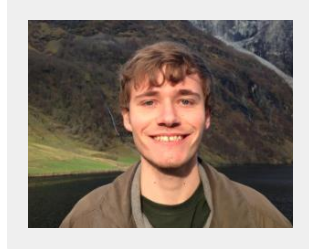




Summer 2020 EJA Fellow:



Name: Charlie Koepp

Law School: Columbia Law School

Organization: Legal Aid Chicago

Week of June 15th

I'm lucky enough to receive funding for my summer internship at Legal Aid Chicago in part through a grant from Equal Justice America. As an EJA fellow, I will be giving periodic EJA Fellow Update's on some of the work I've been helping out on. Here's the first!

My work in Legal Aid Chicago's housing practice group has been made much more significant by the enormous impact of COVID-19 on low-income tenants. While for me, coronavirus has meant Zoom meetings and virtual happy hours, for many disadvantaged Chicagoans the stakes are much higher -- those facing eviction must not only contend with the possibility of homelessness, but also serious risk of exposure to the virus. With the goal of reducing this risk, Congress has passed the CARES Act, which places a moratorium on evictions from certain subsidized properties during coronavirus. Likewise, Governor Pritzker has issued executive orders banning evictions from all housing, for almost any reason.

Unfortunately, many landlords have not abided by federal and state law. Much of my early work has therefore been helping defend tenants wrongfully facing eviction during a time at which they are legally immune. Because CARES does not authorize tenants to sue landlords who violate it, much of my research has focused on using Illinois consumer fraud law as a means of suing landlords who deceptively represent to their tenants that they may legally be evicted at a time when they cannot be. This is exciting, and fast-paced work, given the limited time period of the eviction moratorium! It also feels rewarding and empowering to try and give federal laws designed to protect tenants more bite than they might otherwise have.

This is only a small sliver of the work I've been doing -- next time I'll touch upon working with clients, discussing cases at so-called CAM meetings, and other kinds of draftings that I work on. I don't want this to stretch on too long, so I'll leave you with this taste of one of the major issues in tenant-side housing law right now. Also be sure to donate to Equal Justice America! That money is used to help fund representation of low-income Americans across the country.

Week of July 6th

It's time for another EJA Fellow Update on my work at Legal Aid Chicago. Over the last several weeks, I've had



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many opportunities to interact with clients seeking assistance from Legal Aid Chicago, especially during what's called intake. Intake entails calling those who have sought help from Legal Aid Chicago in order to find out more about their case. Though routine, I have found my intakes to be quite significant, as it's often the only time you hear firsthand from low-income clients exactly what kinds of difficulties -- housing related or not -- they face on a day to day basis. Intake is also great practice at being able to coax important details out of clients who might not immediately present their stories in the most digestible way. The second step of intake takes place at Case Acceptance Meetings, or CAMs. At these meetings, attorneys in the Housing Practice Group discuss clients they've spoken with on recent intakes, and the Group decides as a whole which cases to take. Sitting in on CAM meetings has been a highly insightful and sobering experience, as I've begun to learn the practical realities of being unable to take every case, as well as the fact that sometimes what's best for the client is not taking a case. Litigation is a long and stressful process and can further engender hostility between tenant and landlord. Oftentimes, CAM discussions will end with a decision to facilitate mediation between tenants and landlords, or else send a demand letter to a landlord that, if followed by the landlord, will preempt the need for a lawsuit.

Finally, I want to draw attention to the significant overlap between civil rights and housing rights. As many already know, the federal Fair Housing Act (FHA) prohibits many kinds of discrimination when it comes to buying or renting homes. Fewer people know that many state and local laws, such as the Illinois Human Rights Act and Chicago Fair Housing Ordinance, actually further expand upon federal protections under the FHA. For example, these two laws expand upon FHA protections by prohibiting discrimination against people because of their gender identity, as well as the fact that they receive housing subsidies (referred to as source of income discrimination). Some of my more exciting work has been focused on filing complaints with the Chicago Commission on Human Relations (CCHR), the municipal body responsible for reviewing housing discrimination complaints, on the grounds of gender identity and source of income discrimination.

Week of July 27th

As my work at Legal Aid Chicago comes to an end this summer, I've been getting more and more experience speaking directly with clients, whether in order to gather relevant facts in building out a complaint or defense, or at the initial step of client intake. Given the limited options for oral advocacy during the COVID pandemic, speaking with clients has been a great way for me to flex a part of my brain that isn't typically engaged during the more ordinary tasks of reading, writing, and researching legal arguments. In particular, I've learned that there is much truth to the old dictum "know your audience:" many clients of Legal Aid Chicago are understandably skeptical of the abstract, technical, or bureaucratic procedure which so often involves applying for Housing Authority vouchers or other kinds of assistance, so I've learned firsthand the importance of making a first impression with clients that communicates trustworthiness and personability, without as much focus on formality or technical jargon. Another skill I've learned from my conversations with clients involves multitasking -- namely, staying attentive and in tune with clients while also recording their answers and looking over any remaining questions. While it can be helpful to go into client intake interviews with a list of prepared questions to ask, unexpected details in clients' stories inevitably arise, and for me, the best way to deal with these surprises has simply been practice. With consistent exposure to clients and their stories, one gains a sense of what "makes sense" to ask, i.e. what kinds of questions will prompt elaboration on certain unspecified details.



Otherwise, my final days at Legal Aid Chicago have mostly been occupied by smaller research assignments. In particular, Chicago has provided Emergency Relief for Affordable Multifamily Properties (ERAMP), designed to relieve mortgage burdens for those who own property available for rent to multiple families. However, one string attached to this relief is that recipients may not evict for non-payment while in receipt of ERAMP funds. I've therefore been sending FOIA requests to a variety of City departments, in order to find out which properties have received ERAMP funds and, consequently, who in Chicago is currently protected from eviction for non-payment. Likewise, I have been researching jury verdicts in wrongful eviction cases in which the plaintiff is forced to go homeless, in order to attempt to attach a monetary figure to the personal cost of homelessness. While both of these tasks are smaller in scale, I am hopeful that they will both go towards more justly and zealously representing low-income tenants in Chicago.

That's all for now! Next week I will take a retrospective look back on my work at Legal Aid Chicago and reflect on what this summer has meant for me.

Week of August 10th

In this final update on my work at Legal Aid Chicago this summer, I'd like to take a retrospective look at my internship in order to reflect on the skills which I've developed over the past few months. As my previous entries have hopefully shown, my work this summer was an exciting mix of affirmative advocacy on behalf of clients living in uninhabitable conditions or facing discrimination, as well as defending clients against eviction actions brought at a time when they can't be. In particular, the affirmative work this summer provided me with an excellent opportunity to gather developing facts from clients over the span of multiple weeks, finding additional information through public records such as the County Recorder of Deeds and FOIA requests, applying relevant law to those facts, and finally assimilating both fact and law into a cogent, persuasive complaint. In sum, then, the affirmative work I engaged in this summer was beneficial primarily from a practical perspective -- I feel I am now far more familiar with what lawyers actually *do* in order to get from a client to a complaint.

Conversely, the eviction defense work I engaged in this summer was valuable primarily as a means of increasing my familiarity with the contemporary legal landscape of American public housing -- the admixture of federal regulations, state law, and municipal ordinances which define the required procedure to be followed in order to lawfully evict someone. In contrast, my affirmative work, learning about eviction defense was far more research-intensive and academic, with fewer practical applications (in large part because most evictions were barred by COVID-related moratoriums this summer).

Together, the affirmative and defense work I engaged in this summer have given me a valuable toolset: both knowledge of the contours of housing law in the United States, and the practical know-how to be able to apply that knowledge to the problems of a particular client. This summer made me a much richer legal thinker, and I'm immensely thankful to both Legal Aid Chicago and Equal Justice America for the opportunity to take an internship there this past summer.