

August 31, 2015

Mr. Dan Ruben, Executive Director
Equal Justice America
13540 East Boundary Round
Building II, Suite 204
Midlothian, VA 23112

Dear Mr. Ruben,

EJA's generous grant gave me a great opportunity to do meaningful work over the summer for Lincoln Square Legal Services, a non-profit law firm at Fordham. The firm provides legal services to low-income citizens through a number of clinics, including Consumer Litigation, Immigration, Criminal Defense, Federal Litigation, Family Law, and Community Economic Development. During the school year students staff these clinics for academic credit and help clients address their legal issues. I wanted to take Professor Marcella Silverman's Consumer Litigation Clinic in the fall and jumped at the chance for a summer position with the clinic.

The Consumer Litigation Clinic represents consumers against debt collectors. Over the summer the clinic primarily serves three groups of low-income consumers. The first group is people with dire, immediate needs. Many of these individuals have a default judgment against them; the first time they find out about the existence of the judgment is when they receive a garnished paycheck, or try to withdraw money and find their bank account is frozen.

One of the most difficult cases of the summer was that of a veteran with a default judgment against him. Like many of our clients, he had been paying his bills until his job was downsized during the recession. With three decades of experience in his prior role, he could not easily switch careers. Without an income, he also fell behind on his rent payments, and was soon evicted. He has been living in shelters for the past few years and has slowly worked his way back onto his feet. He has had a job for nearly two years and had been saving that money so he could once again get an apartment of his own. One day he went to the bank to make a withdrawal and found that all the money he had saved was frozen. Professor Silverman and I started working with him in the summer, and the clinic is continuing to work with him to unfreeze his savings this fall.

The second category of consumers are people who also face difficult lawsuits, but who have more time to deal with their problems. This might be because they have just recently been sued or they have a future court date. We helped these clients by providing them with legal advice or by directing them to New York's Civil Resource Legal Advice Office for discrete legal tasks, like drafting their answer. One woman in this category had a credit report that contained dozens of accounts and inquiries that did not belong to her. She could not successfully apply for new credit because her credit score was so poor and she could not improve her score because the creditors refused to fix the harmful errors on her report. We began contacting the creditors, a process we are finishing this fall. At the end of this process, her credit report will reflect only the accounts that belong to her and she will be able to qualify for the credit she needs.

Finally, Professor Silverman and I undertook several projects that helped individuals confronting systematic problems faced by many consumers. One project addressed default judgments created by the "sewer service" epidemic. CLARO and the New Economy Project trained many consumer advocates this summer, including myself, to file process server complaints with the NYC Department of Consumer Affairs, and to file debt collector complaints with the Consumer Financial Protection Bureau. The goal with the DCA complaints was to help consumers who had not actually been served identify their process servers, providing the DCA with data on which process servers repeatedly failed to effect service as they swore they had in their affidavits. The CFPB complaints documented illegal debt collector behavior, like when a collector threatened to take away Social Security from one of our clients. The complaints were submitted during a notice and comment period and will help the agency draft its regulations for debt collectors.

What surprised me most about the summer were our clients. When I tell people about my work in the clinic, they sometimes say, "Oh, you help people not pay for all the big screens and other stuff they bought." I am certain there are irresponsible people out there, but the clinic did not deal with them over the summer. The first surprise was that yes, we usually dealt with credit card debt, but rarely with people who lived beyond their means. They lived within their means until something happened – they lost their job, got divorced, lost a loved one, accrued expensive medical bills, etc. And then many of them could no longer pay their debts. But when they came to the clinic for help, the women and men we worked with did not want to get out of their obligations. The homeless vet I mentioned made \$10k last year, but still wanted to set up a

monthly payment plan with his creditors. It didn't matter that he couldn't pay much more than \$100 a month, or that he would be making payments for decades. He wanted to pay what he owed, he just couldn't do it right now. We worked with lots of people like him.

I am grateful that EJA's grant enabled me to help consumers without going into debt myself. I would strongly encourage Fordham students to take one of the LSLS clinics during the school year or try and work for a clinic over the summer. I had a wonderfully rewarding summer and am looking forward to representing more consumers this fall.

Sincerely,

Chris Fennell
Fordham University School of Law, Class of 2017