

Meeting Participants: Katy Chavez, HLD Chair, Jorgelina Araneda, Carol Brooke, Clermont Fraser, Jack Holtzman, Gabe Jiminez, Rhett Johnson, Beckie Moriello, Marty Rosenbluth, Sharon Cole, Matt McArthur, Larry Vick, Frank Bricio, Andrea Davis.

AGENDA:

-Approval of HLD Meeting Minutes from September 25, 2008 HLD Meeting:

- Katy proposed change: Vice Chair position isn't available until Anna becomes judge.
- Minutes unanimously approved w/ change.

-Chair welcomed all meeting participants and thanked Beckie Moriello for taking the meeting minutes.

-CLE in Mexico Wrap-Up

- Be jealous.
- Attendees unanimously deemed it best CLE ever offered by NCAJ.
- Katy suggests a social where we discuss what we learned.
- Here's a summary of law in Mex:
 - Trials are written, not oral. Secretary (who's also atty) writes down testimony as well as demeanor, like if witness appeared nervous.
 - No concept of burden of proof. After asking several attys, the closest we got is, "After probable cause, they're probably guilty."
 - No plea bargaining. Looks like it really does bring system to a halt. Normal trial is 10m.
 - After paying bond, no method for picking you up if FTA. So a lot just don't.
 - DAs are "overworked, incompetent, corrupt, and no one gives a shit." No one seemed to care about what happens to guys in jail.
 - Court appointed counsel is considered inferior. Private defense counsel told us that he charges a lot, but gets much better results.
 - To become atty, must have internship after law school. Kids graduate law school at like age 21.
 - Helped us understand what our Mexican clients' preconceptions are. For example, only kidnapping and murder charges aren't brought by victim. That's why DV clients are confused when their 3rd DV charge doesn't go away when wife backs down.

-Katy proposes Social. Members want to hear more about Mexico CLE.

-Katy proposes 4pm at restaurant. Larry suggests somewhere with private room. Flying Saucer or Tirnanog?

-Some Thurs at 4:30, maybe 2nd week of Dec.

-Andrea will work out all the back-end details once Katy confirms date that would work for those that attended the CLE in Mexico.



Protecting people's rights.

Hispanic Latino Legal Issues Division

Division Meeting Minutes

October 30, 2008 – 12:30 PM to 2:30 PM

-Potential Trial Briefs articles:

- How to get kids in school when parents aren't in country.
- Deportation preparation (lots of ppl who represent latinos aren't in HLD)
- How to help documented immigrants get DLs
- Lots of civil rts attys don't know about 287g, and they're appalled when they find out.
- Lots of attys, like at ACLU, would take these sorts of human rights cases.
 - Ex: when they deported victims of robbery in Knightdale, there was almost no outcry
 - Ex: if we start telling women not to call cops on DV (b/c will leave kids w/o childsupport or their dads), that might cause outcry
- Maybe 287g series of articles
- 90% of Marty's work deals w/ 287g. He's working w/ ACLU. They're doing CLE on Right to Remain Silent.
- Larry is interested in article on how in this mortgage crisis, latino community credit union has significantly lower foreclosure rates. Success story. Why? Partially the mentality of not getting in over your head, and that the whole family is responsible.
 - Jack says Self Help also has a much better success rate than the market
 - Matt says so does Center for Responsible Lending. Might be interesting to see success rate of these guys lending to latinos vs BofA lending to latinos.
 - Both that latinos are good credit risk and that these credit unions are lending in a better manner.
 - Question about exactly what angle article should take.
- Mobile home agreements. Need DL to buy one, so latinos are entering weird agreements.
- Volunteers are solicited. Your copy would be due July 31 2009 for big issue. Smaller ones for Jan and Feb.
 - Katy Parker already wrote article for Oct issue.
 - Jorgelina volunteered for removal/deportation proceedings, tied to 287g.
 - new stuff like voluntary removals, higher bonds
 - criminal attys are having to start doing immigration stuff, whether they like it or not. The crim atty is the only atty these guys are going to see, and client is going to make decisions based on that advice that'll affect him his whole life.
 - PAC for attys. Get them to sign FOIA request, appearance waiver, POAs, G28, affidavit re attached statement.
 - Guide on How to do Immigration Triage for Criminal Attys by Jorgelina. Yay!
 - Carol will talk to NC Justice Center people on rent-to-own stuff



Protecting people's rights.

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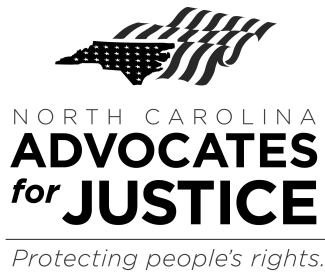
Division Meeting Minutes

October 30, 2008 – 12:30 PM to 2:30 PM

- Half of HLD members aren't on HLD listserv.
 - In order to recruit more member to the listserv, Andrea can send an email to all HLD members saying something like – look what you missed on the HLD listserv last week – and provide a teaser of a topic or two from the HLD listserv.
 - Tell them then can put listserv as digest.
 - We want to be accessible to those who don't typically help latinos. They don't even know who to call, but they could certainly put a question on the listserv and get quick, competent answer.
 - Especially since we're a free division.

- Clinic 11/14
 - We're gonna serve 100s of latinos w/ a team of attys and law students
 - Location backed out, which means we're losing a lot of built-in clients. Location is willing to reschedule to spring, but we've already got a bunch of attys that are willing to come in Nov.
 - Can we get another church? All Catholic churches here are huge, but there's not many.
 - Katy thinks we'll get a huge turnout with just a little advertising.
 - Clients might be worried about checkpoints.
 - We'd like somewhere close to New Bern Rd, so if people show up there, they don't have too far to go to new place.
 - While clients are waiting, we can do general info sessions like know-your-rights and 287g.
 - Most agreed that we want to continue going forward. Just gotta find a place. We think we'll find one in a couple days. We'll try contacting El Pueblo and El Centro para Familias Latinas to see if they have ideas. St Raphael's on Falls of Neuse?
 - Once we know location, Andrea will do press release. Hopefully we'll get a whole article.
 - Current count on attys is 9.

- Regional Meeting in Greensboro
 - Probably not until spring. A fri afternoon, so families could go and then stay and like go to the zoo and stuff.
 - People are receptive to Fri afternoon in Greensboro.



Hispanic Latino Legal Issues Division

Division Meeting Minutes

October 30, 2008 – 12:30 PM to 2:30 PM

-Legislative Agenda

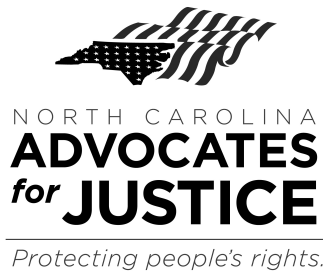
The following legislative proposal was adopted:

Main Statement:

The Hispanic Latino Legal Issues Division opposes legislation aimed at marginalizing or intended to negatively effect residents based on their immigration status or lack of English proficiency.

Specific Agenda Items:

- SUPPORT drivers' licenses for any resident of NC regardless of immigration status.
- OPPOSE cooperation between law enforcement and ICE, including any funding of programs that encourage such cooperation.
- OPPOSE mandatory E-verify for employers.
- SUPPORT access to auto insurance regardless of whether one has a driver's license or not.
- OPPOSE prohibition of government contracts without verification of immigration status of all employees.
- SUPPORT not allowing arrest of individuals solely for NOL.
- OPPOSE sanctions by local and state government against employers, landlords or retail outlets based on immigration status of workers. Immigration is a function reserved by federal government and should not be regulated by state or local governments.
- OPPOSE English-only ordinances and laws.
- SUPPORT improvements to the NC Migration Housing Act.
- SUPPORT strengthening pesticide laws and regulations affecting farmworkers' health and working conditions.
- SUPPORT a change in the regulations allowing agricultural employers to be exempt from Workers Comp requirements unless they have more than 10 year round employees. Because of the seasonal nature of the business, this allows many farms to avoid required coverage for these dangerous jobs, even if they are quite large.



Hispanic Latino Legal Issues Division

Division Meeting Minutes

October 30, 2008 – 12:30 PM to 2:30 PM

Specific Agenda Items (continued):

- OPPOSE cooperation between government agencies and ICE in exchanging information.
- OPPOSE state adoption of REAL ID.
- OPPOSE denying access to post-secondary education based on immigration status.
- SUPPORT in-state tuition for all NC State residents regardless of immigration status if families have been paying state and federal taxes.
- SUPPORT sanctions against notarios and other unauthorized practice of law.

-Meeting Adjourned