



# EQUAL JUSTICE AMERICA

## Summer 2022 EJA Fellow:



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**Update 1:** It's been 2 full weeks since I started supporting pro se litigants in the SDNY through NYLAG. For my first EJA Fellow Update, I am reflecting on how tough but extremely rewarding direct legal service work is. All kinds of people seek our assistance on various issues with different deadlines, sometimes very pressing ones! It reminds me of how daunting litigation can be, how inaccessible the justice system can be, and how important this work is. I've already learned so much from my supervising attorneys and I am currently drafting a motion to dismiss for one of our clients. I am super grateful to already have such hands-on experiences. Our work is a great reminder that the arc of the moral universe is long, but it bends toward justice, accessibility, and equity.

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**Update 2:** This week, I've been supporting a client whose case spans across two continents, with defendants in the US and in Asia. It's been interesting and vicariously frustrating to watch them navigate the complexities of civil procedure and international law. Prior to this experience, I didn't have much knowledge on the Hague convention, and my civil procedure skills were purely theoretical. Yet, I was able to read up on the necessary procedures and requirements, and I consulted my supervising attorneys whenever my client or I had questions. Truly, the best way to learn is through experience, so I am grateful to NYLAG for the training, NYU Law for the instruction, and Equal Justice America for the funding.

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**Update 3:** Most of the people who seek our assistance at NYLAG's SDNY pro se clinic do not have the means to hire a lawyer. That means they often have to navigate legal jargon, procedural rules, and case research all on their own. The pro se clinic allows them to have some recourse, even if it means having someone explain certain exhaustion requirements for a claim. At times, our assistance simply allows the prospective litigant a chance to be heard or to weigh their chances. It's been an extremely useful experience for me to have direct contact with clients, under the supervision of an attorney, to listen to their stories and find answers for their questions. That alone allows pro se litigants to feel like they are able to have their day in court. In one recent case, a client had just lost on summary judgment, but they did not understand the implications of that. My job was to explain in simple terms what that meant for their case and how the appeal process works.

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**Update 4:** Sometimes when people reach out to us at NYLAG's Pro Se Clinic for help, their issues are out of the scope of our assistance. In that case, we try to refer them to the appropriate service organization, usually one



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better suited for their issue or location. I've had to do this a couple times throughout the summer, and it drew my awareness to the fact that most people are not even sure where to seek legal help or where to start. When they do find answers, they are often surprised by the costs of litigation and lawyers. I dream of a world where public interest/ affordable lawyers are more common, well-funded, adequately-staffed, and not over-worked so that attorneys like those at NYLAG can continue to do the work they do.

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**Update 5:** This summer, I had the opportunity to work with the New York Legal Assistance Group (NYLAG) in their Pro Se Clinic. The Clinic is sponsored in part by the Southern District of New York Court to afford (non-incarcerated) pro se litigants the opportunity to seek free legal counsel. The Clinic handles a wide range of issues and also has relationships with other legal aid and social service organizations for times when a referral is optimal.

My experiences allowed me to put to practice some of the theories I had learned about during 1L. I was also able to work on improving my client service skills.

Throughout the summer, I conducted research, drafted documents, wrote, and rewrote motions, collected facts, and supported the work of the attorneys in any way I could. I gained an increased appreciation for the work public interest lawyers do with underserved communities, specifically for people who cannot afford an attorney when navigating the byzantine legal system.

Most of my clients were low-income plaintiffs navigating the legal system for the first time hoping to get justice for their situations. My cases ranged from employment discrimination to contracts fraud cases, and I was able to deepen my understanding of these areas of law, including learning federal and state doctrines and precedents. I am humbled by the confidence and trust my supervisors and clients invested in me. I gained immeasurable skills and experience through my responsibilities.

Something that stuck with me and sparked my investigative interest is how employment discrimination laws specifically tend to be more employer-friendly than employee-friendly. Surely, there need to be safeguards to ensure that the legal system is not abused and inundated. Still, I wonder whether some of these might make it almost impossible for employees to seek recourse. For example, in deciding what motivated the employer in a retaliation claim, the veracity of the employer's proffered reason did not matter. Rather, the dispositive factor was simply whether the employer believed the fact to be true. I wonder how such doctrine may create loopholes in employment discrimination cases and tip the scales against employee-plaintiffs.

Overall, the legal field is complicated for people without legal training, especially pro se litigants, and I am grateful for the opportunity to contribute to the important work NYLAG is doing to level the field. I am also grateful for the EJA stipend that covered my utilities, grocery, and transportation bills throughout the summer. Without it, I would've struggled to make ends meet. This experience has further deepened my interest in civil litigation, and I look forward to the opportunity to grow in my legal education.