

# JASMINE D. BANKS

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Mr. Ruben:

This summer I worked in the family law section of the Legal Aid of NorthWest Texas in Fort Worth, Texas. I am very grateful for the opportunity work in this office. My fellowship not only allowed me to gain important experience in a public interest setting but it also allowed me to gain knowledge about an area of law that is tested on the Texas Bar. On the first day of my fellowship, I was given the task of drafting and filing divorce pleadings. I was a bit nervous at first because I did not have experience in family law and I have had never drafted a pleading. However, the staff and attorneys in the office were very helpful and guided me along the way. Shortly thereafter, I was drafting pleadings almost every day. Throughout my summer fellowship, I drafted multiple pleadings and e-filed them with Tarrant County district courts. Each case had its own unique background and result; however, two clients in particular had the most impact on my fellowship.

One client recently lost his wife and was trying to gain custody of his stepson. This was an emotional case that nevertheless ended in triumph. Our client's wife had died only a couple months earlier from a sudden heart attack. Our client was forced to seek legal help soon after her death because the stepson's father had taken the stepson away from our client while the stepson was at school. In the midst of losing his wife, our client was also at risk of losing his stepson. During the court hearing, my supervising attorney was able to present evidence and testimony about how it was not in the best interest of the child for the biological father to have custody. Of course, the hearing consisted of a lot of "mud-slinging" between both parties. In the end, I believe the judge saw through the anger between the two parties and ruled in our client's favor. Both parties were appointed joint-managing conservators with our client as primary. Additionally, the biological father was restricted in his visitation and was only allowed to visit the child at a family court services building supervised by their employees, which I am positive was not taken lightly by the biological father.

The second client was a repeat client. Our client, a woman, had been formally married to another woman in Idaho years prior. Last year, our client attempted to divorce her spouse but was unable to because Texas did not recognize same-sex marriage at the time. In response to the recent Supreme Court ruling, our client attempted to finalize her divorce but not without some opposition. Normally, this case would be treated as any other divorce proceeding; however, our client gave birth to an extra-marital child while "common law" married to the opposing party. The opposing party was now trying to get rights to our client's child based Texas' presumed

parent statute. Our office was eager to take this case for a second time. This was an unprecedented area, which required a lot of research and thinking outside of the box. What our office originally thought wouldn't go past an associate judge's ruling on judicial estoppel based on a previous admission turned into a three-day district court trial. In the end, our client won and the court determined that the opposing party did not have standing to gain rights to the child.

These cases also allowed me to gain insight into the dynamics between judges in the family law court system. Some judges were very nice and willing to assist pro se parties as much as they could ethically. Other judges were still nice but strictly adhered to rules. I was able to meet every judge in every courtroom that I entered in the family law courthouse this past summer. Each judge was welcoming and many suggested that I come back to visit anytime. Before my fellowship, I did not know what to think about family law judges; would they welcome me into their courtroom? By the end of my fellowship, I felt confident in going into any judge's courtroom and speaking with them.

If I had the chance to change anything about my fellowship this past summer I wouldn't. I was given great responsibility in drafting, and filing and signing document with the court clerks; responsibilities I didn't think that I would have until I landed my first job as an attorney. I gained valuable experience from an awesome group of attorneys and I often had more opportunities to learn than I had time to learn the information. My greatest reward was knowing that at the end of the day, I made a difference in someone's life even if it was only assuring the client that there was a light at the end of the tunnel. In sum, I truly think public interest law is the most rewarding area of law for two reasons: it allows you to make a direct impact in your own community and it keeps you grounded and humbled. Throughout my fellowship I often thought "This could have been me; I could be in my client's shoes." I am so thankful that Equal Justice America has given me the chance to gain valuable experience in an area of law that I am passionate in as well as make a difference in my own community. Thank you.

Sincerely,

Jasmine Banks  
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