

# **Equal Justice America Fellowship Report**

By Jessica Greenstein

This summer, I had the privilege of working as a Summer Fellow with DC Law Students in Court (LSIC) through a fellowship program funded by Equal Justice America. I was assigned to the Civil Protection Order Program, a program that is fairly new to LSIC and is thus growing rapidly. The program's mission is to provide all levels of legal representation, from brief services to full representation, to qualifying DC residents, who are respondents in a civil protection order (CPO) proceeding or who are seeking modification of an existing CPO or who wish to vacate an existing CPO. In just the three months that I was involved in the program, I experienced the hiring of the program's first full-time attorney, who also holds the title of Program Co-Director, as well as the hiring of a second full-time attorney, in addition to the growth of the official physical presence of the program in the court from one day per week to three days.

One of my first assignments was to read several articles, domestic violence manuals, and D.C. Superior Court's Domestic Violence Court Rules, which helped me familiarize and become well-read in this niche area of law. During our first weekly meeting, we discussed an upcoming trial, which led to my first practical assignment: legal research on several issues, some of which included: the elements required for a CPO petition, due process & notice, the elements of threats to do bodily harm, and the elements of theft. In addition to the legal research tasks, I was also assigned some investigative tasks specifically pertaining to the trial as well.

An ongoing task throughout the summer was to attend court and be available throughout the day for intake as needed. During our "in court days," I would court watch (noting the outcome of the proceedings on the docket sheet), conduct intake interviews with new clients, perform legal research and investigations, counsel clients, assist clients in filing various motions,

prep witnesses, assist during hearings and trials, and perform other tasks as requested. Another ongoing task was assisting with creation of a manual for the program. I was specifically tasked with compiling the sections on: D.C. Superior Court Domestic Violence Court Rules and Statutes, Consolidation of cases in Domestic Violence Court, Custody/Visitation, and Enforcement of CPOs. Additionally, one of my investigative tasks for a trial was requesting to view body-worn camera footage, so I was asked to compile a step-by-step procedure for requesting footage.

During my fellowship, the domestic violence statutes in DC were in the process of being re-written. I was tasked with watching the hearing online of the proposed changes. I was then tasked with assisting in the preparation of a written opposition to the proposed changes. I also participated in a networking event to promote our program to other organizations that provide complementary services to similarly-situated DC residents. I also visited the D.C. Court's Domestic Violence intake satellite location with my supervisor to promote our program.

Although I gained little experience presenting cases and motions in-court, I did serve as second chair on a successful trial, and successfully argued a Motion to Continue on the last day of my fellowship. Additionally, I was able to assist in the preparation of pleadings and wrote a motion for an issue of first impression. The issue in my particular case was that there were no rules or procedure set forth for shielding or expunging an entire court record in Domestic Violence Court, and while traditionally there may be a good reason to support this, my particular client was misidentified by police as the generic-named respondent they were supposed to serve, thus formally connecting my client to this CPO hearing. My client was a government employee and was concerned about his future career opportunities given that he was now improperly connected to a domestic violence cases, despite the case being "dismissed." There were several

issues outside of the world of domestic violence law including civil law remedies and criminal law expungement procedures which I researched and integrated into the motion.

Overall, this summer I learned a lot about domestic violence court procedure, the legislative process, and added a little more practical experience to my resume. I am thankful for the opportunity that this fellowship provided and have great respect for the opportunities that Equal Justice America provides to Fellows just like me.

# LAW STUDENTS IN COURT

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We Teach Justice.*

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October 18, 2018

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RE: Evaluation of Jessica Greenstein EJA-supported summer fellowship

Dear Mr. Ruben and Equal Justice America:

My name is Abigail Scott. I am the Co-Director of DC Law Students in Court's Civil Protection Order Project (CPOP). I supervised Jessica Greenstein this past summer during her fellowship with CPOP. It was a pleasure working with Jessica during her fellowship and we thank Equal Justice America for supporting Jessica.

Every year thousands of individuals in the District of Columbia appear without representation to defend themselves against allegations of intra-family criminal conduct in Civil Protection Order (CPO) proceedings. They face a host of collateral consequences, including: losing custody of their children, their property, deportation, supervision by the Court Services and Offender Supervision Agency, incarceration, or other severe consequences we generally think are only the result of criminal proceedings. In the District of Columbia, no procedural protections exist for CPO respondents, which makes it exceedingly difficult for the accused to understand the court process, effectively defend themselves, or prepare for trial. CPOP addresses this need.

CPOP provides same-day mediation support and litigation representation to respondents at the Superior Court of the District of Columbia. We do so from an office at the courthouse. At its inception, the CPOP court office was staffed one day per week, and by the end of the summer 2018, the CPOP court office was staffed three days per week.

Jessica was instrumental in assisting the CPOP team and clients, especially during the CPOP court office hours. The CPO court docket is fast paced, high stress and high stakes. Jessica never hesitated to jump in where

needed, in particular with handling client intake, conducting legal research, and strategizing with CPOP attorneys during the negotiation stage of the cases; as well as brainstorming areas of investigation, and in assisting with doing the case investigation. In addition, Jessica's personable demeanor made it easy for connect with clients, during what is otherwise stressful proceedings and often long days spent in the courthouse.

Further, Jessica provided valuable contributions to the development of content for the CPOP procedures manual, which will used to assist future CPOP staff and volunteers. CPOP was also involved in providing commentary to recently proposed legislation before the DC Council involving proposed amendments to the Intra-family Offense Act. Jessica worked diligently to create a comparison chart of the current versus proposed law, as well as commentary on a particular section of the law.

I thank Equal Justice America for providing fellowship funding for Jessica. Jessica's contributions were invaluable to CPOP's work of ensuring due process protections for indigent respondents facing civil protection order matters, who would otherwise be unrepresented. If you have any questions, please feel free to contact me at [ascott@dclawstudents.org](mailto:ascott@dclawstudents.org) or at (202)607-2338.

Thank You,



Abigail Scott, Esq.

Co-Director

Civil Protection Order Project