

October 22, 2010

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

Dear Mr. Ruben:

I write to thank you and Equal Justice America for the generous support during my summer internship at the East Bay Community Law Center. The Summer Fellowship experience has made me a better person. I now have first-hand knowledge of how legal aid and pro-bono legal services affect individuals and communities. As I mentioned in my application, I came to law school chiefly because I wanted to represent those who feel that, for one reason or another, the legal industry is unable or unwilling to cater to them. The summer internship has solidified my desire to represent the disenfranchised.

I spent ten weeks during the summer at the Housing practice. The primary goal of the Housing practice is to provide legal services to low income tenants facing evictions. To this end, the practice runs a weekly Tenants Rights Workshop and a bi-weekly clinic. The practice also engages in strategic affirmative litigation aimed at forcing landlords to maintain their rental properties in a habitable condition. I got an opportunity to participate in all of the above.

After a couple of days of intense training, I started working on some of the strategic cases. My supervisor, Mr. Marc Janowitz, had been handling the cases for a while. I want to share two of the cases with you. The first one involved a disabled and ailing old man with very limited income. He had been operating ham radio for well over two decades out of his apartment. The new and younger management at his property had been continuously harassing him; they wanted him to stop transmitting and take his antenna down from the roof. They changed lawyers a couple of times and by the time I was in on the case, lawsuits had been threatened. Our client would get multiple letters and notices in the mail. It had been over a year since the first notices were sent out. Still, there was no lawsuit. My first job was to get in touch with the client, and to assure him that our best strategy was to refrain from venting frustration at the other party.

The first time I met the client, we did not really become fast friends. To his eyes, and rightly so, I was yet another law student in on the case. However, slowly and over multiple letters to opposing counsel that I drafted and showed to him, we did become very good friends. I learnt a great deal about ham radio operations; I would listen to him talk about his lifelong passion with genuine interest. This taught me how to interact with clients: with respect, dignity, and humanity, all the while on the lookout for humor and good-natured optimism. Unfortunately, by the time my ten weeks were up, the case still had not been settled. The client, however, still writes to me. As per his last email, the management has agreed to go on mediation.

The second of the cases involved a low income client whose new landlords had filed an eviction lawsuit for failure to pay rent. The heart of the issue, however, was the use of the building's attic. The old homeowner had verbally agreed to our client using the attic. However, the new owners did not like this. The relationship between the new owners and the client reached an all-time low when the owners failed to maintain the property. The client stopped paying his rent. My first task was to convince the client to pay up. He was a very reasonable man, and he agreed to the proposition right away. Then I went about negotiating a settlement with opposing counsel.

The client's apartment indeed had significant and horrifying habitability issues, including molds, rat holes, improper weatherproofing, cracked doors, and so on. The owners' attorney was also quite reasonable and saw that the case was a non-starter. However, the owners resisted at first. After much wrangling and after weeks of negotiations, a settlement favorable to our client was reached. Not only did he get three months of free rent, the owners also agreed to let him continue using the attic. This experience, therefore, taught me the virtues of effective advocacy. It taught me how negotiations really function – a little bit of posture here and a little bit of flexibility there go a long way if one presents the facts and the legal arguments with confidence. Also, being professional and courteous to opposing counsel indeed goes far.

Besides these strategic lawsuits, I also worked on one of the bi-weekly clinics as well as the weekly workshop I mentioned above. These were the times when I could help a large number of people. These were the highlights of the week. The bi-weekly clinics primarily catered to clients facing evictions. Those with active lawsuits would make appointments. Each session, I would help three or four clients by preparing answers and other documents. During the weekly workshops, which were open to walk-in clients too, we would invariably get over twenty low-income tenants facing all sorts of problems with private homeowners or the Oakland Housing Authority. Many were tenants in foreclosure. We would listen to their stories individually and provide counsel. And, again invariably, the workshop attendants would be very thankful. It would show in their eyes, the relief and the unburdening, when they understood their legal rights and the recourses available. Needless to say, I would leave the workshops with a genuine sense of having accomplished something tangible, but which was yet somehow more than just tangible. The experience, in short, has made me a believer that we can indeed help the otherwise helpless keep on with their lives, that we are all in it together, and that I can do this for the rest of my life without falling into the traps of bitterness, frustration, and cynicism.

For this experience, I am a better human being. And Equal Justice America deserves all the praise, thanks, and support that I or countless other interns and the people they've served have given or can give. Thank you. I look forward to a career as an attorney working for social justice.

Sincerely,

Sudeep Simkhada
UC Berkeley School of Law
Class of 2012