

August 26, 2016

Dan Ruben, Executive Director
Equal Justice America
13540 East Boundary Road
Building II, Suite 204
Midlothian, VA 23112

Dear Director Ruben:

I have completed my summer internship at the Empire Justice Center (EJC) in Albany. This was a great experience, especially what I learned from my supervisors' outstanding practical experience during my work with them. For example, when filing a new complaint, a lawyer should take advantage of the opportunity to rebut potentially negative facts, while filing an appeal takes the strategy of emphasizing on supporting arguments. This kind of practical experience can only be obtained from working with those exceptional attorneys.

The most excited moment during my internship was when I drafted a memo of law with regard to the government's denial of the New York state-funded Safety Net Assistance (SNA) benefits to an immigrant with Temporary Protected Status (TPS) solely by the reason of his TPS status. Our client was from Sudan in 1995 and applied for asylum, which was denied but he was granted TPS in 2005. Grantees of TPS are lawful to stay in the U.S.. Since Sudan has been a state experiencing internal armed conflict, returning of the client is unsafe and thus it is on the list of designated countries. Our client has not been able to work since 2003 because of diabetes and declining health. His only income now is \$324 a month in Social Security Retirement benefits. In addition to his basic needs such as food, he has to pay monthly rent of \$400. His sympathetic landlord has not made him homeless yet, but the risk of being evicted or facing a non-payment case is imminent if he has no extra income to pay the landlord. The government admitted that our client was a needy person. Federal law leaves the decision regarding access to state benefits to each individual state, and the New York State's Constitution provides that "[t]he

aid, care and support of the needy are public concerns and shall be provided by the State and by such of its subdivisions, and in such manner and by such means, as the Legislature may from time to time determine,” (New York Constitution, Art. XVII, §I) and that “[n]o person shall be denied the equal protection of the laws of this state or any subdivision thereof. No person shall, because of race, color, creed or religion, be subjected to any discrimination in his or her civil rights ... by the state or any agency or subdivision of the state.” (New York Constitution, Art. I, § 11) Therefore, although the government has the discretion to determine the eligibility of the state-funded benefits, it can only make the decision on the basis of neediness. Rejecting our client’s application for state-funded SNA solely on the ground of his TPS status, the government wrongfully applied the rule, which is also supported by case law.

By studying our client and other similar situated needy people’s situation and researching related statutory and case law, I drafted the memo of law to support my client’s case. As an international student, I deeply understand what our client feels as living in another country, in which he believes will protect him. It was my great pleasure to apply the law to help our client get the justice. During this summer, I also briefed cases and researched issues for my supervisors to help various needy people in New York State. I am proud that I accomplished this internship at EJC.

Sincerely,

Michael (Bo Lei)

Law School: Albany Law School

Anticipated year of graduation: 2017