

Summer 2023 EJA Fellow:



Name: Josh McClain Law School: Texas Law (University of Texas at Austin) Organization: Texas RioGrande Legal Aid

Update 1: I'm grateful and excited to be receiving funding through Equal Justice America to work with Texas RioGrande Legal Aid (TRLA) this summer.

I'm working with TRLA's Community Development and Environmental Justice team, getting the chance to see how lawyers can help address environmental harms, from air pollution to poor water quality and flooding. Texas is an urgent and deeply educational place to be doing this work. Especially along Texas's Gulf Coast, the negative effects of the oil and gas industry—spills, dredging, emissions—both exacerbate climate change and are themselves exacerbated by climate change. We see this in action, for example, when increasingly unpredictable and violent hurricanes, likely worsened by climate change, in turn damage infrastructure and cause widespread oil spills.

One of the things that's particularly exciting about working with TRLA is seeing how lawyers can support the work that communities are already doing. Texas has incredible, dedicated community groups organizing to protect themselves, their homes, and future generations from environmental harm. Legal services can be a critical factor in getting these groups access to forums where they can meaningfully make arguments for their own health and safety – but access to lawyers always falls short of need. Across the country, over 80% of those living in poverty who require civil legal services do not have access to them.

Update 2: Last week and weekend I got to join another intern and a TRLA attorney to conduct outreach at a pair of Pride events here in the Valley. Even with the heat, it was great talking to community members about what TRLA does, and I was struck—not for the first time—by the importance of the breadth of services that legal aid organizations provide.



EQUAL JUSTICE AMERICA

Very few problems exist in isolation, and I think one of the amazing things about legal aids at their best is that they can address multiple overlapping issues under the same roof, leaning on the knowledge of deeply experienced attorneys in all kinds of practice areas. Applying for disaster assistance might require fixing a title issue. Fixing a title issue might give a client a new asset, requiring them to navigate government benefits. Talking about government benefits might reveal that a client needs a name or gender marker change that they've never received. Because TRLA provides all of those services, it can ideally support clients with the full, complicated array of interconnected problems that life throws at us, instead of tackling those problems piecemeal. As an intern, the breadth of TRLA's services also means that I get the benefit of being around and talking to attorneys who do many, many different kinds of work. Even as my own summer is focused on the kinds of environmental justice issues that I hope to spend my career tackling, it's helpful and exciting to get a sense of the full scope of work available even just within one organization.

Update 3: Posting another <u>EJA Fellow Update</u> from my summer with TRLA's Community Development and Environmental Justice team. Again, I'm grateful to EJA for helping provide the funding that made this summer possible.

I'm also grateful—as I'm sure I'll talk about again in my final updates over the next few weeks—for the attorneys I've gotten to work with at TRLA and beyond. In addition to seeing the amazing level of independent community organizing around environmental issues along the Gulf Coast, it's also been exciting to see how much of a legal community there is around these issues. That mutual support goes beyond directly co-counseling on cases; I sat in on a call the other day where community members, attorneys from local and regional nonprofits, and attorneys from large national organizations all took the time to keep each other informed about developments in the area, with information and ideas being exchanged in every direction. There will never be a level playing field in the fight for environmental justice, but it's heartening to see how this kind of collaboration can improve every organizations to play in those collaborations, drawing particularly on their connections to clients and communities to help build these kinds of networks and develop meaningful cases to push back against environmental injustice.

Update 4: Another <u>EJA Fellow Update</u>. This is my last full week with Texas RioGrande Legal Aid. I'll save a full reflection on my time here for my final EJA update in a couple weeks, but the short version is that it's been a wonderful summer and such a privilege to work with this organization.

I've come back to Austin to observe a hearing for the last few days of my internship, and I've found myself reflecting on the Rio Grande Valley, where I spent most of this 10-week internship. The RGV was a fascinating and fun place to spend the summer, but one feature of the region that was particularly salient to my work is its climate vulnerability. The RGV is at risk from hurricanes in the Gulf—hurricanes that climate change is making



more severe, frequent, and unpredictable. As this summer's heat dome showed, the Valley is also vulnerable to increasing extreme temperatures, which of course are also climate-driven. At the same time, persistent flooding caused by poor drainage—which TRLA is also working to study and address—underscores how infrastructure in the Valley, particularly in colonias, is insufficient to meet these growing threats. In this context, TRLA's environmental work, which makes advocacy for environmental justice accessible to clients who otherwise would not be able to afford a lawyer, is particularly critical.

Update 5: This is my final <u>EJA Fellow Update</u>; I've been posting these updates as part of <u>Equal Justice</u> <u>America</u>'s fellowship to fund my summer work with Texas RioGrande Legal Aid.

I'm so grateful to have spent 10 weeks working with TRLA's Community Development and Environmental Justice team in Edinburg, Texas. I had the chance to work on a variety of cases across the team's practice areas, from title cases to preserve housing on the community development side to wastewater and crude-oil export cases on the environmental justice side.

I was continually reminded of—and continually benefitted from—the wealth of knowledge that legal aid attorneys have, not just about the law, but also about their client communities. TRLA's attorneys were thoughtful, patient, and generous in sharing their experiences and expertise, and that made my summer so much richer.

I was also continually reminded of the knowledge that client communities themselves have, particularly about environmental justice issues. It's obviously true that it's impossible to do environmental legal work without clients who are willing to dedicate years of their lives to seeing cases through, but my time with TRLA emphasized how much more clients are than simply vehicles for litigation. Communities across the Rio Grande Valley and along the Gulf Coast have a deep base of knowledge about the environmental issues they face and a wealth of organizing experience. One of the great privileges of working with TRLA was seeing how attorneys can tap into that community expertise as equal partners in a way that both strengthens legal advocacy and continues to build community knowledge.

I'm looking forward to building on the experiences I've had with TRLA during (and after) the rest of my time at Texas Law. Legal service organizations are uniquely positioned to practice community-driven environmental justice law, and I'm grateful to have had the chance to experience that practice over this summer. My experience was made possible, in part, by the funding provided by EJA, which works to support law students working with service providers in communities have lack access to legal services.