

Kelsey Lee

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

Dear Dan,

This past summer I had the opportunity to work for Brooklyn Defender Services in their Family Defense Program through Equal Justice America's summer fellowship. I write to you to reflect on my incredibly rewarding summer, report on my experience, and express my appreciation for the EJA fellowship I received, without which I would not have been able to do this work.

The Family Defense Program at Brooklyn Defender Services represents parents in Brooklyn Family Court who have had an Article 10 petition filed against them alleging neglect or abuse of their children. While the rights of children are important, and children are a vulnerable population that should be protected, the application of these protections is often disparate and disproportionately enforced against low-income parents of color. The mission of Brooklyn Defender Services is to keep families together in a safe and supportive environment, where families are given the tools and resources to safely reunify, because children's best interests and needs are generally best met by their families. I chose Brooklyn Defender Services because they are doing the important work of defending parents in cases where, oftentimes, parents are essentially on trial because of their poverty.

As a legal intern, I was assigned to work with three attorneys and their clients and was assigned specific clients to interview and work with. This mostly entailed scheduling meetings and interviews with clients, drafting motions and memoranda regarding different legal issues, such as vacating past findings of neglect and the rights of former foster parents to intervene in custody hearings. While the legal research and writing was interesting and provided a great deal of insight into the complicated issues surrounding child welfare, the most rewarding part was working directly with clients. I would like to tell you about one of the cases I worked on, and some of the inequities I observed firsthand.

One of the cases I worked on involved a woman who had a very active three-year-old daughter. This little girl was running around and crawling and climbing on everything and was able to climb up onto the counter. While up there, she accidentally ingested some roach poison. Her mother immediately called poison control and rushed her to the hospital. She also had

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cabinet locks installed on every cabinet door in the apartment as soon as they left the hospital. Although this was an accident and she did everything right after her daughter accidentally ingested poison, the hospital called in a report of suspected child neglect/abuse to the Administration of Children's Services. Hospital workers are mandated reporters for suspected child abuse and neglect, but there are not strict standards for what exactly they should report as suspected abuse/neglect.

As a result, the calls are often based in the implicit (or explicit) biases of the hospital workers, and calls are disproportionately called in about low-income parents of color. Had this mother been white and more affluent, perhaps the hospital workers would have understood how easily this kind of accident could happen to anyone and would not have suspected possible child abuse or neglect and would not have inflicted the trauma and invasiveness of a child neglect investigation as they did with this mother.

After this summer, I am confident that my future career will be in family defense, at the intersection of family law, courtroom advocacy, and defending against unreasonable state intrusion. I hope to pursue a career in family defense with Brooklyn Defender Services, and I am immensely grateful for the opportunity with which EJA has provided me.

Sincerely,

Kelsey Lee
University of Pennsylvania
Class of 2020