

Dan Ruben
Executive Director
Equal Justice America
13450 East Boundary Road
Building II, Suite 204
Midlothian, VA 23112

August 31, 2015

Dear Mr. Ruben,

Thank you very much for the opportunity to serve as an Equal Justice America Fellow this summer. I spent my summer working with the Farmworker Team of Texas RioGrande Legal Aid (TRLA) in Weslaco, Texas. During the course of my fellowship, I helped immigrants and farmworkers in the Texas Rio Grande Valley assert their employment and civil rights. This experience gave me the chance to develop important insights and legal skills that will allow me to better serve marginalized immigrant populations as an attorney.

I dedicated much of my time to one case involving a group of migrant farmworkers who had traveled from Texas to the Midwest to perform seasonal farm work. Once they arrived at their worksite, the workers were treated poorly and did not receive the work and pay they had been promised. As a summer fellow, I met individually with the clients and assessed their legal claims under the Migrant and Seasonal Agricultural Worker Protection Act (AWPA) and other laws. I helped the clients calculate how much they were potentially owed in actual and statutory damages and drafted a demand letter to their employer on their behalf. It was clear from this case and other similar cases that TRLA handles that many employers view migrant farmworkers as an easily exploitable labor force. It was heartening to work with clients standing up for their rights and fighting back against this perception.

I also assisted a farmworker who suffered national-origin discrimination in violation of the Civil Rights Acts of 1964 while performing seasonal agricultural work outside of Texas. I first conducted legal research into the amount of damages our client could potentially recover through a lawsuit and drafted a legal memorandum with my findings. Based on my research and discussions with our client, I drafted a letter to the Equal Employment Opportunities Commission (EEOC) laying out the monetary and non-monetary relief our client sought from his former employer as compensation for the abuse. Throughout the summer, I advocated for our client in a conciliation process facilitated by the EEOC in attempt to negotiate a settlement with his former employer. This experience gave me further insight into the degrading treatment many immigrant farmworkers experience on a routine basis.

One of the most shocking injustices I encountered during my fellowship was Texas's policy of refusing to issue birth certificates to U.S. citizen children of undocumented immigrant parents. In recent years, Texas has restricted the types of identification it

accepts to issue a birth certificate and no longer accepts the “matricula consular,” a form of identification issued to immigrants by their home countries’ consulates that does not require proof of legal status. TRLA and other civil rights organizations filed suit against state officials for violating the constitutional rights of children who had been denied a birth certificate and their parents. I had the privilege of meeting with several of the parent plaintiffs and helping them draft affidavits describing the disastrous impact of the state’s policy on their lives. The mothers explained that without birth certificates, they struggled to enroll their children in school and obtain the much-needed medical and public assistance benefits to which their children are entitled as U.S. citizens. Despite the precarious situation of undocumented immigrants along the U.S. – Mexico border, these mothers were prepared to do whatever it took to protect their children.

Additionally, I also completed legal research projects on a variety of topics, including the application of federal health and safety standards to packing sheds, landlord obligations between tenancies, tolling agreements, and wage recovery under the Federal Labor Standards Act (FLSA). This experience was valuable because it allowed me to hone the legal research and writing skills I developed during my first year of law school while adjusting to the time pressures of a real-world legal setting.

As a summer fellow at TRLA, I had the opportunity to provide meaningful legal assistance to immigrant and farmworker clients. I was able to work on a variety of legal tasks, from legal research to client interviews to drafting legal documents, and received helpful feedback and support from my supervisor. My experience at TRLA helped me better understand the injustices immigrants routinely suffer and the imperative of expanding access to legal service for the poor. I was also able to further develop the legal skills I need to continue serving low-income immigrant workers.

I greatly appreciate the financial support provided by Equal Justice America, which helped make this experience possible.

Sincerely,

Kristin Donovan
American University Washington College of Law, Class of 2017