similarly situated" through the use of statistical data. This decision directly affects both disparate treatment and disparate impact analysis as well as injunctive standing issues. Oral arguments were heard on September 13, 2000. The case is still pending before the Seventh Circuit.

Sonnenschein Nath & Rosenthal
Chicago Lawyers' Committee for Civil Rights Under Law
ACLU
DOJ
Co-Counsel

Patricia Mendoza
MALDEF Chicago Office

CH/6020 Ford Motor Company v. Sheldon, No. 98-0539 (Tex. S. Ct.).

We participated as amicus curiae in this case before the Texas Supreme Court. The underlying case involves a suit filed against Ford Motor Co. alleging that a defective manufacturing procedure was causing the paint on vehicles to peel, thus lowering the value of the vehicles. The claim was based on a breach of implied warranty of merchantability and violation of deceptive trade practice. The plaintiffs sought and were granted class certification pursuant to Tex. R. Civ. P. 42 (B)(4).

On appeal, the issue is whether the certification of the class was proper pursuant to Tex. R. Civ. P. 42 (B)(4) which is identical to Fed. R. Civ. P. 23(B)(3). The Texas Rule allows for consumer class actions which are often the only way consumers with small or modest claims can afford to vindicate their rights. The rule states that a class shall be certified when "questions of law or fact common to the members of the class predominate over any questions affecting only individual members, and that a class action is superior to other available methods for the fair and efficient adjudication of the controversy." Tex. R. Civ. P. 42 (B)(4). The Texas Appellate Court affirmed after modifying the class definition. 965 S.W.2d 65.
Ford argued that the lower courts misinterpreted the Texas rule and that class certification was improperly granted. Ford filed an interlocutory appeal under Texas Motor Vehicle Commission Code Section 6.06(g), arguing essentially that individual issues dominate the litigation and certification of the class would go against current interpretation of Rule 23 by the Federal Courts.

The Texas Supreme Court delivered its opinion on May 11, 2000. The Court held that the trial court’s definition and the court of appeals’ modified definition are both defective. Because these defects cannot be cured on appeal, they reversed the court of appeals’ judgment affirming the class certification and remanded for the trial court to decertify the class.

William Powers, Jr.                                       Patricia Mendoza
Jennifer Bruch Hogan                                        MALDEF Chicago Office
Richard P. Hogan, Jr.                                     Hogan, Dubose & Townsend
Hogan, Dubose & Townsend                        Co-counsel

SF/6021   Ketchum v. Moses, No. S077350 (Cal. S. Ct.).

Along with other legal civil rights organizations, MALDEF filed an amicus brief in the California Supreme Court urging the court to reaffirm the availability of contingent risk multipliers under California law. The brief argued that California fees law has developed independently from the decisions of the United States Supreme Court in order to encourage private citizens to bring cases effectuating a strong public policy by awarding substantial attorney’s fees to those who successfully bring such suits and thereby bring about benefits to a broad class of citizens. In February 2001, the Supreme Court ruled that California fees law is independent from federal law and reaffirmed the right to contingent fees multipliers in private attorney general cases.

Maria Blanco
MALDEF San Francisco Office

CH/6026   Legal Services Corporation v. Velazquez, No. 99-603 (U.S. S. Ct.).

We signed onto an amicus brief, which was filed on July 12, 2000, in a case before the United States Supreme Court on the issue of whether the U.S. Congress violated the First Amendment by prohibiting lawyers funded by the Legal Services Corporation (LSC)
from arguing that existing state or federal welfare reform statutes or regulations are constitutionally defective or unlawful in other respects. The case was argued on October 4, 2000, and the U.S. Supreme Court issued its ruling on February 28, 2001. The court held that the funding restriction violates the First Amendment.

Professor Matthew Diller
Fordham Law School
Professor Bruce Green
Jessica Roth Gibbons
Del Deo
Dolan, Griffinger & Vecchione
Co-counsel

SA/6027 Larragoite v. Heitman Properties of New Mexico, No. 00-507 (U.S. Ct. App., 10th Cir.).

Plaintiff attempted to certify a class of Hispanic youth mistreated by private security guards at a shopping mall in Albuquerque, New Mexico. The district court opinion appeared to deny in part the class certification on the grounds that "Hispanics" were not a readily identifiable group, and that a Hispanic surname did not suffice to determine an individual's class membership. Plaintiff sought leave to file an interlocutory appeal of the denial of class certification. MALDEF joined as an amicus, in order to ensure that settled case law recognizing Hispanics as an identifiable class would not be overturned nor made subject to new criteria.

MALDEF's amicus brief was filed in October of 2000. Shortly thereafter, in October of 2000, a three-judge panel of the 10th Circuit refused to hear the discretionary appeal of the denial of class certification. However, the panel explicitly re-affirmed precedent recognizing Hispanics and Hispanic surnamed individuals as an identifiable class. The panel found that ultimately, the dispositive holding in the district court's order was a finding of lack of commonality based on differing factual scenarios. The panel clarified that the district court's holding was not, and could not have been, based upon the view that Hispanic ethnicity may not create a class, since that would conflict with established 10th Circuit precedent.

Al Kauffman
Joe Berra
MALDEF San Antonio Office
We have signed onto an amicus brief in a case before the Illinois Supreme Court supporting the position that the Tort Immunity Act’s definition of compensatory damages includes reasonable attorney’s fees.

The Illinois Supreme Court issued its opinion on February 16, 2001. The court found that the statute cannot be construed to cover attorneys fees, noting that when the legislature has wished to provide for attorney fees in other statutes, it has so specified.

Sharon K. Legenza
Chicago Lawyers’ Committee for Civil Rights Under Law, Inc.
Co-Counsel

Patricia Mendoza
MALDEF Chicago Office