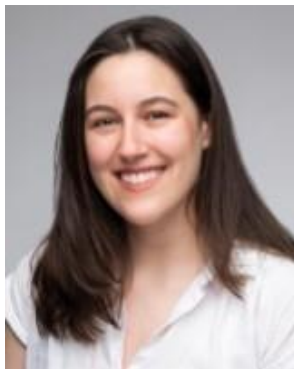




# EQUAL JUSTICE AMERICA

## Summer 2022 EJA Fellow:



**Name:** Leah Starbuck Schuckit

**Law School:** New York University School of Law

**Organization:** Legal Aid Chicago

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**Update 1:** I am excited to say that I have been selected as an Equal Justice America (EJA) Legal Services Fellow! As many of you may have already noticed, I am spending my summer as a legal intern at Legal Aid Chicago in their Consumer Practice Group. I am able to do this in part thanks to EJA's fellowship, which provides summer funding that makes unpaid nonprofit legal internships possible for law students like me throughout the country.

I am lucky enough to be receiving funding from both New York University School of Law and EJA, which helps to make moving halfway across the country for a summer financially feasible. Many people, however, do not have guaranteed summer public interest funding opportunities at their schools, or their schools' funding programs may be inadequate to fully support them.

Since its inception in 1993, EJA has provided nearly \$12.5 in grants to law students who have in turn provided approximately 2 million hours of free legal services to people who need them. There are two ways to look at this: The need for civil legal aid is urgent— 80% of people living in poverty are unable to access civil legal services that they desperately need. At the same time, talented and committed law students are unable to take advantage of unpaid opportunities due to financial strain. EJA helps bridge the gap between people who want to help and the people who need that help.

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**Update 2:** For my second Equal Justice America Fellowship update, I want to talk about the Residential Eviction and Consumer Debt Early Resolution Program (ERP). During the COVID-19 pandemic, Cook County implemented this program to address the anticipated flood of eviction and consumer debt actions spurred by pandemic-related financial insecurity. Here at Legal Aid Chicago, the Consumer Practice Group receives in-court referrals from ERP and provides brief legal services in the form of negotiating settlements with opposing counsels (funny enough, the most relevant thing I've done thus far at New York University School of Law is the 1L Lawyering negotiation simulation). Oftentimes, creditors will agree to accept reduced lump sum



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settlements from debtors who are otherwise unable to keep up with their balances. ERP attorneys then are able to resolve our clients' cases, resulting in our clients having more money to spend on necessities without the stress of a pending lawsuit hanging over their heads. I have been conducting intakes and drafting affidavits and motions for issues like inadequate service, which buys our clients more time to connect with our services and resolve their cases without risking default judgments and wage garnishments.

In creating ERP, Cook County acknowledged the need to provide legal assistance to otherwise self-represented litigants in the court system. Equal Justice America is working to meet that same need. Consider donating to ensure that interns like me can continue supporting this goal.

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**Update 3:** Quick turnaround here for my third Equal Justice America Fellow update! Over the past six weeks, I have noticed how often our clients in the Consumer Practice Group are older adults and elderly people. Seniors are an often underserved client population for a variety of reasons: sometimes they lack the community and familial support systems that could connect them to civil legal services, sometimes they have disabilities that make it hard to reach assistance, and sometimes they lack the technological prowess to navigate our very-online modern society. Can you imagine trying to find legal assistance without knowing how to use Google? What about accessing a Zoom court hearing when you do not have in-home WiFi or a smart phone? These same obstacles to obtaining legal assistance serve to make older adults more vulnerable to financial exploitation, a form of elder abuse that we see often in the Consumer Practice Group. During my time at Legal Aid Chicago, I have worked on cases for clients who have been victimized by formal caregivers, like home health aides, and informal caregivers, like family members. It is important to remember that older adults' incomes become constrained over time as they lose the ability to work. The 2022 maximum for Social Security Retirement Income, which you may receive *\*only\** if you earned enough money over a certain period of time during your working years, is \$4,194 per month. The 2022 maximum for Supplemental Security Income, a program for people who do not qualify for Social Security Retirement Income on account of either their earning history or their citizenship status, is \$841 per month.

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**Update 4:** When I first began thinking about what sort of internship I wanted to do after my first year at New York University School of Law, I knew that, after three years working in public benefits advocacy, I wanted to try out a new area of poverty law. Whereas I came to understand public benefits advocacy work as "income maintenance," I saw consumer law as "asset maintenance." I realized that a summer working with Legal Aid Chicago's Consumer Practice Group would give me the opportunity to learn more about how we can protect what people *\*own\** as opposed to just what they *\*are owed.\**

For this update, I want to talk about foreclosure prevention advocacy. Homeownership drives intergenerational wealth in this country. It serves to separate people on both economic and racial lines (and the intersections thereof). I have been reading Natalie Y. Moore's "The South Side: A Portrait of Chicago and American Segregation," which has had me specifically thinking a lot about the experiences of Black families in Chicago.



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According to the Brookings Institute, 46.4% of Black families own their homes while 75.8% of white families do. Predominantly Black neighborhoods are valued at \$48,000 less than predominantly white neighborhoods for a cumulative loss in equity of approximately \$156 billion. The relatively low rate of Black homeownership, which is both motivated by and contributes to the racial wealth gap, are byproducts of systemic racism, the legacies of slavery and Jim Crow segregation, redlining, and other anti-Black policies. To make matters worse, leading up to the subprime mortgage crisis, Black families were more than twice as likely to have high-cost mortgages, which then trapped them in further debt when the housing bubble burst. Not only have we, as the American people, historically made it nearly impossible for Black families to purchase a home in the first place, we have also made it even harder for the families who clear that hurdle to keep their homes long enough for them to turn them into intergenerational wealth.

My work this summer has helped me to build out a more holistic understanding of the support that people need to really thrive. Income and asset maintenance are two sides of one coin, and I am glad to now have experience with both empowering people to get money and then empowering them to keep it.

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**Update 5:** It is time for my final Equal Justice America (EJA) update! Two weeks ago, I finished up my internship with Legal Aid Chicago's Consumer Practice Group. While there, I was able to work with incredibly talented, passionate attorneys who have been in this field for their entire careers. Here are some things that I learned this summer:

- Antipoverty work requires a focus on both income maintenance as well as asset maintenance. To have the money to buy a house or a car means nothing if you are not then able to keep it.
- We have to remember to prioritize elderly clients in this work. In my experience, antipoverty resources oftentimes gloss over the specific needs of elderly clients. The emergence of electronic resources and online applications for government assistance has been a phenomenal outcome of the pandemic; however, those things do no good for people who cannot access the internet because they were never taught how to use it. Internet literacy is a meaningful and often overlooked component of serving all people equally.
- Civil procedure is the most valuable class of the 1L curriculum. The Consumer Practice Group practices in both state and federal courts and the basic concepts I learned from my first-semester civil procedure class helped inform my research when I was tasked with questions like: Does the Circuit Court of Cook County have jurisdiction over our client? And, more interestingly: Does our client have any defenses based on an egregious typo in opposing counsel's original complaint?

More than anything, this summer confirmed what I already knew: the legal services field is under-resourced, underfunded, and under-appreciated. The fact that Legal Aid Chicago cannot offer paid internships is a symptom of this financial strain.



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My summer was funded by New York University School of Law's Public Interest Career Center and EJA. I am privileged enough to attend a law school that helps its public interest students take advantage of such meaningful--yet unpaid--experiences, but not every law school is able to do the same for its own students. That is why EJA is so important.

The existence of unpaid internships serves to maintain and recreate inequality. Think: who is able to accept unpaid internships? Who then has the requisite prior experience to be hired on full-time after graduation? Who then sits on hiring committees at legal services organizations throughout the country? While we do our best to "de-bias" our processes, we must also focus on providing access to early opportunities that snowball into legal services careers.

Consider donating to EJA so that other students can have the same opportunities that I have had.