

August 30, 2017

Dear Mr. Ruben,

I write to thank you and Equal Justice America for supporting my work at the Legal Aid Society of New York this summer. I spent this summer working in the Homeless Rights Project (“HRP”), which is a sub-unit with Legal Aid’s Civil Law Reform Unit. I sought out this unit in particular when applying for internships, because, as part of the Law Reform Unit, HRP staff engage in a combination of systemic advocacy along with direct client services. Legal aid organizations are well-positioned to engage in systemic advocacy, because their efforts can be directly informed by the experiences of the clients they serve on the front lines, and I am pleased to report that such is certainly the case in the HRP.

I knew little about homelessness in New York City (“NYC”) prior to the start of my internship. I learned quickly that in NYC there is a legal right to homeless shelter services for families that meet the City’s definition of what it means to be homeless (thanks in large part to litigation brought by Legal Aid!). During the summer, the shelter system was bursting at near capacity, providing shelter to around 60,000 New Yorkers every night. What I was most surprised to learn, is that families with children comprise a significant portion of that population.

HRP uses its resources primarily to serve families with children and individuals with disabilities accessing or seeking shelter services. Often clients contacted Legal Aid’s Homeless Rights Hotline seeking assistance after being denied eligibility for shelter. Although no family’s experience is the same, I will attempt to describe the steps involved in applying for family shelter, and in doing so, incorporate examples of the real experiences of, and obstacles faced by some of the clients I worked with this summer.

To apply for family shelter, all members of a family must go together in person to an office in the Bronx called Prevention Assistance and Temporary Housing (“PATH”) to apply. The City’s first step in the process is what it calls “diversion.” A City employee will meet with a family and attempt to find any means of diverting the family away from the shelter system. For example, if a family has relatives in California willing to house them, but they cannot afford to get to California, the City will pay for their travel. That costs far less than housing a family in the shelter system. If a family cannot be diverted, applicants must account for each place they have lived or stayed for the past two years, even if just for one night. Due to the multi-step process, the volume of information required, and the volume of applicants, completing an application can take several days. This summer several of my clients lost or jeopardized their employment because of the significant time required to complete an application at PATH. As a result of the litigation that established the right to shelter for families, Legal Aid has the right to monitor the PATH intake center. We went into PATH several times this summer and spoke to applicants in the waiting areas to learn what obstacles or issues they faced during the process. That direct contact with the homeless population helps inform the systemic advocacy HRP performs, which in large part relates to making the process at PATH more efficient and less burdensome.

The next part of the application involves NYC employees investigating each of the addresses provided by the applicant family. The goal in this phase is for the City to identify an

address that the family has previously stayed at and can return to. The City provides a family a temporary shelter placement during the investigation period, which is not supposed to last more than ten days. At the end of the ten days, the family gets a notice with a decision regarding eligibility. Often families are found ineligible because the City believes they can return to live at one of the addresses at which they lived or stayed in the last two years. Because it is clearly impossible to return to an address from which a family was evicted, at this phase, the City typically identifies some friend or family member who housed the applicant family temporarily, and tells the applicant that it can return there so the family is not homeless. Due to the scarcity of shelter placements, even if those friends or relatives tell the City that the applicants cannot return to live with them, barring a safety or crowding issue, the City often still says the applicants are not homeless because they have a viable housing option. This is often where HRP intervenes and advocates. My job was often having in-depth conversations with clients talking about a wide range of intimate and personal topics (such as a history of domestic violence or health/disability-related issues) in an attempt to find some angle from which we could make the case that the family could not return to the address the City identified. One client I had was a single mother attempting to get a shelter placement for herself and her two children. They had previously resided with the children's father at his mom's house. Although my client and her children's father were no longer in a relationship, the City found her ineligible and said that she could return to that previous address. We were successful in proving to the city how unreasonable it was to claim that our client could return to live with the mother of her ex-partner. The City ultimately found our client and her children eligible after HRP intervened.

Once a family is found eligible for shelter, there often still remain obstacles or issues with the shelter placement. HRP does a great deal of advocacy to ensure that shelters are accessible to individuals with disabilities. Just before I started my internship, Legal Aid settled a class action lawsuit with the City on behalf of New Yorkers who are homeless and have a disability to ensure that the City made better efforts for shelters to be accessible to them. One of my clients this summer finally learned about Legal Aid after almost an entire year of advocating for himself unsuccessfully. This individual was in a car accident that left him with significantly impaired mobility. He required the use of a walker or often a wheelchair to get around. The City had placed him and his family on the fourth floor of a shelter with no elevator. Because there were so few available units in general, the demand for accessible units far exceeded the supply. With our intervention, our client and his family were moved to a shelter with an elevator. Though he was grateful for the ultimate outcome, I know our client was frustrated that the result he requested all along was only achieved once HRP intervened.

Too often this summer I worried that for every client we met and worked with there were likely many more families facing similar obstacles that we were not reaching. HRP does outreach outside the PATH office twice each week to help ensure that clients know what their rights are and what resources exist if they need them. Sadly I cannot say when we will see the end of homelessness in NYC, but I am confident that Legal Aid, and the HRP more specifically, are working tirelessly and efficiently to combat it.

Sincerely,
Abigail Samuels
University of Pennsylvania Law School, Class of 2019



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September 8, 2017

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Re: Abigail Samuels

Judith Goldiner
Attorney-in-Charge
Law Reform Unit

Dear Mr. Ruben,

I write in regard to Abigail Samuels, who completed an internship with my office, the Homeless Rights Project of The Legal Aid Society, in New York City this summer.

Ms. Samuels performed exemplary work. She interviewed dozens of clients and drafted advocacy letters for them; she researched complex legal and legislative issues; she assisted with forensic accounting for a trust for one of our clients; she helped draft class notices in cases we settled; she conducted shelter inspections with court-appointed monitors; and she attended public fora on our behalf.

She performed all these tasks with professionalism and sensitivity and was a pleasure to work with. Thank you for funding her internship.

If I can provide any further information please let me know.

Very truly yours,

Joshua Goldfein
Staff Attorney