Proposal for In-Person Fellowship Placement • Summer 2022

If conditions allow, PPSF will offer in-person fellowships in the summer of 2022. In the event that in-person summer placements are not approved by Yale University, prospective sites will be notified and asked to modify proposals to reflect remote work.

- Organization: The Ludwig Center for Community & Economic Development (CED) at Yale Law School.
- Organization’s street address: 127 Wall Street, New Haven, CT 06511
- Website: http://www.law.yale.edu/academics/Ludwig.htm
- Name and title of person who will be the Fellow’s direct supervisor (the supervisor must be available to supervise Fellow on a daily basis): Prof. Anika Singh Lemar.
- Phone number and e-mail address of proposed direct supervisor (please note: during the application process, we encourage prospective Fellows to contact organizations directly with any questions about organization placements or projects): Phone: 203-432-4022. Email: anika.lemar@yale.edu
- Placement dates (8-11 weeks between Tuesday, May 31 and Friday, August 12, 2022): May 31 - August 12, 2022.
- Are placement dates flexible? If so, please describe: the placement start date is flexible, but the end date is not flexible.
- Proposed work schedule (placements should be equivalent to full-time and not more than 37.5 hours/week): 9:00 AM – 5:00 PM (Mon.-Fri.) although evening meetings do occasionally occur.

Placement Description

- Organization description (mission statement, population served. 150 words or less.): The Ludwig Center for Community & Economic Development (CED) is an interdisciplinary, transactional legal clinic that emphasizes collaboration with community organizations to promote economic growth and empowerment in underserved neighborhoods. CED focuses on neighborhood revitalization, social entrepreneurship, sustainable development, and financial access. Students, supervised by Law School faculty members, review and draft legal documents, participate in the development of real estate deals and commercial transactions, conduct negotiations, and work on legislative advocacy. The work in CED touches on many areas of law, including tax, real estate, corporate, exempt organizations, and land use. Students meet often with clients both at the law school and off-campus.
• Write a 1-2 sentence summary of the proposed work for a summer 2022 Fellow: The Fellow, under the supervision of Law School faculty members, will perform transactional legal work for community organizations focused on neighborhood revitalization, social entrepreneurship, sustainable development, and financial access. The work will include reviewing and drafting legal documents, participating in the development of real estate deals and commercial transactions, conducting negotiations, and engaging in legislative advocacy.

• Write a more complete description of the specific project you propose and list the duties/outcomes expected of the Fellow. (Suggested length: one to two pages.) Summer projects may expose students to the following: formation and governance of for-profit and nonprofit entities; strategic planning and decision-making; negotiating and drafting contracts; developing employment policies; structuring real-estate transactions; assessing the financial feasibility of proposed projects; securing funding from federal, state, local, and private sources; resolving zoning and environmental issues; and negotiating local politics. Students will gain skills in client contact, writing, regulatory agency contact, negotiation, as well as banking, finance, and business exposure.

Students will become involved in a range of activities with a variety of clients, depending upon which projects are active. The current range of clients and projects currently include the following:

- Assisting a nonprofit community development corporation with redeveloping one large lot and several smaller lots as a mixed-use project including affordable housing and retail uses through a joint venture with another nonprofit.
- Counseling a municipal housing authority on the tear-down and redevelopment of its currently deteriorated project through utilization of various federal and state subsidies like Low Income Housing Tax Credits and Project Based Vouchers.
- Design and implement an effective corporate structure, including establishment of subsidiary or related entities, for a nonprofit organization's growing real estate portfolio.
- Counseling a nonprofit organization in connection with efforts to address exclusionary zoning that prohibit the construction of affordable multi-family housing in high-opportunity suburbs.
- Counseling a nonprofit organization that seeks to advance racial equity and dismantle racism in the food system by providing on-farm education and training for just and sustainable agriculture.
- Counseling a nonprofit organization and a municipal agency on the creation of a nonprofit worker incubator entity combined with a worker cooperative entity.
- Advising a nonprofit organization on legislative advocacy to decrease regulatory barriers including local zoning ordinances that restrict the development of small home-based businesses.

- Students will work with other summer students in accomplishing the tasks described above, as well as additional goals that arise during the summer. Fellows and students will meet regularly with the supervising attorneys both to provide updates on work and to obtain guidance and assistance as needed.
• List specific skills/experience required for the project: Eligible candidates must be currently enrolled Yale Law School students not in their final year of study, and must have completed one semester of law school. Candidates must first apply and be accepted to participate in the 2022 LSO Summer Fellowship program.

• Additional requirements (e.g. a car or weekend working hours). If a car is required, include information regarding parking arrangements and mileage reimbursement): Weekend working hours are not anticipated, but may be required occasionally. Access to rental vehicles provided for approved clinic-related travel. Expense reimbursements also permitted.

• Briefly describe the work that Yale PPSF Fellows have done with your organization in the past and present. If you have not worked with Yale Fellows, describe any work that Yale students have done with your organization. Students have the opportunity to both continue projects started during the academic year and to begin work on new matters. In previous summers, students have researched tax implications of a mortgage assistance program, negotiated real estate option agreements, drafted memoranda concerning fair housing regulations, attended board meetings of community organizations, and edited corporate organizational documents.
Clinics Mobilize to Provide Assistance During the Pandemic

As part of their outreach to the New Haven community, students in the Community and Economic Development Clinic distributed flyers throughout the city and staffed a hotline to answer questions from business owners.

Students from the Housing Clinic and the Community and Economic Development Clinic filed amicus briefs in support of the eviction moratorium, represented tenants in court, and helped small business owners access relief funds. And they're not done yet.

When the US Supreme Court struck down the Centers for Disease Control and Prevention’s (CDC) nationwide eviction moratorium in August — in the midst of the continuing COVID-19 pandemic — the ruling was a blow for public health and housing rights advocates, including members of Yale Law School’s Housing Clinic, which had filed an amicus brief in support of the moratorium before the high court and several others.

But the clinic didn’t waste any time wallowing in the loss. By September, students were strategizing how to best prepare for a potential onslaught of evictions in Connecticut, including by representing as many vulnerable tenants as possible in court. And they were in a better position to do that in part because of another prong of their multifaceted advocacy. Last spring, the clinic provided testimony in support of Connecticut’s H.B. No. 6341 — An Act Concerning the Right to Counsel in Eviction Proceedings — which was signed into law in June and provides free legal representation to low-income tenants.

The briefs and testimony represent just a fraction of the work Yale Law School, students and faculty in the Housing and Community and Economic Development clinics have done to ameliorate some of the risks to renters and small business owners over nearly two years. The students also defended tenants facing eviction, lobbied the state government on how to craft its own eviction moratorium, counseled local business owners on eligibility for relief under the CARES Act and other statutes, and negotiated rent reductions for people who lost their jobs.

“IT was a huge effort, but we really benefited from how many Yale Law students were eager to help,” said Hannah Abelow ’21, now a Liman Fellow at Queens Legal Services. “It was pretty incredible.”
It’s also ongoing. Although a temporary pop-up clinic the students and Clinical Professor of Law Anika Singh Lemar (https://law.yale.edu/anika-singh-lemar) started to support small businesses and nonprofits in the New Haven area has since ended, pandemic-related assistance work continues, particularly in the Housing Clinic.

“We’re looking at a deluge of evictions just as the New England winter starts to set in and as the delta variant continues,” said Zac Knisley ‘23. “We are thinking in every direction about what we can do.”

A Local Look

When the pandemic’s impacts first became apparent in March of 2020, several students quickly stepped up to adapt existing clinical resources and strategies to better serve the needs of the New Haven community. Abelow and other students got to speed on the CARES Act and then trained non-clinic students on the law’s eligibility requirements so they could assist in providing information to community members. Next, they distributed flyers throughout the city and staffed a hotline to answer questions from local businesses — yoga studios, dry cleaning stores, and Chinese restaurants among them — that called in.

“From that point forward, it was basically full steam ahead,” recalled Lemar, who added that the Community and Economic Development Clinic is designed to be responsive to the needs of residents.”It’s an intentionally wide-ranging and flexible practice.”

In the fall of 2020, Lemar and students formed the Small Business and Community in a Time of Crisis (https://law.yale.edu/studies-in-law-yale/clinical-and-experiential-learning/our-clinics/small-business-and-community-in-a-time-of-crisis) clinic, which provided a more structured way for students to advise independent contractors, small business owners, and nonprofit organizations on relief programs and unemployment assistance and negotiating leases, among other tasks. Abelow represented one woman who owned a food business but wasn’t sure she qualified for assistance because she didn’t have any employees.

“People were upset,” Abelow said. “Their livelihoods were hanging in the balance. Sometimes we couldn’t help people, and that was really hard.”

Even Walker-Wells ’20, student director of the Housing Clinic’s Evictions Track, helped handle a commercial eviction case — a first for the clinic. He and another student won a reprieve of several months for a minority-owned restaurant that ultimately closed.

“We were able to help them stay in their space by negotiating a kind of settlement with the landlord, but as COVID-19 cases started getting worse again last year they decided they needed to do something else,” he said.

Walker-Wells, under the direction of Nathan Baker Clinical Professor of Law and Housing Clinic Director Jr. Potterger Jr. (https://law.yale.edu/ld/potterger-jr) and former visiting scholar Emily Benfer (now a senior policy advisor in the White House), also helped lead the Housing Clinic’s support of the eviction moratorium in courts across the country. In eight briefs filed in six cases, Walker-Wells coordinated nearly two dozen amici from national and local organizations focused on health and housing — including the American Academy of Pediatrics and the American Medical Association — as well as experts from the Yale community and beyond, such as Princeton University sociologist Matthew Desmond, author of the 2016 book Evicted: Poverty and Profit in the American City.

Early in the process, the team had to decide whether to focus their arguments on the legal aspects of the case or instead prioritize the critical role that housing plays in public health.

“It became clear that the most important story to tell was how much we know about the connection between eviction and illness, building off years of public health research and sociology and synthesizing that to bolster the legal arguments,” Walker-Wells said.

By the time of the clinic’s brief before the U.S. Supreme Court this summer (https://sites.default/files/documents/ind/Alabama_walters_v._the_20210128_motion_and_reply_of_amici_cunes_aden_et_al.pdf), one peer-reviewed study the students cited showed that even a one percent increase in eviction rates could increase COVID-19 infections by four percent.

"Every tenant should have representation... Expecting tenants to represent themselves against potentially well-funded landlords creates a totally uneven playing field.”
—Adam Gerard ‘23

*The study demonstrates that the relationship between eviction rates and COVID-19 infections is not linear but exponential,* the brief states.

https://law.yale.edu/yls-today/news/clinics-mobilize-provide-assistance-during-pandemic
Walker-Wells said he and Benfer stayed on the phone for close to six hours before they filed their first brief.

“We went through it line by line making sure everything was right,” he said. “We tried to put ourselves in the mind of what do the courts really want to know and how can we make that connection?”

Although the Supreme Court ultimately struck down the CDC’s moratorium, Pottinger said he is “extremely proud” of the work Walker-Wells and other students put into the briefs.

“The Supreme Court ruled against us, but they ruled against us at the end of August 2021, not September 2020,” Pottinger said. “There was a whole year in which the moratorium and public health were protected while these cases were being litigated across the country.”

Real-World Lessons

For students, the Housing and Community and Economic Development clinics were already appealing for the opportunities they provide to work with real clients on real issues. But the legislation and litigation over pandemic relief efforts made the work even more urgent.

“It’s not too frequent that you see a Supreme Court ruling affecting the day-to-day lives of tenants,” saidAdam Gerard ’23, a student in the Housing Clinic.

Gerard helped prepare the clinic’s testimony for the right to counsel bill earlier this year, using an anonymized client’s story to argue in favor of the law. He said he’s seen firsthand the difference an attorney or student-attorney can make, and mentioned the case of a client who lost her job — and multiple members of her family — to the pandemic.

“It’s in no one’s best interest for her to be on the street,” he said. “Every tenant should have representation. I’ve been training for almost a year and there is still plenty I don’t know about housing law. Expecting tenants to represent themselves against potentially well-funded landlords creates a totally uneven playing field.”

Despite the intense focus on relief efforts, the Housing and Community and Economic Development clinics have also kept up their pre-pandemic commitments, including on behalf of clients fighting against segregation and in favor of affordable housing. Last fall, the clinics represented the Open Communities Alliance in its attempt to change discriminatory zoning policies in Woodbridge.

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—Zac Krislov ’23

The pandemic exacerbated the already well-documented harms of discriminatory housing policies.

“The numbers show that the impact of the pandemic has been most harshly and severely felt in those communities because they are poor and segregated,” Pottinger said.

Students said they learned a lot from their clients and the work.

“I’d never seen housing used as a public health strategy in the way it has been during the pandemic,” Walker-Wells said. “And it should be. Housing and health are deeply connected — almost completely intertwined. It was real exciting to be a part of that.”

Krislov agreed.

“The law is more than just a classroom exercise,” he said, “It’s something that yields real force in people’s lives. That’s an incredible opportunity and responsibility.”

By Rebecca Bayer

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