

Dan Ruben

This summer I worked at Alaska Legal Services Corporation in Anchorage, Alaska. The work that I did over the summer was fairly varied and the cases I worked on were in different stages of litigation, offering me an opportunity to do discovery work, memo drafting, brief drafting, client intake, and attending trial.

Much of my time this summer was spent working on a real estate case in which our client was given a predatory loan which resulted in her losing most of the equity in her home upon sale. She ended up homeless and broke after the conclusion of the deal. Our client was a sweet older woman who had lost her husband before she entered into the loan. Her sister, who was supporting her at this time, often came into the office with the client to support her and help organize the facts of the case. On this case I had an opportunity to prepare discovery for the other side and access and organize the discovery materials that we received. I helped prepare my supervising attorney for a scheduled deposition and got an opportunity to learn about the Truth in Lending Act, the Home Owners Equity Protection Act and about how some of these real estate deals generally work. I also had an opportunity to investigate other potential victims of the opposing party.

During our scheduled deposition, the opposing party threw a fit because our client's sister was present in the room. They proceeded to walk out, citing no law or reason for leaving. This was just another way in which he was attempting to intimidate our client. I think the most satisfying part of this case was that I got to write the motion to compel from scratch, which actually included a few interesting legal arguments, as well as reply to their reply. Considering the length of time the other attorney had been practicing, I found that his reply was completely lacking and was very happy to find out that the judge did as well. My motion to compel, with sanctions, was granted and soon this individual will be deposed in the presence of both our client and her sister. In addition to this being personally satisfying,

because Alaska has so little case law compared to other states, my motion to compel was an opportunity to draft an original and creative argument comparing Alaska's rules of evidence, rules of civil procedure and the federal rules.

While at ALSC, I also had a chance to learn about ICWA, the Indian Child Welfare Act. I had not in the past learned anything about Indian law, and had no knowledge about how Indian law differed in Alaska. While doing research to help with representing our client, a native tribe, I had a chance to learn all about how Indian law in Alaska has evolved.

I also had a chance to write a supplemental brief for the court in a case involving jurisdiction for a custody and divorce proceeding. Our client wanted her case moved to the state in which she was living, and while the judge awarded her the opportunity to have the custody case heard in her state, he requested additional written arguments from ALSC for why the divorce should follow the custody case. Because the attorney on the case was to be leaving ALSC soon, I was able to write the entire supplemental brief on my own.

In addition to these cases, I helped prepare my supervising attorney for oral arguments concerning a Home Affordable Modification Program case. I also wrote up discovery answers and questions for this case. I also researched questions about Medicaid, the necessity defense, and other legal issues that came up in the office, and wrote up internal memos for all these issues.

Overall, my favorite part of the summer was helping good people bring cases to court against individuals who continuously used their position to take advantage of the poor. It helped solidify my interest in litigation in general.

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