

Equal Justice America Fellow Update

Amanda Zhu

This past summer, I have been working at Texas RioGrande Legal Aid to support survivors of domestic violence and sexual assaults. This has always been something I wanted to do because in undergrad, I founded a female empowerment organization in China. There, the volunteers and I collaborated to provide different types of services for women in need. For example, the legal volunteers would provide pro-bono legal services for women under gender violence. However, due to the lack of legal protection and societal awareness, we often times found ourselves powerless.

Therefore, I saw my work this summer as a chance to see how the United States deals with sexual assault and domestic violence cases. For me, the most unforgettable case was a divorce and sexual assault case. The client came to us because her husband assaulted her 12 year-old daughter and thus she wanted a divorce with her husband. Very luckily, I got the chance to talk with this client in person. It was a truly heart rendering process to listen to her tell the stories. Fortunately, our client knew exactly what she wanted. She wanted a divorce and she wanted to get half the house which she and her husband paid mortgage together through their joint account. Therefore, I went all out to help her, researched on case laws and Texas Family Code, etc. However, because the husband paid the down payment of the house, it would not be considered as community property under Texas Family Code, though there is the possibility that she might get equitable distribution due to her paying the mortgage. That's where the team went creative, one of the attorneys brought up the idea of bringing a tort claim, in order to get financial compensation, so that it would amount to the value of the house. And my supervising attorney arranged a mediation for them to negotiate the distribution details, which reminded me of the negotiation simulation in 1L lawyering classes, only it was in real world and more thrilling.

And also, I think in the States, it would be easier for victims to get restraining orders than in China. But I would still wonder, if the all or nothing separation aims to protect the victims' needs in a long term or short term. Are these means of protection too arbitrary to truly address the victims' demands or is there a better way? And after I learned family law this semester, I found it's also a debate in the legal academy as well!

All in all, my experiences at Texas RioGrande Legal Aid and at EJA are really rewarding for me. I am looking forward to helping more people with what I can do.