



EQUAL JUSTICE AMERICA

Summer 2023 EJA Fellow:

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Family Defense Practice

Update 1: I am so grateful to be receiving funding this summer from Equal Justice America as an intern in Brooklyn Defender Services' Family Defense Practice prior to entering my third year at Rutgers Law School. As part of receiving this funding, I will be posting regular updates about my summer on social media.

The first week was a whirlwind. Brooklyn Defenders has been so thorough in providing all interns with extensive training and instruction on all part of family defense. Last week, I spent my first week at intake—which is like the family court equivalent of arraignments. It was harrowing to see just how dehumanizing the family court process is for removing children from their parents' care—even where such a removal does not seem necessary. It has been eye-opening to witness how implicitly and explicitly racist and classist New York City's family regulation system is. Spending just one day at intake, one can easily see that the families targeted by the family policing system are almost exclusively Black and/or poor families. I am excited to spend my summer here doing important work to minimize the harm that ACS does to Brooklyn's families.

Update 2: The last couple of weeks have been full of learning and exploring. One thing that has been phenomenal to experience has been BDS's extensive social work team. Because our clients often have extensive histories of trauma and ongoing trauma when ACS separates them from their children, it has been eye-opening to witness how collaborating with a team of social workers can assist in my legal representation of clients. Recently, I was working with a client who was rightfully distraught about his family court case. As someone without extensive social work training, it was likely that during my next client meeting, my client would be hesitant to share intimate, but important, details of their life with me. Thankfully, I was able to meet with the client with a member of BDS's social work team who was able to be there with me to deliver tough news in a trauma-informed manner and help avoid further traumatizing my client. I am so grateful to be a part of BDS's social work-legal partnership, and doing so has shown me just how important having an interdisciplinary team is to holistically representing low-income clients.

Update 3: Since my last post, I have been working hard on preparing a motion in limine for a fact-finding hearing, the family court equivalent of a trial. Given the intense number of cases that family defense attorneys handle, even the best family defense attorneys hardly have the time to file lengthy written motions objecting to the plethora of evidentiary rule violations contained in documents that ACS seeks to enter into evidence. It has been a great experience to apply the rules I learned in my evidence class into real world practice. Even greater than that, though, it has made me cognizant of just how important zealous representation is in family court. For years, practicing law in family court was seen as less "sophisticated" than other courts, and evidentiary rules were



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not taken seriously to the detriment of low-income clients. Thanks to pioneers in family defense like BDS, low-income clients affected by the family regulation system now are able to have a fighting chance to be afforded procedural protections in family court.

Update 4: Since my last update, I have been thinking a lot about client-centered lawyering. Throughout my time at BDS, I have been impressed by how the entire Family Defense Practice is so client centered. While so many of our clients are in crisis when they need our services, it is the principal goal to do whatever it takes to find out what our client desires—regardless of whether that is what we, as lawyers, think is best—and advocate zealously for that position. For so many of our clients, they face carceral systems every day that silence their voices and it is our job, as family defense attorneys, to make sure that this one time, their voices are heard. I have borne witness to this time and time again while at BDS. It has been a pleasure to learn how to best tell our clients' stories, center their goals in litigating, and make sure their goals are the center of our litigation strategy.

Update 5: I am so grateful to be receiving funding this summer from Equal Justice America as an intern in Brooklyn Defender Services' Family Defense Practice prior to entering my third year at Rutgers Law School. As part of receiving this funding, this will be my last update about my summer on social media.

Working in BDS's Family Defense Practice has been an incredible experience, and I am so happy to have spent the summer here. One of the most impressive things I have seen this summer, unlike many legal services organizations, BDS's FDP has an extensive, intense supervision model. Unlike many overworked public defense agencies that throw brand new attorneys into trials with little to no supervision, BDS has supervisors in court with less experienced attorneys every single time they make court appearances for at least a year. Because so many lawyering skills are learned through mentoring and feedback loops, the way in which this supervision model increases the quality of representation of clients is palpable. After every court appearance, supervisors are able to have candid conversations with younger attorneys to improve their representation in the future. In a country that so underfunds and overworks their legal services attorneys, seeing this model in action gives me hope of how fully funding and staffing legal services organizations can help low-income people in crisis. Moreover, seeing just how cruel the family regulation / child welfare system is to low-income families, particularly Black families, is something that will stick with me forever and guide my future career path. It has been shocking to see the ways in which courts and judges often separate themselves from the harm they are doing to families and disparage parents who are working their hardest to provide their families with the best life possible. On the other hand, it has been reassuring to see how the family defense movement is changing the playing field for families ensnared in the family regulation system.

I am thankful to Equal Justice America for partially funding my summer internship at BDS. If you are able to donate to EJA to support other public interest law students pursuing summer internships in civil legal services, please consider donating here: <https://give.classy.org/EJA2023>.