

EJA Reflection Summer 2018
David Wasserstein

This summer I was an intern in the Public Benefits Unit at the Legal Aid Society of the District of Columbia. I worked amongst a team of eight attorneys on behalf of clients with issues ranging from Medicaid applications, SNAP terminations, TANF benefits, Social Security appeals, and Unemployment benefits. I was primarily tasked with working on Social Security appeals which required me to go through clients' medical records, meet with clients, and write a brief on their behalf to submit to Administrative Law Judges (ALJs) for their disability benefits hearings. As a part of this work, I was made aware of the extraordinary barriers that exist to getting Social Security. I learned applicants are forced to wait 18-24 months simply to get a hearing in front of a judge, and in DC, only have about a 33% chance of getting approved for benefits. In response to an article in the New York Times about the disability application process, I helped to write a blog post on how difficult the Social Security Administration has made it to apply and receive benefits. I was frustrated to learn how difficult it is to be approved, especially if the applicant is non-compliant with medical treatment (often due to their underlying disability) or has a history of drug and alcohol addiction. Over the summer, I wrote two briefs for two clients, and in both cases, feel like each applicant is unlikely to get approved. However, even with these barriers, I was encouraged to see the quality of advocacy that Legal Aid attorneys provide. Legal Aid is quick to appeal unfavorable ALJ decisions to the Appeals Council and even further up to Federal District Court if they feel an ALJ has misapplied a rule or misconstrued evidence. I was heartened to see such commitment. The clients, who face tremendous adversity in the benefits process, are provided extraordinary advocacy that I was lucky enough to be a part of this summer.

Another responsibility I had this summer was to collect data on wait times at DC service centers where people apply for public benefits. As part of an ongoing lawsuit to which Legal Aid is a party to, a DC district court has pressured the DC government to process combined applications more efficiently. However, progress has been fitful and wait times are still quite high. People often have to line up well before dawn to ensure that they will be seen that day. Our job this summer was to go to two service centers in DC to see how long the line was at 7 am (centers open at 7:30) and determine what time the first person got in line. What I saw shocked me as upwards of 90 people were in line by the time I arrived at 7 am and people getting in line as early as 2:30 am. It was yet another learning experience as to how difficult it is to receive public benefits and the barriers that exist for people who are simply trying to feed themselves and their families.

This summer at Legal Aid was an invaluable learning experience. In addition to our responsibilities within the Public Benefits Unit, Legal Aid provided us with supplementary experiences like meeting with the Chief Judge of the DC Court of Appeals, a judge on the DC Federal Circuit, brown bag lunches with all of the units within Legal Aid, panels through the Washington Council of Lawyers, and DC court visits. I am tremendously impressed by the passion and focus of all Legal Aid employees and heartened by the advocacy and empowerment they provide to clients experiencing poverty. Though there is still an extraordinary gap within access to civil legal services, Legal Aid is doing its best to provide quality legal services at no cost. It is an organization I can only hope to work for once I finish law school.



Legal Aid Society
OF THE DISTRICT OF COLUMBIA

MAKING JUSTICE REAL

August 20, 2018

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

Re: David Wasserstein summer fellowship evaluation

Dear Mr. Ruben:

I am writing to evaluate David Wasserstein's Summer 2018 fellowship with the Legal Aid Society of the District of Columbia. It was a pleasure to have him with us this summer.

David worked on cases for Legal Aid clients seeking to obtain or maintain public benefits such as Social Security Disability Insurance Benefits, Supplemental Security Income, Medicaid, and Interim Disability Insurance (IDA). David drafted two Social Security briefs for upcoming hearings, conducted legal research on Medicaid and IDA eligibility rules, helped draft a Public Benefits section in a re-entry guide (that will be distributed to thousands of prisoners by the federal Bureau of Prisons), and conducted follow-up interviews with many people applying for Legal Aid's services.

My colleagues and I found David's work to be professional and helpful, and we appreciated him as a part of our team this past summer. His warm personality made him easy to work with.

I would be happy to answer any questions you have.

Sincerely,

Nina Wu
Supervising Attorney
202.661.5948
nwu@legalaiddc.org