

Kelsey Lee

Upon reflecting on my summer as a legal intern with Children's Rights, I am writing to report on my experience, and to express my appreciation for the Equal Justice America Fellowship I received.

I chose Children's Rights for my first legal internship for a few reasons: first, because I wanted to observe and better understand child advocacy work from the perspective of class action impact litigators; and second, because Children's Rights not only advocates for children in the courtroom, but also through policy work and legislative reform. I am pleased to report that this summer was full of opportunities in both of these areas. I conducted legal research around issues and legislation affecting the lives of children in foster care and juvenile detention facilities. The particular case to which I was assigned focused on the overuse of solitary confinement and physical restraints, and the over-prescription of psychotropic medications without adequate oversight or staffing, on boys in a juvenile detention facility in Iowa.

On my first day at Children's Rights, there was a time-sensitive crisis relating to the class certification motion. It was all hands on deck as we prepared the motion to be submitted as early as the end of the week (and this was Memorial Day holiday weekend). I was assigned to start immediately on numerosity and commonality research, while also cite checking the footnotes already included. This ultimately led to in depth research on both the Eighth Amendment and Fourteenth Amendment, and how the Eighth Circuit has ruled on each issue relating to detention facilities. While it was challenging to be thrown into critical research with little time to learn and acclimate, it was also an incredible learning opportunity to experience the potential high stakes and high pressure of impact litigation.

Throughout the summer, I was able to engage in substantive research pertaining to whether the case would be pursued under the Eighth or Fourteenth Amendments, and what the

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relevant standard is for detention facilities, particularly for juveniles. It was unclear whether the boys in this facility were inmates under the Eighth Amendment or civilly committed under the Fourteenth, which led to an interesting dilemma for the legal team at Children's Rights. I had the opportunity to learn about the different constitutional challenges facing these attorneys, and also how they approach these issues when considering case strategy. I also encountered research problems where there is truly no clear answer or precedent, and how to articulate each strategy route according to the court history available.

After my summer at Children's Rights, I now understand the pace, practice, and intricate working of a class action lawsuit. I was able to participate firsthand in the case strategy, particularly concerning which constitutional claims should be pursued, and assist in preparing for depositions. Research I conducted and wrote went directly into the class certification brief, an opportunity I greatly appreciate and value. Working at Children's Rights has solidified my intent to pursue public interest work as a career path, and only intensified my interest in impact litigation. Next summer, I hope to further pursue trial work and develop my investigatory skills, although possibly in criminal law interning for a defense attorney.



August 8, 2018

Dear Mr. Ruben,

I am a Staff Attorney with the organization Children's Rights. I have recently had the pleasure of supervising Kelsey Lee, who worked as a Legal Intern for us over the course of this summer. It is my understanding that Kelsey's work was supported in part by Equal Justice America's award of a Summer 2018 Fellowship. Kelsey did excellent work for us and was a valuable addition to the office this summer. We appreciate your support of her work and her placement with our organization.

Children's Rights is a national advocacy organization based in New York City that has, for 20 years, led civil rights legal reform efforts to improve the lives of vulnerable children. With active campaigns in over a dozen states in the U.S., we combine grassroots investigations, advocacy, and impact litigation to hold government systems accountable to the children who depend on them. Our work focuses on reforming failing child welfare systems and addressing emerging social justice issues for children, including the rights of LGBTQ/TGNC youth, access to mental and physical health care, juvenile justice conditions, right to education, and sex trafficking.

Kelsey was a tremendous asset to our work. She assisted with one of our busiest active litigation cases – a federal class action targeting unconstitutional conditions at a juvenile corrections facility. Kelsey assisted with all aspects of the work, including legal research, drafting, discovery review, and assisting with deposition preparation. Kelsey also assisted with a project on human trafficking. We were impressed with Kelsey's initiative, work ethic, and attention to detail and are very grateful for the excellent work she did for us.

Sincerely,

A handwritten signature in black ink that reads "S. Persson" with a decorative flourish at the end.

Stephanie Persson