



Summer 2019 EJA Fellow:



Name: Kelsey White

Law School: UCLA School of Law

Fellowship: East Bay Community Law Center, Education Defense and Justice for Youth Clinic

Entry 1: June 11, 2019

I've spent the last two weeks with the East Bay Community Law Center's Education Defense and Justice for Youth Clinic (EDJY). EDJY is unique in that it fuses juvenile defense with education advocacy so as to provide holistic representation to young people in Alameda County. Unlike some orgs that specialize in one area or the other, I very much appreciate the opportunity to work on both sides of a case. For example, I will be representing one of my clients at their delinquency hearing but for another client I will be reviewing special education records to assess whether further advocacy is needed. I've been told that in some situations, I will have the ability to handle both sides concurrently! My supervisor is incredibly dedicated; I feel lucky to be in a place that is so supportive of me as a person and future advocate. I am so honored and thankful for the opportunity to learn from the young people I will work with this summer, and will be sure to keep you all updated as best I can!

Entry 2: June 20, 2019

Yesterday I made my first appearance in juvenile delinquency court on behalf of a client seeking informal probation. "Informal probation" refers to a type of pre-plea diversion under §654.2 of the Welfare & Institutions Code. If a client is granted informal probation, they are usually given a set of probation conditions that they must follow for 6 months. Upon successful completion, the petition against the minor is dismissed without a finding and without the client ever having to make an admission. Because of this, informal probation is often considered one of the best options for some young people. Yesterday the Judge agreed to order probation to prepare a report evaluating my client for informal probation. Although I am thankful that the request wasn't denied outright, I personally feel that informal probation conditions are still too onerous (i.e. ask for probation's permission to leave home alone, be home by 8PM every day, etc.). As such, it does sometimes feel like we're celebrating *very* relative victories. Moving forward, I'll be preparing a more in-depth motion in



support of informal probation. I'm looking forward to getting to know my client better through this process, and I hope that argument on the motion goes well!

Entry 3: July 9, 2019

Over the past couple of weeks, I have been working on a motion in support of informal probation for one of my clients. This process has really given me an opportunity to get to know them in a way I have never before experienced. In part because I must gather such detailed information, the motion preparation process has highlighted how important it is to prioritize relationship-building when doing advocacy with and on behalf of young people. I also feel very lucky to have had the opportunity to focus deeply on a few clients instead of juggling hundreds of cases. In a short amount of time, I have learned so much about the delinquency system and the ways in which a young person's education can impact/be impacted by it. Yet, I have also come to recognize that there are a number of limitations in this line of work; at times it can feel like processes are disconnected or not properly timed and it simply doesn't seem fair that young people must live in a state of limbo during these periods. Nonetheless, I have witnessed firsthand the incredible resilience and maturity with which my clients confront daunting experiences - and that is all the inspiration I will ever need.

Entry 4: July 26, 2019

Somehow my time with EBCLC is almost over. I'm really sad to be leaving soon; the people here are incredible and perfect examples of the type of advocate I aspire to be one day. But instead of writing about how sad I am to leave, I'll update you all on my client's case from a few weeks ago. I had the opportunity to argue my motion for informal probation in front of the Judge, and it was a wild experience. My supervisor and I had rehearsed responses to some standard objections that the DA was likely to make, but I don't think I could have expected just how many objections the DA *actually* made. I'll be honest, it was a really awful feeling to sit there and listen to the DA go on and on, making assertions about my client and regurgitating the police report as though it was all proven fact. I felt like our chances of getting informal probation decreased with each objection and I worried that the Judge would focus more on the DA's characterization of the alleged incident than on the progress my client has made and their suitability for informal supervision. I cannot *imagine* how uncomfortable and dehumanizing that must have been for my client - who was sitting right next to me and not allowed to respond directly. I tried my best to respond carefully to each objection, and made the final case that my client be granted informal probation. Thankfully, the Judge granted the motion and set the matter for consideration of dismissal. If all goes well, my client's case will be entirely dismissed after six months. Although I was relieved at the Judge's decision, I am still cautious to get too excited about it. In this line of work, and especially considering how little power public defenders or their equivalents have in the process, it seems that being entirely results-oriented can set you up for serious disappointment in future cases. So, for now, I feel content with the outcome and dedicated to advocating as strongly as I can for my clients in the future. Please consider donating to Equal Justice America so that my work, and the work of my peers, may continue.