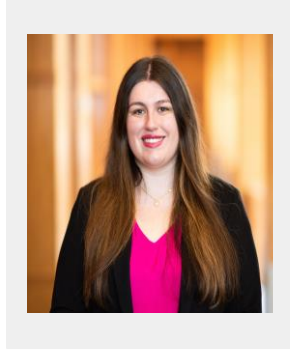




EQUAL JUSTICE AMERICA

Summer 2023 EJA Fellow:



Name: Brianna Wainczak

Law School: University of Virginia

Organization: Central Virginia Legal Aid Society

Update 1:

This summer, I am fortunate to have received a fellowship from Equal Justice America to support my work at Central Virginia Legal Aid Society. As part of my fellowship, I will be posting updates throughout the summer about my work at CVLAS.

CVLAS provides free civil legal assistance to low-income people. Each day at my internship, I am reminded of how impactful legal aid organizations are. In my first few weeks, I have observed many protective order trials and custody and visitation hearings. I have met with clients and handed them tissues as they recounted some of the struggles they'd been facing. I have also familiarized myself with Virginia statutes and case law, preparing trial strategy memos for the attorneys. My work allows me to see first-hand what it means to truly make a difference in the lives of others and is at the heart of the mission of Equal Justice America, whose goal is to ensure equal justice for all regardless of income.

Update 2:

This summer, I am fortunate to be the recipient of an Equal Justice America fellowship to support my work at Central Virginia Legal Aid Society. In these last few weeks, I've had the opportunity to work with the Employment and Consumer team and the Housing team.

In these last two weeks, I've been able to observe so many court hearings and trials. It's one thing to learn the law from a textbook while sitting in a classroom, but it's another to watch our legal system in action. I've gotten to watch as attorneys passionately advocate for their clients, cross examine witnesses, make objections to certain lines of questioning, and deliver persuasive closing statements.



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I've also had the opportunity to sit in on more client meetings and to review new cases to determine the legal issues at play and whether we can help prospective clients. Through this work, I've learned that at legal aid organizations, clients frequently come to you with stories of what's going on and piles of documents, and it's up to you to untangle what they're telling you, sort through the documents they bring, and determine what legal issues they're facing and what you can do to help them.

Update 3:

During these last two weeks at Central Virginia Legal Aid Society, my work has been focused on trial preparation for a consumer law case. The entire trial prep process was a wonderful learning experience. Working as part of a team to advocate for our client was so empowering, and a great reminder of why I want to practice law.

As part of my work, I got to interview our client a few times, draft direct examination and cross examination questions, review documents produced in discovery, prepare exhibits, review the rules of evidence, and take part in a LOT of strategy discussions over whether we should admit certain exhibits, who we should call as a witness, and what line of questioning we wanted to use. During the trial, I got to sit next to my supervisor and write notes to her throughout the trial.

After all that, the judge found in favor of our client, and the look of relief on her face was worth every moment that our team had put into working on her case.

Update 4:

The highlight of my last two weeks at Central Virginia Legal Aid Society was helping to prepare for a hearing in front of a Virginia Employment Commission Appeals Examiner.

Our client came to us after he had received a notice saying that he had to repay his unemployment benefits. If he lost the appeal we were helping him with, he'd have to pay back over \$8,000 worth of unemployment benefits that he had received three years earlier, which he would be unable to do.

The appeal focused on whether our client had good cause to quit his job. If he didn't, he would have to repay the benefits he'd received. After interviewing our client and reviewing the relevant case law, we were able to build a case for him and develop a line of questioning to use at the hearing to show that he quit his job because of unsafe working conditions and because management would not take steps to address it. A week later, our client emailed us the Appeals Examiner's decision, and he was found to have quit for good cause, meaning that he didn't have to repay his benefits.

With just a small amount of our time, we were able to develop a strong case for our client and successfully advocate on his behalf, and that made a huge difference in his life. Please consider donating to help support



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Equal Justice America's work. EJA funds student fellowships at legal aid and other public interest organizations whose work helps the most vulnerable populations in this country.

Update 5:

I can't believe it's my final update as part of my Equal Justice America fellowship! During my time at Central Virginia Legal Aid Society, I was able to work on housing, family and domestic violence, and consumer law matters. I got to play a pivotal role on a consumer law trial, write a few research memos, conduct client interviews, work on a special project researching local landlords who filed eviction cases the most frequently and compiling the standard form leases used by those landlords in order to help future clients who don't have a copy of their lease, and prepare for a Virginia Employment Commission hearing, among other things.

One of the hardest lessons I learned while at CVLAS was that no matter how much you want to, sometimes you just aren't able to help a client. Sometimes clients did not check their mail or did not understand legal notices that had been sent to them and ignored them, and by the time they came to CVLAS for help, there was not much we could do. Having difficult conversations with clients and having to tell them that we would not be able to help them was a challenging but necessary part of working at a legal aid organization. The importance of having compassion for clients and recognizing that what you are telling them is hard for them to hear is something that I will take with me into my future work.

Being at CVLAS this summer also showed me how necessary legal aid organizations are to ensure that low-income people have equal access to the justice system. Many people will need legal assistance at some point in their lives, but private attorneys charge hundreds or thousands of dollars for legal services. When a person is facing a matter like wage garnishment or eviction due to nonpayment of rent (as many of CVLAS' clients were), they cannot afford to hire a private attorney. If they want legal help, they can only get it through a legal aid organization. Otherwise, they are forced to represent themselves, and they frequently lose their cases due to their lack of knowledge and understanding of how the legal system works. The existence of legal aid organizations is crucial, as they provide vital services to people who would otherwise be at a severe disadvantage solely because they didn't have enough money to hire an attorney.

Please consider donating to EJA to allow them to continue providing fellowships to law students who are doing important work at legal aid and other public service organizations across the country.