

word of this program if it risks the rest of our mission," Braley said in an interview in his Richmond office.

● As a result of the cut in funding, representation for migrants in Virginia will dry up unless the Justice Center can raise funds on its own.

The center's clients include individuals who pick meat out of blue crabs, clear brush and work as landscapers.

The workers have few resources of their own, often arriving in debt, having paid hundreds of dollars to recruiters who arrange their trips to the U.S.

John McKay, a moderate Republican who is president of the federal Legal Services Corporation in Washington, said he was distressed by the situation in Virginia and expressed concern that it could foreshadow cutbacks elsewhere.

"To restrict funding for migrants is a huge mistake. It's unfair," said McKay, a former corporate lawyer who used to do volunteer legal work on behalf of tenants in Seattle. "You are invited by the government to work here but you must check your legal rights at the border. The morality of that is highly questionable."

Representation of migrants, whether citizens or not, has for decades been the most controversial component of the federally funded legal services program. The clashes started in the late 1960s when Ronald Reagan, then the governor of California, tried to cut off funding for California Rural Legal Assistance, the first major legal advocacy group for poor farm workers.

"Unlike suing banks or landlords, there is a conflict not just of economics but a conflict of culture—a culture that is rooted in a different century—about what is the proper social relationship between poor workers and their employers," said Bill Beardall, the former director of Texas Rural Legal Assistance.

After years of skirmishes, Congress in 1996 dramatically limited the circumstances in which U.S.-financed legal aid lawyers could represent illegal immigrants. Legal service agencies in a handful of states reacted by creating their own programs. In Virginia, the Justice Center was established at the Charlottesville-Albermarle Legal Aid Society, one of the state's oldest and most aggressive legal services programs.

"We knew it was politically risky," said Braley, LSCV's director, but he believed it was worthwhile because the board had determined that migrants were the group most adversely affected by the federal restrictions. "We were one of only five states that funded an unrestricted program" for mi-

grant advocacy—meaning one not receiving any federal funds and consequently free of the strictures Congress had imposed.

After Legal Services appropriated the money, Gulotta convinced Bauer in early 1998 to give up her job at the American Civil Liberties Union in Richmond and return to Charlottesville, where she attended the University of Virginia Law School and started as a legal aid lawyer in 1991.

"Alex promised me it would be cool to start a migrant project," Bauer said.

Even though she knew the agency was bound to draw hostility, the prospect of running it appealed to Bauer, who said she became sensitized to poverty because of "appalling disparities" she saw while her father was working in Latin America during her youth.

The first year, the center had two employees—Bauer and a half-time paralegal. Now, there are three full-time attorneys and another who works part time. Besides the state funding, the salaries of center attorneys—in the high \$20,000s—have been provided by fellowships from Skadden Arps, Slate, Meagher & Flom, a major New York law firm, and the Ford Foundation.

Each attorney speaks fluent Spanish and, during growing and fishing seasons, drives around to remote areas to inform migrant workers where to call for help. Sometimes, it's not difficult to find them. "We just go into a little town and ask where the Mexicans are," said paralegal Paulo Mendonca.

Social service workers such as Mary Bell Boltwood also introduce migrants to center attorneys.

"We have had several cases where the farm workers complain to us, as their only outside contact, that they have just finished harvesting someone's tobacco crop and were not paid a penny," said Boltwood, who runs a federally funded health care program that serves migrants. "Instead of my outreach and nursing staff having to confront the grower, we can call the Justice Center and they, often with one phone call, can resolve the whole situation."

The workers are easy to exploit, Bauer said, because there is little federal oversight of the H2B program and because such workers cannot turn to federally funded legal services programs for help because of the 1996 congressional restrictions.

The degree to which many of the migrants are isolated is illustrated, Bauer said, by calls she got in 1998, the year the center was launched. "A woman named Rosa Zamora left a message saying, 'There's a prob-

lem in Saluda. Please come.' I didn't know what to do," the attorney said.

"She called back and I asked, 'Where do you live?' She said she had no idea; she was in the middle of nowhere. . . . She called a few days later and said the workers were staying near a blue house on such and such a road."

Bauer went and found them. After a two-hour meeting, the workers decided to sue their employer, Shores and Ruark Seafood Inc., a processor of oysters and blue crabs in Urbanna, Va.

The class-action suit alleged the company failed to pay minimum wages or overtime to workers whom the company brought up from Sinaloa. It also alleged that the company failed to comply with job safety laws and had forced the workers to buy their tools and pay

Mexico.

Lobbyist Sees 'Shakedown'

"We had very few people who were dissatisfied until they found out they had something to be dissatisfied about," Ruark said.

Jeff Smith, a lobbyist for the Seafood Council, accuses Bauer of engaging in a "shakedown" of seafood companies, forcing them to settle suits without merit.

Bauer retorts that the center has never had a suit dismissed by a judge. "Over and over again, our job is simply to ask that workers be paid the minimum wage, overtime wages where they are entitled to receive them and that workers not be forced to live and work in dangerous conditions," she said.

"Our clients want such pathetically basic things," Bauer added.

Sometimes, the center has received action without going to court. For example, center attorneys discovered two years ago that 11 tobacco workers were being required to live in a room where open pesticide containers were being stored. A center complaint to a state agency led to the removal of the containers. The employer also agreed to provide workers with a washing machine so they could clean their clothes on a regular basis.

While these victories boosted the center's reputation among migrants, they also angered business interests. Smith said members of the Seafood Council settled some of the suits simply because that was cheaper than incurring large legal fees to defend them.

A year ago, serious political problems emerged. At the urging of the Farm Bureau and the Sea-

best-selling legal thrillers, as honorary fund-raising chairman for CALAS. Bauer hopes that private donors or foundations will see the merits of the program. So far, the center has garnered a \$50,000 grant from the Public Welfare Foundation in Washington.

"I feel like we are doing some of the best work I've done as a public interest lawyer," said Bauer, who in mid-May was named the legal aid lawyer of the year by the Virginia Bar Assn. "We've made a difference in the lives of ordinary people."

Zamora, who was handed her \$4,000 settlement by Bauer in Sinaloa, agrees. "Mary's a person that even though she's American, she helps the Mexicans," Zamora said in a telephone interview from her home there. "She's a great worker and a wonderful friend."