

August 22, 2008

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

Dear Mr. Ruben:

I had the privilege of working with Bay Area Legal Aid this summer, serving low-income clients in Contra Costa County out of the Richmond office. I focused on housing law, but gained exposure to family law and public benefits advocacy as well. The attorneys at my office were all excellent advocates and excellent sources of guidance and support.

The bulk of my work centered on preserving housing for low-income clients who faced evictions or the threat of losing public housing assistance. By participating in a few dozen intakes, I encountered the breadth of issues faced by our clients. I gained exposure to the difficulties low-income people with disabilities often have navigating the public housing system, the challenges that many low-income people face staying up on their bills and rent, the adverse effect Housing Authority policies can have on homeless people, and the importance of effective advocacy for low-income people.

Beyond conducting intakes, I had the opportunity to work closely with two clients, ultimately representing them at Administrative Hearings. Through these experiences, I gained a depth of understanding and skill unparalleled to anything I've yet experienced in my law journey. The client that I worked with the most, and who holds a special place in my heart, didn't even have housing when she came to Bay Area Legal Aid. Ms. Rogers (not her real name) had been homeless for many years. Last November she applied for housing with the local Housing Authority who placed her on a housing waiting list.

In May of this year, the Housing Authority called Ms. Rogers in for an appointment to certify that she was eligible. Part of the eligibility guidelines require an applicant to prove each "preference" she claims on her application. Ms. Rogers had checked the box stating that lives in Richmond. The Housing Authority consequently had given her a preference over non-residents.

At her eligibility appointment, the interviewer asked Ms. Rogers if she brought any proof of her Richmond residency. Ms. Rogers responded, "Well, I've been living here my whole life." That wasn't enough. The Housing Authority's policies required *written* proof of residency such as a current lease, a utility bill, or a letter from a local shelter.

Ms. Rogers came to us dismayed and confused. How could she, a life-long Richmond resident, be bumped down the waiting list? At first, Ms. Rogers insisted that the Housing Authority had already promised her an apartment, and she said she was sick and tired of the Housing Authority's excuses. Unfortunately, neither she nor the Housing Authority had any record of such a promise. As I met with Ms. Rogers multiple times to prepare her for her hearing to review the Housing Authority's decision, she trusted me more and more. She shared important details about where she spent her nights and where she went during the day. She also began to trust that focusing on the facts and issues related to proving her residency would give her the best chance of restoring her place on the waiting list.

We based our legal argument on reasonable accommodation protections. Ms. Rogers suffered from several mental and physical disabilities. We requested that, in light of her disabilities, the Housing Authority grant Ms. Rogers a reasonable accommodation; specifically that they allow her to provide alternate forms of proof of residency at the hearing in place of written verification in order to restore her position on the waiting list.

In the final two meetings before the hearing, I prepped Ms. Rogers with questions that I would ask her in front of the hearing officer. I again reiterated our narrow focus, and encouraged her that the best approach was to not get sidetracked with past issues. At the hearing, Ms. Rogers answered the questions beautifully. Afterward, she was elated that she had had the chance to prove her case. A few weeks later, we heard back that she had won. The Housing Authority reinstated her preference and bumped her back up to the top of the waiting list.

I learned so much working with Ms. Rogers. First, I learned the importance of both patience and focused question asking in working with a client in order to build a trusting relationship. Second, I learned the importance of excellent preparation for an evidentiary hearing. Third, I learned how to focus a case and a client on the key issues. Fourth, I learned that I truly enjoy a “trial-like” setting. And last, I learned, or re-experienced, just how much I enjoy working with an individual client, a real human being.

I also represented a couple with two young children who had lost their Section 8 voucher. That case was tough for me. At times, I felt that the husband wasn’t telling me the whole story. Over the course of several interviews, a few conversations with their landlord, and a review of their Housing Authority file, I was able to talk with the husband to get at the important facts that might hurt their case unless he dealt with them frankly. In the end, preparation - of the clients and of the case - served my clients well. The family had their hearing on their wedding anniversary. I was so pleased to tell them a few weeks later that the Housing Authority had restored their voucher. Working with them, and working through some of my uncertainties about their case, felt so rewarding in the end, specifically with the knowledge that I had helped a low-income family retain affordable housing and avoid the hardship of house-surfing or homelessness.

Throughout my summer at Bay Legal, I experienced first hand the importance of direct service advocacy for low-income people, especially considering how often an unrepresented low-income tenant loses in unlawful detainer actions. However, I also saw the need for big picture policy change in both Ms. Roger’s case and other clients’ cases as well. I hope in the future to both work with clients directly, advocating on their behalf, and to work for policy change such that a client like Ms. Rogers would not need Bay Area Legal Aid’s services in the first place.

The Equal Justice America Fellowship afforded me the opportunity to pursue my clerkship with Bay Area Legal Aid - an important step in my career as a public interest lawyer. Thank you so much for your support.

Sincerely,
Keith Ogden
UC Hastings