

To: Equal Justice America

From: Jonathan Korin

Re: Fellowship summary for summer 2010

You have asked me for a summary of my 2010 summer experience working for a legal services organization, which consists of the following:

This summer I worked for the Wilmerhale Legal Services Center of Harvard Law School in its administrative law section. I worked primarily with clients who are in the midst of applying for Social Security disability benefits. I also helped to some degree with a health report on AIDS in South Carolina.

Over the course of the summer, I represented two clients in hearings before Administrative Law Judges. In one of those cases, my client lost her first case years ago, took it to the appeals council, and got a remand. In the meantime, she applied for social security again, and was accepted. She has been on benefits for half a year. She now was before the ALJ on remand, fighting to achieve retroactive benefits for the earlier case, and also arguing that the ALJ should not remove her from the current benefits she does receive. The disability was largely psychological, and she had been living stress-free for half a year now. My job was to show in the best light her disability and medical evidence that she was and is disabled.

My second representation was for a client whose disabling condition was not at issue. Social Security was asking my client for \$14,000 in overpayment because she was over the resource limit to have receive funds. She had a retirement fund of \$3,000 which she put in an irrevocable funeral and burial trust years earlier. That trust agreement would put the money outside the reach of Social Security resources. After she had been receiving Social Security benefits for two years, her fund holder let her and Social Security know that she could withdraw the funds (the fund holder did not know that she had signed over control of that money to her trustee). At that point, Social Security told her to repay the two years worth of benefits because she had been over the resource limit. She took the money out of the retirement account, and subsequently spent

it due to family emergencies. The issue in the case was whether she held the trust instrument to be meaningful during her two years of benefits, given that she breached it at a later date. We also argued that she was underpaid because she had been put in the wrong housing status.

Throughout the summer, I wrote multiple memoranda in support of appeals to the decision review board. I researched and wrote two petitions for fees from cases in the federal district court. I interviewed multiple clients for intake into our clinic. I requested medical records from hospitals, I contacted doctors for personal opinions, and I researched case files. The main part of my job was to research, strategize, and write analysis of cases.

Over the summer, I grew a great deal as a lawyer, getting great experience in legal research and writing, client interaction, and teamwork strategizing. Thank you Equal Justice America.

Sincerely,

Jonathan Korin