



EQUAL JUSTICE AMERICA

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EJA FELLOWSHIP RECIPIENT



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ORGANIZATION	Land of Lincoln Legal Aid

Update 1: I love my summer job working in eviction defense with Land of Lincoln Legal Aid in East St. Louis, IL. Working alongside incredible and dedicated attorneys and staff has allowed me to learn the soft skills of advocating for vulnerable individuals and communities. More importantly, however, I have applied the concepts learned and skills developed in law school to help protect the rights of poor tenants, seek redress for the unlawful practices of predatory and cruel slumlords, and prevent clients from joining the ballooning ranks of our country's unhoused population. A few examples of this in my first month on the job include:

Researching the relevant law and drafting a motion for joinder of a necessary plaintiff in an eviction action, joining a part owner of a property who had shut off our client's water service so that an emergency injunction could order all property owners to take the steps needed to reestablish water service. The motion was granted without objection and an injunction was ordered.

Researching the CARES Act permanent protections for tenants receiving federal housing assistance, providing a basis for an oral motion to dismiss the eviction of a client suffering from severe mental illness just moments before trial. The case was dismissed, and the client was able to conclude the lease and avoid an immediate return to chronic homelessness.

Researching the relevant law and drafting petitions to seal the records of past evictions voluntarily dismissed by landlords, allowing for clients to embark on future searches for affordable homes without being harmed by records of prior eviction cases that were ultimately dismissed.

Update 2: Eviction law provides for procedural requirements and tenant protections because losing a home is catastrophic. But without organizations like Land of Lincoln Legal Aid advocating for tenants' rights and demanding adherence to the law, "self-help" evictions rob families of their homes.



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For example, a client returned from running errands one afternoon and discovered her landlord had changed the locks on her rental home. Rather than file for an eviction, the landlord refused to provide the key or return the client's belongings that remained in the home. The stress of finding an immediate place for her three children to stay without losing her new full-time job left our client with little time to consider the legality of the landlord's actions. She came to us on a Friday after living out of her car for a week. Within five hours of her initial interview, we obtained an emergency injunction ordering her landlord to turnover the keys. The landlord provided them, and the family was able to return home.

Reflecting on the Supreme Court greenlighting the criminalization of homelessness, I'm proud to be helping fight for the dignity of lower-income neighbors.

Update 3: The Violence Against Women Act prohibits evicting domestic violence victims for crimes relating to the abuse against them in public housing. However, when one client's attempt to defend herself from sexual assault landed her in jail facing felony charges and decades of imprisonment, her public housing landlord filed to evict her and her children.

At the eviction trial, the landlord claimed the client admitted to violating the crime-free provision in her lease when she plead guilty to a lesser charge on the eve of her criminal trial. But the client did not take the plea because she was guilty. She stabbed her assailant in self-defense. She plead guilty because it meant her immediate release after more than six months of pretrial detention without bond. She pleaded guilty because it meant avoiding the potential of decades of imprisonment. She plead guilty to be reunited with her children and to ensure they would grow up with a mother in their lives.

Land of Lincoln Legal Aid afforded this client the opportunity to actually litigate her claims of innocence, not to avoid prison, but rather to avoid homelessness for her and her children. By forcing the court to consider the practical realities of the criminal legal system that lead to accepting a plea bargain, her attorney gave her and her family the best opportunity possible to keep their home in an otherwise straightforward eviction case.

Our client should have never faced criminal charges, nor an eviction. Thankfully, legal aid organizations fight to mitigate the damage of institutional decisionmakers' failure to exercise appropriate discretion.

Update 4: Some public housing programs rely almost entirely on private landlords to administer housing subsidies. The resulting dynamic puts vulnerable public housing recipients at the mercy of profit-driven landlords with little oversight.

One client had no recourse when the landlord claimed their family was no longer eligible for housing assistance. The landlord did not follow the required procedures for determining eligibility or calculate the household's income correctly. The law was clear that the family was still eligible, but the client was defenseless to demands to pay full rent or vacate. The family



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moved out but couldn't take all their belongings since they were now homeless. When an eviction was filed, the landlord alleged the client owed more than ten grand in unpaid rent.

I was able to work with Land of Lincoln Legal Aid staff to develop counterclaims for the incorrect eligibility determination. While the loss of the housing subsidy could not be reversed, the claims lead to a settlement in which the eviction and money claims were dropped and sealed. Now, the family can continue their search for a new home without the burdens of unmanageable debt and an eviction record.

Update 5: My summer internship was a foundational experience that reaffirmed my pursuit of a career in law.

I gained a great appreciation for the role of legal aid organizations in our communities. Many landlords fail to acknowledge or fulfill the legal and moral obligations that come with leasing homes. Tenants seek housing representation not just for nonpayment evictions, but for help with objectively awful circumstances resulting from landlord greed, apathy, pettiness, or cruelty. Utility shut offs, lockouts, bogus fees, indecipherable ledgers, and blatant fraud are pervasive. Maintenance requests are ignored or responded to with hostility. The increasing cost of housing, the stagnancy of wages, and the inadequacy of public housing forces people to tolerate uninhabitable homes and predatory landlord practices. Legal aid holds those providing housing accountable for their obligations and mitigates the harms suffered by tenants and their families.

Researching legal issues, drafting motions and proposed orders, brainstorming settlement proposals, and observing experienced attorneys taught me a lot about the law. I also learned the frustrating limitations of litigation. Like how court orders and contempt sanctions can't force a landlord to turn a family's water back on within two months. Or how money judgments from contempt sanctions won't be recovered in time to fund an immediate move to a habitable home. I learned that not all wrongs fit into legally recognized claims. Even if they do, practical realities and legal doctrines can block relief for harms like those to children living without water service and functional plumbing. I learned that predatory contracts are often legally enforceable and even unlawful contracts can compel compliance with threats of litigation. I learned that judicial decisions and case outcomes can be inconsistent with the relevant law, and without access to representation, the relevant law may be entirely irrelevant.

The amazing staff at Land of Lincoln Legal Aid are excellent advocates using their passion, intelligence, and hard work to deliver zealous and principled representation to those in need. They taught me crucial strategies for balancing caseloads, working with clients to accomplish representation goals, and negotiating with adverse parties. They provided the best introduction to civil litigation I could have asked for and answered every question I could think of. I thoroughly enjoyed working with these incredible people to assert tenant rights, wipe out bogus debts, and stave off the persistent threat of homelessness for vulnerable people.

I am thankful for Equal Justice America's support. Equal Justice America funds fellows doing similar work around the country. They are always in need of financial support. If you are in a financial position to donate, please do.