

Dan Ruben
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I enjoyed my summer at Legal Aid Society of Roanoke Valley and felt that I was able to make a difference in the lives of the clients we serve. After a brief orientation to become acquainted with the resources in the office, I began my clerkship by sitting in on intake interviews. I was surprised to see how much it could help a client just to receive basic legal advice. I learned that even very limited and simple assistance given at Legal Aid can make a major difference in someone's life. I took for granted certain legal knowledge that I acquired before or during law school, such as knowing that one cannot be imprisoned for failure to repay a debt or knowing that a landlord cannot legally use self help to evict a tenant.

I also saw many interesting hearings and cases in court. The most interesting case involved a suit filed by Medical Facilities of America against our client for a debt owed by her deceased brother-in-law. MFA recovered nothing because the contract did not make our client liable, and even if it did, it would have violated federal law. The judge considered ruling in our favor, but ultimately did not, on a counter claim we filed against MFA for filing a frivolous lawsuit. I also attended three unlawful detainer trials in which Legal Aid successfully defended our clients.

Many of the research projects that I was given resulted in memoranda on complex, fascinating unresolved legal issues. One such memorandum involved whether a private, religiously-oriented homeless shelter in the area could discriminate based on religion. The ultimate answer involved two important policy considerations, the policy of prohibiting religious discrimination and the freedom of expressive association, which conflicted in this situation. The ultimate answer was unclear, but very interesting. I also wrote a detailed memorandum on the applicability of the Magnuson-Moss Act to our client. This knowledge later helped me explain a legal issue during an intake interview involving a used car our client bought. Furthermore, I am in the process of completing the long-term research project on the theory of liability for credit card debt, which is important in determining which statute of limitations to use.

Finally, I represented our client in an unemployment appeals hearing. He had missed over a month of work due to severe back problems. He took FMLA paperwork to his doctor to fill out, but the doctor neglected to do this. His employer told him it was not a problem and that he could turn in the papers whenever he got them from the doctor. Then, one day his employer called and told him he had to turn the FMLA papers in that day or else he would be terminated. He could not get the doctor to fax the papers, and the doctor admitted he was at fault for not faxing the papers. The employer opposed our client's unemployment insurance claim and won in the initial hearing. We helped our client file an appeal. I organized the record and then researched the VEC precedents. I crafted arguments in favor of our client and interviewed him

in person to prepare for the hearing. I represented our client at the hearing in Radford using my third-year practice certificate.

The summer clerk program at Legal Aid Society of Roanoke Valley is organized and functions very well. I found all of the attorneys approachable and willing to answer questions when I needed guidance in how to pursue a matter. Usually, when I was assigned an issue to research or other assignment, I would receive advice on where to start and how to research an issue. I liked the fact that I received a variety of substantive work in the areas that I found most interesting, consumer law and housing law.

In addition to the assignments I mentioned in my report thus far, some of the other assignments I worked on include:

- Researched when a Section 8 PHA may deny an applicant. Determined that TAP acted wrongfully in denying our client. Attended informal hearing at TAP. TAP changed its decision and placed our client at the front of the waiting list.
- Researched whether the DMV could deny our client registration of her vehicle because the previous owner had not paid taxes on it. Determined that it could not deny our client and wrote a letter to our client explaining the law and offering our assistance.
- Researched issues regarding whether a dealer can repossess a car the day after an insurance policy lapses and whether the owner may redeem the car.
- Found a Virginia Supreme Court case authorizing an award of attorneys fees for a party who had to enforce a civil subpoena, which Legal Aid had to do against a landlord.

Sincerely,

Aaron Cook
Washington & Lee, May 2010

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Re: Aaron Cook

Dear Dan:

Aaron Cook, our Equal Justice America fellow, did a wonderful job for us this summer.

During his 10-week stint, Aaron was involved in numerous activities. Aaron sat in on client interviews with our attorneys, learning the nuances of each interview style. He regularly attended court with staff attorneys, often having been involved in some pre-trial piece of the representation. Trial issues were diverse, involving family law, tenant evictions, debt defenses, and warranty issues.

Aaron also researched and wrote memoranda on several legal issues confronting our clients. For example, we had a client who had been evicted from a private, faith-based homeless shelter because the client and his family were practicing Muslims and did not want to attend the mandatory Christian worship services. Aaron researched and wrote a memorandum on the underlying, and sometimes conflicting, policy considerations of religious discrimination and freedom of expressive association. His memorandum in that case enabled us to advise the client on the merits of a discrimination claim. Other research assignments included issues involving public and subsidized housing, licensing and taxes, social security, unemployment compensation, automobile repossessions, and debt collection.

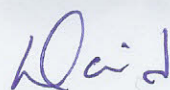
As a rising third-year law student at Washington and Lee University, Aaron was able to secure a third-year practice authorization and successfully represent one of our clients in an unemployment compensation hearing. His development of the case from the initial interview through representation at the hearing gave him a unique opportunity, as a summer law clerk, to really understand how the loss of a job can abruptly thrust a middle-class family into the depths of poverty, and how a prepared lawyer can use his skills and knowledge of law to pull that family right back out of poverty.

Aaron also has been developing a resource manual for our office on limitation of actions in credit card debt collection cases, an issue unresolved by Virginia courts.

We have been pleased to have Aaron join us this summer and feel that his experience here will have a positive impact on his education and his legal career.

We look forward to future opportunities to partner with Equal Justice America.

Sincerely,



David D. Beidler