

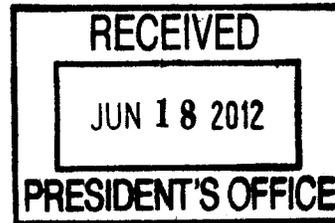


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June 14, 2012

Mr. James J. Sandman
President
Legal Services Corporation
3333 K Street, NW
Washington, DC 20007-3522



Dear Mr. Sandman:

Thank you for your letter of May 15, 2012 inviting American Farm Bureau Federation (Farm Bureau) to provide comments to the Board of Directors of the Legal Services Corporation (LSC) in connection with your Fiscal Year 2014 budget. Farm Bureau appreciates this opportunity to provide comments, which it hopes will inform the LSC Board's budgetary discussions.

Farm Bureau supports reforms that would have the effect of reducing unwarranted litigation for agricultural producers and providing greater transparency of LSC operations. There is a documented history of growers being the targets of legal aid attorneys (*see Harvest of Injustice: Legal Services vs. the Farmer* by Rael Jean Isaac); that history colors the perception of many growers as to the fairness of a system in which their tax dollars can be used against them, in many instances for policy reasons as much as for an effort to remedy a specific injury. One case may be illustrative.

Farm Bureau staff, within the last year, received an inquiry from an attorney representing growers on the West coast. Those growers had been notified by legal aid attorneys that the attorneys intended to file a lawsuit against the growers for violating the the Migrant and Seasonal Agricultural Worker Protection Act (MSPA). That statute requires employers to provide prospective employees written notice of the terms of employment in the employee's native language. The allegation against the growers was that the notice had been provided in Spanish, whereas the prospective workers – who understood Spanish – came from an area in Mexico (Oaxaca) where the native language is Mixtec, which can vary, depending on the region, to as many as an estimated 50 different dialects. Even though the workers understood Spanish, the legal aid attorneys indicated they intended to pursue the allegation that the growers had violated MSPA. Farm Bureau staff inquired of Department of Labor (DOL) officials whether employers had an obligation to provide notice in Mixtec, but never received a response from DOL. The grower, in order to avoid the expense of litigation, settled.

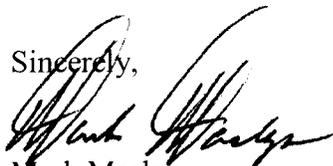
LSC's own annual report (at <http://lsc.gov/sites/default/files/LSC/pdfs/LSC-2010-Annual-Report-FINAL.PDF>) contains, on page 3, a listing of LSC grantees in every state. While not every grantee may be involved in work affecting farm workers, some (such as Legal Aid of North Carolina) are. In other states (for example, Florida), it would appear that LSC grantees (e.g., Florida Rural Legal Services) that apparently do not litigate on behalf of farm workers are difficult to distinguish from others (Florida Legal Services) that do. So that employers do not confuse the work of LSC and inadvertently assume that U.S. taxpayer funds are being used to litigate such sensitive issues, Farm Bureau believes full transparency of LSC operations would be welcome.

One way to help achieve such transparency would be to maximize the amount and quality of information found on the LSC website. It is important that tax-payers understand how their money is spent not just by LSC, but by individual LSC grantees. An individual wishing to learn how much money is spent on particular services, whether it is in support of victims of domestic violence, discrimination or farmworkers, must search hundreds of individual LSC grantee websites, with varying degrees of resources, to learn how the program operates.

Further, in instances in which LSC grantees (such as Legal Aid of North Carolina) engage in activities that affect agricultural producers, Farm Bureau believes it would be constructive and helpful if the grantee adopted a cooperative, rather than an adversarial, approach with growers. For example, Legal Aid of North Carolina has established a "farmworker unit" as a statewide project (see <http://www.farmworkerlanc.org/>), one component of which is a "Witness for Justice" effort under which, according to the website (<http://www.farmworkerlanc.org/get-involved/witness-for-justice>), "Volunteers accompany two Farmworker Unit staff members in our agency's vehicle. At the camps volunteers take notes on labor camp demographics, take pictures, hand out brochures, and interact with workers. Volunteers are encouraged to ask questions and discuss observations with our staff." Such visits presumably would occur on the property of growers; it is not difficult to see how such activities can create tension between growers and the legal aid community.

Farm Bureau appreciates the invitation from LSC soliciting its views and hopes LSC will take these comments into account in implementing the charge given it by Congress.

Sincerely,



Mark Maslyn
Executive Director
Public Policy