

Profile: Julie Montgomery

Public-service attorney breaks new ground in social justice and workers' rights

By Stephen Ellison

Any area of the law could be considered challenging work depending on one's perspective. For some, the greater the challenge, the stronger their attraction is to the field. That's how Julie Montgomery landed – and ultimately shined – in the public-law arena.

It started as early as high school, when she traveled with a volunteer group to a poverty-stricken area of Mexico to assist in a house-building project. The gratification she felt from helping people who really needed it was a huge influence. "I started thinking about social justice a little more and how I wanted to do something to be in a position to advocate for people who didn't have what they should have," she recalled. "I also started thinking then that law might be a good area to give me the tools I would need to be in a position to help more people and have influence on some of those social issues."

In law school, the volunteer bug re-emerged and steered her toward work with an immigration clinic, which, despite the inherent language and cultural hurdles, essentially sold her on what area of law she would pursue.

"That was really the time I knew strongly where I wanted to go after graduating and what kind of work I wanted to do," said Montgomery, who is fluent in Spanish. "I worked with people from all over the world – different cultures, different backgrounds. I handled political asylum cases for people who were from Southeast Asia and Central America. We worked deportation cases for people who had had certain criminal offenses that were considered deportable. Some of those cases were really life and death – there were good chances if the person was returned to their country of origin, they could very well not survive."



Montgomery

"So the stakes were very high, and I felt the cases were very important, and I dedicated myself fully to them," she continued. "I felt very passionate about it and also really enjoyed learning about people from different cultures and backgrounds – that had different experiences growing up. I found that fascinating."

Montgomery, indeed, welcomed the challenge public law presented. She took that passion to the Central Valley, where she spent the first 17-plus years of her career working under the California Rural Legal Assistance umbrella – first for CRLA Inc. then for the CRLA Foundation – and ultimately found her specialty in employment law, representing farm workers and other low-wage laborers. Then in 2013, when she learned the state Department of Fair Employment and Housing would undergo some structural changes, she wanted to be a part of it and took a position as senior staff counsel at DFEH. "Whereas, before the lawyers primarily brought cases before an administrative body, now (they've) been filing cases in court and doing more litigation," Montgomery explained. "So, I thought that was very interesting … and I came over because I thought it would be a good opportunity for me to … utilize my litigation experience to help with this new era at DFEH, where the cases are being filed in court. Plus, I thought it was a good time for me to make a change – time to try something new."

During her time at CRLA, Montgomery entrenched herself in the work, not shying from the complexities of the issues nor the specific circumstances of each of her clients. In fact, she thrived in the areas of listening to, understanding and translating clients' stories so that the court understood an individual's situation and why that person sought – and needed – help.

The stories ran the gamut – from unpaid wages and unseemly working conditions to discrimination and sexual harassment – and it was Montgomery's unenviable job to communicate not only the "what" and "how" but also the "why."

Thus came the challenging aspect. Helping to explain to judges and decision-makers about a client's situation and the cultural differences that play into a dispute became a regular part of her duties. Some of her clients may have expressed themselves a certain way, she said, and based on differing cultural norms, that behavior might have been misinterpreted. In those instances, Montgomery essentially became the translator.

"For example, in some cultures it's not OK to look someone in the eye, so if this person doesn't look you in the eye, it doesn't mean they're being evasive or lying," she said. "Helping to explain both culturally and linguistically someone's story and telling those stories and helping those stories come to light where they otherwise might not was very gratifying. Just feeling like I can be an advocate for someone whose story might not otherwise be told – and their stories needed to be told – I really felt like I had found my calling."

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Finding her niche

Montgomery said her desire to help others came at an early age – she was always attracted to the idea of being an advocate. In grade school, her strengths had been in reading, writing, analysis and public speaking, she recalled, and her father once told her she would make a good lawyer – she should think about that, he had said. "That sort of planted the seed," she remembered.

After earning her bachelor's degree from UC Berkeley, Montgomery applied to UC Davis Law School, writing in her essay portion about her designs to practice public law. Graduating from law school was a milestone moment – she's proud to say she is the first in her family to become a lawyer – and soon after, she was hired by CRLA to work as a staff attorney in the Modesto office.

There, Montgomery established a niche representing farm workers and other rural laborers, eventually working her way up to directing attorney in the field office. When she moved over to the CRLA Foundation, she was put in charge of the Agricultural Worker Health Project, which helps develop healthier and safer farm-worker communities throughout the Central Valley, not only through legal channels but also with outreach, leadership development and other advocacy programs.

Cynthia Rice, director of litigation, advocacy and training at CRLA Inc. in Oakland, co-counseled with Montgomery on several cases at CRLA and spoke to her passion for and commitment to making better lives for the thousands of low-wage laborers she represented.

"Her leadership at the CRLA Foundation allowed that organization to expand representation of workers in class actions and to help undocumented workers enforce their labor rights," Rice said. "She recovered millions of dollars in wages and damages that went into workers' pockets while making the sacrifices it takes to work on a legal aid lawyer's salary. She is a hero to those workers and helped expand worker rights for others by making sure that scurrilous farm-labor contractors and growers got the message that they couldn't just expect to get away with stealing wages from workers or sexually harass them with impunity because the CRLA Foundation and Julie were watching."

Strawberry fields forever

While she helped return a total of nearly $4 million in unpaid wages to farm workers over the years, one of Montgomery's more memorable cases resulted in nothing for her clients. It involved dozens of strawberry pickers who arrived at her office door one afternoon claiming they had been working for weeks without pay. Montgomery and her team stayed late into the night to take down their information, one by one. CRLA sued the workers' boss, who had hired them, and the strawberry marketers, who ultimately had employed them, for back pay. The central issue became the state's definition of an employer. It was a contentious case that went all the way to the California Supreme Court. "The court largely accepted the arguments that we brought forth about what the standards should be – there was this broad definition of an employer in California," Montgomery recalled. "That was a huge victory for us. It was a good decision for workers in California. However, the court also decided, in applying that definition, that these strawberry marketers were not employers of these pickers. So my clients didn't get anything out of it – except the satisfaction that they had made things better for other workers – after waiting 10 years."

A positive change in the law, indeed, was a nice consolation for Montgomery as well as her public law colleagues across the state. "I felt it was a chance to make an impact, and it was fascinating work," she said.

Music to her ears

When Montgomery gets time away from the office, she usually enjoys spending it with her husband and two young children. She also is an accomplished violinist who plays with a community symphony in the Sacramento area. Music has been an integral part of her life since childhood, she said, and it provides an escape of sorts. "It's something I've always dedicated myself to, and I really enjoy it," she said. "I can't always make every concert or do everything that I want, but I do what I can. I enjoy doing something just for me, away from work – to use my brain in a different way. It's also a really great outlet for stress relief and balance."

The possibility of a career in music entered her mind while she was in high school, but she soon realized if she were to be successful at it, she would have to sacrifice virtually all her other interests. "I feel like I have the best of all worlds now," she said, "because I can still play music and also practice law, which I really enjoy, and do lots of other things."

For the immediate future, Montgomery is intrigued by what her new position at DFEH might bring. She's perfectly content being a lawyer, she said, and though it's a new venue and she's surrounded by new faces, she remains in her element as a public law attorney. Further down the road, she said, a return to teaching would be ideal. She taught previously at UC Davis, creating a course called Farm Workers and the Law. "I really enjoyed that experience," she said. "It's been really challenging to try to fit that in again in recent years, but someday I think it would be great to teach in a part-time capacity."

Indeed, teaching inspires Montgomery, and she would advise law students today to seek out the same sort of inspiration. Try out different areas, take on new opportunities and find something that excites you, something that speaks to you, she professed.

"You may think you know what you want to do, but when you actually get into the area and do the work, you could have a new revelation, a completely different insight," Montgomery said. "In fact, the area that I've gotten into, employment

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law, the thought didn't even enter my mind when I was in law school; I didn't focus on that at all. I took the initiative and volunteered, and then I found that that's what I wanted to do.

"I think that's important," she continued, "because the work is challenging, the hours are often long, but if you're doing something that you believe in and care about, that fuels you forward. It has for me anyway."

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