



EQUAL JUSTICE AMERICA

Summer 2023 EJA Fellow:



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Update 1:

During my first week as a summer clerk at the Oregon Law Center (OLC), I had the chance to watch Portland residents testify before Portland City Council against the proposed anti-camping bill. Among them was OLC's Director of Litigation, Ed Johnson.

As a Portlander, it was heartbreaking to see city leadership pass a bill that punishes city residents for doing what is necessary to survive after being failed by the system time and time again.

The bill ignores that there are only a fraction of the number of shelter beds compared to the number of people who are unhoused. It also ignores that these punitive measures act as a BARRIER to housing, thus perpetuating the issue that the bill allegedly wants to address.

It was gratifying, however, to see Ed testify alongside members of the community. There is a strong presence in Portland of people who are trying to address the housing crisis in ways that are compassionate and supported by research and experience.

Update 2:

One of the projects I have worked on at OLC has involved overpayments of state and federal benefits during the pandemic. Many people have been unable to understand the overpayment notices, and with good reason -- even trained attorneys often cannot decipher them!

For so many Oregonians, being hit with an overpayment is devastating. The determination could result from a question on a form being answered incorrectly, from the payment being delivered through the incorrect benefits program, from agency error -- or myriad other reasons.



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But because notices are so inscrutable, many people are left unsure of the reason they were assigned an overpayment. And without a meaningful chance to understand these notices, people can miss their opportunity to file for an appeal of the decision or a waiver of the overpayment. It's essential to request an appeal and/or waiver as soon as possible.

If you are an Oregonian with a pandemic overpayment story, you can reach out to share your story. OLC is currently collecting declarations from Oregonians to show the court that these problems are widespread enough to merit a court order that requires these procedures to be clearer and fairer.

You can complete a survey [here: https://oregonlawcenter.org/oed-litigation/](https://oregonlawcenter.org/oed-litigation/).

Update 3:

I recently joined an OLC team that is focused on the rights of unhoused Oregonians. As might be expected, we cannot address the homelessness crisis without addressing the housing crisis.

Rising rental costs and stagnant wages play an important role in the growing number of people forced to live outside. According to NPR, "homelessness rates are highest in places where there is both poverty and high housing costs."

Renting an apartment in Portland costs, on average, \$1,763 (rentcafe.com). Monthly take-home pay after taxes for a Portlander making \$15/hour and working full time is \$1,761 (smartasset.com).

Adopting punitive measures towards people who are struggling or unable to make ends meet is counterproductive. Fines and jailtime for living outside, as prescribed by Portland's anti-camping ordinance, make it harder rather than easier for people to get back into stable housing.

While politicians are calling for punishment, experts are calling for support. "This rise in unsheltered homelessness underscores the need to increase the supply of low-cost permanent and supportive housing" (Joint Center for Housing Studies of Harvard University).

Update 4:

Yesterday, the OLC clerks visited a Portland organization called p:ear, which "builds positive relationships with homeless youth through education, art, recreation and job training to affirm personal worth and create more meaningful and healthier lives."

At p:ear, young people experiencing homelessness can gather, have a meal, create art, and take part in job training programs. We had the chance to contribute to an ongoing art project that responds to Portland's recently enacted anti-camping ordinance.



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The project took select words from the ordinance and printed them in a font that appeared simultaneously formalistic yet overly pixelated to the point of disintegration. As a result, the words were difficult to read – reflecting the incomprehensibility of the ordinance overall.

As my supervisor, Ed Johnson, has expressed, it is difficult to imagine how people in crisis and without shelter would navigate such an opaque ordinance – especially when attorneys who are trained to decipher legal jargon have difficulty doing so.

Providing unhoused people with an unintelligible description of where they cannot legally exist, without a clear explanation of places where they CAN legally exist, is cruel. It sets people up for inevitable failure – which, under this ordinance, means fines and even jail time.

Update 5:

This summer has been an incredible experience. I had the opportunity to work on cases that involved employment law and administrative law. Prior to this internship, I took wonderful classes on both topics. But being able to work on cases where the law was being applied, and real people were involved—that was an entirely different experience. I got to see circumstances where reasonable minds could differ on how case law should be applied to the facts before us, and practice arguing for one side while attempting to anticipate and respond to the arguments that opposing counsel would make. All the while, the reality of having clients whose livelihoods would be significantly impacted by the outcome of the case was front of mind. The presence of stakes, more than anything, set this summer apart from what I have experienced thus far in law school.

My time at OLC made me more eager than ever to begin my career in public interest law. The prospect of representing clients whose barrier to the courts is not lack of merit, but lack of funds, is incredibly meaningful. Even when an individual's case does not result in the desired outcome, providing that representation means that at least they had the chance to be heard. Everyone deserves that chance, regardless of income.

Additionally, the cases I got to work on this summer showed me that, while the system is adversarial by design, the opposing parties by no means have to interact in an acrimonious nature. If I am able to practice in Oregon, I look forward to the expectation of “Oregon nice” that I saw being set as the bar for both parties in adversarial settings.

I wouldn't have been able to be a part of OLC's team as a summer law clerk without the support of Equal Justice America.