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: Jerome N. Frank Legal Services Organization (“LSO”)
- Organization’s street address: 127 Wall Street, New Haven, CT 06511
- Website: www.law.yale.edu/lso
- 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): Professor Fiona Doherty, Director of LSO, oversees the program. A direct supervisor will be determined after a candidate (fellow) is hired for a particular LSO law clinic.
- 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): 203-432-4800/fiona.doherty@ylsclinics.org
- 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 Jerome N. Frank Legal Services Organization (LSO) provides legal representation to individuals and organizations in need of legal services but unable to afford private attorneys.
- Write a 1-2 sentence summary of the proposed work for a summer 2022 Fellow: Students, supervised by Law School faculty members and participating attorneys, provide legal representation to clients by writing briefs, interviewing clients, preparing witnesses, trying cases, negotiating settlements, drafting documents, participating in commercial transactions, drafting legislation and regulatory proposals, and arguing appeals in state and federal courts, including the U.S. Court of Appeals for the Second Circuit and the Connecticut Supreme Court.
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.) After LSO's internal candidate selection process is completed (anticipated in January 2022), the successful Yale Law School student will work in one or two of the clinics described below.

LSO’s summer work is divided into six main ‘projects’: (1) Challenging Mass Incarceration Clinic, representing clients in federal sentencing proceedings and Connecticut state parole hearings; (2) Criminal Justice Advocacy Clinic, handling matters such as state parole reform projects and federal supervised release revocation hearings; (3) Criminal Justice Clinic, representing indigent clients in misdemeanor and felony cases in the New Haven court system; (4) Housing Clinic, representing individuals facing mortgage foreclosure and eviction, with an added focus on fair housing legislation and policy issues; (5) Veterans Legal Services Clinic, representing veterans with legal needs related to their military service or return to civilian life; and (6) Worker and Immigrant Rights Advocacy Clinic, representing immigrants, low wage workers, and their organizations in labor, immigration, criminal justice, civil rights, and other matters.

All LSO clinic work involve close collaboration among students and supervising clinical faculty. Investigating, developing, and using facts are essential elements of lawyering and, therefore, of LSO’s work. LSO also devotes special attention to issues of professional responsibility and client-centered lawyering. Cases brought by LSO and its legislative efforts have helped make new law protecting the rights of clients in the various projects.

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. Yale PPSF Fellows at LSO have participated in wide range of LSO clinic cases and activities. The attached news articles highlight two cases involving two of LSO’s clinics: Housing Clinic, and the Worker and Immigrant Rights Advocacy Clinic (WIRAC).
The parties in *Savino v. Souza*, the landmark class action lawsuit challenging unsafe conditions at the Bristol County House of Correction (BCHOC) in light of the COVID-19 pandemic, asked the federal judge hearing the case to approve a settlement agreement on April 6, 2021. If approved, the settlement would resolve one of the most successful class actions filed on behalf of detained individuals during the COVID-19 pandemic. The case dramatically reduced the number of people held in Immigration and Customs Enforcement (ICE) detention at BCHOC — from 148 to seven — allowing dozens of civil immigration detainees to return to their families and safely quarantine at home.

[Read the Settlement Agreement](https://sites.default/files/area/clinic/document/398_-_settlement_agreement.pdf)
The Plaintiff class is represented by Lawyers for Civil Rights, the law firm of WilmerHale, which has generously provided its legal services to the class on a pro bono basis, the Worker and Immigrant Rights Advocacy Clinic (WIRAC) at Yale Law School, and Rights Behind Bars. The advocacy efforts of community organizations and individual attorneys also played a role in securing the outcome, according to those involved.

"Over the past year, our clients have proven what advocates have long known to be true: immigration detention is as needless as it is cruel, serving no purpose other than to line jailers’ pockets and deprive individuals of basic human rights. We are relieved that the government has agreed to allow class members released by the Court to remain home with their families, where they belong," said Kayla Crowell '22, a law student in WIRAC.

The class action lawsuit was filed in March 2020 (https://law.yale.edu/yls-today/news/wirac-suit-seeks-release-ice-detainees-due-coronavirus-threat) and is believed to be the first lawsuit brought during the pandemic on behalf of all individuals in ICE detention at a facility, as opposed to only individuals with certain medical risk factors. The case brought ICE and BCHOC officials’ life-threatening mismanagement of the pandemic to the attention of U.S. District Court Judge William G. Young, according to those involved. That effort proved to be successful at protecting class members’ health and well-being and served as a blueprint for similar class actions across the country.

During the course of the litigation:

- The Court granted class certification, allowing the action to proceed on behalf of all individuals held in civil immigration detention at BCHOC. These individuals were not held on criminal charges but rather solely because of their immigration status.
- The Court determined that BCHOC was likely to be found deliberately indifferent to class members’ health and safety needs due to “cavernous holes in the government’s mitigation strategy” during the pandemic, including a failure to reduce overcrowding, a lack of testing, and inadequate contact tracing.
- The Court released 43 individuals on bail, allowing them to safely quarantine at home during the pendency of the lawsuit, instead of in the unsafe and overcrowded conditions at BCHOC, according to the groups representing the class. During the litigation, others paid bond set by Immigration Judges, obtained relief in their immigration cases, or were voluntarily released.
- The Court granted a preliminary injunction, barring ICE from admitting new individuals to detention without Court approval, which maximized and sustained population reduction. The Court also ordered that testing be made available to class members and BCHOC staff.

The settlement announced on April 6, 2021, if approved by the Court, will:

- Secure the continued release of those on bail. The fact that these class members have successfully remained under ICE supervision, free of detention, according to those involved, demonstrates the accuracy of Judge Young’s statement in ruling on the Preliminary Injunction that “it would appear we are spending millions of our national treasure to lock up thousands of people who might better be released... without impairing the safety of our citizens or the operations of our government.”
- Secure the release of six additional individuals.
- Provide the remaining seven detained individuals the option of transferring to another New England ICE facility.
*The settlement is a welcome resolution to our case and highlights the continuing need to reform immigration law and policy. We join Massachusetts AG Maura Healey in urging the Biden administration to terminate all contracts between ICE and Bristol County to prevent future violations of immigrants’ rights,* said Grace Choi ’22, a law student in WIRAC.

In the documents filed on April 6, 2021, the parties have jointly asked the Court to preliminarily approve the settlement and to set a Final Fairness Hearing within 28 days to grant final approval.

**About the Worker and Immigrant Rights Advocacy Clinic at Yale Law School**

Students in the [Worker & Immigrant Rights Advocacy Clinic](http://law.yale.edu/wirac) (WIRAC) at the Jerome N. Frank Legal Services Organization at Yale Law School represent immigrants, low-wage workers, and their organizations in labor, immigration, civil rights, and other matters. The clinic handles cases in Immigration Court, the Board of Immigration Appeals, U.S. District Courts and Courts of Appeals, and before state agencies, legislatures, and courts.

**About Lawyers for Civil Rights**

[Lawyers for Civil Rights](http://www.lawyersforcivilrights.org/) fosters equal opportunity and fights discrimination on behalf of people of color and immigrants. They engage in creative and courageous legal action, education, and advocacy in collaboration with law firms and community partners. Lawyers for Civil Rights focus on impact areas that represent the front lines in today’s battle for equality and justice.

**About Wilmer Cutler Pickering Hale and Dorr LLP**

[WilmerHale](http://www.wilmerhale.com/) provides legal representation across a comprehensive range of practice areas that are critical to the success of its clients. The law firm’s leading Intellectual Property, Litigation/Controversy, Regulatory and Government Affairs, Securities and Financial Services, and Transactional Departments participate in some of the highest-profile legal and policy matters. With a staunch commitment to public service, the firm is renowned as a leader in pro bono representation. WilmerHale is 1,000 lawyers strong with 13 offices in the United States, Europe and Asia.

**About Rights Behind Bars**

[Rights Behind Bars](http://www.rightsbehindbars.org/) is a civil rights organization that represents incarcerated individuals challenging their conditions of confinement in trial and appellate courts. RBB works to combat the current state of incarceration in the US and to address the systematic resource imbalance that leads to the development of bad law on conditions in prisons, jails, and immigration detention centers.

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**Related News**
Housing Clinic Advocates for Eviction Moratorium in SCOTUS Case

The Yale Law School Housing Clinic (http://law.yale.edu/studying-law-yale/clinical-and-experiential-learning/our-clinics/housing-clinic) co-authored an amici curiae brief in support of the national moratorium on evictions (/sites/default/files/documents/pdf/alabama_realtors_v_hhs_20a169_motion_and_brief_of_amici_curiae_aap_et_al.pdf) during the pandemic, a respite that will stand for another month after a Supreme Court ruling on June 29.

In a 5-4 vote (http://www.supremecourt.gov/opinions/20pdf/20a169_4f15.pdf), the Court rejected a challenge of the moratorium by landlords and the real estate industry and sided with the federal government, which wanted to keep the moratorium in place to prevent the further spread of COVID-19. The temporary halt on evictions was created by executive order in 2020 and later extended by Congress. The Centers for Disease Control and Prevention subsequently extended the temporary ban on evictions three times. The moratorium was due to expire on July 31.
The 22 *amicis* included national organizations focused on health and housing, as well as the leading American experts on evictions, public health, health, and sociology — many of them professors at Yale. The brief was filed by Emily A. Benfer, a Visiting Professor of Law at Wake Forest University, and Yale Law School Housing Clinic Professor J.L. Pottenger Jr. (https://law.yale.edu/j-l-pottenger-jr) ’75 and student director Evan Walker-Wells ’22. The Supreme Court brief is the seventh brief the group has filed on the CDC moratorium in federal courts this school year — four in U.S. district courts and two in the Fifth Circuit Court of Appeals.

The Housing Clinic’s brief argued that the Supreme Court should allow the CDC’s moratorium to stay in effect for its remaining month, protecting hundreds of thousands — if not millions — of tenants. The brief cited research showing the harms of eviction on health, which include increased risk of childhood asthma and lead poisoning, suicide, and worse birth outcomes. The brief also cites research showing how eviction moratoriums effectively slowed the spread of COVID-19 in the U.S.

The brief describes how COVID-19 arrived in the United States as millions of Americans were at risk of eviction. That risk was not spread evenly before the pandemic. Due to the economic slowdown, almost 20 million Americans are now at risk of eviction, according to the U.S. Census. Poorer families, especially poorer households led by women of color, are at the highest risk of eviction research shows. The brief cited this research to show how lifting the eviction moratorium would unfairly harm communities that have seen the highest rates of COVID-19 infection and mortality.

Benfer and Pottenger began working with Walker-Wells and almost a dozen other students in the Housing Clinic to file in support of the CDC moratorium beginning in September 2020. Almost as soon as the moratorium was announced that month, landlords began challenging it in court.

This fall, Benfer, Pottenger, and Walker-Wells worked closely to draft a brief in four of the federal district court cases involving the moratorium: *Brown v. Azar*, *Skyworks, LLC v. CDC*, *KC Tenants v. Byrn*, and *Chambless Enterprises, LLC v. CDC*. In the spring, they filed in two separate Fifth Circuit appellate cases before filing in the Supreme Court.

Most students in the Housing Clinic’s eviction track provided critical help in at least one of the cases. Yale Law students Raymond Fang ’23, Samarth Gupta ’23, Adam Kinkley ’21, Salvatore Minopoli ’21, Patrick Monaghan ’22, Jacqui Oesterblad ’22, Areeb Siddiqui ’23, Logan Wren ’21, and Wake Forest School of Law student Emilia Todd provided research, writing, and editing throughout the year. Yale Housing Clinic student Leah Kazar ’23 rushed to the Supreme Court to hand-deliver a paper copy of the brief.

The *amicis* include the American Academy of Pediatrics, the American Medical Association, Children’s Healthwatch, GLMA; Health Professionals Advancing LGBTQ Equality, the Medical Society of the District of Columbia, the National Hispanic Medical Association, the National Medical Association, the North Carolina Pediatric Society, and individual experts Emily A. Benfer, Kim M. Blankenship, Katherine L. Chen, Matthew Desmond, Gregg Gonsalves, Peter Hepburn, Danya E. Keene, Kathryn M. Leifheit, Michael Z. Levy, Sabriya A. Linton, Wendy Parmet, Craig E. Pollack, Julia Raifman, and David Vlahov.

Four of the *amicis* have Yale connections. Benfer was a Distinguished Visiting Scholar and Senior Fellow at Yale Law School Solomon Center for Health Law and Policy in 2017–2018. Gonsalves (one of two *amicis* to win a MacArthur Foundation “genius grant”) is an Associate Professor at the Yale School of Nursing with a joint appointment at Yale Law School, where he co-directs the Global Health Justice Partnership. Keene is an Associate Professor at the Yale School of Public Health. Vlahov is a Professor of Nursing and Epidemiology of Microbial Diseases at the School of Nursing.
Students in Yale Law School’s Housing Clinic focus on one of three tracks: foreclosures, evictions, or fair housing policy. Housing Clinic students study ethics and policy issues, including the role discrimination has played in the government's and industry's treatment of homeowners and renters. They also attend skills-training sessions and sessions of the court handling cases in their respective tracks. Working through the Jerome N. Frank Legal Services Organization, Housing Clinic students represent clients and handle cases seeking affirmative relief. Student teams also tackle legislative remedies arising from the clinic's clients' cases.

Related News

Wednesday, November 3, 2021

Announcing The Tsai Leadership Program at Yale Law School (/yls-today/news/announcing-tsai-leadership-program-yale-law-school)