

August 23, 2012

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

Dear Mr. Ruben,

This summer I had the unique opportunity to join the Alameda County Homeless Action Center in Berkeley, California as a Summer Law Clerk. The Homeless Action Center provides free public benefits advocacy to homeless, low-income, and mentally ill residents of Alameda County. The main focus of the Homeless Action Center attorneys' public benefits legal assistance is need-based Supplemental Security Income (SSI) and Social Security Disability Insurance (SSDI), as well as Alameda County General Assistance, Food Stamps (CalFresh), and Cash Assistance Programs for Immigrants (CAPI). I had the opportunity through my summer position to conduct client intakes at our offices, at client's residences, and at Santa Rita Jail. I accompanied clients to doctor's appointments and General Assistance intakes at Alameda County Social Services. I assisted clients in filling out General Assistance, Food Stamps, SSI, and SSDI applications and filed those applications on behalf of clients. I attended Parole Reentry Court to meet potential clients referred through that program by its presiding judge. I attended numerous administrative law hearings with clients and staff attorneys and assisted with the hearing preparation and brief writing. Finally, I wrote a number of appellate briefs on specific clients' denials at the hearing stage which involved significant legal research as well as close review of the entirety of the case record.

During my time at the Homeless Action Center I participated in a specific outreach effort to transient youths residing in various Berkeley public parks who were getting a lot of police attention and were publicly characterized as "service-resistant". Through our outreach we were able to narrate the lives of these youths, some of whom were actually very interested in health care, housing, cash assistance, and work training, but faced barriers such as a lack of identification. Others were struggling with legitimate disabling impairments that required government support. Their histories included long stints in foster care and lack of access to health care and education. Many did not have high school diplomas, and most were placed in some sort of special education during their schooling. We were able to provide information and application counseling regarding General Assistance and food stamps, and tracked down birth certificates for the many who lacked any form of identification. The most gratifying element of the experience for me was to be a friendly face for these youths as a service provider after all their struggles with local authority during their time in Alameda County.

I also had the opportunity to use my Spanish language skills for brief services with Spanish-speaking clients. Many of our Spanish-speaking clients were assigned workers at the local Social Services Agency who were not Spanish-speaking. This presented a huge barrier to access as the process of obtaining an interpreter for a simple phone call involved

significant delays for the client. I was able to, on a few occasions, act as an interpreter between clients and their workers for simple issues such as changing a client's address or resolving issues with using their EBT cards. On one occasion, a client with severe autism came for an intake with his Spanish-speaking stepfather as his representative. While the client's attorney was connecting with the telephone legal interpreter (an often lengthy process), I was able to make them both feel welcome by introducing them to the Homeless Action Center and our work.

Because of my writing background and eagerness for an understanding of the substantive case law affecting federal disability benefits, I wrote four briefs to the Social Security Appeals Council and one hearing brief before an administrative law judge. This experience brought me the closest to the reality of the practice of Social Security disability advocacy. Due to the lengthy nature of the average disability benefits case (6 months to 2 years) and the relatively short length of a summer internship, it was difficult to see a case I initiated or conducted the intake through to the end. Thanks to the writing opportunities I was offered, I was able to get a thorough understanding of the evidentiary challenges and true standard our clients are subjected to in order to establish eligibility for disability benefits. Reviewing medical records, ALJ decisions, and relevant Ninth Circuit and district court case law revealed the inconsistencies and injustices faced by our clients navigating the system with representation, let alone those who attempt an application without counsel. The law as applied to Social Security is grossly inadequate when it comes to mental health issues; for example, ALJ's are not required to call upon the testimony of a medical expert in determining whether a claimant's mental health impairments meet the standard to qualify for disability benefits. It was truly gratifying to have the opportunity to dissect and counter the ALJ decisions denying benefits to clients which were wildly unsupported, ignored relevant precedent, or failed to follow necessary procedures in making determinations. Without the watchful eye of advocates like the staff at the Homeless Action Center, these arbitrary decisions would be final.

An especially tragic example of the impact an ALJ's decision can have on the lives of the indigent disabled played out near the end of my summer. At the beginning of my position I took over a special case of a client and friend of HAC's who was a beloved member of the community. He had been denied Social Security about a year before despite his mental health issues, inability to write, disabling hypertension, and many other physical impairments. He had received some General Assistance in the interim which had been revoked due to his inability to obtain an accurate birth certificate and therefore a California state ID. After a significant effort to amend his birth certificate, we were finally able to obtain emergency General Assistance and food stamps, as well as some rent for his exceedingly kind landlord. He was overjoyed to tears that day. Two weeks later, he passed suddenly. It is likely that, had he been approved for Social Security, he would have been able to access health care that may have saved him from a decades-too-early death.

Thanks to the support of Equal Justice America I was able to provide free direct legal services to homeless, low-income, and mentally ill clients in Alameda County at the Homeless Action Center, and work with a team of attorneys and advocates who inspire me to doggedly pursue the cause of social justice for the marginalized in American society.

Thank you,
Courtney Oxsen



August 21, 2012

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

RE: Equal Justice America Summer Fellow, Courtney Oxsen

Dear Mr. Ruben:

This letter concerns the outstanding service Courtney Oxsen provided to the clients of the Alameda County Homeless Action Center over the summer of 2012.

In my eleven years as a practitioner overseeing the work of many legal interns I can say without hesitation that Ms. Oxsen stands head and shoulders above the rest in terms of the quality of her written work. The staff here knew that we had someone special by the end of her first two weeks when she turned in an assigned Social Security Appeals Council brief that was both nuanced in its analysis and written with an elegance of style that led the reader towards a clear and well-researched conclusion. To our delight, all of her written work required very little editing on our part and was then ready for submission to the record.

Given this, we assigned her work that we typically reserve for rising third year students. She managed her own caseload, conducted client interviews, and negotiated with county representatives on issues related to public benefits. She also prepared for and attended multiple administrative hearings.

Given the quality of her work, we have chosen Mr. Oxsen as a potential fellow upon graduation. We are actively working with her to consider potential projects that best reflect the needs of our client population. Her excellent legal skills combined with her ability to interact meaningfully and effectively with homeless and mentally ill clients make her a powerful advocate. Our organization was fortunate to have her, and we look forward to the many contributions she is sure to make in her career.

Please contact me should you have any questions. 510.540-0878 x. 317

Sincerely,

/s/

Rebecca Marques, Esq.

3126 Shattuck Ave. Berkeley, CA 94705
(510) 540-0878 tel (510) 540-0403 fax

www.homelessactioncenter.org