

## Summer Fellowship Experience

I was attracted to intern at the Equal Justice Center (EJC) because I wanted to work in a place that helped secure and protect the rights of low-wage workers. And I am incredibly thankful to have been a part of the Equal Justice Center that aims to advance these rights as a non-profit organization that works with individuals on low-wage employment law, and immigration-employment matters. During my time at the EJC, I learned more than what I thought I could have learned in a Summer, and not just about employment law, but also about learning how to communicate with attorneys; building a relationship and communicating with the clients; learning how to handle several cases at a time all while not getting too emotionally attached to the clients' stories.

This Summer I was assigned five cases for which I was responsible to push forward; this means that I was in charge of communicating with the clients, setting up meetings, doing the research for issues that could arise and watch for court deadlines. A lot of the communication that I was doing was primarily in Spanish, because the individuals that had cases with the Equal Justice Center were Spanish-speaking individuals. This was interesting because although I am a native Spanish speaker, I was not at all acquainted with the Spanish legal jargon. Three of the cases that I was assigned dealt with a restaurant or grocery store that failed to pay their employees the minimum wage and overtime requirement under the Fair Labor Standards Act. One case had to do with helping an individual that was representing herself at the Justice of the Peace court for unpaid wages, and the last case that I was assigned dealt with a road construction company that also failed to pay the required minimum wage and overtime to two individuals.

One of the first defining moments this summer was certainly when I got to help the individual that was representing herself at a Justice of the Peace Court. It was gratifying to see her come out with a check, but at the same time it was frustrating to see that we were so limited in helping her out while in court. Being able to help her out, however, was so fulfilling and taught me so much about being an advocate and a legal counselor. If she had not received the help and guidance that my partner and I offered her, I don't think she would have come out with a favorable outcome. So, knowing the difference that having legal assistance can make in a person's case is something so powerful; in her case it was only a few hundred dollars, but for another individual it could be their life. This opportunity taught me a lot about being a good advocate. It taught me the importance of preparing your client because you never know what can happen when you go to court, and that at the end of the day you can only control the amount of work you put in.

Another defining moment this summer at the Equal Justice Center was working with two individuals that wanted to get their back pay for work they did at a road construction company. These individuals were a father and a son that worked for over five years for the company. They labored over 60 hours per week, and worked from Monday through Sunday. They never had a day off. At the beginning, this case was tough because the company that they worked for had filed for bankruptcy in the past and had changed the name of the entity several different times. In addition, they worked for the city, so I also had to do research regarding the types of projects they worked on

and whether there were prevailing wage rates for those projects to determine the correct amount that they should have been paid, which was substantially more than the federal minimum wage.

The way I went about researching and getting a clear picture of the whole story before we filed the formal complaint was that I met with these individuals several times during the summer. First, I met with them to get understand who they worked for, who supervised them and controlled their work schedules to see how we could establish liability there. Then, I had a couple more meetings with them to determine what type of projects they worked on and what their role was in each project—whether operating a backhoe, driving a company truck, or wielding materials to be used for the road projects. Nailing this type of information down was important because depending on what task they worked on at each project, the rate of pay would change according to the prevailing wage schedule of that county. However, because these individuals had worked for the company for so long, they could not remember everything they did, so it was interesting trying to piece it all together to get a concise description of their role to then make an estimate of the damages. Throughout the time that I met with these individuals, they were afraid that their former boss would retaliate, but I assured them they had nothing to fear about because the law protected them and they deserved to be paid the correct amount, just like their co-workers. I recall telling one of them once that the only way that this injustice would stop is if people like him would stand up and fight for their rights. At times I did not know where I got the strength to tell them those uplifting words, because I was distraught by the stories I heard from them and the work conditions, but I learned I had to be tough to advocate for them. In the end, it was a challenging case but I was very proud of all that work that I got to put in and the lawsuit was actually filed on the last day of my internship.

Working with all of the individuals and hearing their stories incredibly impacted my life to the point that I want to become a more zealous advocate for low-wage workers that are daily getting taken advantage of. A lot of these individuals are preyed upon because employers believe that they do not have the means for legal counsel or the knowledge of the law, so they will not do anything about it, but they are severely mistaken. I will continue to fight for them, and I am thankful to have met amazing attorneys and the staff at the Equal Justice Center in Texas that relentlessly fights for these individuals as well. Thank you Equal Justice America for your financial support during the time I interned at the Equal Justice Center in Austin, Texas. None of this would have been possible without your help. Thank you for helping make a difference with the underprivileged.

Thank you,

/s/ Cynthia Milián  
South Texas College of Law, May 2017



Equal Justice America  
Building II – Suite 204  
13540 East Boundary Rd.  
Midlothian, VA 23112

August 18, 2015

Re: Evaluation of Cynthia Milian's EJA-supported summer fellowship

Dear Equal Justice America:

This summer, law student Cynthia Milian made an outstanding contribution to our work at the Equal Justice Center and to justice for low-wage working people in Texas. We are deeply grateful to Equal Justice America for supporting her summer fellowship.

Cynthia, who herself comes from a low-wage working family, worked on multiple lawsuits to recover unpaid wages for working men and women, many of them immigrants. She successfully won back the unpaid earnings for one of her clients and for others did critical litigation work to advance them toward a successful conclusion. Cynthia worked on individual cases, complex multi-client cases, and large class actions. In the process she gained valuable hands-on litigation experience working in close collaboration with our seasoned attorneys.

Cynthia proved to be exceptionally diligent and skilled as a student-lawyer and to have a special gift for relating to and working with our clients. This experience demonstrated to us and to Cynthia that she is headed toward a brilliant legal career. We are happy to have played a role in advancing her along that path. We also are once again inspired by the role Equal Justice America plays in helping to nurture promising public interest lawyers.

Many promising public interest lawyers attend law schools, like Cynthia's, that don't have summer public interest fellowship programs. Equal Justice America plays an especially vital role in making it possible for these law students to break into public interest legal careers. Support from EJA was the critical factor that allowed Cynthia to work with us at the Equal Justice Center this summer. I believe that experience in turn will have a decisively positive impact on her future as a lawyer and on her future contribution to the cause of justice. Cynthia is just one example of how EJA changes lives and helps make our world more just and sustainable.

Sincerely,

A handwritten signature in black ink that reads "Bill Beardall". The signature is written in a cursive, slightly slanted style.

Bill Beardall  
Executive Director  
Attorney