

To: Dan Ruben
Executive Director
Equal Justice America
Building II, Suite 204
13540 East Boundary Road
Midlothian, VA 23112
Dan@EqualJusticeAmerica.org

Dear Mr. Ruben,

I write again to thank you for the Equal Justice America fellowship and the opportunity to work with New Haven Legal Assistance Association as a second-year director of the Temporary Restraining Order Project. We had another excellent year with the TRO Project, with high rates of volunteer recruitment – 40% of the incoming class – and retention. We also began a strategic initiative to improve our client service by better preparing them for their hearings. We thank you for the support that makes it possible for our directors to devote considerable time and energy to this important project.

As directors, we staff an office in the New Haven County Courthouse alongside our volunteers. The work that we do there continues to be needed by applicants for temporary restraining orders. Our clients this year were of all genders and ages, and they were all low-income *pro se* applicants. In addition to helping clients file their applications, this year we expanded our focus to include preparing our clients for their restraining order hearings, which take place 14 days after the application is filed. That work is ongoing.

This year, we also began offering a seminar, taught by the New Haven Legal Aid attorneys who supervise our program, to complement the volunteer work in our office. Over 20 students – both new and returning volunteers – took the course. These students visited the courthouse to observe restraining order hearings and were dismayed to see how confusing and disorienting the hearings were for *pro se* applicants. These applicants faced considerable hurdles at this stage, obstacles ranging from a complete lack of signage and personnel to direct them to the appropriate courtroom to an ignorance of their rights to bring evidence and witnesses and to turn down the settlement proposed by the Family Relations officer during their mandatory pre-hearing mediation session. The participants in the seminar advocated powerfully that we needed to improve our services to better prepare applicants for the hearing stage of the restraining order process.

My own experience this year was instructive. In my most memorable experience, I assisted an applicant named Olive, a Congolese refugee. With the assistance of her caseworker at the refugee resettlement agency, Olive applied for a restraining order against her husband, also a refugee. Simply applying for the temporary restraining order had been a feat, given her limited language skills and resources. She also had considerable difficulty serving the temporary restraining order, as the marshal refused to serve it and she relied on a sympathetic police officer to serve the order and go with her to retrieve her belongings from their shared apartment before moving into temporary housing.

But our relationship with Olive started after all that, when she and her caseworker came to us to prepare for her upcoming hearing, at that point in a week. She needed a lot of help. First, we helped her understand her right to a translator, and not just a Swahili translator, which the Connecticut Judicial Branch was prepared to offer, but an interpreter in her native language of Kinyarwanda. After extensive conversation with the court clerk, we were able to get her a Kinyarwanda interpreter, who came down from Rhode Island and was hired by the court specifically for our client's hearing.

We also had to explain to her how the hearing would work. She thought, as do so many applicants, that the hard part was filling out the application and then you just had to wait for the judge to decide and grant you the order. But the hearing is really the most important part of the process, where both sides get to prove their case, and we explained to her that she would have to tell the judge her side of the story. It became clear that she would be unable to do that, as she was so severely traumatized by both the domestic violence and her experience as a refugee that she broke down whenever asked any details about the violence she had experienced. So we advised her that she could bring witnesses who could tell the judge what they had seen and speak if she couldn't and helped her brainstorm a list of possible witnesses. We also had to explain to her that her husband would be able to cross-examine her and that she had to prepare herself for that potentially re-traumatizing experience. There was really nothing we could do about that integral, but potentially emotionally damaging, part of the hearing process other than to help her understand that it would happen.

Ultimately, Olive won her case. She was able to understand the proceedings in her native language and brought several witnesses with her to the courtroom. Ultimately she found the strength to testify on her own behalf, which was (I believe) the deciding factor in her favor. I am convinced that the outcome would have been different if we were not able to prepare her for the hearing, armed with our growing understanding about that stage of the restraining order application.

This initiative will continue in the next year with the new group of directors. I am stepping down after two years, but I know that the new group of directors will continue this important work and make empowering clients through this entire process their priority.

Thank you again for the opportunity to work with the experienced and passionate attorneys of the New Haven Legal Assistance Association on this fulfilling project.

Sincerely,

Melissa Legge

Yale Law School | J.D. Candidate, 2017

Yale School of Forestry & Environmental Studies | M.E.M. Candidate, 2017