

Erica Nicole (Nic) Rangel

September 7, 2012

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

Dear Mr. Dan Ruben,

I would like to thank you for your generous support and the wonderful opportunity to serve indigent communities in the Capital District. The time I spent at Legal Aid Society of Northeastern NY this summer has been truly inspiring and eye-opening. Not only do the attorneys and staff at LASNNY provide critical legal services to people in dire need of assistance, but they do so with very limited resources. It has been in this environment, which has been dubbed by some as something like an emergency room for legal services, that I have learned a great deal about housing, consumer, debt, and immigration law.

The bulk of my work was focused on housing and consumer issues. Within that focus I provided assistance to the foreclosure prevention program, the landlord/tenant program, and on credit concerns. Additionally, I provided some assistance to the immigration program. Each of these programs have provided me with insight into the many intricacies of navigating our legal system in their own way. Every day it becomes increasingly obvious that indigent communities suffer from a severe disparity in their lack of access to legal assistance. It is imperative that everyone has access to legal assistance, and LASNNY is doing all they can to help meet that need.

One of the important projects I worked on is called the Solutions To End Homelessness Program (STEHP). In that program we provide assistance to people facing an eviction in several ways. One of those ways was through mediation and financial counseling. We also provide legal assistance with hearings for the eviction and in negotiating a reasonable settlement agreement. This was an important project for me because it allowed me to see how the department shifted from the Homelessness Prevention and Rapid Re-Housing Project (HPRP) to STEHP. Such drastic change in programming was challenging and complicated. I appreciated being involved in learning the new program and implementing it in the same community I have been working in for over a year already.

I spent some time assisting a supervising attorney with debt and credit counseling clinics this summer as well. In that program I helped develop a pro se answer for people facing debt collections efforts. We would then gather these clients in a clinic to walk them through debt issues, debt collection process, and credit basics. We would assist them in filling out their answer and provide them with instructions on how to proceed from there. If they were later approved for legal services we would continue working with them to help settle their debt and get them back on track.

The remaining work I did in the housing program was in foreclosure prevention. Generally I did research and wrote memorandum of law for the attorneys working in the program. I helped answer questions

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including those issues related to the specific HAMP requirements, and the requirements on investors involved in mandatory settlement conferences for some mortgages.

In one such case a homeowner had attended several settlement conferences to try and negotiate terms for a new agreement and stop the foreclosure process. Her efforts to get back on track were frustrated by the fact that the trustee who appeared to the conferences did not have the authority to negotiate in good faith and dispose of the case if a reasonable agreement was met. As a result the conferences, and therefore the homeowner's uncertainty about where she will live in the near future, continued for months, and required more and more of the homeowner's resources to carry on. Luckily we were able to show that the trustee must have the authority to dispose of the case if they are sent on behalf of the investor, or the investor must be present, or the investor must be available via conference call, to dispose of the case during settlement conferences to meet their burden of good faith negotiation.

Finally, I assisted the immigration program by conducting research, providing translation services, and developing legal arguments for waiver applications. It was in this program that I was involved in a particularly moving case. This client was granted refugee status in the US after facing persecution in Iraq for assisting US and foreign companies in building new infrastructure. After a year of being admitted as a refugee people are required to apply for permanent legal status, but if they have been convicted of any serious crimes they are generally inadmissible unless they qualify for a waiver. Applicants do not qualify for a waiver if their crime was particularly serious, and involved dangerous or violent acts. This client had pled to a particularly serious crime that he likely would not have been found guilty of if the case had gone to trial. We have been trying to develop arguments for why this refugee should be granted a waiver for his criminal conviction and given legal permanent status. First, because his crime was not dangerous or violent so he should be allowed to stay for humanitarian and public policy reasons, and also because of the unusually extreme, and extraordinary hardship his return to Iraq would be on him.

After their country was pummeled by war, millions of lives were lost, and millions of people became displaced, tens of thousands of Iraqi citizens offered their services to US troops, companies, and organizations to help rebuild their country. Many of those people have faced severe retaliation from those groups who continue to resist the west's efforts there. Persecution has been inflicted through threats, violence, murder, and harassment against the individuals contributing to the rebuilding efforts, as well as against their families. Our client is one of these individuals. Previously a shoe maker, he was hired by a US based contracting company to do construction work. During his time working for this company he faced threats of severe violence on a daily basis. He was eventually granted refugee status in the US and was permitted to move to the Albany area. The government provides so little to refugees beyond giving them refugee status, so local non-profit organizations and volunteers have helped him settle in this area. These groups and volunteers provided him with language courses, housing, clothing, job training, and friendship. Recently he was accused of and pled guilty to sexual abuse. The State was willing to drop all of the charges against him because there was so little evidence of wrong doing, and so much evidence of falsification by the person making the allegations. Unfortunately the Judge refused to consider any plea bargain of less than a felony. Fearful of the repercussions of going to trial the refugee accepted the plea offer. The judge gave him a one year sentence but released him on time served.

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This gentleman's life is caught up in an imperfect criminal system, a messy immigration system, a nation in shambles, and a new life. So many people are invested in his success here in the US. He has lost so much in the war in his homeland. Watching his hopes for a new life fade has been heartbreaking. I do not know yet what the outcome of this waiver application will be but I truly hope it is granted.

Again, I would like to thank you for this wonderful experience. It is through programs like these that law students are able to help expand access to justice in New York, gain important legal skills, develop a stronger connection to indigent communities, and gain a better appreciation for the important role they play in our justice system. I hope this program continues to provide this wonderful opportunity to our community in the future.

Sincerely,

Nic Rangel

Albany Law School, May 2012