

July 31, 2018

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

Re: EJA Fellowship 2017-2018

Dear Mr. Ruben:

I would like to convey my gratitude to you and to Equal Justice America for the support you have given me as a student director of the Yale Law School Temporary Restraining Order Project.

This year the TRO Project recruited and trained a new cohort of student volunteers to staff our office in the New Haven courthouse where we provide assistance for victims of domestic violence who are seeking restraining orders. We also organized a for-credit seminar with the attorneys at New Haven Legal Assistance to help educate our classmates about the dynamics of and legal issues around domestic violence.

As a director, part of my role was coordinating the volunteers, liaising with the family law clerks, and performing the administrative work the organization requires. A large part of the role is training our volunteers, many of them in their first year of law school, to be confident and competent volunteers. However, the heart of the director job is aiding TRO applicants, either in-person in the office or as the daily on-call director tasked with troubleshooting unusual issues. Two experiences with applicants illustrate the benefit I believe we provide the community by this volunteer service.

The first was a woman who arrived to the courthouse with several folders full of documentation—photos, text conversations, etc. However, because the TRO application process is *ex parte*, the only evidence permitted is the applicant's affidavit. No additional evidence may be attached to the initial application. The woman was seriously disheartened to learn that she would have to describe everything that she had already documented, and she was worried that she would accidentally leave something out of her story. Fortunately, the TRO Project office can provide the privacy and space that the clerk's office lacks. In our office, we were able to lay out her documentation, she had the time to walk me through everything, and we could organize her materials in a way that would make it easiest for her to remember and incorporate all the details in her affidavit.

The second was an applicant seeking a restraining order against her husband. She and her husband had been married for several years, and they had children together. He had recently begun acting unpredictably and violently, a response to a change in the medication he took to manage his mental illness. The applicant kept reiterating that she loved her husband and that she

didn't want to hurt him or get him in trouble, but that she no longer felt that she and her children were safe. She wanted to make it clear that her primary wish was for her husband to get treatment and recover. A TRO is, unfortunately, a blunt instrument in situations like these. Although it provides critically needed protection, it cannot address the issues that so commonly underlie domestic abuse. The application process also does not foster nuance—judges assess whether an applicant has demonstrated fear of an immediate and present physical danger, but this is often just one part of a multifaceted situation. One benefit of the TRO Project is that we can listen to the applicants' stories in all their complexity. Sometimes we can point applicants to additional resources able to provide more holistic assistance for related legal and nonlegal issues. Sometimes, as with this woman, having the opportunity to tell the story to a real person, face-to-face, eases the process. Applicants do not speak directly to a judge on the day of the initial application, and the courthouse staff do not have time to hear every story in full, but the TRO Project volunteers are able to listen to the complete story and make every applicant feel heard and, hopefully, understood.

It is experiences like these, and the knowledge that the volunteers I have helped train have countless more of these stories, that have made the TRO Project such a defining element of my three years in law school. I would like to thank you and Equal Justice America again for the support you have given us in keeping the TRO Project a robust and useful organization.

Sincerely,

Erin van Wesenbeeck

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Yale Law School 2018