



EQUAL JUSTICE AMERICA

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EJA FELLOWSHIP RECIPIENT



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Update 1: It's been a full first few weeks! I have been having a great experience working with the LGBTQ+ Law and Policy Unit at the Legal Aid Society. I currently have three clients who are incarcerated trans women who are being housed in men's facilities in NYC and NY State. It has been personally impactful to take the skills developed over the course of 1L and apply them in service to these clients. I am supporting litigation efforts and have been able to conduct a client interview, draft an affidavit, and even contribute to the petition filing. In addition to these efforts, I have been working on two research projects: one around using Article 78 proceedings to challenge denials by DOC when they refuse to house trans women in the women's facilities, and another around when delays in receiving gender-affirming care in prisons constitutes cruel and unusual punishment. Finally, the unit has had me supporting their policy efforts; I have been able to work on two bills that are about to go in front of NYC City Council. These bills would increase protections of transgender individuals in NYC DOC custody, as well as cement their ability to receive gender affirming items and devices without pushback from NYC DOC.

Update 2: Still busy working away with the unit! This has been such an invaluable learning experience so far, and I'm excited to see where it goes. I have still been working on my clients, one in particular who potentially will be the subject of litigation. I had to go through all of her infraction and disciplinary records to get a fuller picture of why she was experiencing her denial. This process was really illuminating at how DOCCS will take small events and use them to justify larger forms of maltreatment against people who are incarcerated. Plus, it was nice to strengthen my investigation skills. Furthermore, it appears our client has been transferred without notice to a state hospital. My supervisor gave me a research assignment to do on the fly; did the transfer reset the administrative exhaustion condition required to file the type of lawsuit we were thinking of filing? The answer was unfortunately yes, so we were hoping to get more information from DOCCS on why she was at the state hospital. And happily, it looks like



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the transfer was the intermediate step for our client to be transferred to a female facility! And without having to go to litigation! My first win, even if it happened in a different way. It felt really impactful to get to have such a forward role; I'm really grateful to my supervisor for trusting me and creating a space for me to develop these skills.

Update 3: After that client was transferred, things got slow with the other client cases. I was doing the same investigation process around their infraction and disciplinary histories, but for the most part, these last two weeks revolved around drafting and submitting FOIL requests for more information. It's frustrating how bad of a job DOCCS does in getting information (which is our legal right to request) out. Meanwhile, I have made a lot of progress on my research assignment around the Eighth Amendment. I might have figured out a way around the limitations of cruel and unusual punishment claims to get injunctive and monetary remedy for the clients. The research process has been really sorrowful and illuminating; the experience of medical negligence and malpractice is so common amongst incarcerated people, yet the law creates so many restrictions and barriers for them to claim the treatment is a constitutional violation. Even if it seems at face that the conduct should be a constitutional violation. I was given another assignment as well. The unit has been working for a while on developing a pro se resource for people inside who want to do a name and/or sex designation change. I was given a makeshift draft from a former intern, as well as additional research questions from an attorney, to put together a final draft with the remaining time of my unit. As somebody who underwent the name change process myself in Brooklyn, and has a prior criminal history, it feels like a full circle moment to then get to be able to work on this resource.

Update 4: My final weeks with the unit! It was mind-boggling to see how much the summer flew by. I am really happy to share that at the beginning of this update, I was offered by the unit to continue with them this fall! I turned in a first draft of my 8th Amendment memo, and my supervisor thinks that the argument may be a viable filing! She wants me to incorporate some edits, but in the time between the summer and fall internships, she is going to send my memo for interdepartmental review. When I get back, I'll find out if I'll actually be working on my research as an active lawsuit by the Legal Aid Society. I was so excited! I loved my time with this unit, and I'm so happy that it will continue. I also have still been working on the pro se name change guide. It's been sad to see how many barriers being incarcerated has on someone doing this process. However, it has been invigorating to find out ways for people to still participate in the process despite the barriers. I got to meet with another attorney who is also a name change practitioner. It was really helpful and cool to meet another person who does this type of work with incarcerated people.

Final Reflection: Overall, I absolutely loved working for the Legal Aid Society this summer. As a trans nonbinary person and a survivor, I found the work deeply meaningful and invigorating. The time flew by so quickly. I have three takeaways from this experience:



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I am good at this and I should be doing this. I have always struggled with my imposter syndrome in this field. Taking the leap from advocacy to law was a big step for me, and took six years of practicing to finally come to the conclusion. I have not felt yet a moment like now where I know that this was the right step for me, and this is what I should be doing. This summer increased my confidence and self-worth in really meaningful ways. My supervisors were incredibly supportive, giving great advice and working with me to overcome things like performance anxiety, self-doubt, and procrastination anxiety. It was eye-opening to see people who I look up to candidly describe feeling similar ways, and sharing with me what it took for them to overcome these things and be the attorneys they are today. The unit staff made me feel like I was a necessary contributor to something bigger than myself, and that was so instrumental to the mindset I have now going into 2L.

Legal research is hard but impactful. It was eye-opening to me that the precedent that proved my points were right there, but NYDOCCS operates like they do not. Legal education for incarcerated people is so critical, because the issues they face today have, surprisingly for the most part, already been settled in court years ago. There needs to be more accountability when NYDOCCS disregards precedent and continues the maltreatment of incarcerated people. I found so much purpose in being a part of that accountability arm, and I definitely want to do more work like this in the future.

I am not a terrible legal writer. In both my Lawyering Seminar classes, I never got higher than a C+ on the writing assignments. I went into this internship thinking I was a terrible legal writer despite years of doing academic research prior. However, I feel like I understood at the end of this experience why my professors graded so harshly. Being a CUNY Law student, especially in the same city as schools such as Columbia and NYU, I saw time and time again how my abilities were underestimated when I walked in the door. However, when I started to perform in my internship, I gained a lot of surprise and respect from seasoned attorneys and even other interns. I'm happy that I was able to prove some people wrong, and the harsh grading during the semester lit a fire and made me think a similar bar would be in practice. However, that is certainly not the case. I got a lot of good feedback on my legal writing, but for the most part, attorneys were surprised and pleased by my research and writing skills. I was given a research assignment at the beginning of the summer which translated into a 40 page memo. I am really proud of accomplishing that, and I'm grateful to my professors for giving me a higher bar than what I encountered in the field. It really made me prepared to go into my internship and shine.

Overall, I'm really pleased by this experience. Thank you, Equal Justice America, for providing the resources necessary to give this experience my all.