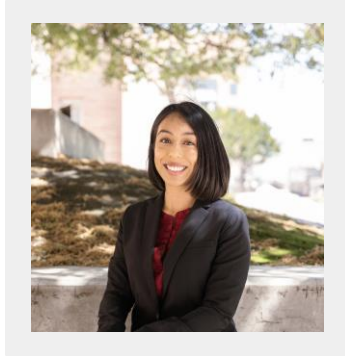




## Summer 2021 EJA Fellow:



**Name:** Vivian Martinez

**Law School:** LMU Loyola Law School

**Organization:** California Rural Legal Assistance

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### Update 1:

I'm officially beginning week 4 of my Rural Summer Legal Corps fellowship at California Rural Legal Assistance, Inc.! Thank you to Equal Justice Works for the opportunity to center my fellowship this summer on the employment and immigration needs of LGBTQ+ rural community members in the Central Coast and Central Valley.

This week, I'm preparing an advocacy plan to push for gender neutral restrooms in agricultural operations, and meeting with a client to begin her application for asylum-based adjustment of status. Feeling very grateful to have the support of Equal Justice America.

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### Update 2:

Recently, at California Rural Legal Assistance, Inc., I have been working with a client to determine whether we can move forward with a potential PAGA claim based on labor code violations of failure to pay minimum wage, overtime, and provide suitable seating during rest and meal breaks.

This landmark legislation creates a private right of action to enforce California labor law provisions previously reserved for enforcement solely by the state. CRLA Foundation, CRLA's sibling organization wrote the first draft and co-sponsored the original bill (SB 796) with the California Labor Federation, AFL-CIO. CRLA Foundation was instrumental in passing PAGA and I feel honored to continue their work with our client.

In the coming weeks, I'll be calculating wage and hour damages, and drafting a PAGA notice letter to submit to the CA Labor and Workforce Development Agency. With the support of an LGBTQ+ Program attorney, our client will stand in the shoes of the state and assert his rights and the rights of all workers across the state.

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### Update 3:

This week is my eighth week at California Rural Legal Assistance, Inc.!

I'm working on an ongoing research question of how to defend against an unlawful detainer from employer



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provided housing based on wrongful termination. According to the Williams Institute "discrimination against LGBT people in employment and other settings is widespread and can destabilize housing and make it more unaffordable."

Our client, a transgender man faces this very challenge because his employer is also his landlord. In the coming days, I'll be teaming up with folks at Legal Aid at Work to tackle this case together. One of the most memorable experiences of my fellowship has been collaborating with legal experts at other public interest organizations to address the widespread legal needs of LGBTQ+ individuals.

In the final weeks of my program, I will be wrapping up a client's Adjustment of Status (AOS) petition. Adjustment of status is the process by which an eligible applicant who is present in the United States may become a lawful permanent resident ("green card" holder). Through her AOS, our client, a transgender woman will continue on her pathway to citizenship and continue her life without the fear of persecution endured in her home country.

Although remote services have been a challenge, I find joy in knowing that our client can take our weekly calls while walking her dog and enjoying the outdoors. Increasing access to justice looks like meeting our clients where they are, and while the return to the office is imminent, I'm grateful to be part of a remote legal service model that is client-centered, and feels in some ways more accessible.

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#### **Entry 4:**

I can't believe I'm wrapping up my summer fellowship with the LGBTQ+ Program at California Rural Legal Assistance, Inc. today. I learned bounds from my team and could not be more grateful to Equal Justice Works and Equal Justice America for funding my work.

There was no better send off than taking part in the Name and Gender Marker Change Clinic last Saturday in Fresno, CA. Correcting identities through the court system is far from simple. The process forces transgender and nonbinary people into a complicated and often hostile legal system. Our clinic included helping clients fill out court documentation and providing them with information about the process of changing one's name and/or gender in the state of California.

I'm humbled to have worked alongside experts in this field, and those who know best how corrected identity documents can lead to life saving outcomes and experiences for rural LGBTQ+ communities.

Please consider donating to Equal Justice America so that my work, and the work of other public interest minded fellows, may continue.