

August 31, 2009

Dan Ruben
Executive Director
Equal Justice America

Dear Mr. Rubin,

From the first day I started my internship at Rappahannock Legal Services in Culpeper, Virginia, I knew I was in for a busy summer. The office was small with only two attorneys- and very busy. I was immediately presented with three separate legal problems to research during my first day- one involved the impact of a child's school performance on a custody case, another dealt with the definition of child abuse, and the third asked if the legislative history behind the new Helping Families Save Their Homes Act of 2009 supported our clients' contention that they were not given enough time to refinance their mortgage before their bank foreclosed on their house. For the rest of the ten-week period, I continued to research legal issues which primarily impacted those living in poverty. I aided in the litigation of several cases dealing with unlawful retainers and the legality of retaining security deposits, in addition to cases involving mortgage foreclosures and domestic abuse protective orders. The majority of our cases, however, dealt with child custody and visitation, as well as the establishment and enforcement of child support payments.

As I observed the child custody and support cases unfold, a clear pattern began to emerge: our clients were generally women with little to no education, most of whom were involved in relationships with economically stable men. Generally, our clients terminated their relationships because of physical and mental abuse. I noticed that many of our clients gave up their jobs when they had children, only to find themselves without skills or savings when they decided to leave a dangerous situation. As I attended court from day to day, I saw judges

consider our clients' financial situations and consistently use their economic instability as a mark against them during custody disputes. Thankfully, our managing attorney consistently fought to make judges understand how difficult it was for women to leave and the hard struggle they faced emotionally and economically.

In addition to our clients' significant economic disadvantages in the court room, some of them also faced judges reluctant to liberally define the notion of "domestic abuse." For example, during the first few weeks of my internship, a client came into our office with a significant injury to her face. She had been bitten and disfigured by her husband, but was able to escape and seek a protective order with the help of the local women's shelter. Thankfully, our client's injuries were well documented and there were several eye-witnesses to the incident, thus allowing us to present enough evidence during the protective order hearing to ensure that our client could remain safe for the next two years. In contrast, another client had been involved in an argument with her significant other, during which he trapped her arms in his truck's automatic windows and proceeded to speed forward, stop rapidly, and then speed backward. Despite a multitude of photographic evidence establishing the severity of our client's injuries, the judge refused to grant her a protective order because she appeared to instigate the fight by reaching her arms into the truck. It was very clear that judges are willing to issue protective orders once abuse becomes advanced, but less willing to use protective orders as preventative measure.

As a result of my experiences at RLS, I've learned that poor women are often disadvantaged in legal proceedings for many more reasons than their economic status and it is very important that talented, disciplined lawyers be willing to work for legal aid offices or perform pro bono work for child custody and domestic abuse clients due to the complexity of issues surrounding such cases. My summer experience was also incredibly rewarding because it provided

me with the opportunity to participate in and learn about litigation in a meaningful way while allowing me to use my new skills to help those in need. Most of the problems my clients faced were very serious and ranged from losing custody of a child to the threat of homelessness. Providing legal services for such individuals is important to the success of any community, and my summer internship has convinced me to always make pro bono work and public service a significant part of my legal career.

Thank you very much for providing the funding I needed to participate in this wonderful opportunity.

Sincerely,

Gail M. Deady
Washington and Lee School of Law
Class of 2011