

AUSTIN HOWARD

August 31, 2018

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

RE: Summer 2018 Equal Justice America Legal Services Fellowship

Dear Mr. Ruben:

I am writing to thank you and Equal Justice America for naming me a 2018 Summer EJA Fellow. Because of your generous Fellowship grant, I was able to devote my time this summer to helping low income and homeless clients as an intern in the Public Benefits Unit of the New York Legal Assistance Group (NYLAG).

In the Public Benefits Unit at NYLAG, I was responsible for a variety of recurring tasks. I conducted client intake interviews over the phone and in-person at the legal help desk that NYLAG helps staff at the Office of Administrative Hearings at the New York State Office of Temporary and Disability Assistance (OTDA). Individuals seeking representation at the legal help desk were often moments from appearing alone at a Fair Hearing before an OTDA Administrative Law Judge with the authority to determine whether their food stamp or public assistance benefits would be discontinued or reduced—a decision of incredible consequence for low income families who depend on State benefits for basic necessities such as food and shelter. It was my responsibility to hear those families and to help inform them of their right to request an adjournment so that they could obtain legal services from NYLAG.

I was assigned clients at weekly intake meetings and tasked with providing full representation under the supervision of senior NYLAG attorneys. Often my cases involved clients whose public assistance or food stamp benefits were being discontinued or reduced by the Human Resources Administration (HRA), the social services district that implements OTDA policy within New York City. Representation in these matters often involved requesting evidence from HRA, reviewing the evidence for Due Process violations such as notice inadequacy, corresponding with clients to verify questions in the record, gathering documents to disprove Agency determinations, verifying Agency budget calculations, and researching applicable OTDA policies. Sometimes we were able to resolve benefits issues for our clients through advocacy with HRA after reviewing the evidence by pointing out an Agency mistake. Other times, we appeared with our clients at Fair Hearings to challenge a denial or reduction. When representation required a Fair Hearing, I was responsible for the preparation, which could include compiling documents to submit into evidence, planning client testimony, and reviewing similar Fair Hearing decisions and applicable policy directives and regulations. By the end of the summer, I had argued three Fair Hearings first-chair on behalf of wronged clients and resolved many other benefits issues through written advocacy.

In addition to client representation, I also was tasked with drafting intra-office research memoranda challenging OTDA policy directives. One research question involved researching the viability of a Fair Hearing defense based on an alternate construction of a State statute. Another implicated issues of administrative authority and federal due process. Though I had not yet studied administrative law in depth, I developed an appreciation for the discretionary power granted to administrative agencies in implementing policy directives pursuant to State statutes.

Overall, my summer experience at NYLAG as an EJA Fellow was both personally rewarding and professionally educational. Thank you for helping to give me the opportunity to help those who need it most.

Sincerely,

Austin Howard