



## Summer 2019 EJA Fellow:



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**Law School:** George Washington University Law School

**Fellowship:** Public Defender Service for the District of Columbia - Civil Legal Services Division

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### Entry 1:

My internship has been off to a great start. I am continuously inspired by the passion and commitment of the attorneys at PDS, who advocate vigorously for our clients in a system where the odds are stacked against them. Over the past week, I have been working on a motion that would allow one of our clients to resume visitation with her son, who she has not seen since January. The goal is to build a successful history of visits so that our client can regain custody when her case goes to trial. I also accompanied one of the attorneys to Landlord Tenant Court and listened in on the cases. Although Washington DC is known to have some of the “friendliest” tenant protection laws, most of the people there did not have attorneys and many of them did not even come to court to defend the landlord’s eviction proceeding. Finally, I have gone to the DC jail twice to update clients on the status of their civil cases. Although I had done a lot of reading on the inhumane conditions of American jails and prisons, it was another thing to see the daily indignities that our clients experience. Thus far, I have been learning so much and am very thankful for my EJA Fellowship.

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### Entry 2:

Over the past two weeks, I have learned more about how exposure to the criminal justice system has devastating consequences in the civil context for clients at PDS. One of our clients committed a crime as a result of his mental illness and was initially placed in the DC jail and then in a mental health hospital. Because of his arrest and subsequent hospitalization, he was absent from his apartment and the District of Columbia Housing Authority (“DCHA”) terminated his housing voucher. Due to the termination of his voucher, his building stopped receiving rent, and he now faces an eviction proceeding. I helped write a letter to DCHA requesting a reasonable accommodation for our client’s mental illness and a reinstatement of his voucher. In the upcoming weeks, there will be a hearing to determine the fate of the voucher.

I also spent more time at landlord-tenant court, where I again saw how few protections tenants have despite powerful landlords who are represented by counsel in over 90% of cases. For example, the tables are marked “plaintiff/landlord” and “defendant/tenant,” effectively excluding the idea that landlords are ever held



accountable for their own misdeeds in those courtrooms. I was also shocked to find that there is a room in the back of the courthouse that contains several meeting rooms, two of which are reserved for the landlords' law firms. Despite the fact that the courthouse is funded by taxpayer money, it seems clear that private landlord firms are calling the shots in DC's landlord-tenant court.

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### **Entry 3:**

The past couple of weeks have been exciting but busy! Last week, we were supposed to have a CPO trial; the basis for the trial was that the petitioners claimed that our client had stalked them. I wrote a lengthy memo which analyzed DC's stalking statute and evaluated the merits of the petitioner's claims. What I have discovered is really difficult about civil practice is that the burden of proof is only a preponderance of the evidence as opposed to the beyond a reasonable doubt standard in criminal proceedings. While I felt confident that our client would prevail in a criminal trial, it seemed less clear in the civil context. The petitioners ultimately dismissed the case two days before the start of trial!

This upcoming week, I am going before the DC Housing Authority (DCHA) to argue that one of our clients was wrongfully terminated from the Housing Choice Voucher Program. I submitted a letter brief to DCHA arguing that its basis for termination relied on an incorrect factual basis and was thus erroneous. I also reiterated that our client is entitled to a reasonable accommodation as I described in the last journal entry. While I am excited to gain this experience in oral advocacy, I am also somewhat intimidated. I will report back on how it goes!

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### **Entry 4:**

First, I will start with an update about the outcome of the case before the DCHA. A few days before the hearing, we had a moot argument, where the attorneys and co-clerks asked me a lot of challenging questions about what it means to vacate and reasonable accommodation law. It was great practice, and I was glad to be in a nonjudgmental environment where everyone was helping me sharpen my answers. It showed me how in this type of work, everyone is truly in it together. I spent the next couple of days reviewing the brief and the cases I cited so I could be best prepared. The day before the hearing, I was at my desk when my supervisor walked in to tell me that DCHA had reviewed our letter brief, and based on the facts and its allegations, had dismissed the case. Although I had a lot of great moments over the summer, this moment was probably the best. For several years before receiving a housing voucher, our client had been homeless. Because of DCHA's Recommendation for Termination, his access to safe and affordable housing was at risk. To learn that DCHA reinstated the voucher and that our client could continue to live in his home was such an incredible feeling and showed me the ways in which having a law degree can positively impact people.

It was sad to say goodbye to PDS because I really enjoyed the work and admire all of the attorneys, investigators, and admin staff who work there. After spending the first year of law school immersed in casebooks, I am so glad to have had the opportunity to apply that knowledge and help people facing the collateral consequences of exposure to the criminal legal system.