



August 24, 2018

***Via Email***

Standing Committee  
The California Lawyers Association  
180 Howard Street, Ste. 410  
San Francisco, CA 94105  
[Melanie.Miranda@calawyers.org](mailto:Melanie.Miranda@calawyers.org)

**Re: Loren Miller 2018 Nomination, Stephen Ronfeldt**

Now is the moment to award the Loren Miller Legal Services Award to Stephen Ronfeldt, an extraordinary lawyer and extraordinary human being whose life exemplifies the qualities and characteristics sought for awardees, and who is now – after more than fifty years on the front lines fighting for low income people across the country – battling a serious cancer. The Public Interest Law Project nominated Steve when he retired from PILP, and Bay Area Legal Aid now joins PILP in this nomination, which is supported by the attached prior submission.

This committee's award selection criteria read like a description of Steve's career. As you will see from the materials submitted with this letter, it is abundantly clear that Steve has more than demonstrated "dedication to the development and delivery of legal services" and "performance of legal services with a demonstrated long-term commitment to providing legal services." Those are descriptions of the work he has done, from the moment of graduation in the 1960s until this day, and he has done this work in an exemplary fashion, to the benefit of millions of low income people across the country.

The volume and importance of Steve's "successful precedent-setting litigation which benefited the poor," are described in his 14-page CV, which lists an extraordinary array of profoundly impactful and important litigation that has measurably improved lives throughout the country. Similarly, Steve has an exemplary record of "successful local, state and/or national legislative advocacy on behalf of under-represented persons," as described in more detail in his CV.

Not only does Steve's professional work and career make him an ideal candidate for the award, his personal character is simply extraordinary. Steve is one of the rare people in life who maintains a tremendous warmth, cheer and positivity no matter the adversity he faces. He is an optimist at heart – something all of our clients deeply need – which drives him to be endlessly creative and tenacious in his work. Steve's optimism and total dedication to justice and fairness for low income communities is infectious – it inspires everyone around him to be their best too. Steve has thrown himself into mentoring with the same zeal he has thrown himself into his cases; the State is full of passionate advocates who have been taught and mentored by Steve, and through this work his impact has grown ever deeper.

The California Lawyers Association  
August 24, 2018  
Page 2

We sincerely hope that you recognize Steve's outstanding career with the Loren Miller Legal Services award this year.

The Public Interest Law Project, by:

A handwritten signature in blue ink that reads "Michael Rawson". The signature is written in a cursive style with a long, sweeping tail on the final letter.

Michael Rawson, Director

Bay Area Legal Aid, by:

A handwritten signature in blue ink that reads "Rebekah Evenson". The signature is written in a cursive style with a long, sweeping tail on the final letter.

Rebekah Evenson, Director of Litigation



# 2013 Loren Miller Legal Services Award

## NOMINATION FORM

**DEADLINE: MARCH 15, 2013**

### INSTRUCTIONS

- Please refer to the [Award Information and Guidelines](#) before completing the nomination form. A nominee must be a California attorney. The [Loren Miller Legal Services Award](#) is considered a lifetime achievement award. Self-nominations are accepted. Repeat nominations are accepted with updated information.
- Previous award recipients include staff of legal services organizations such as directors of litigation and executive directors, and private bar attorneys.
- Answer all questions thoroughly. To enter text, click the cursor on each shaded expandable box.
- To move to the next question or text box, press "Tab."
- To check boxes, click on the box or tab to it and press "Enter." To uncheck the box, click on the "X".
- Nominee's current resume or biography with work history and at least one (1) but no more than five (5) letters in support of the nomination are required and must be submitted with the nomination form. The page limit on letters of support and supporting materials (not including resume) is 25 pages.
- Address letters of support to the "Standing Committee on the Delivery of Legal Services".
- See Instructions for Electronic Submission below and in the [Award Information and Guidelines](#).
- If information is missing from the nomination form, the nomination may be disqualified. If information needs to be clarified, the nominator may be contacted.

### NOMINEE INFORMATION

Name of Nominee: Stephen E. Ronfeldt  
Number: 41044

State Bar of California Member

Nominee's Organization, Firm, Employer: The Public Interest Law Project/ California Affordable Housing Law Project

Address: 449 15<sup>th</sup> Street, Suite 301

City: Oakland State: CA Zip Code: 94612

Phone: 510-891-9794, ext. 127 Fax: 510-891-9727 Nominee's e-mail: sronfeldt@pilpca.org

Has the nominee been nominated for this award before?  Yes  No (If yes, indicate year (s) nominated if known: )  Unknown (Note: Repeat nominations are accepted with updated information)

### NOMINATOR INFORMATION

Name of Nominator: Michael Rawson

Check if self-nominating

Relationship to Nominee: Supervisor & Colleague  
Law Project

Affiliation or Employer The Public Interest

Address: 449 15<sup>th</sup> Street, Suite 301

City: Oakland State: CA Zip Code: 94612

Check if more than one nominator and provide name(s) and complete contact information:

***Please answer all questions thoroughly in the expandable space provided below. If information is missing from the nomination form, the nomination may be disqualified. If information needs to be clarified, the nominator may be contacted.***

1. Describe the accomplishments of the nominee towards the development and delivery of legal services to the poor: From the beginning of his career, Steve has been at the forefront of strategies to expand the delivery and effectiveness of legal services to lower income people. These efforts are outlined here and described in more detail on Steve's attached curriculum vitae.

1) Following his service in the inaugural class of Reginald Heber Smith Fellows ("Reggies") with the Legal Aid Society of Alameda County in 1968, Steve returned to the Legal Aid Society in 1971 and formed one of the first legal services impact litigation units in the country. He directed the unit until he left the Legal Aid Society in 1996.

2) While at the Legal Aid Society, in 1980 he formed a group of nonprofit organizations to advocate for community reinvestment of major banks, which led to his becoming a founding board member and lead negotiator of the California Community Reinvestment Coalition. During his tenure with the CRC from 1990 to 1999 the organization obtained commitments of over \$30 billion in affordable housing financing. CRC now represents 300 non-profit organizations in California and is a recognized leader on community reinvestment nationwide.

3) Also while at the Legal Aid Society, Steve worked with Boalt Hall law students to establish the Berkeley Community Law Center, which later became the East Bay Community Law Center. He was a founding board member of this nationally recognized legal clinic providing an avenue for law students at Boalt to assist low income households throughout the East Bay.

4) Finally, in 1996 Steve left the Legal Aid society to establish The Public Interest Law Project after Congress prohibited Legal Services Corporation (LSC) funded legal services programs like the Legal Aid Society from litigating class actions, advocating for law reform legislation, representing undocumented immigrants and obtaining attorneys fees for impact litigation. These legal services restrictions cleaved critical aspects of legal advocacy from the tools of legal services and legal aid societies. Steve realized that it was essential to maintain a capacity to bring impact litigation and sponsor law reform legislation on behalf of lower income families and communities in the efforts to achieve social and economic justice for them. He co-directed PILP until 2012 and remains a vital member of the attorney staff. PILP is a statewide support center for California public interest and legal services programs, funded in part by the State Bar, and has grown from two to seven attorneys recognized as statewide leaders and experts in the areas of public benefits and affordable housing.

2. Describe any litigation (**including complete citations to reported cases**) benefitting the poor and scope of impact: Steve has brought many important impact cases throughout his long and impressive career as an attorney for the poor. A comprehensive list is provided in his attached curriculum vitae, but I present the highlights here.

#### PUBLIC BENEFITS.

Ochoa v. Harvey (No. S-92-736 DFL (E.D. Cal. 1992). Consent decree enjoining the California Unemployment Appeals Board and Department of Employment and Development from lengthy delays in hearing appeals and requiring hiring of more than 100 administrative law judges to expedite the appeals.

Brou v. County of Alameda (No. C-96-3206 CRB (N.D. Cal. 1999). Settlement requiring identification and reasonable accommodations for County general assistance recipients with mental disabilities.

Cleary v. County of Alameda, 196 Cal.App.4<sup>th</sup> 826 (2011). Decision struck down the County policy requiring GA recipients to provide a signed tax form (W-9) from their landlord as a condition of receiving the shelter portion of their grant. The decisions reaffirms that benefits must be provided in a prompt and humane manner.

Mankinen v. Orange County (No. 30-2012-00582524-CU-MC-CXC (Orange County Superior Court, 2012). Class action settlement transforming many aspects of the County's General Relief program, including increased program access, removal of application barriers, higher maximum grants, removal of illegal sanctions, revised termination procedures, and increased County obligations to identify reasonable accommodations for individuals with disabilities. The settlement also provides for retroactive relief. (See letter of recommendation from Crystal Simms of the Legal Aid Society of Orange County.)

#### DISASTER RELIEF

Smith v. Federal Emergency Management Agency (No. C-90-0161 EFL (N.D. Cal. 1990) In this class action challenging FEMA's failure to provide housing assistance to Loma Prieta earthquake victims, \$23 million settlement obtained to replace over 2000 residential hotel and emergency units lost in the earthquake.

McWaters v. Federal Emergency Management Agency, 408 F.Supp.2d 221 (E.D. La. 2005). Nationwide class action enjoining FEMA from terminating short term lodging assistance for persons displaced by hurricanes Katrina and Rita. 237 F.R.D. 155 (E.D. La. 2006) (class certification); 436 F.Supp.2d 802 (E.D. La. 2006) (dismissing several claims but holding that (1) FEMA's administration of housing assistance is not immune from judicial review, (2) due process rights of displacees were violated, and (3) FEMA cannot mandate SBA applications as pre-requisite to obtaining temporary housing assistance.)

Ridgley v. Federal Emergency Management Agency, WL 1728725 (E.D. La. 2007) (class certification); 512 F.3d 727 (C.A. 5 2008) Nationwide class action enjoining FEMA from seeking repayment of disaster relief assistance and failing to give recipients an opportunity to compromise their claims or obtain a waiver based on hardships. The injunction also enjoined FEMA from terminating housing assistance without due process notice and hearing, but that part of the injunction was reversed by the Fifth Circuit Court of Appeals.

#### HEALTH CARE & PATIENT RIGHTS

Jackson v. Stockdale, 215 Cal.App.3d 1503 (1989). Mandating Medi-Cal coverage for root canals and crowns and holding state regulation excluding their coverage invalid.

Crespin v. Kizer, 226 Cal.App.3d 498 (1990) Mandating Medi-Cal coverage for long term care and dialysis for undocumented aliens.

Kinlaw v. State of California, 285 Cal. Rptr. 66 (1991). Lawsuit challenged the State's illegal transfer of financial responsibility for health care of medically indigent adults to counties without reimbursement. The Supreme Court held that counties, not medically indigent adults, had standing to sue, but the counties used the theory of the case approved by the Supreme Court to obtain reimbursement.

Brown v. Kizer, No. 641954-3 (Alameda County Superior Court, 1992). Statewide consent decree requiring Medi-Cal coverage of non-cosmetic orthodontic care for children.

Blue v. Bonta, 99 Cal.App.4th 980 (2002). Decision mandating Medi-Cal coverage of stairway chairlifts as durable medical equipment and holding regulation excluding coverage of chairlifts invalid.

#### HOUSING & ANTI-DISPLACEMENT LITIGATION

Jennings v. Castlemont (No. 51698 (N.D. Cal. 1969)). Settlement in housing discrimination class action under 1968 Civil Rights Act, Title VIII, requiring large apartment complex to admit minority tenants and change discriminatory admission policies.

La Raza Unida v. Volpe, 337 F.Supp. 221 (N.D. Cal. 1972); aff'd. 448 F.2d 559 (C.A. 9, 1973) Ninth Circuit Court of Appeal affirmed district court injunction restraining federal and state departments of transportation

from proceeding with freeway construction absent compliance with relocation assistance and environmental mandates.

United Neighbors in Action v. American Savings and Loan (No. C-78-1799 (N.D. Cal. 1979)). Consent decree prohibiting redlining and requiring correction of lending deficiencies in low-income, minority neighborhoods.

La Raza Unida v. Skinner, No. C-71-1161 (N.D. Cal. 1988) Consent decree enjoining freeway construction through minority community and providing \$12 million in replacement housing and relocation funds with environmental protections. This consent decree was superseded by Swanson settlement (see below. (Litigated these cases from 1971 to 2013!)

Lee v. Caltrans (No. C-92-3131 SBA (N.D. Cal. 1992)). Settlement safeguarding personal belongings of homeless persons on public lands from arbitrary removal and destruction by California Department of Transportation, California State Police, and Oakland Police Department.

Swanson v. California Department of Transportation (No. RG 09476468 (Alameda County Superior Court, 2009)). Class action settlement requiring defendants to provide (1) up to \$6 million in relocation assistance benefits for several hundred tenant households to be relocated due to sale of surplus properties in Freeway Route 238, (2) one-for-one replacement of affordable housing lost due demolition or sale of properties, and (3) opportunities for tenants to purchase their properties with loans and other subsidies.

#### EMPLOYMENT DISCRIMINATION

Legal Aid Society of Alameda County v. Shultz, 349 F.Supp. 771 (N.D. Cal. 1972) Federal court decision requiring public disclosure of non-discrimination data submitted by federal contractors to federal agencies.

Legal Aid Society of Alameda County v. Brennan, 381 F.Supp. 125 (N.D. Cal. 1974); aff'd. 608 F.2d 1319 (9th Cir. 1979); cert. den. 447 U.S. 921 (1980) Federal Court of Appeal upheld decision enjoining federal agency from approving federal contractor programs which omitted affirmative action and non-discrimination requirements under Executive Order 11246.

Castillo v. Usery, 1976 WL 716 (N.D. Cal. 1976); 14 FEP Cases (1976) Summary judgment finding systemic violation by U.S. Department of Labor in approving affirmative action programs in violation of Executive Order 11246.

NAACP v. Usery (No. 73-282 AJZ (N.D. Cal. 1979)). Settlement with U.S. Department of Labor applying affirmative action program requirements to trucking, railroad, and busing industries.

3. Describe any legislation (**including citations**) that benefited the poor and scope of impact: Over the course of his career Steve guided many important legislative efforts, and most of them are listed in his attached vitae. Here some of them:

State Unemployment Compensation Regulations and Legislation (1976). Negotiated regulations with the California Employment Development Department to prevent recoupment of unemployment compensation benefits from low-income claimants except in cases involving fraud. Participated in task force with Director of Department to improve claimant forms, interview procedures, and precedent benefit decisions. Task force also successfully proposed related revisions in legislation.

Federal and State Relocation Regulations (1976-1977). Coordinated national legal service attorney task force for reforming federal relocation regulations and prepared comments on revising entire set of HUD relocation requirements. Made similar comments and proposals to California Department of Housing and Community Development. Proposals for housing availability and replacement housing requirements were adopted as well as some for relocation assistance.

Federal Affirmative Action Regulations (1977). Upon invitation from the Solicitor of U.S. Department of Labor, served as a national representative of the plaintiffs' bar in revising and redrafting entire set of federal anti-discrimination regulations promulgated pursuant to the Executive Order 11246, including affirmative action goals and timetables in Revised Order No. 4 covering federal contractors nationwide.

State Patient Care Requirements (1979 – 1981). Negotiated with the California Department of Health a series of patient care requirements for skilled nursing facilities, including state-wide transfer plan to prevent or ameliorate transfer trauma, policy to prevent patient dehydration, and policy to improve facility review process.

State Medi-Cal Standards (1995). Negotiated with the California Department of Health (1) adoption of of Medi-Cal standards for prompt processing of appeals, (2) adoption of Medi-Cal standards for coverage of prescription drugs, and (3) elimination of a “cost-saving” policy delaying non-emergency health care treatment of Medi-Cal recipients.

State Patient Care Legislation (2000). Appointed through Legislature to Continuing Care Statute Revision Task Force to represent residents in all continuing care facilities in California which resulted in a comprehensive statutory revision of continuing care facility laws, SB 2077 (Chapter 820).

Freeway Route 238 Legislation (1982 – 2009). Worked on numerous bills to require relocation benefits, replacement housing and opportunity to purchase homes for residents to be displaced by Freeway Route 238: SB 1711 in 1982, SB 509 in 2005, AB 1462 in 2005. Drafted part of SB 1711 (1982), enacted as Government Code section 1428.6, requiring relocation benefits and replacement housing. Prevented AB 1386 (2009) from eliminating these protections until the Superior Court in Swanson v. California Department of Transportation (described above) approved the consent decree, providing these protections.

4. Describe any community organizing that increased access to the legal system and scope of impact: Detailed in his vitae, here are a few of Steve's successful community organizing efforts:

Oakland Housing Tenants Union (1968-69). Helped to form and then represented the Oakland Housing Tenants Union (OHTU) which demanded, on behalf of Oakland's public housing tenants, repairs of their housing units and retraction of rent increases, threatened a rent strike, and filed a lawsuit. The Housing Authority repaired all units and only increased rents for tenants whose welfare benefits covered the increases.

Affirmative Action Programs ((1972-1979). Negotiated and drafted affirmative action programs on behalf of community organizations with the following city and county agencies requiring minority hiring on permanent staffs and on multi-million dollar construction projects: Port of Oakland, City of Oakland, County of Alameda, Oakland Public Schools and Oakland Housing Authority.

Community Reinvestment (1980 – 1999). As explained above, formed an ad hoc community reinvestment organization of non-profits and then became founding Board member and lead negotiator for the California Reinvestment Coalition representing 300 non-profits. Negotiated with CEO's or other officers of major financial institutions, nine community reinvestment commitments, including lending criteria, collectively providing over \$30 billion annually in lending for affordable housing and community economic development throughout California: First Nationwide Bank (1998 & 1995); Washington Mutual (Federal Deposit Insurance Corp. 1997); U.S. Bank, (1997); Union Bank (Federal Deposit Insurance Corporation, 1995 & 1988); Bank of America (1992 & 1988); Wells Fargo Bank (Federal Reserve Board 1995 & 1986); Citibank (1987); Security Pacific (Federal Home Loan Bank Board, 1980); Glendale Federal Savings and Loan (Federal Home Loan Bank Board, 1980); Northern California Savings and Loan. (1980).

5. Explain the nominee's demonstrated long-term commitment to providing legal services: As can be seen from the

extensive and amazing chronicle provided above and from Steve's attached curriculum vitae, he has devoted his entire working life to representation and advocacy on behalf of the most destitute persons and families among us. And he continues in that cause -- still working for social and economic justice after so many years.

For more than 40 years, Steve has led the way in bringing significant law reform litigation on behalf of low income and indigent people in California and throughout the country faced with loss of income, employment discrimination, health care and displacement. Beginning as one of the original Reginald Heber Smith ("Reggie") fellows in the 1970's he formed and became the director of one of the first Legal Services impact litigation units in the country at the Legal Aid Society of Alameda County. There he guided early law reform efforts combatting displacement in West Oakland from freeway expansion and equal opportunity at the U.S. Postal Service in (Alameda County). Later, he spearheaded cases to restore health and general assistance benefits for California families and a class action against FEMA to bring desperately needed relief to indigent tenants in residential hotels displaced by the Loma Prieta earthquake.

In 1995, a reactionary Congress acted to prohibit legal services programs from bringing class actions, representing migrant workers, challenging welfare "reform" or lobbying. Steve moved quickly to co-found the Public Interest Law Project to forge ahead without Legal Services funding and thereby preserve the capacity to do impact litigation and advocacy on behalf of poor people. For the past 16 years, PILP has been spearheading major litigation and advocacy for legal services programs throughout California which they could not otherwise undertake. Steve recently stepped down as co-director, but continues to play a major role in PILP's work.

Most recently, Steve, with Western Center on Law & Poverty and Disability Rights and Education Fund attorneys brought a successful challenge to many procedural and substantive barriers to aid in the Orange County General Relief Program. The result is a comprehensive class action settlement with the County in the fall of 2012, reforming almost every aspect of the GR program, including a 14% retroactive grant increase. For more information on the Orange County GR settlement go here: <http://pilpca.org/organcecountygeneralreliefclasssettlement/>

Steve would never shrink from taking the hard cases. That was certainly true when earlier in his career Steve sued a West Oakland slumlord for failing to fix up his neglected apartments. Steve persisted despite the landlord's threats to drop the suit "or else." He arrived at work one morning to find a bullet hole in his office window. He'll never know if this was a coincidence. Years after the case settled, the landlord personally visited Steve and they made amends.

As Co-Director, the organization grew from two attorneys, to a nationally recognized impact litigation and advocacy program with seven attorneys, an impressive record of court victories, settlements and legislation, and a plan for future work. He has long been an excellent litigation strategist and an inspiration to litigators in the public interest world. His work has improved the lives of tens of thousands of low-income people and their communities.

In addition to his own work, Steve has been generous with his time, mentoring a generation of public interest lawyers, including Eva Patterson, Evelyn Frank, John O'Toole, Ken Zimmerman and many others. Steve also has fostered the creation of many successful, progressive organizations that continue to partner with PILP, including the California Reinvestment Coalition and the East Bay Community Law Center.

6. Additional information about the nominee: Steve has also contributed important writing and training materials on law and poverty in service of the poor. They, as well, are described in his vitae, but here are a few:

Judicial Enforcement of Housing and Urban Development Acts, 21 Hastings Law Journal 317 (1970)

Handbook on Housing Law, Guide to Federal Housing Redevelopment and Planning Programs, prepared by National Housing and Development Law Project, Earl Warren Legal Institute, published by National Institute for Education in Law and Poverty (1971). Wrote sections on Relocation.

Beneficiary Based Enforcement of Federal Regulatory Programs: Strategies for Compelling Federal Agencies and Regulatees to Comply with Public Interest Laws, 26 Howard Law Journal 1365 (1983).

Federal Court Litigation on Behalf of the Poor: Selected Issues (1983). Case law text prepared for University of California at Davis Law School.

Implying Private Rights of Action for Minorities and the Poor Through Presumptions of Legislative Intent, 34 Hastings Law Journal 969 (1983)

Public Interest/Poverty Law (1992) Cases and articles assembled for King Hall School of Law, University of California at Davis.

And on top of all this, he has three great kids and six grandchildren!

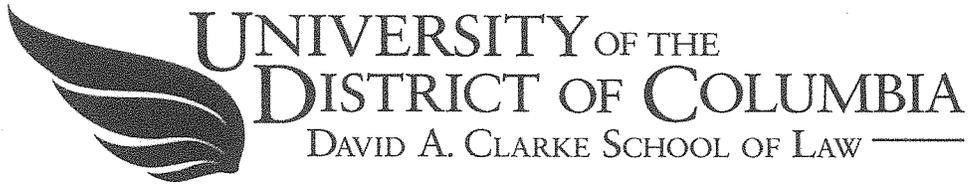
- Attach a current resume or biography with work history, educational background and dates.
- Include at least one letter (but no more than five) in support of the nomination addressed to the Standing Committee on the Delivery of Legal Services (SCDLS).

## **INSTRUCTIONS FOR ELECTRONIC SUBMISSION, NOMINATION PROCESS AND AWARD PRESENTATION**

- Save the completed nomination form on your desktop and include the nominee's name in the file name.
- The nomination form, current resume or biography with work history and dates are required and must be submitted electronically via e-mail as Word documents.
- In addition, at least one (1) letter, but no more than five (5) letters, in support of the nomination that includes citations to reported cases, and reference to legislative and organizing efforts, successful projects, newspaper or other articles is required. The page limit on letters of support and additional supporting materials (not including resume) is 25 pages.
- Letters of support and additional supporting material must be submitted with the nomination form and resume as individual PDF files. Articles can be submitted via live URL links. **Video web links, CDs and DVDs will not be accepted.**
- All attachments must be itemized in the body of the e-mail message and the size of all attachments cannot exceed 10 MB.
- E-mail all nomination materials to Kimberly Warmsley at [LorenMillerandProBonoAwards@calbar.ca.gov](mailto:LorenMillerandProBonoAwards@calbar.ca.gov) **by 11:59 p.m. Pacific Time on Friday, March 15, 2013.** Please include in the subject line "2013 Loren Miller Award" and the nominee's name.
- Do not include more than one nomination per e-mail.
- If it is a hardship to submit a nomination electronically, contact Ms. Warmsley at the e-mail address above, or at 415-538-2176 about an alternative method for submission.
- Nominators will receive e-mail notification acknowledging receipt of each nomination. If you do not receive an e-mail acknowledgment within five (5) business days, please contact Ms. Warmsley.

*Please note that each nominee will receive an e-mail notification that she or he has been nominated for the Loren Miller Award with copy to the nominator.*

The State Bar [Standing Committee on the Delivery of Legal Services \(SCDLS\)](#) will review the nominations and submit its recommendations to the State Bar Board of Governors in July for final approval. The decision regarding the award recipient will be based on the criteria listed in the [Award Information and Guidelines](#) and the strength of the supporting letters. The award will be presented on Friday, October 11, 2013 during the State Bar [Annual Meeting](#) in San Jose.



John C. Brittain  
Professor of Law  
Building 52, Room 454  
4200 Connecticut Avenue  
Washington, D.C. 20008  
Phone: 202-274-4334

March 15, 2013

The Standing Committee on the Delivery of Legal Services  
State Bar of California:

Re: Nomination of Steve Ronfeldt  
Loren Miller Award

Dear Selection Committee:

I submit this letter in support of Steve Ronfeldt for the Loren Miller Award. I am a veteran law professor, former law school dean and civil rights attorney with over forty years of experience in the legal profession.

Attorney Ronfeldt on behalf of the California Affordable Housing Law Project joined a multiple lawyer legal team, including me, in 2005 to represent clients who had been evacuated from the Louisiana and Mississippi Gulf Coast region as a result of damages caused by Hurricane Katrina. The overwhelming numbers of evacuees were too poor to afford legal representation. Faced with monumental challenges to develop a successful legal theory with virtually little precedence for tens of thousands of evacuees located in multiple locations around the nation and on the verge of eviction from temporary housing in such places as state armories and hotels, the lawyers nevertheless crafted a federal law suit against the Federal Emergency Management Agency (FEMA). We were quite successful in creating a landmark ruling in a case styled, *McWaters v. FEMA*, 436 F. Supp. 2d 802 (E.D. LA 2006) that evacuees have a statutory right to temporary housing after the President declares a disaster emergency and the evacuee's home is rendered uninhabitable.

Based on Attorney Ronfeldt's experience with disaster relief work from the Loma Prieta earthquake that struck the San Francisco Bay Area in 1989, he had laser like focus on such basic issues as federal court jurisdiction, sovereign immunity, causes of action, description of the class and interpretation of the federal disaster relief statute. Ronfeldt's contributions to the litigation strategies and victory of maintaining evacuees in suitable housing over the Christmas holiday and far

The Standing Committee on the Delivery of Legal Services, State Bar of California: 2  
March 15, 2013

beyond to the spring 2006 in that particular case were nothing less than brilliant lawyering. But he did not end there. Rather, Ronfeldt continued in two other similar cases with some issues left unanswered from *McWaters*.

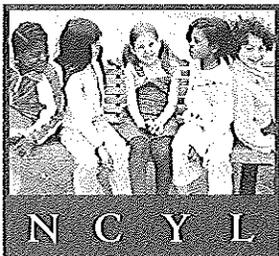
As a result of the attorneys' work in *McWaters*, Public Justice, a national public interest law firm known for its creative litigation, public education and innovative work, nominated the legal team for the Trial Lawyer of the Year Award to the attorneys or legal team who made the greatest contribution to the public interest within the past year by trying or settling a precedent-setting or socially significant case. Though we did not win the award, when you shoot for the stars and miss, it's still an honor to land in the heavens.

Steve Ronfeldt's major role in the *McWaters* case adds to his accumulated achievements that qualify him to earn the Loren Miller Award as a California attorney who has dedicated long term legal services to the poor.

Very truly yours,

/s/

John C. Brittain



## National Center for Youth Law

March 15, 2013

**Director**

John F. O'Toole

**Senior Attorneys**

William L. Grimm

Admitted only in MD

Rebecca Gudeman

Michael Harris

Leecia Welch

**Attorneys**

Hannah Benton

Admitted only in CT

Erin Liotta

Fiza Quraishi

**Of Counsel**

Edward Opton

**Attorney**

**Equal Justice Works Fellow**

Kate Walker

**Director, FosterEd**

Jesse Hahnel

**Manager, FosterEd: Arizona**

Peter Hershberger

**Project Manager, FosterEd: CA**

Rachel Velcoff Hults

**Policy Manager, FosterEd: CA**

Maya Cooper

**Foster Youth Education Liaisons:**

**FosterEd: CA**

Kim Corneille

Lisa O'Connor

**Soros Justice Fellow**

Francis V. Guzman

**Development Director**

Nancy Berger

**Director of Finance**

**& Administration**

Hayden Lilien

**Director of Communications**

Tracy Schroth

**Assistant Administrator**

Miranda Perry

**Administrative Staff**

Ethel L. Oden-Brown

Standing Committee on the Delivery of Legal Services  
The State Bar of California  
San Francisco, CA

Re: Letter in support of Stephen Ronfeldt for the 2013 Loren Miller Award

Dear Members of the Committee:

I am writing to support the nomination of Stephen Ronfeldt for the 2013 Loren Miller Legal Services Award. I do so with great enthusiasm. Steve has devoted his entire 40 year career to providing legal services to low-income people. He has done so with great skill and dedication; he has been incredibly effective. As a former law clerk and long-time colleague of Steve's, I can think of no worthier recipient of this award.

For the last 30 years I have been the Director of the National Center for Youth Law (NCYL) in Oakland, California. NCYL is an IOLTA-funded state support center which also engages in litigation and other advocacy intended to help children in need.

I have known Steve Ronfeldt since 1973, when he was a staff attorney at the Model Cities Unit of the Legal Aid Society of Alameda County engaging in impact litigation on behalf of poor people. I worked as a law student there, and Steve was my supervisor and became my mentor. Steve took the time to teach me how to be a lawyer. Generous with his time, he challenged me to take on significant and rigorous assignments under his supervision. He was a great teacher.

From the beginning of my legal career, Steve provided me with an exemplary model of what a legal services attorney could achieve. Steve's greatest contributions to our community have been to the clients he has helped during his storied career doing impact litigation. He has helped hundreds of thousands of low-income clients by winning lawsuits on their behalf and by effectively implementing the remedies he has obtained from the judicial system. The breadth of Steve's litigation is staggering. He has successfully litigated cases involving public benefits, housing, disability

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issues, and disaster relief, among others. I can think of no other legal services lawyer in California who has won more high impact cases than Steve.

As already mentioned above, Steve was a great mentor to me and to many other law students and young attorneys. In fact, one of his great accomplishments as a legal services lawyer is that, amidst litigating cases of great impact, he has managed to train the next generation of poverty lawyers. He became a mentor to many of today's luminaries in the legal services community: Eva Paterson of the Equal Justice Society; the late Evelyn Frank, a past recipient of this award; Dan Murphy who worked for California Rural Legal Assistance and later for Justice Coleman Blease of the California Court of Appeals; Ken Zimmerman who is now the Director, U.S. Programs, at the Soros Foundation and a long-time public interest attorney; and Terry Hancock, who has been the Executive Director of Senior Citizens' Legal Services in Santa Cruz County for the last 30 years.

All of us, and many others, learned from Steve and benefitted enormously from his mentorship and the example he set as an effective legal services attorney. It was from Steve that we learned how hard we had to work for our clients, how important the quality of the work was, and how crucial it was to pay attention to detail. Steve's commitment to training the next generation of poverty lawyers continues. Indeed, he now supervises and teaches my own daughter, who recently joined the staff at the Public Interest Law Project (PILP), which Steve helped co-found.

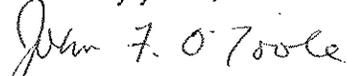
The Public Interest Law Project exemplifies another of Steve's great contributions to the community. In 1995, the Newt Gingrich Congress eliminated many legal services programs, cut budgets nationwide, and prohibited federally-funded legal services from many activities crucial to the effective representation of low-income clients: no class actions, no challenges to welfare reform litigation, no attorneys' fees, no representation of undocumented people, no legislative advocacy, etc. Steve saw the changes on the horizon and, along with Mike Rawson, set up the Public Interest Law Project with unrestricted money as a way to ensure that low-income people continued to receive the full range of legal services necessary to obtain justice and essential human services. If federally funded legal services could no longer provide full representation, the Public Interest Law Project was there to do so and has done so effectively for the last 16 years. This has been an enormous contribution to the provision of legal services.

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Steve deserves this award to recognize a lifetime of providing effective legal services to the poor. He has done this work "in the trenches", with very little recognition, and he has been at it a long time. He deserves this award because of the sweeping victories he has obtained on behalf of poor people during his long career. Steve deserves this award because he has mentored dozens of others to become legal services lawyers, and he has created PILP so that low-income clients still have access to a full range of legal services. I hope you will honor Steve Ronfeldt by awarding him the 2013 Loren Miller Legal Services Award.

Sincerely yours,

A handwritten signature in cursive script that reads "John F. O'Toole".

John F. O'Toole  
Director

**STEPHEN E. RONFELDT**  
**CURRICULUM VITAE**

**EMPLOYMENT BACKGROUND**

Reginald Heber Smith Fellow, Inaugural Class, trained at the University of Pennsylvania Law School, worked at the Legal Aid Society of Alameda County, 1967 – 1968

National Housing and Development Law Project, Earl Warren Legal Institute, University of California at Berkeley, Senior Staff Attorney, 1969-1971

Legal Aid Society of Alameda County, Director of Litigation, 1971-1996

The Public Interest Law Project, Founding Member and Co-Director, 1996 – 2012. Co-Director Emeritus, 2012 to present

**ACADEMIC BACKGROUND**

Whitman College, B.A., Economics, 1964; Order of Coif; Whitman Alumnus of Merit, 1996

Boalt Hall School of Law, University of California at Berkeley, Juris Doctorate, 1967

Research, Writing, and Teaching Fellowship, King Hall School of Law, University of California at Davis, 1982, funded by the Research Institute of the Legal Services Corporation

Senior Lecturer on Public Interest Law, King Hall School of Law, University of California at Davis, 1992

**BAR AFFILIATIONS**

State Bar of California, June 1967. Admitted to practice before the Ninth Circuit Court of Appeals and U.S. District Court for the Northern District of California.

**ESTABLISHING NON-PROFIT ADVOCACY**

*The Public Interest Law Project (PILP).* (1996 – 2012) Established and co-directed PILP after Congress prohibited LSC funded legal services programs from litigating class actions and obtaining attorney fee awards. PILP is a state-wide support center which supports legal services programs throughout California in complex litigation, legislative and administrative advocacy and technical assistance and training. PILP's exceptional attorneys are state-wide leaders in public benefits and affordable housing advocacy and support their work primarily through attorney fee awards in their extensive litigation.

*Statewide Litigation Unit, Legal Aid Society of Alameda County (LASAC)* (1971- 1996) Established, obtained funding for, and directed LASAC's Litigation Unit for twenty-five years. The Litigation Unit, with six to eight excellent attorneys litigating complex cases, became nationally recognized and the first to become largely self-sustaining through attorney fee awards. After the congressional prohibition on class actions and attorney fee awards, the Unit effectively disbanded, and LASAC provided initial funding for The Public Interest Law Project to carry on work that could not be done with LSC funding.

*California Reinvestment Coalition (CRC)* (1980 – 1999) – Formed an ad hoc organization of non-profits to obtain community reinvestment commitments with major financial institutions from 1980 through 1990. Then became a founding Board member and the lead negotiator of the California Reinvestment Coalition from 1990 to 1999, during which time CRC obtained over \$30 billion in commitments to

finance affordable housing and economic development in California. CRC represents 300 non-profit organizations in California and has become a national leader on community reinvestment.

*East Bay Community Law Center (EBCLC) (1986 – 1988)* Worked with several Boalt Hall law students to establish the Berkeley Community Law Center, later renamed East Bay Community Law Center (EBCLC). Served as a founding Board member and led committee to hire the first Executive Director. EBCLC has become a nationally recognized law clinic serving low-income communities.

## LITIGATION<sup>a</sup>

### Public Benefits Litigation

*Mankinen v. Orange County*, No. 30-2012-00582524-CU-MC-CXC (Orange County Superior Court, 2012) Class action settlement transforming almost every aspect of Orange County's General Relief Program, including increased program access, removal of application barriers, higher maximum grants, removal of illegal sanctions, revised termination procedures, and increased County obligations to identify and provide reasonable accommodations for individuals with disabilities. The settlement also provides for retroactive relief through a claims procedure potentially covering thousands of recipients.

*Cleary v. Alameda County*, 196 Cal.App.4th 826 (2011) Appellate decision striking down the County policy requiring GA recipients to provide a signed tax form from their landlord as a condition of receiving the shelter portion of their grant. The decision reaffirms that benefits must be provided in a prompt and humane manner. Requiring persons to become homeless to get the shelter portion of their grant violates the Welfare and Institutions Code because it: 1) denies program recipients a minimally acceptable level of care, 2) is arbitrary and inhumane, and 3) constitutes an improper sanction.

*Parent Voices Oakland v. California Department of Education*, No. RG10544021 (Alameda County Superior Court, 2010) This case challenged then Governor Schwarzenegger's veto of child care funding. The Court enjoined the California Department of Education's termination of Stage 3 subsidized childcare for approximately 50,000 low-income children until the Department provided families with adequate notice and an opportunity to be screened for eligibility for other subsidized childcare. The parties then settled the case providing for the transition of families to other childcare, or back to Stage 3 childcare, once the Legislature restored funding.

*Kearney v. Alameda County*, No. RG10-496672 (Alameda County Superior Court, 2010) Settlement requires the County to stop denying the shelter portion of the grant to persons whose rent exceeds their grant and to provide restitution to GA recipients whose benefits were unlawfully terminated or reduced. Subsequent court order enforced settlement terms by ordering reinstatement and retroactive benefits.

*Lugo v. Contra Costa County*, No. MSN09-1117 (Contra Costa Superior Court, 2009) Stipulated judgment obligating the County to shorten application processing times, eliminate unlawful application requirements, pay retroactive aid to the application date, and make lump sum compensatory payments to about 500 previous recipients.

*Watkins v. County of Alameda*, 177 Cal.App.4<sup>th</sup> 320 (2009) Reversed trial court decision enjoining County's implementation of time limits on "employable" General Assistance recipients regardless of whether they had the requisite skills and experience to obtain employment. The case nonetheless resulted

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<sup>a</sup> Served as lead counsel or major co-counsel in all cases listed below. The case descriptions omit my co-counsel who, in many instances, were essential to the successful results. In a few cases, *e.g.*, the disaster relief cases which were litigated across the country, private firms or other organizations served as lead counsel, but I nonetheless played a major role, *e.g.*, framing the case, bringing the litigation team together, working on the briefs and following through on the litigation.

in the exemption of numerous recipients from time limits and delaying implementation of the time limits for almost two years.

*Santos v. County of Alameda*, No. C-04-02725 JCS (N.D. Cal. 2005) Class-wide settlement preventing discriminatory discontinuance of General Assistance recipients with mental disabilities, requiring conversion to quarterly, rather than monthly reporting system, establishing a screening and assessment system for identifying and accommodating persons with disabilities, and improving GA application system by changing forms and opening more offices.

*Brou v. County of Alameda*, No. C-96-3206 CRB (N.D. Cal. 1999) Class-wide settlement requiring identification and reasonable accommodations for Alameda County General Assistance recipients with mental disabilities.

*NPH v. Micciche*, No. 999554 (San Francisco Superior Court, 1998) State-wide consent decree enjoining State's immigrant verification requirement in lead abatement, community services, and energy services programs.

*Pincus v. California Commission on State Mandates & County of Alameda*, No. 972504 (San Francisco Superior Court, 1997) Prevented reduction of General Assistance benefits in Commission on State Mandates, then court enjoined the reduction.

*Ochoa v. Harvey*, No. S-92-736 DFL (E.D. Cal. 1992) Statewide consent decree enjoining California Unemployment Appeals Board and Department of Employment Development from lengthy delays in hearing unemployment insurance appeals and requiring hiring of more than one hundred new administrative law judges to hear appeals.

## **Disaster Relief**

*Ridgley v. Federal Emergency Management Agency*, 2007 WL 1728724 (E.D. La. 2007) 2007 WL 1728725 (E.D. La. 2007) (class certification); 512 F.3d 727 (C.A. 5 2008) Nationwide class action enjoining FEMA from seeking repayment of disaster relief assistance and failing to give recipients an opportunity to compromise their claims or obtain a waiver based on hardships. The injunction also enjoined FEMA from terminating housing assistance without due process notice and hearing, but that part of the injunction was reversed by the Fifth Circuit Court of Appeals.

*Brou v. Federal Emergency Management Agency*, No. 06-0838 (E.D. La. 2006) Class action settlement requiring FEMA to provide accessible trailers in compliance with detailed accessibility criteria for persons with physical disabilities who were displaced by hurricanes Katrina and Rita.

*McWaters v. Federal Emergency Management Agency*, 408 F.Supp.2d 221 (E.D. La. 2005) Nationwide class action enjoining FEMA from terminating short term lodging assistance for persons displaced by hurricanes Katrina and Rita. 237 F.R.D. 155 (E.D. La. 2006) (class certification); 436 F.Supp.2d 802 (E.D. La. 2006) (dismissing several claims but holding that (1) FEMA's administration of housing assistance is not immune from judicial review, (2) due process rights of displacees were violated, and (3) FEMA cannot mandate SBA applications as pre-requisite to obtaining temporary housing assistance.)

*Smith v. Federal Emergency Management Agency*, No. C-90-0161 EFL (N.D. Cal. 1990) Class action lawsuit challenging FEMA's systemic failure to provide housing assistance to Bay Area victims of the Loma Prieta earthquake. \$23 million settlement provided funds to replace over two thousand residential hotel and emergency housing units lost in the disaster. After rebuilding the residential hotels (many of

which exist today), a network of non-profits provided critically needed support services for the residents.

### **Health Care & Patient Rights**

*Blue v. Bonta*, 99 Cal.App.4th 980 (2002) Mandating Medi-Cal coverage of stairway chairlifts as durable medical equipment and holding regulation excluding coverage of chairlifts invalid.

*Pennington v. Lenox Healthcare* (N.D. Cal.2003) \$600,000 settlement for class action damages to compensate for illegal discharges and resulting transfer trauma to elderly patients in skilled nursing facility.

*United States of America ex rel., California Advocates for Nursing Home Reform v. Lenox Healthcare, Inc.*, No. C-99-0651 CRB (2002) \$4.5 million judgment against skilled nursing facility chain for false claims due to systemically deficient patient care, but defendant evaded judgment through multiple bankruptcies.

*Foulk v. Lenox Healthcare of Mill Valley*, No. 173945 (Marin Superior Court, 1998). Enjoined nursing home discharges of Medi-Cal and Medicare patients in violation of relocation requirements to minimize transfer trauma.

*Brown v. Kizer*, No. 641954-3 (Alameda County Superior Court, 1992) Statewide consent decree requiring Medi-Cal coverage of non-cosmetic orthodontic care for children.

*Kinlaw v. State of California*, 285 Cal. Rptr. 66 (1991) Lawsuit challenged the State's illegal transfer of financial responsibility for health care of medically indigent adults to counties without reimbursement. The Supreme Court held that counties, not medically indigent adults, had standing to sue, but the counties used the theory of the case approved by the Supreme Court to obtain reimbursement.

*Crespin v. Kizer*, 226 Cal.App.3d 498 (1990) Mandating Medi-Cal coverage for long term care and dialysis for undocumented aliens.

*Jackson v. Stockdale*, 215 Cal. App. 3d 1503 (1989) Mandating Medi-Cal coverage for root canals and crowns and holding state regulation excluding their coverage invalid.

*Tibbetts v. Myers*, No. C-80-0086 SAW (N.D. Cal. 1980) Enjoined nursing home closure pending relocation planning and counseling to minimize transfer trauma to patients.

### **Housing & Anti-Displacement Litigation**

#### ***Freeway displacement litigation***

*Swanson v. California Department of Transportation*, No. RG 09476468 (Alameda County Superior Court, 2009) Class action settlement requiring defendants to provide (1) up to \$6 million in relocation assistance benefits for several hundred tenant households to be relocated due to sale of surplus properties in Freeway Route 238, (2) one-for-one replacement of affordable housing lost due demolition or sale of properties, and (3) opportunities for tenants to purchase their properties with loans and other subsidies.

*La Raza Unida v. Skinner*, No. C-71-1161 (N.D. Cal. 1988) Consent decree enjoining freeway construction through minority community and providing \$12 million in replacement housing and relocation funds with environmental protections. This consent decree was superseded by *Swanson*

settlement. Litigated these cases from 1971 to 2013!

*WOPC v. Volpe*, No. 72-1323 (N.D. Cal. 1975). Consent decree requiring replacement of four hundred housing units demolished by freeway construction, payment of relocation benefits to displacees, and environmental protections, including below ground level construction.

*La Raza Unida v. Volpe*, 337 F.Supp. 221 (N.D. Cal. 1972); aff'd. 448 F2d 559 (C.A. 9, 1973) Ninth Circuit Court of Appeal affirmed district court injunction restraining federal and state departments of transportation from proceeding with freeway construction absent compliance with relocation assistance and environmental mandates.

### ***Other housing litigation***

*Washington v. Mallah; Mayo v. Rent Razor*, Nos. RG03133166; RG04153281 (Consolidated) (Alameda County Superior Court, 2007) Consolidated class action lawsuit challenging private landlords' failure to refund security deposits to recipients of Section 8 rental assistance. Resulted in approved class action settlement to refund security deposits with interest to class members pursuant to claims process.

*Lee v. Caltrans*, No. C-92-3131 SBA (N.D. Cal. 1992) Settlement safeguarding personal belongings of homeless persons on public lands from arbitrary removal and destruction by California Department of Transportation, California State Police, and Oakland Police Department.

*Fantroy v. Klein*, No. 569534-0 (Alameda County Superior Court, 1986) Settlement requiring repair of numerous units by Oakland landlord and payment of damages to tenants.

*United Neighbors in Action v. American Savings and Loan*, No. C-78-1799 (N.D. Cal. 1979) Consent decree prohibiting redlining and requiring correction of lending deficiencies in low-income, minority neighborhoods.

*Jennings v. Castlemont*, No. 51698 (N.D. Cal. 1969) Settlement in housing discrimination class action under 1968 Civil Rights Act, Title VIII, requiring large apartment complex to admit minority tenants and change discriminatory admission policies.

*Oakland Housing Tenants Union v. Oakland Housing Authority*, No. 378382 (Alameda County Superior Court, 1969) Suit (along with tenant organizing pressure) resulted in retraction of rental increase for all public housing tenants in City of Oakland except those who would receive increased welfare payments if their rents were increased.

*Banks v. Oakland Housing Authority*, No. 37942 (Alameda County Superior Court, 1968) Upheld tenants' right to enforce federal housing requirements to repair public housing and resulted in repairs.

*Chestang v. Oakland Housing Authority*, No. 378382 (Alameda County Superior Court, 1968) Challenged retaliatory eviction notices sent to class of tenants seeking public housing repairs and caused withdrawal of notices.

*Nelson v. Madigan*, No. 389916 (Alameda County Superior Court, 1969) Held unconstitutional California's baggage lien law which allowed summary seizure and sale of belongings to satisfy rent allegedly owed.

## **Employment Discrimination**

*Legal Aid Society of Alameda County v. Brennan*, 381 F.Supp. 125 (N.D. Cal. 1974); aff'd, 608 F.2d 1319 (9th Cir. 1979); cert. den. 447 U.S. 921 (1980) Federal Court of Appeal upheld decision enjoining federal agency from approving federal contractor programs which omitted affirmative action and non-discrimination requirements under Executive Order 11246.

*Construction Workers Association v. Costle*, No. C-77-1750 (N.D. Cal. 1980) Resulted in nationwide anti-discrimination guidelines for construction contractors under Executive Order 11246.

*NAACP v. Usery*, No. 73-282 AJZ (N.D. Cal. 1979) Settlement with U.S. Department of Labor applying affirmative action program requirements to trucking, railroad, and busing industries.

*Castillo v. Usery*, 1976 WL 716 (N.D. Cal. 1976); 14 FEP Cases (1976) Summary judgment finding systemic violation by U.S. Department of Labor in approving affirmative action programs in violation of Executive Order 11246.

*Legal Aid Society of Alameda County v. Shultz*, 349 F.Supp. 771 (N.D. Cal. 1972) Federal court decision requiring public disclosure of non-discrimination data submitted by federal contractors to federal agencies.

*Alvarez v. Southern Pacific Railway*, No. 79-2140 AJZ (N.D. Cal. 1979) (consent decree in Title VII employment discrimination class action to eliminate patterns of racial discrimination in work force)

*Curry v. Singer Company*, No. C-73-1859 RHS (N.D. Cal. 1973) (Title VII consent decree applying to work force)

*Penn v. Stumpf* No. 69-259 OJC (N.D. Cal. 1973) (Title VII consent decree applying to Oakland Police Department)

*Emeryville Citizens for Better Government v. Neary*, C-71-940 CBR (N.D. Cal. 1971) (Title VII consent decree applying to Emeryville Fire Department)

*Hannon v. Neary*, C-71-555 CBR (N.D. Cal. 1971) (Title VII consent decree applying to Emeryville Police Department).

## **Attorney Fee Awards**

Made important contributions in the field of non-profit legal services providers' recovery of attorney fee awards in successful public interest cases, which replaces reliance upon government funding and fundraising and supports non-fee generating work such as administrative and legislative advocacy. Obtained attorney fee awards in the prevailing cases described above, exceeding \$3,000,000 in total for my time. The fee awards also encourage defendants to settle.

*Crespin v. Shewry*, 22 Cal.Rptr.3d 696 (2004). Appeal determined that time limits for fee applications do not apply to post-judgment fees which were awarded due to work in *Crespin v. Kizer*, 226 Cal.App.3d 498 (1999)

*La Raza Unida v. Volpe*, 440 F.Supp. 904 (N.D. Cal. 1977). Federal district court decision applying Civil Rights Attorneys Fees Act retroactively to cases brought prior to enactment.

## **ADMINISTRATIVE AND LEGISLATIVE ADVOCACY**

*State Patient Care Legislation* (2000) Appointed through Legislature to Continuing Care Statute Revision Task Force to represent residents in all continuing care facilities in California which resulted in a comprehensive statutory revision of continuing care facility laws, SB 2077 (Chapter 820).

*Freeway Route 238 Legislation* (1982 – 2009) Worked on numerous bills to require relocation benefits, replacement housing and opportunity to purchase homes for residents to be displaced by Freeway Route 238: SB 1711 in 1982, SB 509 in 2005, AB 1462 in 2005. Drafted part of SB 1711 (1982), enacted as Government Code section 1428.6, requiring relocation benefits and replacement housing. Prevented AB 1386 (2009) from eliminating these protections until the Superior Court in *Swanson v. California Department of Transportation* (described above) approved the consent decree, providing these protections.

*State Medi-Cal Standards* (1995) Negotiated with the California Department of Health (1) adoption of Medi-Cal standards for prompt processing of appeals, (2) adoption of Medi-Cal standards for coverage of prescription drugs, and (3) elimination of a “cost-saving” policy delaying non-emergency health care treatment of Medi-Cal recipients.

*Patient Dumping Ordinance* (1986) Negotiated with all private and public hospitals in Alameda County a county-wide ordinance to be adopted by the Board of Supervisors to prohibit and regulate patient dumping and set standards for emergency care and transfers of uninsured patients for all hospitals in Alameda County. The ordinance became the model for anti-dumping legislation subsequently adopted by the California legislature and the U.S. Congress.

*Alameda County Medical Services Plan* (1986) Negotiated improved coverage and rates for indigent health care under Alameda County’s Medical Services Plan.

*State Patient Care Requirements* (1979 – 1981) Negotiated with the California Department of Health a series of patient care requirements for skilled nursing facilities, including state-wide transfer plan to prevent or ameliorate transfer trauma, policy to prevent patient dehydration, and policy to improve facility review process.

*Federal Affirmative Action Regulations* (1977) Upon invitation from the Solicitor of U.S. Department of Labor, served as a national representative of the plaintiffs' bar in revising and redrafting entire set of federal anti-discrimination regulations promulgated pursuant to the Executive Order 11246, including affirmative action goals and timetables in Revised Order No. 4 covering federal contractors nationwide.

*Federal and State Relocation Regulations* (1976 – 1977) Coordinated national legal service attorney task force for reforming federal relocation regulations and prepared comments on revising entire set of HUD relocation requirements. Made similar comments and proposals to California Department of Housing and Community Development. Proposals for housing availability and replacement housing requirements were adopted as well as some for relocation assistance.

*State Unemployment Compensation Regulations and Legislation* (1976) Negotiated regulations with the California Employment Development Department to prevent recoupment of unemployment compensation benefits from low-income claimants except in cases involving fraud. Participated in task force with

Director of Department to improve claimant forms, interview procedures, and precedent benefit decisions. Task force also successfully proposed related revisions in legislation.

*State Public Housing Legislation (1970)* Drafted and presented testimony on bills requiring good cause for evictions, administrative hearings prior to evictions, and tenant representation on governing boards, and permitting rent withholding for necessary repairs, most of which were enacted.

## **COMMUNITY-BASED ADVOCACY**

*Alameda County General Assistance Task Force (2000 – 2010)* Participated in ad hoc organization of non-profits in Alameda County seeking to improve Alameda County's General Assistance Program so that it would be more responsive to needs of GA applicants and recipients. The Task Force succeeded in obtaining major reforms in the County's GA program, including exemptions to GA time limits, improved access to GA, accommodations for persons with disabilities.

*Community Reinvestment (1980 – 1999)* As explained above, formed an ad hoc community reinvestment organization of non-profits and then became founding Board member and lead negotiator for the California Reinvestment Coalition representing 300 non-profits. Negotiated with CEO's or other officers of major financial institutions, nine community reinvestment commitments, including lending criteria, collectively providing over \$30 billion annually in lending for affordable housing and community economic development throughout California: First Nationwide Bank (1998 & 1995); Washington Mutual (Federal Deposit Insurance Corp. 1997); U.S. Bank, (1997); Union Bank (Federal Deposit Insurance Corporation, 1995 & 1988); Bank of America (1992 & 1988); Wells Fargo Bank (Federal Reserve Board 1995 & 1986); Citibank (1987); Security Pacific (Federal Home Loan Bank Board, 1980); Glendale Federal Savings and Loan (Federal Home Loan Bank Board, 1980); Northern California Savings and Loan. (1980).

*Administration Petition against FEMA (1992)* Filed forty page administrative petition against FEMA on behalf of ten legal services programs, victims of disasters, and others in Florida, California and Hawaii detailing common patterns of FEMA's systemic mismanagement of disaster relief in four major disasters during 1991 - 1992: Hurricanes Andrew in Florida and Iniki in Hawaii, the civil unrest in Los Angeles, and the wildfires in Northern California. The Clinton Administration made significant improvements in FEMA's disaster relief standards and procedures, many of which were detailed in the petition. Many of those were reversed by the Bush Administration, leading to FEMA's mismanagement of Hurricanes Katrina and Rita. Petitions available at [ww.pilpca.org](http://ww.pilpca.org).

*Administrative Petition against FEMA (1990)* Filed administrative petition against FEMA on behalf of twenty-one community and region-wide organizations in the Bay Area detailing FEMA's systemic neglect of low-income victims of the Loma Prieta earthquake by not providing adequate housing assistance, adequate notice and hearings for those denied assistance, and adequate replacement housing plans. The petition received nation-wide media attention and, with litigation (described above), ultimately resulted in a \$23 million settlement for housing assistance and replacement housing, and revisions in FEMA's notice and hearing procedures. Despite the settlement, FEMA refused to release the \$23 million; so, Peter Jennings of ABC News exposed FEMA's recalcitrance on national TV which then led to its release of the funds.

*Community Based Monitoring System (1972 – 1979)* Established and supervised a community based

monitoring system with five paraprofessional compliance officers to obtain more effective enforcement of affirmative action laws and link local job developers and job banks with minority employment opportunities arising with more than 200 federal contractors and public agencies in Alameda County. This system, with the employment discrimination litigation described above, resulted in thousands of jobs for minorities in the Bay Area.

*Affirmative Action Programs* ((1972-1979) Negotiated and drafted affirmative action programs on behalf of community organizations with the following city and county agencies requiring minority hiring on permanent staffs and on multi-million dollar construction projects: Port of Oakland, City of Oakland, County of Alameda, Oakland Public Schools and Oakland Housing Authority.

*HUD Administrative Complaint* (1972) On behalf of Oakland Acorn Tenants, filed an extensive administrative complaint before the U.S. Department of Housing and Urban Development which succeeded in obtaining repairs, delaying rent increases, changing management personnel, improving security, and leasing of 55 units of low-income units for tenants at Acorn, a 236 FHA project.

*Oakland Housing Tenants Union* (1968-69) Helped to form and then represented the Oakland Housing Tenants Union (OHTU) which demanded, on behalf of Oakland's public housing tenants, repairs of their housing units and retraction of rent increases, threatened a rent strike, and filed a lawsuit. The Housing Authority repaired all units and only increased rents for tenants whose welfare benefits covered the increases.

*Rezoning West Oakland* Represented (late 1970's) West Oakland organizations in rezoning West Oakland neighborhoods from industrial to residential to prevent pollution, loss of affordable housing and redlining in those areas.

## **PUBLICATIONS**

*Public Interest/Poverty Law* (1992) Cases and articles assembled for King Hall School of Law, University of California at Davis.

*Federal Court Litigation on Behalf of the Poor: Selected Issues* (1983). Case law text prepared for University of California at Davis Law School.

*Implying Private Rights of Action for Minorities and the Poor Through Presumptions of Legislative Intent*, 34 Hastings Law Journal 969 (1983)

*Nullifying Affirmative Action Through Deregulation*, 16 U.C. Davis Law Review 107 (1983).

*Beneficiary Based Enforcement of Federal Regulatory Programs: Strategies for Compelling Federal Agencies and Regulatees to Comply with Public Interest Laws*, 26 Howard Law Journal 1365 (1983).

*Public Disclosure and Compliance: Bulwarks Against Employment Discrimination*, 1 Employee Relations Law Journal 523 (1976); reprinted in Equal Employment Opportunity Law Reader 177 (1976).

*Handbook on Housing Law, Guide to Federal Housing Redevelopment and Planning Programs*, prepared by National Housing and Development Law Project, Earl Warren Legal Institute, published by National

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Institute for Education in Law and Poverty (1971). Wrote sections on Relocation

Litigation, Ch. III, Pt. I, and rewrote parts of Ch. III, Pt. III on Citizen Participation in Model Cities Program

*Judicial Enforcement of Housing and Urban Development Acts*, 21 Hastings Law Journal 317 (1970)

## **LECTURES & TRAINING**

Presentation at NLADA Litigation and Advocacy Directors' Conference on writs and other alternatives to class action litigation (2008)

Conducted state-wide trainings for legal services attorneys on (1) negotiations (Fresno, 2007) (San Diego, 2006); (2) complex litigation (Fresno, 2006); and (3) Patients' Rights (San Diego, 2004), (Fresno, 2003), (Sacramento, 2002), and Escondido (2002),

Presentation on Patients' Rights Litigation at Elder Law Conference (2000)

Lecturer at HUD Fair Housing Conference at Stanford University on lending discrimination and community reinvestment requirements (1979)

Lecturer on employment discrimination at EEOC Conference on Employment Discrimination Law (1979)

Lecturer on employment discrimination and Freedom of Information Act requirements at: (1) Governor's Conference, University of California at Davis, 1976; (2) Conference at Rockefeller Plaza in N.Y. for Organization Resources Counselors, an organization of attorneys representing fifty of the nation's largest corporations; (3) Executive Enterprises Conference, Washington, D.C., 1975; (4) State, County and City Administrators Conferences in Los Angeles, Santa Cruz and Hayward, California, 1975

Lecturer on subsidized housing and urban renewal issues at three conferences for the Reginald Heber Smith Community Lawyer Fellowship Program at Howard University in 1970, Carmel, California in 1969, and University of Pennsylvania Law School in 1968

## **MISCELLANEOUS**

Trial Lawyer of the Year - Finalist (2007) Awarded by Public Justice

Screaming Eagle Award (2005) Awarded by California Community Reinvestment Coalition; CRA Tiger Awards (1998 -2000) for leadership in community reinvestment advocacy

Served for two year on Access to Justice Subcommittee of the California Commission on Access to Justice

Commendation from Director of California Department of Social Services for work on continuing care legislation (2000)

Commendation from Alameda County Board of Supervisors for disaster relief advocacy and obtaining

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\$23 million settlement with FEMA (1991) Selected by Presiding Judge of the U.S. District Courts, Northern District to serve as evaluator in federal court Early Neutral Evaluation Program. (1986 – 1989)

Reginal Heber Smith Fellowship Program: West Coast representative for interviewing and hiring fellow candidates from West Coast (1968-1970)

Taught, supervised and mentored a multitude of attorneys, law students and paraprofessionals interested in pursuing public interest law careers, creating the next generation of public interest lawyers. Many of them are now in leadership positions advancing this critically important work.