



## Summer 2019 EJA Fellow:



**Name:** Katelin Shaw Kaiser

**Law School:** North Carolina Central University  
School of Law

**Fellowship:** North Carolina Justice Center

---

### Entry 1: June 16, 2019

After interning at the Durham Public Defender's Office last semester, I witnessed the systematic overlaps of economic insecurity, lack of access to affordable health care, opportunity to safe housing, barriers to education, and crime. Over that summer, I became committed to halting the practice of criminalizing poverty. To me, the roots of this issue begins at securing civil legal aid to ensure all persons have access to the resources, services, and fair treatment to achieve economic security. In North Carolina, 1 in 8 families live below the Living Income Standard. To understand how we got here and how I can create change, this summer I am an intern at the North Carolina Justice Center. The North Carolina Justice Center is the state's preeminent voice for economic and social justice. In my short time at the Justice Center, I have gained experience in the area of foreclosure preventions and predatory mortgage lending practices. I have helped ensure successful litigation for a client's rightful possession of surplus funds from a foreclosure sale. In addition to researching case law to support our client's positions, I have attended numerous training in the area of worker's rights, immigration law, fair housing, and driver's license restoration. Outside of my internship, I attended the American Constitution Society National Conference in Washington, D.C. For three days, I was able to listen and engage in conversation with some of my legal heroes including, Bryan Steveson, Marbre Stahly-Butts, and Honorable Pamela Harris. Attending the ACS Conference and my work as an intern at the Justice Center, has reaffirmed the law is a force to improve the lives of all people. I am looking forward to gaining more experiences via legal research and litigation in the upcoming weeks.

---

### Entry 2: July 7, 2019

Since my last post, I feel more at home at the NC Justice Center and have found comfort in understanding and interpreting the Fair Housing Act and the Fair Labor Standards Act (FLSA). Recently, I assisted a litigation



# EQUAL JUSTICE AMERICA

LEGAL SERVICES FELLOWSHIPS

attorney in drafting a brief for summary judgement focusing on undermining the defendant's good faith defense in order to pursue liquidated damages for several clients who were not properly compensated for their work. In crafting this brief, I learned the importance of strategizing and developing legal arguments...playing the legal version of Chess. I have also gained knowledge about the Immigration and Nationality Act (INA). Last week I spent time researching about the term and consequences of 'frivolous' related to when an Immigration Judge or the Board of Immigration Appeals finds that a person has filed a frivolous asylum application. What struck me while doing this research, is the vital importance of seeking competent legal assistance when filing an application for asylum because the law does not provide second chances if an application contains false or misleading information due to information, literally, lost in translation. I'm grateful to be working at the NC Justice Center where there is a team of dedicated attorneys who ensure asylum-seekers the best opportunity to find security and comfort in the United States. In my next update, I'll report on my experience representing clients at a Certificate of Relief hearing and my observations at the upcoming partisan gerrymandering trial, *Common Cause v. Lewis*, on July 15.

---

### Entry 3: July 23, 2019

Besides working on impact litigation cases at the North Carolina Justice Center, I have also been observing a very important civil trial regarding partisan gerrymandering: *Common Cause v. Lewis*. The trial began Monday, July 15, but prior to the first day of the trial, I was able to attend and observe the civil session hearing on the now infamous, at least in North Carolina, "Hofeller Files." Read more about the Hofeller Files [here](#) reported by Melissa Boughton from NC Policy Watch. (NC Policy Watch is an award-winning news outlet dedicated to informing the public with accurate local and National news and, lucky for me, is housed at the North Carolina Justice Center.) The hearing centered on a broad question -- who is the rightful owner of the Hofeller Files -- and whether 35 out of the 75,000 files should be admitted or given weight as evidence in the trial. The Court, a three-judge panel, ordered that the 35 files can be used at trial. In between researching about access to immigration legal services across North Carolina, South Carolina, and Georgia, I am glued to the [live stream](#) of the trial. The evidence, at this point, seems to show that the North Carolina's 2017 legislative maps are extreme partisan outliers. The current tactics of extreme partisan-gerrymandering by both Democrats (See Virginia) and Republicans (see North Carolina) and the profound disregard from the Supreme Court to deem this area a "political question," when it is the Court's responsibility to protect *all* voters' constitutional rights, makes one feel at a total loss as to what steps can be taken to protect the vote or better said, take back the vote. Last summer, I had the opportunity to work with civil rights leader, Irving Joyner, on what steps voters can take to ensure their vote counts in the community they reside. We argued one way of creating reform, as the Supreme Court stated in *Rucho v. Common Cause* and *Lamone v. Benisek*, voters should turn to their state's constitution and state courts. Fighting these battles on home-turf, as happening in *Common Cause*, hopefully will provide to be successful because if the right to exercise your vote is lost or diluted, the ability to protect other constitutional rights is also lost.



---

## Entry 4: July 31, 2019

Sadly, my internship at the North Carolina Justice Center comes to a close at the end of this week. As I put the final touches on some of the assignments I worked on over this summer, it is inspiring to be a part of and witness the variety of legal reach, advocacy, and impact the Justice Center does on behalf of North Carolina residents. My goal entering this internship was to learn and understand the complex issues surrounding poverty and what types of legal remedies as well as policy remedies can be implemented in order to restore dignity, hope, and justice to a person, family, or community. So what have I discovered in the last 10 weeks? There are deep, woven interconnections between race, gender, class, and politics which all come together to act as gatekeepers to equitable access to healthcare, banks, education, employment, housing, and participation in democracy. But there is an amazing network of zealous lawyers (as well as journalist), especially here, at the Justice Center, that continue to dig in deeper, unveil harmful and disruptive practices that undermine economic and social justice. I have come away from this experience truly inspired to continue to work in public interest law; especially, in light of the successful outcomes I helped achieve for clients and the growth in my legal knowledge. Here are just a handful of legal issues I was assigned to and was able to see the results: I researched and crafted a legal argument which enabled our client to retain ownership of surplus funds after her home foreclosure; drafted a brief in support of a motion for summary judgment on behalf of agricultural workers who were not given overtime pay for which they were owed; researched when the U.S. Citizenship and Immigration Services has the power to make a frivolous finding on an asylum application; created a comprehensive database for low-cost or free immigration legal service providers across North Carolina, South Carolina, and Georgia; and answered a federal civil procedure question regarding amending a complaint to add defendants after the statute of limitations has run. I am proud of the contributions I've made to the legal work at the Justice Center. In the process of expanding my legal knowledge in the areas of workers' rights, financial consumer protection, and immigration and refugee rights, and foreclosure prevention, I have made lifelong friendships with the two other litigation interns, and as I enter my 3L year I feel secure in the path I have crafted in becoming a strong advocate for social justice for all.