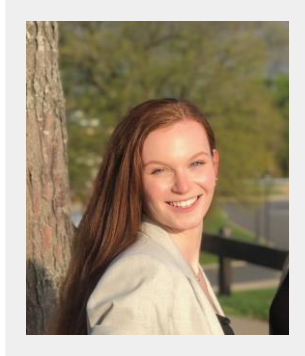




EQUAL JUSTICE AMERICA

Summer 2023 EJA Fellow:



Name: Louise Goodman

Law School: Albany Law School

Organization: Empire Justice Center

Update 1:

I'm so excited to have the opportunity to intern with Empire Justice Center this summer! Empire Justice Center is a non-profit organization that provides civil legal assistance to those within New York state through direct and impact litigation, legislative and administrative advocacy, and by providing technical assistance and training to other advocates, attorneys, and organizations. The wonderful staff at Empire Justice Center work tirelessly through outreach programs and helplines to make sure that New Yorkers are aware of their rights and have access to as many resources as possible. As their motto suggests, their mission is to "make the law work for all New Yorkers."

This summer, I'm going to be working with both the Crime Victims Legal Network (CVLN) and the Civil Rights practice groups. In my work with CVLN, I'll help to provide "technical assistance," in the form of research help and resources on novel legal issues, to other non-profit organizations so that they have the information and connections to outside resources to serve their clients in the best possible manner. I'll be researching different topics such as the Constitutional concerns surrounding extreme risk protection orders (ERPO), which can be filed to prevent those people who potentially pose a serious risk of harm to themselves or others from having access to firearms. Another issue I'm researching for the Civil Rights practice group is the legal standards that school districts must meet in their special education programs, and the appeal processes that students and parents in the special education programs can go through when these legal requirements, and the students' particular needs, are not met.

I can't wait to help make an impact with Empire Justice Center!

Update 2:

I can't believe how much I've learned over the last five weeks! Empire Justice Center has given me many wonderful opportunities to aid in the organization's important work in a way that fosters my own



EQUAL JUSTICE AMERICA

education. I've been doing extensive research on school discipline, particularly into discriminatory use of exclusionary discipline such as out of school suspensions. That research is related to a memo I'm creating on special education, which will cover federal and state laws, protections, and procedures designed to afford students with disabilities access to a free appropriate public education (FAPE). FAPE is guaranteed to students with disabilities under Section 504 of the Rehabilitation Act, as well as the Individuals with Disabilities Education Act (IDEA). Both of these Acts require that an individualized plan with educational supports and services is created for each student with a disability. Colloquially, these are known as a 504 Plan and an IEP, respectively. This memo will serve as a resource to Empire Justice Center and will aid in their work surrounding disability rights and nondiscrimination in education. I can't wait to continue to learn and grow, and I hope that I am able to contribute to the legal field and the field of education law in a meaningful way!

Update 3:

Empire Justice Center does wonderful impact litigation work for New Yorkers in many different practice areas, but as with any non-profit, it can be difficult to obtain adequate funding. However, some statutes, called fee-shifting statutes, allow a prevailing party to recover reasonable attorney costs and fees from the opposing party. Section 1983, a civil rights law, is an example of one such statute, but fee-shifting clauses can also be written into contracts. The court system must review and approve the requested attorney fees and costs before they can be granted to the prevailing party. Courts use the "lodestar method" to calculate a presumptively reasonable sum, which multiplies a reasonable hourly rate by a reasonable number of hours.

I've been researching cases where the prevailing party was awarded attorney fees and costs and compiling various data into a spreadsheet in order to identify different trends in the data. I'll be synthesizing this information into a memo, so that it's easier for Empire Justice Center to quickly reference the usual range of attorney fees that each of the four New York district courts award. The memo also has certain qualitative data, such as the reasons that attorney rates were higher or lower in specific cases. I've been enjoying this assignment, as it's given me an opportunity to pull from my background in psychology, particularly by analyzing data and using statistics to better interpret that data.

Link to an article from Empire Justice Center describing one of their successful impact litigation cases: <https://lnkd.in/ehw6D8DY>

Update 4:

One of the things that I've enjoyed the most over this summer has been getting the opportunity to learn more about Empire Justice Center's mission and the different practice groups that work to achieve that mission. One of the most interesting parts of working with a nonprofit organization such as Empire Justice Center is learning about the many different intricacies of the grant system and all of the planning it takes to be a part of a nonprofit.

Another great part of every week is when Empire Justice Center hosts a "Lunch and Learn," where different practice groups give a presentation over lunch. These have been wonderful opportunities to learn



EQUAL JUSTICE AMERICA

about many different areas of law, including public benefits, immigration, crime victim advocacy, health law, and others.

This past week, I was able to learn more about Empire Justice Center's Tenant Advocacy practice group. Landlord and tenant issues are complex and fascinating areas of law, and as always I was extremely impressed by the types of impact litigation Empire Justice Center is working on through the Tenant Advocacy practice group. Property law is currently one of my main interests in law, and it was really wonderful to get to know more about the topic from such knowledgeable people.

Update 5:

My summer with Empire Justice Center has been such a rewarding and valuable experience. Thanks to my work here, I have been able to develop my substantive knowledge of—and critical approach to—the law, and I'm excited to announce that I will be continuing my work with Empire Justice Center's Civil Rights practice group! I'm so grateful to Equal Justice America, whose choice to select me as a fellow has made this summer possible.

Experience in different fields of law is at the top of many law students' priorities list, for good reason. Exposure to diverse practice areas can inform later educational and career choices. It is so valuable to have the opportunity to research and write about different legal topics, so that my interests and strengths can become clear. It is even more valuable to learn what particular issues or types of law that I am not drawn to. Narrowing down my current and future career in law is an ongoing process, and I am always grateful for an opportunity to experience the law in a different way, separate and distinct from law school.

During this experience, I have performed research and drafted memos on a diverse range of topics, including fee-shifting statutes, the Red Flag Law, family offense petitions, special education, and education discrimination. I've also written a short piece on a recent Supreme Court case, *Haaland v. Brackeen*, which upheld the Indian Child Education Act (ICWA). My article investigated the influence of community in child welfare, particularly as it applies to Native American children who will likely remain in their communities as a result of ICWA.

One of the most rewarding parts of this summer was my work with the Education Law division of the Civil Rights Practice Group. Through my research, I gained a wealth of substantive knowledge of state and federal statutes dealing with special education law including the Human Rights Law, Section 81 of NYS Education Law, IDEA, Section 504, the ADA, and much more! Working with these laws has enhanced my legal writing and research skills, as well as my ability to critically analyze the law.