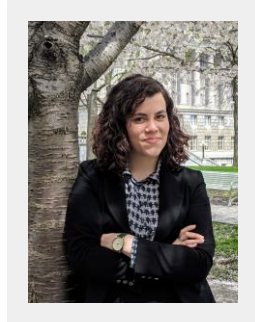




Summer 2020 EJA Fellow:



Name: Erin Agnew

Law School: Temple Law

Organization: Community Legal Services

Week of June 15th

My first fellowship update comes at the end of my third week at Community Legal Services of Philadelphia. I am working in the SSI unit, under the supervision of two amazing attorneys who are role models in their commitments to meticulous client centered services and structural systemic change.

I am currently working on one direct client case and several research projects to support CLS' policy advocacy. CLS' impact advocacy model is powerful and more important now than ever. As patterns of client issues emerge or unjust differences within legal systems become clear, CLS leads the way on advocacy to change the conditions which create injustice. In this way, CLS' work empowers clients by situating their experiences on the long arc towards justice. I am proud to have an internship and grateful for the support of Equal Justice America, Temple University Beasley School of Law, and my family and community!

Week of July 6th

During the first few weeks of my internship with Community Legal Services, I have been learning about projects I am excited to work on, while interviewing clients for an ongoing project. Trauma informed client work has been a passion of mine since before beginning law school and has been important while engaging with clients amid a pandemic, a national uprising against the violence of pervasive racism, and instability in accessing vital public benefits. Beyond the "trauma-informed" buzzword terminology, I believe it is vital to enter each client communication with an understanding that trauma has influenced so many people's lives on both the macro and micro levels. For low income clients, the ongoing presence of scarcity can impact thought patterns, decision making, and information processing in the brain. For BIPOC clients, the long history abuse at the hands of government actors can create apprehension around working with government offices and other powerholders.



These traumas are environmental and generational, and exist so deeply in the background of law and society that they are not always a surface level explanation for a client who is hesitant to access their credit report or who feels emotional when discussing their need for section 8 housing vouchers. But much like episodic trauma, like a car accident or loss of a loved one, can change how you see the world, so too can these ever-present traumas. It is also worth bearing in mind that the constant concern over public health and the constant news coverage discussing specific attacks on Black people heightens all of these concerns. Along with the structural trauma that our legal system creates based on race, gender, income, and disability, many clients' lives are also pulled in all directions by family and child responsibilities, personal health needs, life management, and work.

I have been reflecting on the immense need for trauma informed legal practice as I have spoken with clients about sensitive topics in the last few weeks. I am lucky to have learned from trauma informed lawyers and professors and I have relied on some of their best practices to guide these conversations. First, I always inform clients of the topic of the phone call I am requesting, let them know how long the conversation will take, and tell them what information they will need on hand for the call. Then, during the phone call, I remind them of my role, let them know when my internship will end and I will no longer be accessible, let them know what I can help with and what I can't, and ask them if they have any questions for me before we start. During the interview, I make sure to calmly alert clients when we are approaching a sensitive question and I am mindful to maintain the same calm tone of voice in responding to their answer. When a client seems uncomfortable with a question, I offer a short explanation of how it relates to the goal of their call. At the conclusion of the interview, I briefly summarize what we talked about during the interview, review and next steps, phone numbers, or other resources we talked about, and ask them again if they have questions or concerns. While nothing can make conversations about family finances and personal stressors easier, I firmly believe that every client deserves to work with practitioners who strive to limit retraumatization and make legal communications more navigable for clients.

I am grateful for the opportunity to share these thoughts, for the opportunity to work with Community Legal Services of Philadelphia, Equal Justice America, and the Temple University School of Law!

Week of July 27th

This week, I am in the process of editing a prehearing brief for an adolescent client's Supplemental Security Income hearing in the beginning of August. When a person has applied for Supplemental Security Income and is denied, they can request a reconsideration of the denial through an online portal or by visiting their regional Social Security Office. If they are again denied at the reconsideration level, then can appeal and request a hearing before an Administrative Law Judge. To prepare for this hearing, the client or their representative must prepare a prehearing brief which demonstrates to the ALJ how the client meets the criteria for Supplemental Security Income. As a third-year law student, I have spent hours pouring over the client's medical and educational records, which a skilled paralegal dedicated time to requesting and organizing. I am now privileged to spend more hours



researching and writing several rounds of drafts, edited by my remarkable supervising attorney. As a third-year law student who has prior experience preparing SSI briefs, I have been learning continuously throughout the writing and hearing preparation process.

If this client's mother had not found Community Legal Services, she may have found a private attorney who would require payment or collect a small portion of the benefits earned. If she had chosen to proceed with no representative at the hearing, it would have been her right to do so. And as a working mother who speaks English as a second language, it would have been an arduous uphill battle to win the benefits her family needs and deserves to support her child's health. Outside of criminal defense (and in Philadelphia, eviction hearings), there is not guarantee to legal counsel for low income individuals in life changing legal settings. Low income individuals should never be expected to function as their own attorney and advocate; that is too heavy a burden to place on people without legal training of some kind. As my own family, and so many families know, being sick and poor is a full-time job. I believe that the guaranteed right to legal counsel at Social Security hearings and all public benefits related hearings is an important part of the future of access to justice in our country.

Week of August 10th

As my internship with Community Legal services concludes, I am pleased to reflect on the work I have been able to learn while doing. In addition to representing a juvenile client at his Supplemental Security Income hearing and interviewing clients for an ongoing project, I have been working on a federal appellate brief for another juvenile client, curating language access information, and researching racial disparities in special education as it relates to Social Security.

This was a strange summer to be in a dream internship. While I never saw the inside of Community Legal Services' offices, I had the opportunity to learn from attorneys practicing in almost every unit and to work on a wide array of projects. The first day of my internship was the Monday following a weekend of sustained collective protest against police violence against Black individuals, inspired by the murders of George Floyd and Breonna Taylor. As I reflect on my internship with Community Legal Services, the first day of training will always be a memorable moment. We had a robust training schedule that included comments from several unit managing attorneys, CLS' communications director, legal fellows, and other mentors I felt lucky to meet. Each speaker took some or most of their time with us to acknowledge racism in America's history and current moment and invite reflection. We discussed centering and re-committing to anti-racism work in our careers and we discussed the intersection of legal services and anti-racism work. Those conversations weren't planned, and they didn't solve the problem of racism baked into the American legal system overnight, but I found it meaningful to be interning with an organization that is intentionally engaging with the racial justice movement. I kept these conversations with me as I spent evenings and weekends "getting in where I fit in" to volunteered on an unemployment compensation hotline, a voter protection hotline, and as a legal observer to support protests. In these roles I strove to uphold the same client-centered and respect-based models of communication I have worked toward as a legal intern at CLS.



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The SSI Unit at CLS also embraced the “get in where you fit in approach” to center racial justice in their work through ongoing research. I was delighted to spend some time contributing to this research during the second half of my internship. My research focused on racial disparities in special education and how they contribute to racial disparities in young adults’ ability to access Supplemental Security Income. This has been a complicated and meaningful research topic. Much of the Social Security Administration produced research that I referenced for this project painted SSI as a racially neutral program and one which benefits Black Americans more strongly than any other demographic group. However, independent research illuminated that the SSI program draws from racial disparate information for medical systems, educational evaluations, and work information. Because the SSI system draws on racially charged information, the system itself is built on racial disparities. The Social Security Administration is a vital safety net for so many Philadelphians and so many Americans. Naming the racial disparities and implicit biases which underpin the system is an important first step towards reframing the social safety net as an intentional tool for racial justice. My experience this summer has been formative in affirming my desire to work in the bread and butter areas of law, ensuring that people have equitable access to the benefits they need and deserve. I am grateful for the opportunity to grow in this work with Community Legal Services of Philadelphia, Equal Justice America, the Temple University Beasley School of Law, and my friends, family, and community!