Labor Studies 188. LAW, ORGANIZING, AND THE ROLE OF LAWYERS IN SOCIAL JUSTICE MOVEMENTS
Winter Quarter 2020

Thursdays, 3:30 p.m.-6:20 p.m.
Royce Hall Room 154

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Office hours by appointment

COURSE DESCRIPTION: This course will examine the role of lawyers in labor and social justice movements with a focus on law and organizing, a model of social change lawyering that endorses collaboration between lawyers and organizers and the utilization of legal strategies to advance grassroots community organizing. Based on a theory of social change that directly impacted community members should be at the center of campaigns and efforts seeking to improve their lives and achieve systemic reforms, the law and organizing model posits that lawyers and organizers can and should find common ground as allies, partners, and supporters of those most affected.

We will cover topics such as: 1) the role of lawyers and “law and organizing” in labor and social justice movements; 2) the relationships and power dynamics between lawyers and other movement players, including directly impacted community members, organizers, researchers, unions, worker centers, and community organizations, and strategies for promoting effective collaboration; 3) how race, gender and gender identity, socioeconomic status, immigration status, LGBTQIA+ identity, and other axes of identity shape and influence these power dynamics and the role of lawyers in movements; and 4) the range of legal strategies that are utilized in campaigns and movements, including impact litigation, direct services, community legal education, legislative/policy advocacy, appellate advocacy, and legal counseling and representation pertaining to nonviolent direct actions such as protests. We will analyze these topics in the context of campaign case studies that illuminate the role of lawyers in organizing efforts pertaining to economic, immigrant, and racial justice.
COURSE REQUIREMENTS:

- Class attendance and participation: 30%
  - Attendance is mandatory and students are expected to arrive on time.
  - This class will be conducted in a participatory format. Everyone is encouraged to express their perspectives and insights in a respectful manner that promotes a vibrant and inclusive learning community.

- Two reflection papers (approximately 3 pages each): 30%
  - Students will be required to write two 3-page reflection papers based on the syllabus readings, guest speakers, and class discussions. These should be analytical reflections (not descriptive summaries) and draw on your personal lived experiences and reflections on social justice lawyering.
  - Submit at least one reflection paper by week 5 (February 6).
  - Submit second reflection paper by week 9 (March 5).

- Interview a social justice lawyer and write an analytical paper about the interview (7-8 pages): 40%
  - Interview a social justice lawyer and write a 7-8 page paper documenting the interview and your analysis and reflections.
    - Identify a social justice lawyer whom you want to interview (with instructor approval), contact the lawyer to schedule an interview, conduct background research on the lawyer, and prepare your interview questions.
    - The paper should contain: a brief description of your reasoning and methodology in preparing for the interview, relevant highlights from the interview, and your analysis and reflections on the interview and the implications for social justice lawyering. Please integrate material from lectures, readings, and class discussions in your paper when appropriate. Please also cite sources and include a minimum of three (3) sources not included in the syllabus readings.
    - Submit your paper electronically via email (bettyhung@ucla.edu) no later than 5 p.m. on March 16, 2019.

UCLA Writing Center Resources for Students:
https://wp.ucla.edu/wc/resources/handouts-for-students/

REQUIRED READINGS:

- Readings will be posted on the course website each week.
Week 1 (January 9): Introduction and Overview of Role of Lawyers in Social Justice Movements

- Topics covered:
  - Goals and learning outcomes for class; course requirements
  - Common mainstream conceptions of lawyering vs. role of lawyers in social justice movements
  - Understanding social justice lawyering in the context of power, intersectionality, and lived experiences
  - Basics regarding U.S. legal system: understanding legal precedent and the interplay of U.S. and state constitutions, statutes, regulations, and common law (case law). (note: this course will focus on the civil legal system)

- Reading:

Week 2 (January 16): Si Se Puede v. No Se Puede Lawyering

- Topics:
  - Rules of Professional Responsibility - what are key professional duties and responsibilities of lawyers?
  - What is law and organizing? What does it mean to lawyer within broader organizing campaigns and social justice movements?
  - Range of social justice lawyering strategies (community legal education, direct legal services, impact litigation, legislative and policy advocacy, legal drafting, etc.)
  - Si se puede lawyering vs. no se puede lawyering

- Readings:
Week 3 (January 23): Creative Lawyering and the CLEAN Car Wash Campaign

- Topics:
  - Law and organizing:
    - What should come first? Law or organizing?
    - Utilizing creative legal strategies to advance a nonviolent strategic campaign
  - Challenges and opportunities of organizers and lawyers working together
  - Legal strategies: “know your rights” community education, impact litigation, policy advocacy

- Guest speakers: Flor Rodriguez, Executive Director, CLEAN Car Wash Worker Center and Ana Cisneroz Alvarez, Executive Director of Wage Justice Center and former Legal Organizer, CLEAN Car Wash Campaign (confirmed)

- Readings:

Week 4 (January 30): Civil Rights Litigation in the Context of Movement Building

- Topics:
  - Civil rights impact litigation as a strategy of resistance
  - Litigation in the context of intersectional, social justice movement building
  - Legal strategies: impact litigation, legal research and analysis, appellate advocacy

- Guest speakers:
  - Nicole Gon Ochi, senior staff attorney, Public Advocates (confirmed)

- Readings:
  - Women’s History Month at Advancing Justice-LA: Nicole Gon Ochi, available at: https://www.advancingjustice-la.org/blog/women%E2%80%99s-history-month-advancing-justice-la-nicole-gon-ochi#.Xg5DQfyIY2w


Week 5 (February 6): L.A. Black Worker Center and Lawyering for Racial Justice

● Topics:
  ○ Role of lawyers in supporting racial justice organizing and movement building
    ■ What is the role of lawyers in relation to organizers and workers?
    ■ What is the role of allies? How do we build transformative solidarity?
    ■ What are the limitations of law and lawyers in strategic campaigns and movement building?
  ○ Legal strategies: legal research and analysis, legislative and policy advocacy

● Guest speakers:
  ○ Lola Smallwood-Cuevas, Project Director, UCLA Labor Center and Founding Director, LA Black Worker Center (confirmed) and Mindy Garland, Lead Organizer and Attorney, LA Black Worker Center (confirmed)

● Readings:
  ○ Law for Black Lives, What We Can Do: Movement Lawyering in Moments of Crisis, available at: http://www.law4blacklives.org/respond
Week 6 (February 13): Role of Law and Lawyers in the Immigrant Rights Movement

- **Topics:**
  - Role of law and lawyers in the immigrant rights movement
  - Opportunities and limitations of using legal strategies to achieve systemic change
  - Legal strategies: legal research and analysis, litigation, direct legal services, community education, policy and legislative advocacy, legal support for nonviolent direct actions

- **Guest speakers:**
  - Shiu Ming Cheer, Director of Movement Building & Strategic Partnerships (confirmed) and Nicholas Espiritu, Staff Attorney, National Immigration Law Center (invited)

- **Readings:**

Week 7 (February 20): Nonviolent Direct Actions and the Role of Lawyers

- **Topics:**
  - Nonviolence and social movements
  - Nonviolent direct actions in strategic campaigns
  - Role of lawyers in supporting nonviolent direct actions
  - Legal strategies: know your rights trainings, legal observing, negotiations with law enforcement, jail support, criminal legal representation

- **Guest speaker:**
  - Kath Rogers, Executive Director, National Lawyers Guild-LA Chapter (confirmed)

- **Video:** Nashville Sit-In Movement, A Force More Powerful
- **Amazon action (Nov. 25, 2019):** [https://www.facebook.com/CLUEJustice/videos/490045741718888/](https://www.facebook.com/CLUEJustice/videos/490045741718888/)
• Readings:
  ○ National Lawyers Guild Mass Defense Committee, info at: https://www.nlg.org/massdefenseprogram/

Week 8 (February 27): NO CLASS

Week 9 (March 5): Panel Discussion: Reflections on Social Justice Lawyering and Movement Building

• Topic:
  ○ Reflections from three social justice lawyers with decades of experience in lawyering for racial, immigrant, LGBTQIA+, and social justice.

• Guest speakers:
  ○ Nana Gyamfi, Executive Director, Black Alliance for Just Immigration and attorney for Black Lives Matter-Los Angeles (confirmed)
  ○ Mia Yamamoto, criminal defense attorney and social justice and transgender rights activist (confirmed)
  ○ Nora Preciado, Director, Los Angeles Mayor’s Office of Immigrant Affairs (invited)

• Readings:
  ○ Betty Hung, Symposium Rebellious Lawyering at 25: Movement Lawyering as Rebellious Lawyering: Advocating with Humility, Love and Courage, 23 Clinical L.
Rev. 663 (2017), available at:

- Video:
  - Attorney Nana Gyamfi Discusses Civil Rights, Police Brutality Issues, CBS2LA, July 8, 2016, available at: https://www.youtube.com/watch?v=VNP597zKA0

**Week 10 (March 12): Reflections on Lessons Learned and Journey Ahead**
- Class discussion and celebration