

Dan Ruben
Executive Director
Equal Justice America
Building II, Suite 201
13540 East Boundary Road
Midlothian, VA 23112

Dear Dan:

This past summer, Equal Justice America (EJA) funded my work with a legal non-profit out of Madison, Wisconsin called Community Justice, Inc. (CJI). CJI offers a variety of legal services for indigent people, but my focus in working with them was on landlord-tenant law, housing law, and family law.

For landlord-tenant cases, I helped individuals seeking rent abatement in the aftermath of COVID and the CARES Act and advocated for tenants in the Wisconsin Court of Appeals when their landlords failed to uphold their duty to mitigate damages in the event of a breach of a lease. Through CJI, I was able to help a young couple fight a court's decision to 'split the baby' on the damages they owed their prior landlord after having to cut their lease short. In the Court of Appeals, this decision was reversed, and the couple ended up owing substantially less because we showed that their landlord had failed to mitigate damages when they turned away prospective new tenants for no good reason.

As someone who rents an apartment, I learned practical legal applications for my own life through this work as well. Specifically, I learned to always try and find a suitable replacement for a lease you need to breach because a landlord must, in the absence of compelling reason not to, rent the premise out to the replacement and cease charging the tenants who breached. In other words, because a landlord cannot simply leave a broken lease unfilled in order to collect payment from the former tenant(s) who breached their lease, one should always try and point to a person or persons who can fill the lease in their place to keep landlords honest and prevent them from keeping the premises vacant for longer than absolutely necessary.

I also worked several cases involving family disputes and child custody concerns. One particularly memorable case was one involving a couple with two young children. The couple, after separating, lived in very different parts of the Midwest, and they were having difficulty negotiating how to transfer children between the residences. One party lived in a city and did not have consistent access to a car. The other owned a car but would have to drive for many hours and spend a lot on gas and tolls if they were responsible for traveling into and out of the city every weekend. Ideally, the couple wanted to meet somewhere in the middle between their residences where the cost in both time and money was as equally divided between them as possible.

For three days, a fellow intern and I crunched the numbers; we looked at every mid-sized city and town between their residences and accounted for several different travel methods for the party without a car – taking an Uber to the train station, taking an Uber all the way to the destination, using a Zipcar, taking a bus then a train then another bus. We considered the prices and time constraints of all of these methods and more, and we had a lot of fun and difficulty trying to account for every possible detail, including the cost of bus/train tickets, and the number of tolls one would likely hit on each potential route. We compiled all of the data into a spreadsheet, and we even created formulas to potentially help with similar problems in the future for couple disputes in the Midwest area. It was one of the most fun projects to do from a creative, problem-solving standpoint, and it ended up helping the couple decide on a fair and equitable solution for their family.

All of the cases and projects I worked on were interesting and eye-opening, and my work with CJI reinforced just how broad the need for low-cost or free legal services spreads. I am excited to continue this work throughout my legal career and to help people the way CJI does.

Sincerely,
Claire Miller
University of Virginia School of Law