



Profile: Cynthia Rice

Veteran public interest lawyer trains trial lawyers at California Rural Legal Assistance to win non-injury cases. Hint — become your own best expert

BY STEPHEN ELLISON

While many people believe truth is all powerful in law, knowledge comes in a close second in Cynthia Rice's book. As a seasoned public interest lawyer, Rice has long held the belief that the ideal approach to a case involves diving in head first, absorbing every last pertinent fact and coming out dripping in expertise — in essence becoming her own expert witness.

"I think that really is the key to being a good trial lawyer," said Rice, the director of litigation and training at California Rural Legal Assistance (CRLA). "The challenge of doing really good trial work is — whether you do the discovery work yourself or you have a team doing discovery — you have to immerse yourself in the facts so that you are as comfortable with the facts as your percipient witnesses and as comfortable with the theories of damages or causation as your experts. That's also the intellectual excitement about it.

"I really like trial work," she continued. "I think trials are what the justice system is all about, whether you're in front of a jury or a judge — particularly for our clients. Our clients often never have an opportunity to tell their story, to explain the hardships they've been through and the violations of law they've been subjected to."

Even though trying cases is no longer a regular part of her duties at CRLA, Rice has an extensive trial record and on occasion still gets involved with key witnesses or key arguments in trial.



Rice

Hers is now more of a supervisory role and one of mentor to the "next generation" of CRLA litigators.

CRLA is supported by federal funds and has 21 offices throughout the state, mostly in rural locations.

It has been providing free legal assistance to low-income, rural Californians for more than 45 years. A high percentage of its client population is either migratory or recent immigrants, Rice said, so another important aspect of CRLA is community education and outreach, including presentations on legal rights via ESL classes at local schools. The organization also gets referrals from local, social services agencies and local attorneys.

Like traditional law firms, CRLA accepts walk-in clients, too, Rice said.

"Out of our local offices, we have what we call Intake Day, where clients come to us ... and present to us their problems," she explained. "We have five major priority areas for which we see clients: labor and employment, housing, education, public benefits and civil rights.

"So folks can come in with any of those problems," added Rice, who specializes in two of those areas — employ-

ment law and education rights. "They see a lawyer or paralegal who will do a workup on their case and, depending on our resources and the value of the case, we make a commitment to go for it."

With her skills and training, Rice could have taken a more lucrative career path working in private practice, but she made a conscious decision to offer her services to people who most need it.

"It's really a privilege to do the work that I do," she said. "I wake up in the morning, and I open up my case files, and the clients I'm working for are deserving of every minute of my time that they get and more. They are the very people the justice system is supposed to serve — they don't have a voice of their own due to economic or social status, and they need one because of economic inequality, racism, sexism — various factors that make it hard for people to succeed in life. And I have the privilege of using the legal system to help them."

Justice for all

Rice was raised in the greater Denver area in a working-class household during the height of the U.S. civil rights era. Her grade school and high school were part of a desegregation order, she said, so from a young age, her perspective of law was one of civil rights, justice and making sure everyone had an equal opportunity in society.

Rice was the first from her immediate family to attend college when she enrolled at the University of Colorado. "My



parents were always very supportive of what I did and believed in equality and justice, but none of us had any experience with lawyers," she said. "I didn't meet any lawyers until I went to college and enrolled in a business law class.

"I really went to college anticipating going to law school, and I went to law school looking to be some type of public interest lawyer doing civil rights work."

Rice was accepted by "three or four" law schools and chose Santa Clara University School of Law for its young faculty and their involvement in emerging civil rights issues. While in law school, she landed her first job clerking for what was then called Community Legal Services, since renamed the Legal Aid Society of Santa Clara County.

After Rice graduated from law school and passed the bar, CLS would have been an ideal place to begin her career, but at the time, the office had no openings for lawyers. So she went to work for a Title VII firm in San Francisco. After about a year, Rice returned to CLS as a staff attorney. "Then I got laid off with the first Reagan budget cuts," Rice recalled. "After that, I went into private practice for about three years. My first year in private practice, I doubled my salary – then I tripled it the second year. Then the firm closed because the senior partner died, and I decided not to keep the firm going. I went back and halved my salary at CLS."

But Rice is quick to say she wouldn't have it any other way. She didn't enter the law profession for the six-figure salary or the plush corner office. "My life as a lawyer has been extremely satisfying, and it has fulfilled really the intellectual and the social conscience needs that I've had," she said. "So I think that folks need to, as they're coming out of law school, figure out why they want to become a lawyer – whether it's the intellectual stimulation or whether it's the competitive aspect of it or whether it's about social justice and community involvement and any of those issues – and then find a job

that fits, because there are a lot of legal jobs out there that just don't fit.

"There are choices to doing the type of work I decided to do," she said, "that you just have to have your eyes open about."

Answering a calling

To that end, Rice found the perfect fit when she landed at CRLA in 1986. She served as a staff attorney in the Salinas, Marysville and Santa Rosa offices before ascending to her current position, which she has held for the past 15 years.

"You can't talk about CRLA's education work without talking about Cynthia," said Deborah Escobedo, a staff attorney with Youth Law Center who has known Rice for about 26 years. "She's dealt with a lot of education issues that others just don't deal with because of a lack of knowledge or experience.

"Then she also does extensive work in labor law. She's one of the few lawyers I know with comprehensive expertise in two very different areas of law."

Passion for the voiceless

In recounting a recent case involving migrant poultry workers in Sonoma County, her infinite passion for representing the voiceless and for testing uncharted legal territory came through loud and clear. The case involved chicken ranch workers who were essentially on a call shift around the clock but weren't being compensated accordingly. Rice and her colleagues filed a representative action based on unfair competition. She called it a cutting-edge case.

"We were advancing a theory of law that really hadn't been applied that much at the time," she said. "We were in a lot of pretrial motion work and discovery challenges based on the fact that we were actually seeking to recover restitution for all the workers, even though we represented only a handful of them."

When the subject turned to her clients, Rice's passion – as well as her

emotional connection to the case – turned up a notch.

"Even though they were all kind of isolated on their own little chicken ranches, they knew each other; they kept in contact," she explained. "They had a social network and a community that really had each others' backs at all times. These guys and their families were completely dependent on the employer because not only was it their job, it was also their housing – if they lost their jobs, their families lost their homes as well. So it took a lot of courage for them to come forward at all.

"This was a long, drawn out case ... and these guys were in it until the bitter end," Rice continued, her voice beginning to crack. "When a couple of guys had to peel off and take early settlement offers, it would have been real easy for these men to vilify them, but they didn't. They said, 'Look, good luck, don't worry about it, go ahead and take your money and take care of your kids and wife.' They never got to the point where they let adversity separate their commitment to one another."

Rice called the case a remarkable experience all-around – from the clients to the intellectual challenge of the litigation. And, as a residual, thanks to her aforementioned immersion technique, "I now know the 10-week life cycle of a chicken."

Looking forward

To get her mind off trial schedules or summary judgment motions, Rice immerses herself in ocean life. As an avid scuba diver for the past 20 years, Rice has taken many a trip to Hawaii – as well as other tropical locales – for below-the-surface sightseeing. She said it's truly a way to escape: "There isn't really much you can do except think about the fish and breathing."

After more than 30 years in the legal profession, Rice still manages to defer thoughts of retirement. She said she can't imagine not working and feels privileged



to be training the next generation of public interest lawyers, whether at CRLA or any of several professional organizations.

“I will spend more time helping the really extraordinary group of newer lawyers develop their skills and identify new areas of law to push the envelope on

so we can extend the rights of our clients,” said Rice, a longtime board member, lecturer and trainer for the California Employment Lawyers Association.

“And at the same time,” she added, “maybe get myself in front of the Supreme Court every once in a while.”

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