

Dear Dan Ruben,

Thank you so much for the opportunity to participate in the Equal Justice America fellowship program. I grew a lot from this experience, and I will take the lessons I learned with me through the rest of my legal education and career. The summer after the first year of law school is extremely important towards solidifying career goals, and I could not have been happier with my experience.

I was working at the New York Legal Assistance Group, in the Special Litigation Unit. The organization as a whole is a relatively large non-profit that does all different types of civil legal work for indigent New York residents. The Special Litigation Unit does impact litigation, spanning many different areas. I primarily worked on immigration issues, though I also touch on consumer protection cases as well.

The first case I worked on aimed to ensure greater procedural safeguards for American citizens entering the United States, but who may not have an easy time proving their citizen status. Particularly, I worked on an issue surrounding expedited removal, which is the statutory basis to remove certain arriving aliens without the same procedural safeguards afforded to others in deportation proceedings.

Unfortunately, American citizens can get caught up in this process if those administering it act negligently. While there is no statutory basis to subject American citizens to expedited removal, increasing procedural safeguards will minimize the probability of unreasonably seizing American citizens.

Another case I worked on involved certain asylum applicants' access to public assistance. Particularly, we argue that asylum applicants with employment authorization ought to be eligible for Safety Net Assistance if they meet the financial eligibility requirements.

After submitting an asylum application, the applicants can eventually apply for work authorization. That alters their rights with respect to employment, but also with respect to certain public benefits.

Safety Net Assistance is a form of subsistence benefit, usually distributed in cash, to help those with no or very low income. It is typically administered by municipalities. The income eligibility requirements are strict. Moreover, there are other limits to who can access the benefit. In particular, qualified aliens are eligible, as well as other aliens who are permanently residing under color of law.

The Special Litigation Unit argues that asylum applicants with work authorization ought to be considered permanently residing under color of law, which would make them eligible for Safety Net Assistance if they met the other eligibility requirements.

This lawsuit has the potential to impact a large population of asylum applicants in the New York City area. While Safety Net Assistance does not provide for a very substantial influx of cash, for those trying to support a family with little income, it can be essential for survival.

The Equal Justice America Fellowship allowed me to contribute to the New York Legal Assistance Group in a meaningful way. I was able to put in significant work for a good cause, and I also learned a lot as a young lawyer, and grew a lot as a person. I am extremely grateful for both Equal Justice America and New York Legal Assistance Group, and I hope they continue to serve many communities.

Sincerely,

Daniel Brenner
Stanford Law School, 2019