





PROYECTO ATRÁS

A  
PROPOSAL  
TO THE  
FUND  
FOR THE  
SELF-DEVELOPMENT OF PEOPLE  
OF THE  
UNITED PRESBYTERIAN CHURCH

Submitted By  
CHICANOS UNIDOS - CAMPEÑINOS, INC.  
MULESHOE, TEXAS





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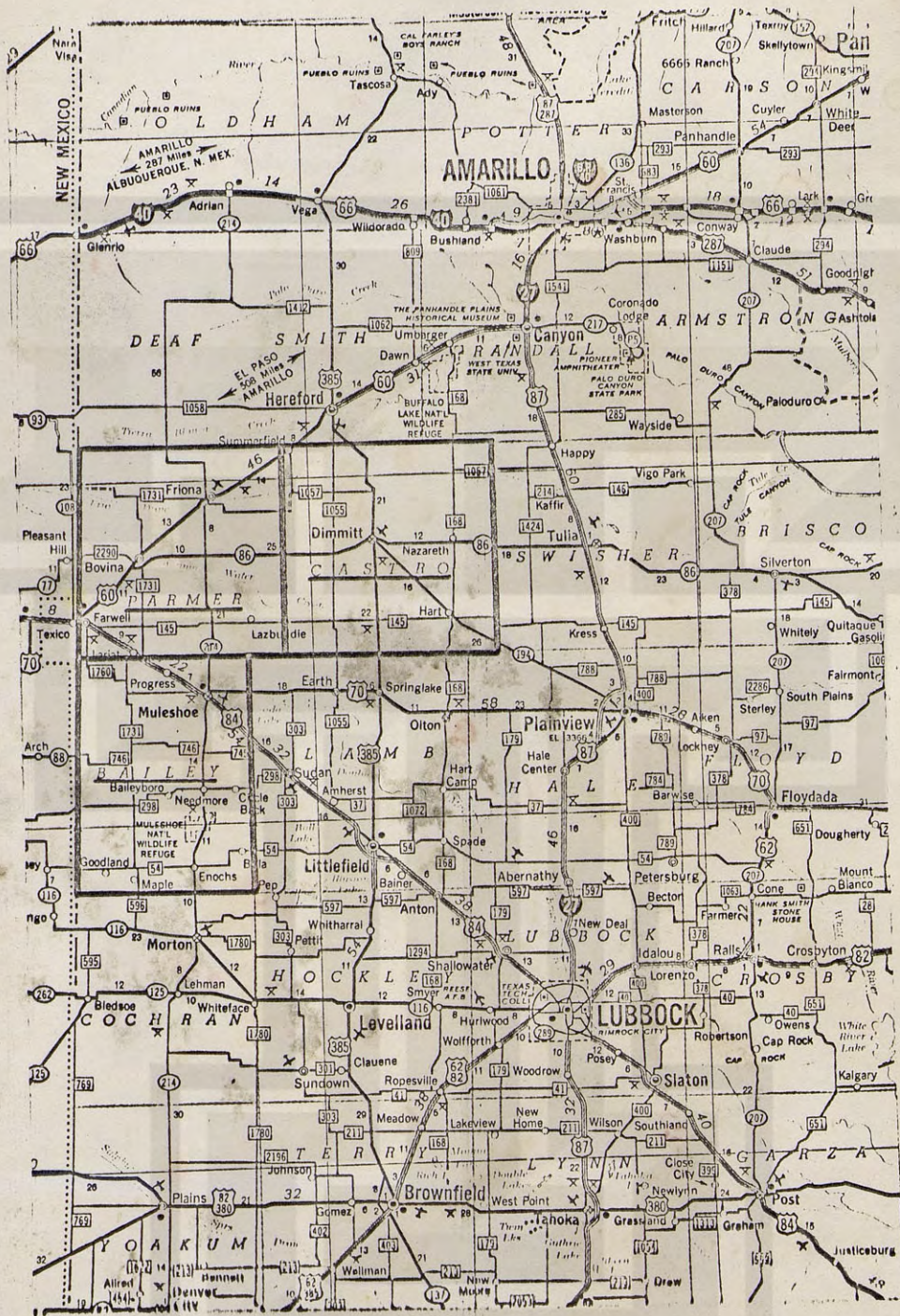


## PROJECT SUMMARY

Chicanos Unidos-Campesinos, Inc., herein requests a grant in the sum of \$9,744 through the Fund for the Self-Development of People of the United Presbyterian Church, this for the purpose of covering 50% of the salary requirement of an attorney and legal secretary, who will continue the organization's legal education and advocacy effort. Under joint funding by the Campaign for Human Development, Proyecto Atrás, among other objectives, will strive to carry on a comprehensive legal education and training program for the general low-income community and to handle specific legal cases involving a significant community-wide interest. The project will address legal problems among the 17,935 indigenous and in-migrating poor of Bailey, Castro, and Parmer Counties of Texas.

In the pages that follow, we will discuss the progress made under the first year of operation up to the preparation date of this proposal (July 1, 1974) and the problems encountered which necessitate the addition of the legal staff. A budget summary and narrative follow the project description. Documents related to the organization's legal status are attached in the appendix.





VICINITY MAP



## CHICANOS UNIDOS - CAMPEsinOS:

### HISTORICAL SKETCH

Chicanos Unidos-Campesinos was organized in the summer and fall of 1971 and incorporated in November that year to improve the living conditions of low-income farm workers in areas surrounding Muleshoe, Bailey County, Texas. Included in the scope of its purposes are advancement of the campesinos' educational, health, housing, employment, and economic standing and an attack on discrimination against farm workers, who in the target area are 98% Chicano, 1% Black, and 1% Anglo-American (survey by LLano Estacado Farmworkers of Tejas; Tahoka, Texas; 1972). It is the organization's additional desire to seek, receive, and administer funds to carry on programs and projects designed to help lift the farm worker and other poor from conditions not of their own creation and to gain the independence of the farm worker in determining conditions and terms of his employment.

In keeping with these objectives, Chicanos Unidos-Campesinos, since its charter was first granted, has arranged presentation of numerous speakers who have come to the area to talk on subjects of importance to the farm workers and



other rural poor. Representatives of a diversity of agencies, including Farmers Home Administration, the Texas Migrant Health Project, the U.S. Office of Education, the Texas Employment Commission, and the Texas Education Agency, have all come to Muleshoe under the sponsorship of Chicanos Unidos to talk to the Spanish-speaking public on a variety of vital subjects. Through the organization's large, though obsolescent, center in Muleshoe, Chicanos Unidos-Campesinos has carried on since its inception programs of social and cultural interest which have helped raise funds to further the community work of the group and to stimulate constructive social and economic change. In 1972, Chicanos Unidos hosted Abelardo Delgado, noted poet of the Chicano Movement and one of its most respected leaders, and a performance here by the Teatro Campesino from Colegio Jacinto Treviño of Mercedes, Texas. A major project of the organization each year has been the planning and staging of the Cinco de Mayo celebration now held annually in Muleshoe. This activity consists of selection and coronation of a Cinco de Mayo queen, a parade of floats through town, and a series of bailes at the center. Among hundreds of visitors from surrounding areas to the Fiestas Patrias, the Mexican Consul from Lubbock, Texas, is the special guest of Chicanos Unidos-Campesinos each year.

In December, 1972, a rough restructuring of one side



of the center was completed, forming a more efficient working office. Since then, the organization has made increased efforts at informing and assisting the low-income community and the membership. In addition to the long-range community planning activities of the organization, the Muleshoe office has provided much-needed free bilingual services since early 1973. Included are the services of a notary public, assistance in completing income tax returns, aid in applying for Social Security and Food Stamp benefits, and help in handling complaints and administrative hearings involving Federal and state agencies. Our small staff has assisted a number of persons in applying for and attaining citizenship status. Also handled through the Chicanos Unidos center is a voter registration drive, which is leading to increased registration and civic participation among the Chicano and low-income segments of the community.

From incorporation up to early summer, 1973, the center, services, and activities of the organization were financed entirely through community-generated funds. When it was apparent that some sort of fund-matching arrangement would be needed to activate the process of effective social and economic change sought by the organization, an intensive effort was launched to seek foundation



assistance in our work. In 1973, the United Presbyterian Church helped sustain the organization's center while loan funds were solicited for the purchase of the building. While that effort was unsuccessful, Chicanos Unidos was able to concentrate its resources on preparing a number of other project proposals, one of which resulted in the program of which the present proposal is an extension. Proyecto Atrás' first year of operation has sought to initiate a self-help housing program in Bailey County and to establish a credit union for members of Chicanos Unidos-Campesinos. Working in conjunction with the Palo Duro Union Presbytery's Mexican-American Resource Mobilizer/Enabler program, the organization has also begun to lay the groundwork for an innovative legal assistance effort, which is the subject of the present funding request and which will be more fully described in the next section.

In April of this year, Chicanos Unidos opened a community discount grocery center in Muleshoe, which was made possible through a seed grant by the Associated City-County Economic Development Corporation of Hidalgo County and which is to become a self-sustaining cooperative directed by the low-income members within a year. In June, a small planning grant from the Rural Housing Alliance launched final planning efforts in the self-help housing field, and the Board is expectant that the initial construction on the first



group of homes can begin in October.

Consistent with the organization's bylaws, Chicanos Unidos-Campesinos has a twenty-three-member Board of Directors. The following is a list of Board members currently serving, including occupations and term expirations:

<u>NAME</u>	<u>OCCUPATION</u>	<u>TERM EXPIRES</u>
Armando Acosta, President	Farm Worker	February, 1975
Susana Acosta	Student/F.W.	February, 1975
Rafael Baeza	Farm Worker	February, 1975
Josie Baca, Treasurer	Housewife	February, 1975
Daniel Cázares	Farm Worker	February, 1975
Alberto Daniel	Farm Worker	February, 1975
Manuel Daniel	Farm Worker	February, 1976
Seferino De Los Santos	Farm Worker	Pending
Ramón Delgado	Custodian	February, 1976
Dolores Flores, Secretary	Housewife/F.W.	February, 1976
Miguel García	Welder	February, 1976
Eleuterio Gauna	Farm Worker	February, 1977
Freddie Martínez	Truck Driver	Pending
Roberto Martínez	Farm Worker	February, 1976
Ramona Muñoz	Custodian	February, 1977
Alfonso Posadas, Vice President	Mechanic	February, 1977
Margarita Posadas	Housewife	February, 1976
Domingo Ramos	Farm Worker	February, 1976



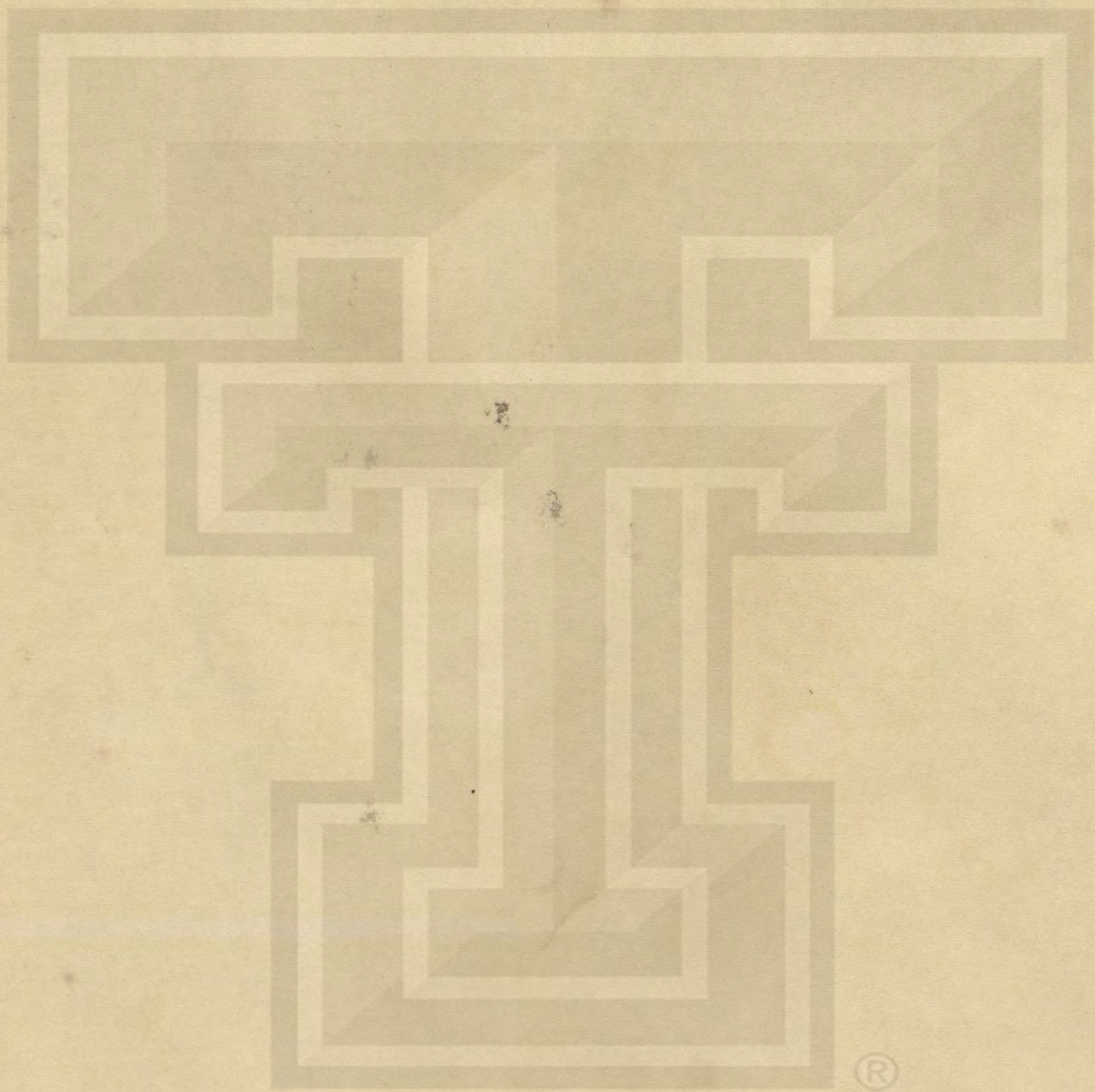
Manuel Rios García	Mechanic	February, 1977
Genaro Rodríguez	Farm Worker	February, 1975
Francisco Saldaña	Carpenter	February, 1976
Francisco Saldaña, Jr.	Carpenter	February, 1977
José Villarreal	Farm Worker	February, 1977

At the present time, Chicanos Unidos-Campesinos has five staff members: the technical assistance mobilizer under Proyecto Atrás, two employees in the community grocery center, and the recently-employed housing planning staff of two. The office has two enrollees of the Neighborhood Youth Corps program assisting in the office, also. Many activities and projects are carried on on a volunteer basis, with necessary supplies and expenses reimbursed with organization funds.

Chicanos Unidos-Campesinos claims Federal tax exemption as an organization described in Section 501(c)(3) of the Internal Revenue Code. The I.R.S. determination letter, as well as the corporate charter, articles of incorporation, and bylaws, may be referred to in the appendix.



PROJECT NARRATIVE



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## PROJECT NARRATIVE

### A. STATEMENT OF NEED

According to the several sources cited in the data in the appendix, there are 17,935 low-income residents in the three-county project area, including the migrant farm workers who reside temporarily here for varying lengths of time each year. The gamut of problems and needs, in areas of health, education, housing, employment, economic leverage, and the law, applies to all the poor in all three counties.

The legal problems which confront the poor have been well documented across the nation and apply equally to our area. But the complicated situations in which the low-income Chicano and farm worker find themselves often have no remedy for lack of funds to hire legal counsel. Presently the nearest legal aid services to indigents are in Lubbock, but the project cannot handle cases for residents outside Lubbock County.

The most difficult cases for which to obtain counsel are those civil matters in which damages or a settlement is claimed by an indigent, but which involve no sizeable



amount of money. Almost any attorney is willing to handle contingency-fee cases if the sum involved is enough to guarantee a reasonable return on a percentage basis. But often the farm workers or the Chicano poor who seek back wages, insurance claims, or recovery of possessions are dealing with relatively small sums, or perhaps none at all. And civil cases where an indigent could be plaintiff are, more often than not, forgotten for lack of legal representation.

When the poor of the target area encounter irregularities or adverse decisions under various public assistance programs (speaking primarily of the Food Stamp, Social Security, and welfare programs), benefits are lost or unfair treatment simply tolerated because the poor are not familiar with, or even advised of, their rights to administrative appeal.

Up to this point, Proyecto Atrás, launched last November under a grant by the Campaign for Human Development, has made some inroads into the legal deficiencies in the target population, though less systematic and dramatic than the progress on the housing phase of the project. During the first month of operations, a Lubbock-based Chicano lawyer was contacted and approached on the possibility of giving some training sessions to the tar-



get population. One such seminar was presented in Muleshoe on the legal rights of citizens in pre- and post-arrest situations. The attorney agreed afterwards to present other such community education sessions, "when time permits." This phrase of caution has been used before, and the schedule problems of attorneys is one of the principal obstacles to Proyecto Atrás in its present state.

Another revelation which came out of the first formal legal discussion was the discovery by the attorney himself of a surprising number of legal entanglements by persons present in the meeting, matters which very evidently required legal counseling and perhaps even litigation. But again, the lack of funds to seek such counsel by the poor and the absence of a legal resource agency in the area make resolution of these problems, once identified, virtually impossible.

Under the legal training aspect of the project during these first eight months, Chicanos Unidos has presented five formal instructional sessions on the USDA Food Stamp Program, in Muleshoe, Bovina, Friona, Earth, and Hereford. A volunteer member of the organization and the technical assistance mobilizer gave a thorough bilingual explanation of Food Stamp eligibility and explained



how income eligibility is calculated. These community meetings, which drew upwards of 100 persons, have proved a valuable organizing tool, as well as filling a drastic need here for better understanding among the poor of the qualifications standards and fair hearing procedures under the Food Stamp Program.

Contacts with the Texas Tech University School of Law in early spring of this year have resulted in the commitment by the Law School of several third-year law students to assist the organization in Muleshoe with direct legal counseling to families on an individual basis. Throughout the summer, Chicanos Unidos will have the services of one such student, who is working from the group's center and making a definite impact on the legal need in the low-income community.

Finally, Chicanos Unidos has made fruitful contacts with the Migrant Legal Action Program of Washington, D.C. MLAP sent out a staff attorney in early May of this year to work with our staff on wage violations involving local sugarbeet workers. As a result, Chicanos Unidos has intervened on behalf of forty-seven migrant farm workers in a wage claim amounting to slightly more than \$1000. In addition, Chicanos Unidos has become a party to a suit against the administration of the Food Stamp Program as it affects migrants.



## B. PROPOSED PROGRAM

From the preceding discussion, in relation to the legal objectives of Proyecto Atrás it can be concluded that, while having offered some useful community training sessions on the Food Stamp Program and having begun to impact some special labor and welfare problems, the legal and advocacy training objective nevertheless is beginning to appear unattainable within the limits of the present structure and funding of Proyecto Atrás.

First among the difficulties involved is the complex problem of the dearth of local attorneys in the project area. This has led in the past to a spirit of non-competition that has discouraged any local lawyers from diligently defending "minority" causes and their low-income clients. With respect to our present project, we are finding little interest among local lawyers in giving that type of concentrated, regular education sessions that were included as program objectives. The problem is aggravated by a complete lack of bilingual lawyers locally.

The fact that attorneys outside the target area, two of whom are Spanish-speaking, have offered to present bilingual training sessions is clouded by the impossibility of predicting firmly in advance when such a practicing attorney will have an opportunity to schedule the time.



What is needed here is training on a regularly-scheduled basis, with a clearly established "curriculum". The fear now is that the best that can be arranged under the present program are sporadic and possibly overlapping seminars presented with no predictable certainty as to date or location.

In light of these deficiencies, Chicanos Unidos-Campesinos is proposing a one-year extension of Proyecto Atrás under an expanded budget and on a cost-shared basis. The primary change in the project involves the addition to the staff of a full-time attorney and legal secretary, the coverage of whose salaries is the subject of the grant request to the Presbyterian Church. One-half (50%) of the salary requirement is herein requested from the Fund for the Self-Development of People; the other 50% has already been included in the second-year funding application to the Campaign for Human Development.

The need and the intention of the legal staff is to concentrate professional personnel on the legal objective, so as to 1) carry the legal education to the target community on an orderly and regular basis, and 2) provide a built-in means of pursuing in court, if necessary, specific, individual cases which can have a meaningful and beneficial



impact on the entire low-income community. It is planned that the project attorney (referred to in the budget as the "Legal Education Specialist") will focus his attention on the training aspect principally in the evening hours and handle individual case work on weekdays, as time permits.

Because time and resources are limited, cases to be handled will be selected on the basis of the following tentative guidelines:

1. The case must involve a significant community-wide interest, which has not apparently been resolved or brought before a local court in the recent past;
2. No other legal counsel or institution is available to handle the case responsibly and in the best interest of the target group; and
3. The potential gain through litigation to the poor community must outweigh the expense factor to the project.

The technical assistance mobilizer under the present Proyecto Atrás phase has had discussions concerning the proposed modified legal objective with the dean of the Law School and a professor of law at Texas Tech University,



two practicing lawyers also in Lubbock, and a staff attorney of Texas Rural Legal Aid, Inc., in Edinburg, Texas. All are in agreement that the basic budget allocations are reasonable and that a one-year training and advocacy effort here can have a marked effect on the legal development of the rural population of the region. During his year's tenure, the Legal Education Specialist will attempt to set up a permanent advocacy or legal services system, which was to be a task of the present technical assistance mobilizer but which appears now to be going to require much more time to plan and execute, as explained earlier.

The lawyers contacted in regard to this proposal have suggested that qualified applicants for the legal position can be solicited by writing to several of the Texas law schools most apt to be graduating Chicano students, forwarding a job description, and asking that notice of the position be posted for pending graduates.

A secretary is considered by the lawyers we have consulted as an absolute necessity to the legal element of Proyecto Atrás, and therefore has been added to the project budget. But as with the allocation for the attorney, the cost requirement will be shared on a 50-50 matching basis between the United Presbyterian Church and the Campaign for Human Development.



#### C. INVOLVEMENT OF THE POOR

The object of the project under consideration is to enable the poor to upgrade their economic and social condition. Only the poor themselves know their problems and capabilities. The project will be funded in the name of Chicanos Unidos-Campesinos, whose governing board members are low-income and principally farm-working. The planning of this project was done by the Board and membership, this proposal has been reviewed by the Board, and the project so funded will be conducted under the supervision of the Board. The staff members employed will be accountable to the Board of Directors and subject to its policies. The poor themselves are to be directly participating in the legal and paralegal projects, so that "involvement of the poor" becomes a reality and not just a slogan.

#### D. EVALUATION

An internal evaluation of the project will be carried out by the Board of Directors at the close of the funding year. The target community will be called upon to participate in the evaluation process, which will consider such factors as technical assistance visits by legal programs, litigation carried out, training sessions completed, and so forth. A formal written assessment will be submitted to the Presbyterian Church within two weeks of the end of the project year.



JOB DESCRIPTIONS



## JOB DESCRIPTION

POSITION TITLE: LEGAL EDUCATION SPECIALIST

SALARY: \$1,000/Month

### WORK DESCRIPTION

The Legal Education Specialist is employed for the specific purpose of attaining the legal education and advocacy objectives outlined in the project narrative, and for the additional purpose of handling actual case litigation in the project area under the conditions imposed by and outlined in the project narrative. The Legal Education Specialist will be responsible for the procurement of legal education materials and the direct instruction of the various target communities. In connection with potential case work, he must carry out interviews and necessary investigative work in cases which he determines meet the priority case guidelines. He will handle all case resolution, litigation, and appeals.

The Legal Education Specialist is directly responsible to the Board of Directors of Chicanos Unidos-Campesinos and must report to the Board on a regular basis. Between regular Board meetings, the Specialist will consult with and be responsible to the Executive Committee of the Board of Directors in matters of executive decision.



WORK QUALIFICATIONS

The individual filling this position must have a law degree from an accredited law school and must be a member of the State Bar of Texas. At least three years of practical legal experience, or the equivalent in teaching or administrative work in a social or community-oriented field, is desirable. Preference will be given to applicants who are bilingual (Spanish and English).



## JOB DESCRIPTION

POSITION TITLE: LEGAL SECRETARY

SALARY: \$450/Month

### WORK DESCRIPTION

The Legal Secretary has the general responsibility of assisting the Legal Education Specialist. The Secretary must carry on correspondence, set appointments, maintain the files, <sup>+ books</sup> prepare case-related documents, and otherwise perform such functions as the project attorney may assign. The Legal Secretary is directly responsible to the Legal Education Specialist.

### WORK QUALIFICATIONS

The Legal Secretary must possess a high degree of typing and clerical efficiency and must have some professional experience. Legal background or knowledge is desirable, and preference will be extended to bilingual applicants (Spanish and English).



PROJECT BUDGET





PROGRAM BUDGET REQUEST

I. PERSONNEL COSTS

1.1 Salaries and Wages

1.11 Legal Education Specialist: \$1,000/month x 12 months (50%) \$ 6,000.00

1.12 Legal Secretary: \$450/month x 12 months (50%) 2,700.00

1.2 Fringe Benefits: 12% of salaries 1,044.00

II. NON - PERSONNEL COSTS

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TOTAL FSDOP GRANT REQUEST: \$ 9,744.00



## BUDGET NARRATIVE

1.1 Salary levels are comparable to those of equivalent positions in Office of Economic Opportunity programs, and those of the legal team have been discussed in some detail with several law concerns. 50% of the two legal positions are to be met by the Campaign for Human Development.

1.2 12% of the salary allocations is earmarked to cover the employer's share of Social Security benefits and state unemployment compensation insurance.



## MATCHING CONTRIBUTIONS

### I. PERSONNEL COSTS

#### 1.1 Salaries and Wages

1.11 Technical Assistance Mobilizer	\$ 7,200.00	Campaign for Human Development
1.12 Legal Education Specialist (50%)	6,000.00	Campaign for Human Development
1.13 Legal Secretary (50%)	2,700.00	Campaign for Human Development

1.2 <u>Fringe Benefits</u>	1,908.00	Campaign for Human Development
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### II. NON-PERSONNEL COSTS

2.1 <u>Travel</u>	3,950.00	Campaign for Human Development
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#### 2.2 Occupancy Costs

2.21 Rent of Building	1,200.00	Chicanos Unidos-Campesinos
2.22 Utilities	228.00	Chicanos Unidos-Campesinos
2.23 Utilities	180.00	Campaign for Human Development

2.3 <u>Office Supplies</u>	1,200.00	Campaign for Human Development
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2.4 <u>Office Equipment</u>	800.00	Chicanos Unidos-Campesinos
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2.5 <u>Telephone</u>	1,800.00	Campaign for Human Development
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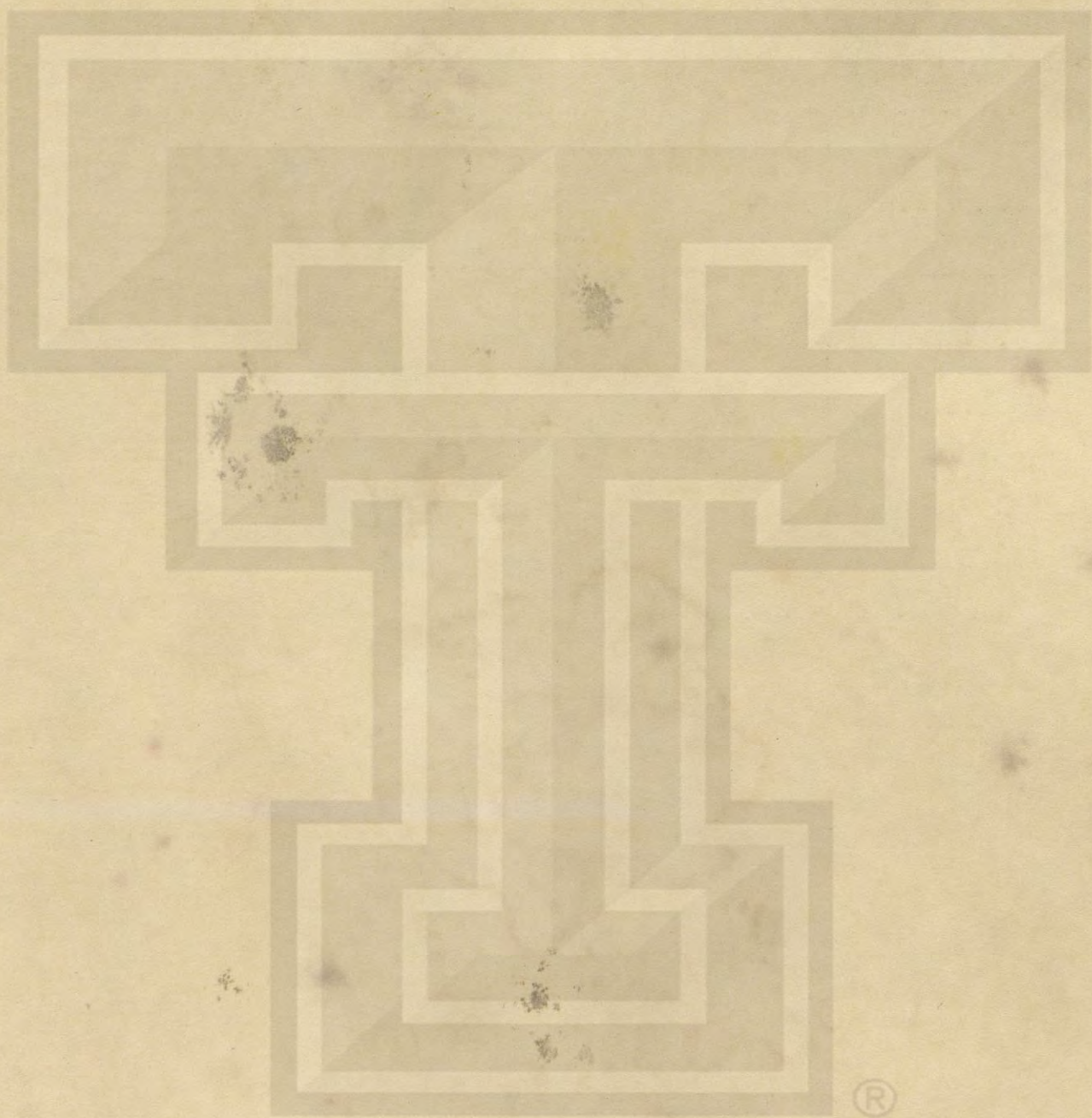
#### 2.6 Other Costs

2.61 Litigation Costs	500.00	Campaign for Human Development
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2.62 Law Books	2,000.00	Campaign for Human Development
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TOTAL MATCHING: \$29,666.00







COUNTY STATISTICS

	DATA SOURCE	BAILEY COUNTY	CASTRO COUNTY	PARMER COUNTY	STATE
POPULATION	1	8487	10,394	10,509	11,196,730
POOR FAMILIES (ALL ETHNIC)	1	413	543	483	
POOR PERSONS (ALL ETHNIC)	1	1896	2954	2338	
MEAN POVERTY FAMILY INCOME	1	\$1842	\$2844	\$1946	
CHICANO POOR FAMILIES	1	175	288	156	
CHICANO POOR	1	1082	2002	945	
BLACK POOR FAMILIES	1	25	19	18	
BLACK POOR	1	115	103	87	
ANGLO POOR	2	699	849	1306	
NON-HOMEBASED MIGRANTS	3	3150	5347	2250	
CHICANO MIGRANTS NON-HOMEBASED	4	3087	5240	2205	
BLACK MIGRANTS NON-HOMEBASED	4	32	54	23	
ANGLO MIGRANTS NON-HOMEBASED	4	31	53	22	
PHYSICIANS PER 1000 POPULATION	5	.353	.384	.380	1.149
HOSPITAL BEDS PER 1000 POPULATION	5	3.888	4.425	3.235	4.537
% CROWDED HOUSING (1.01-1.5 PER ROOM)	5	8.1	10.8	8.5	7.3
% OVER-CROWDED HOUSING (1.51+ PER ROOM)	5	7.0	11.0	6.6	4.0

<sup>1</sup> General Social and Economic Characteristics (Texas), U.S. Bureau of Census (1970)

<sup>2</sup> Total Poor less Chicano, Black Poor

<sup>3</sup> Report of the Senate Committee on Labor and Public Welfare (1969)

<sup>4</sup> Based on Migrant Division, OEO, area migrant ethnic breakdown (98% Chicano, 1% Black, 1% Anglo)

<sup>5</sup> Texas Health Data Institute (February, 1971)



May 23, 1974

Mr. Roberto Carbajal, Director  
Campaign for Human Development  
National Headquarters  
Allocation Component  
1312 Mass Avenue, N.W.  
Washington, D.C. 20005

Dear Mr. Carbajal:

It is part of my function as an attorney with the Migrant Legal Action Program to visit various programs in the State of Texas which are concerned with the problems of migrant and seasonal farmworkers. At the request of Chicanos Unidos-Compesinos, I spent the first week of this month in the South Plains area of Texas. I spent this time discussing the problems confronted by Chicanos Unidos and the legal avenues that might be taken to resolve some of these problems.

Both Brian Craddock and Alfredo Padilla, of Chicanos Unidos, and Armando Acosta, the Chairman of the Board of Chicanos Unidos, are very anxious to seek legal redress of many abuses suffered by farmworkers in their area. I must say that in my three years of experience in migrant labor problems I have never seen an area more ripe for the assertion of rights through the legal processes. During my stay in Bailey County, Mr. Craddock, Mr. Padilla, and I put together several cases, which pursued, would have great impact on the farmworkers of the area. I also did training sessions on the use of applicable labor regulations. The response to this training was very good and since I left, wage claims have been filed on behalf of approximately fifty(50) workers.

The central problem is, however, that neither Chicanos Unidos or farmworkers in general have a lawyer upon which they can rely on a continuing day-to-day basis. Though it is possible for Chicanos Unidos to draw on the resources of MLAP, the Mexican



American Legal Defense Education Fund, and the UFWOC attorney in Texas, these resources are not sufficient to effectively secure the lawful rights of farmworkers in the Bailey County area. Chicanos Unidos has also obtained assistance on a piece-meal basis from a few local private attorneys and a summer law student has been made available through the Texas Tech Law School. Also, Texas Tech law professors have agreed to provide assistance when they are able.

The point is that Chicanos Unidos and farmworkers in the South Plains area need their own attorney. It is my understanding that Chicanos Unidos has submitted a proposal to your organization to fund a lawyer. I would like to lend support to their proposal based upon what I found when I was in Bailey County. I think that Chicanos Unidos is organized and sophisticated to the degree that they can effectively and properly use the services of an attorney, on a continuing basis both in an advisory capacity and in terms of litigation in serious problem areas. It is clear that the people at Chicanos Unidos are aware of their legal problems and they are aware of the direction that should be taken of these problems but there is just no one to advance the interest of these people.

I am sure that if your organization can provide some funds to Chicanos Unidos to pay the salary of a lawyer that they will, as they have in the past, provide the lawyer whatever else is necessary for him to function properly. I found Chicanos Unidos to be a strong, grass roots "si se puede" organization. But they are poor. MLAP will provide all of the support and assistance that it can as will the UFWOC attorney in Texas. We hope that your organization will see fit to provide funds for such a lawyer to Chicanos Unidos. I am enclosing a memorandum I prepared on my return from the visit with Chicanos Unidos.

Sincerely,

James A. Herrmann  
Attorney at Law

JAH:js  
enc.  
cc: Father Lawrence McNamara



NON-PROFIT



OFFICE OF THE SECRETARY OF STATE

CERTIFICATE OF INCORPORATION  
OF

CHICANOS UNIDOS - CAMPEÑINOS, INC.  
CHARTER NO. 298041

The undersigned, as Secretary of State of the State of Texas, hereby certifies that duplicate originals of Articles of Incorporation for the above corporation duly signed and verified pursuant to the provisions of the Texas Non-Profit Corporation Act, have been received in this office and are found to conform to law.

ACCORDINGLY the undersigned, as such Secretary of State, and by virtue of the authority vested in him by law, hereby issues this Certificate of Incorporation and attaches hereto a duplicate original of the Articles of Incorporation.

Dated November 8, 1971

Secretary of State



ARTICLES OF INCORPORATION  
OF  
CHICANOS UNIDOS - CAMPEÑINOS, INC.  
(non-profit)

FILED  
In the Office of the  
Secretary of State of Texas  
NOV 8 1971

*Bill Kimbrough*  
Deputy Director, Corporation Division

We, the undersigned incorporators, hereby associate ourselves together to form and establish a corporation not for profit under the laws of the State of Texas.

FIRST: The name of the corporation is Chicanos Unidos - Campesinos, Inc.

SECOND: The location of its principal place of business is 309 East Fourth Street, Muleshoe, Bailey County, Texas.

THIRD: The location of its initial registered office in this State is 309 East Fourth Street, Muleshoe, Bailey County, Texas.

FOURTH: The name and address of its initial registered agent in this State is Alberto Daniel, 309 East Fourth Street, Muleshoe, Texas.

FIFTH: This corporation is organized not for profit, and the objects and purposes to be transacted and carried on are to organize, plan, initiate, and co-ordinate publicly and privately-sponsored programs which concern the specific problems, needs, and welfare of resident and non-resident migrant and ex-migrant workers and of the poor of the various communities served by the corporation. It is the further intention of the corporation to enter into contracts and negotiations with any and all agencies, or any Federal, State, City, or quasi-public agencies, or any charitable, benevolent, educational, or non-profit organizations and



other persons or organizations, for the purpose of accomplishing the objectives for which this corporation is established.

No part of the net earnings of the corporation shall inure to the benefit of any individual, and no substantial part of the activities of the corporation shall be carrying on propaganda or otherwise attempting to participate in, or intervene (including the publishing or distributing of statements) in any political campaign on behalf of any candidate for public office. The corporation is hereby expressly authorized to buy and sell property; borrow and lend money; and to engage in any other lawful business which its board of directors may deem advisable and which is authorized by law.

SIXTH: The number of directors shall be not less than fifteen nor more than fifty-one. The name and place of residence (post office address) of the initial board of directors are shown below:

Armando Acosta	1020 West Third	Muleshoe, Texas
Rafael Baeza	P.O. Box 520	Presidio, Texas
Alberto Daniel	P.O. Box 588	Muleshoe, Texas
Manuel Daniel	P.O. Box 266	Muleshoe, Texas
Mike Garcia	P.O. Box 144	Muleshoe, Texas
Antonio Huerta	P.O. Box 266	Muleshoe, Texas
Jose Perales	P.O. Box 262	Farwell, Texas
Alfonso Posadas	P.O. Box 218	Muleshoe, Texas
Domingo Ramos	General Delivery	Muleshoe, Texas
Gregorio Ronquillo	P.O. Box 363	Muleshoe, Texas



Genaro Rodriguez	General Delivery	Muleshoe, Texas
Francisco Saldaña	5011 E. Avenue B	Muleshoe, Texas
Juanita Sandoval	P.O. Box 266	Muleshoe, Texas
Guadalupe Toscano	P.O. Box 568	Muleshoe, Texas
Raul Treviño	P.O. Box 266	Muleshoe, Texas

SEVENTH: The corporation formed hereby shall have no capital stock. It shall be composed of members rather than shareholders. The conditions and regulations of membership and the rights and other privileges of the classes of members shall be determined and fixed by the bylaws.

EIGHTH: The name and place of residence (post office address) of each of the incorporators, all of whom are over the age of twenty-one and citizens of the State of Texas, are shown below:

Alberto Daniel	P.O. Box 588	Muleshoe, Texas
Antonio Huerta	P.O. Box 266	Muleshoe, Texas
Alfonso Posadas	P.O. Box 218	Muleshoe, Texas

NINTH: Upon the dissolution of the corporation, all assets not otherwise disposed of and not subject to any trust shall be distributed exclusively to charitable, scientific, or educational organizations which would then qualify under the provisions of Section 501 (c) (3) of the Internal Revenue Code and its regulations as they now exist or as they may hereafter be amended, no part of which shall be used for a per capita payment.

TENTH: The existence of this corporation shall be perpetual.



IN WITNESS WHEREOF, WE have hereunto set our hands this

4th day of April, A.D. 1971.

By: \_\_\_\_\_

By: \_\_\_\_\_

By: \_\_\_\_\_

The State of Texas, County of Bailey

I the undersigned, a Notary Public, do hereby certify that on this 4th day of April, A.D. 1971, personally appeared before me Alberto Daniel, Antonio Huerta, and Alfonso Posadas, who, each being by me first duly sworn, severally declared that they are the persons who signed the foregoing documents as incorporators and that the statements therein contained are true.

IN WITNESS WHEREOF, I have hereunto set my hand and seal the day and year above written.

June 1 1973  
My Commission Expires

\_\_\_\_\_  
NOTARY PUBLIC



BYLAWS OF  
CHICANOS UNIDOS - CAMPEÑINOS, INC.  
A NON-PROFIT CORPORATION

Article 1. Name.

Section 1. The name of the corporation shall be Chicanos Unidos-Campesinos, Inc.

Section 2. Principal Office. The initial principal office of the corporation shall be 216 East Avenue "D", Muleshoe, Bailey County, Texas. The principal office shall thereafter be located at such address in the state of Texas as the Board of Directors may from time to time determine.

Section 3. Seal. The board shall provide a corporate seal, which shall be in the form of a circle and shall have inscribed thereon the name of the corporation and the words "Corporate Seal".

Article 2. Purpose.

Section 1. Chicanos Unidos-Campesinos, Inc., shall organize, plan, initiate, and coordinate publicly and privately sponsored programs which concern the specific problems, needs, and welfare of resident and non-resident migrant and ex-migrant workers and of the poor of the various communities served by the corporation.

Section 2. Additional Purposes. To participate in the planning, coordination, and carrying out of community welfare and service projects through advice and counsel on the policy level to the participating persons and agencies and in the cooperative research and study of social needs of the communities.

To administer and assure the proper use of monies being made available under the various federal agencies, especially in the area of economic development.

To be sensitive to the total human needs and problems of the communities and to cooperate with all community agencies in making provisions for present and future needs of the communities.

To stimulate communications between all segments of the population, so that the most effective and efficient use can be made of resource

To enter into contracts and negotiations with any and all agencies, or any Federal, State, City, or quasi-public agencies, or any charitable, benevolent, educational, or non-profit organizations and other persons or organizations, for the purpose of accomplishing the objectives for which this corporation is established.



Article 3. Members.

- Section 1. Membership in General. There shall be two classes of membership: voting and non-voting. Any reference in these bylaws to members shall be construed to include both voting and non-voting members, unless otherwise limited.
- Section 2. Voting Members. Any natural person sixteen years of age or above shall be eligible for voting membership in the corporation if:
1. He or she is a member of a household whose total annual income does not exceed \$6,000, and
  2. (a) If he or she is a migrant agricultural worker in the state of Texas, or (b) was a migrant agricultural worker in the state of Texas within five years of submitting his or her application for membership in the corporation, and
  3. He or she indicates an interest and desire in becoming a voting member by signing and returning to the secretary of the corporation a membership request or letter requesting to become a member.
- Section 3. Non-Voting Members. Any natural person sixteen years of age or above who is a member of a household whose total annual income exceeds \$6,000 and who has applied for membership is eligible for non-voting membership in the corporation.
- Section 4. Election of Members. Eligible individuals may be elected as members at any meeting of the members or at any meeting of the board of directors (hereinafter called "the board").
- Section 5. Voting Rights. Each voting member shall be entitled to one vote on each matter submitted to a vote of the members. Non-voting members shall not be entitled to any vote on any matter.
- Section 6. Termination of Membership. A member may be suspended or expelled, for cause, by a vote of not less than 3/4 of the members present at a meeting of the members, provided notice of such proposed action shall have been duly given in the notice of the meeting and provided the member has been informed in writing of the charges preferred against him at least ten days before such meeting. The member shall be given an opportunity to be heard at such meeting.
- Section 7. Resignation. Any member may resign by filing a written resignation with the secretary.
- Section 8. Reinstatement. Upon written request signed by a former member and filed with the secretary, the board may reinstate such former member to membership, upon such terms as the board may deem appropriate.



Section 9. Transfer of Membership. Membership in this corporation is not transferrable or assignable.

Section 10. Membership - Liability for Corporation Obligations. Members shall not be liable for any debts or obligations of the corporation and shall not be subject to any assessments.

Section 11. Membership - Minimum Numbers. The board will make all reasonable efforts to maintain a membership of not less than 21 members at any time.

Article 4. Board of Directors.

Section 1. General Powers. The affairs of the corporation shall be managed by its board of directors.

Section 2. Numbers, Tenure, and Qualifications. The number of directors shall be no less than 15 nor more than 51, and no less than 51% of the directors shall be migrant or seasonal agricultural workers. One-third of the directors elected at the first annual meeting shall be elected for a term of three years, one-third for a term of two years, and one-third for a term of one year. At all subsequent annual meetings, one-third of the directors shall be elected for a term of three years. Directors shall be members of the corporation, either voting or non-voting, but only voting members of the corporation may participate in the election of the board.

Section 3. Resignation. Any member of the board may resign at any time by delivering a written resignation to the chairman of the board or the secretary. The acceptance of any such resignation, unless required by the terms thereof, shall not be necessary to make the same effective.

Section 4. Removal. Any member of the board may be removed at any time, for cause, including being convicted of a misdemeanor or felony, malfeasance, or conduct derogatory to the best interests of the corporation, by affirmation vote of a majority of all the voting members of the corporation present at a meeting, a notice of which shall have specified the proposed removal.

Any member of the board who misses three consecutive, regularly-scheduled meetings of the board without a written explanation satisfactory to the board may be removed by the affirmative vote of a majority of the board, provided the board has previously notified the board member.

Section 5. Vacancies. Any vacancy occurring on the board shall be filled by the board until a successor has been duly elected by the members and qualified. A director elected by the members to fill a vacancy shall be elected for the unexpired term of his predecessor in office.



Section 6. Quorum. A majority of the board shall constitute a quorum for the transaction of business at any meeting of the board, or a majority of the farmworker representatives on the board present during any meeting will constitute a quorum for the transaction of business.

Section 7. Annual Meeting. The annual meeting of the board for the election of officers of the corporation and for the transaction of such other business as may properly come before it shall be held at a time and place designated by the board but shall occur during the month of February.

Section 8. Other Meetings. Regular meetings of the board shall be held each month at a time and place designated by the board.

Section 9. Notice. Notice of each regular or special meeting shall be given to members and directors ten days prior to each meeting.

#### Article 5. Officers.

Section 1. Election and Term of Office. The officers of the corporation shall be elected from the membership of the board by the board at its annual meeting. New offices may be created and filled at any meeting of the board. Each officer shall hold office until the next annual meeting.

The term of office shall be one year. Officers may succeed themselves for one additional term; then there must be a lapse of one year before the member may run for another term.

Section 3. President. The president shall be the principal executive officer of the corporation and shall in general supervise and control all the business and affairs of the corporation. He shall preside at all meetings of the board. He may sign, with attestation of the secretary or any other proper officer of the corporation authorized by the board, any deeds, mortgages, bonds, contracts, or other instruments which the board authorizes to be executed, except in cases where the signing and execution thereof shall be expressly delegated by the board or these bylaws or statute to some other officer or agent of the corporation, and in general he shall perform all duties incident to the office of the president and such other duties as may be prescribed by the board from time to time.

Section 4. Vice-President. In the absence of the president or in the event of his inability or refusal to act, the vice-president shall perform the duties of the president and when so acting, shall have all powers of and be subject to all the restrictions upon the president. Any vice-president shall perform such other duties as from time to time may be assigned to him by the president or the board.



**Section 5. Treasurer.** The treasurer shall give a bond for the faithful discharge of his duties in such sum and with such surety or sureties as the board shall determine, and in general performs all duties incident to the office of treasurer and such other duties as from time to time may be assigned to him by the president or the board.

**Section 6. Secretary.** The secretary shall keep the minutes of the meetings of the members and of the board in one or more books provided for that purpose; see that all notices are duly given in accordance with the provisions of these bylaws or as required by law; and in general perform all duties as from time to time may be assigned to him by the president or the board.

**Article 6. Committees.**

The board, by resolution adopted by a majority of the directors in office, may designate one or more committees, each of which shall consist of one or more directors, which committees to the extent provided in such resolution shall have and exercise the authority of the board in the management of the corporation; but the designation of such committees and the delegation of authority thereto shall not operate to relieve the board, or any individual director, of any responsibility imposed upon it or him by law.

Other committees not having and exercising the authority of the board may be designated for the purpose of assisting the board in the management of the corporation. Committee members shall be appointed for a one-year term, but may be reappointed for three consecutive terms.

**Article 7. Contracts, Deposits, Checks, and Funds.**

**Section 1.** The board may authorize any officer or officers, agent or agents of the corporation, in addition to the officers so authorized by these bylaws, to enter into any contract or execute and deliver any instrument in the name of and on behalf of the corporation, and such authority may be general or continued to specific instance.

**Section 2. Checks, Drafts, Etc.** All checks, drafts, or orders for payment of money, notes, or other evidence of indebtedness issued in the name of the corporation shall be signed by such officer or officers, agent or agents of the corporation, and in such manner as shall from time to time be determined by resolution of the board. Such instrument shall be signed by the president and countersigned by the treasurer of the corporation, unless otherwise indicated by the board.

**Section 3. Deposits.** All funds of the corporation shall be deposited from time to time to the credit of the corporation in such banks, trust companies, or other depositories as designated by the board.



**Article 8. Books and Records.**

The corporation shall keep correct and complete books and records of account and shall keep minutes of the proceedings of its members, the board, and committees having any of the authority of the board of directors. All books and records of the corporation may be inspected by any member, or his agent or attorney, for any proper purposes at any reasonable time. The board shall cause an audit of the records of the corporation to be made each year by a competent auditor.

**Article 9. Fiscal Year.**

The fiscal year of the corporation shall begin on the first day of January and end on the last day of December of each year.

**Article 10. Repeal or Amendment of Bylaws.**

These bylaws may be repealed or amended by a majority vote of the members present at any meeting of the members, provided a written notice has been sent to the board and members ten days prior to holding the meeting.

KNOW ALL MEN BY THESE PRESENTS: THAT the undersigned secretary of the corporation identified in the foregoing bylaws certifies that these bylaws were duly adopted by the members of said corporation, as bylaws of said corporation, on the \_\_\_\_\_ day of \_\_\_\_\_, 1973, at a duly called and constituted meeting of the members, and that they do now constitute the bylaws of said corporation.

\_\_\_\_\_  
Secretary of the Corporation



Department of the Treasury

District Director  
Internal Revenue Service

Date:

MAY 30 1972

In reply refer to:

A:EO:NJH:309

DAL-EO-72-308



Chicanos Unidos - Campesinos, Inc.  
309 East 4th Street  
P. O. Box 588  
Muleshoe, Texas 79347

Accounting Period Ends: December 31

Gentlemen:

Based on information supplied, and assuming your operations will be as stated in your application for recognition of exemption, we have determined you are exempt from Federal income tax under section 501(c)(3) of the Internal Revenue Code.

We have further determined you can reasonably be expected to be an organization of the type described in sections 170(b)(1)(A)(vi) and 509(a)(1). Accordingly, for your first two tax years, you will be treated as an organization which is not a private foundation.

At the end of your first two tax years, however, you must establish with the Internal Revenue Service that for such two years you were in fact an organization of the type described in section 170(b)(1)(A)(vi). If you establish this fact with the Service, you will be classified as a section 509(a)(1) organization for all purposes beginning with the first day of your third tax year and you must normally meet the requirements of section 170(b)(1)(A)(vi) thereafter. If, however, you do not meet the requirements of section 170(b)(1)(A)(vi) for your first two tax years, you will be classified as a private foundation as of the first day of your third tax year. Furthermore, you will be treated as a private foundation as of the first day of your first tax year for purposes of sections 507(d) and 4940.

Grantors and donors may rely on the determination that you are not a private foundation for your first two tax years, unless notice that you will no longer be treated as a section 509(a)(1) organization is published in the Internal Revenue Bulletin. However, a grantor or donor may not rely on such determination if he was in part responsible for, or was aware of, the act or failure to act that resulted in your loss of section 509(a)(1) status, or acquired knowledge that the Internal Revenue Service had given notice that you would be removed from classification as a section 509(a)(1) organization.

You are not liable for social security (FICA) taxes unless you file a waiver of exemption certificate as provided in the Federal Insurance Contributions Act. You are not liable for the taxes imposed under the Federal Unemployment Tax Act (FUTA).

Organizations that are not private foundations are not subject to the excise taxes under Chapter 42 of the Code. However, you are not automatically exempt from other Federal excise taxes.

(OVER)

SWR AUD - 2136 (10-71)



Donors may deduct contributions to you as provided in section 170 of the Code. Bequests, legacies, devises, transfers, or gifts to you or for your use are deductible under sections 2055, 2106, and 2522 of the Code.

If your sources of support, or your purposes, character, or method of operation is changed, you must let us know so we can consider the effect of the change on your status. Also, you must inform us of all changes in your name or address.

If your gross receipts each year are normally more than \$5,000, you are required to file Form 990, Return of Organization Exempt From Income Tax, by the 15th day of the fifth month after the end of the annual accounting period indicated above. The law imposes a penalty of \$10 a day, up to a maximum of \$5,000, for failure to file a return on time.

You are not required to file Federal income tax returns unless you are subject to the tax on unrelated business income under section 511 of the Code. If you are subject to this tax, you must file an income tax return on Form 990-T. In this letter we are not determining whether any of your present or proposed activities are unrelated trade or business as defined in section 513 of the Code.

This is a determination letter.

Sincerely yours,

Ellis Campbell, Jr.  
District Director



Address any reply to: 1100 Commerce St., Dallas, Tex. 75202

**Department of the Treasury**

**District Director**

**Internal Revenue Service**

Date: JAN 22 1974

In reply refer to:

A:1227:309:RT

DAL(EO:74-60

MODIFICATION



Chicanos Unidos Campesinos, Inc.  
309 East 4th Street  
P. O. Box 588  
Muleshoe, Texas 79347

Our Letter Dated: May 30, 1972.

This modifies our letter of the above date in which we stated that you would be treated as an organization which is not a private foundation until the expiration of your advance ruling period.

Based on the information you submitted, we have determined that you are not a private foundation within the meaning of section 509(a) of the Internal Revenue Code, because you are an organization of the type described in section 170(b)(1)(A)(vi) and 509(a)(1).

Grantors and contributors may rely on this determination until the Internal Revenue Service publishes notice to the contrary. However, a grantor or a contributor may not rely on this determination if he was in part responsible for, or was aware of, the act or failure to act that resulted in your loss of section 509(a)(1) status, or acquired knowledge that the Internal Revenue Service had given notice that you would be removed from classification as a section 509(a)(1) organization.

Sincerely yours,

W. T. Coppinger  
District Director



