Yale University President’s Public Service Fellowship

Proposal for Fellowship Placement • Summer 2019

- Organization: Jerome N. Frank Legal Services Organization (“LSO”)
- Full street address of organization: 133 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): Muneer Ahmad, Deputy Dean for Experiential Education, and Director of LSO, oversees the program. A direct supervisor will be determined after a student (fellow) is hired for a particular LSO law clinic.
- Phone number and e-mail address of proposed direct supervisor: 203-432-4800/ muneer.ahmad@ylsclinics.org
- Placement dates (8-11 weeks between Tuesday, May 28 and Friday, August 9, 2019): May 28 - August 9, 2019
- Are placement dates flexible? If so, please describe: Start and end dates are flexible during our summer fellowship program, which begins on May 21 and ends on August 16, 2019.
- Proposed work schedule (placements should be equivalent to full-time and not more than 37.5 hours/week): 9:00 AM – 5:00 PM (M-F)

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.

Completed proposal must be e-mailed in Word format to ppsf@yale.edu by Friday, November 16, 2018 at 5pm. Do not send PDFs.

Questions? Call the Yale Office of New Haven and State Affairs: (203) 432-8412
• Write a 1-2 sentence summary of the work that the Fellow would be conducting (50 words or less. This will be used as your organization’s project description summary on the PPSF website, so be succinct): Students, supervised by Law School faculty members and participating attorneys, interview clients, write briefs, prepare witnesses, try cases, negotiate settlements, draft documents, participate in commercial transactions, draft legislation and regulatory proposals, and argue 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 2019), 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) Advanced Sentencing Clinic, handling matters such as state parole reform projects and federal supervised release revocation hearings; (2) Challenging Mass Incarceration Clinic, representing clients in federal sentencing proceedings and Connecticut state parole 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 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.

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• List specific skills/experience required for the project: **eligible candidate must be a currently enrolled law student, and must have completed one year of law school.**

• Additional requirements (e.g. a car or weekend working hours). If a car is required, include information regarding parking arrangements and mileage reimbursement): **None. A Zipcar rental service is provided if needed.**

• 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 have participated in wide range of LSO clinic activities. The attached news articles highlight some cases involving two of LSO’s clinics (Veterans Legal Services Clinic (VLSC) and Worker and Immigrants Rights Advocacy Clinic (WIRAC).**
We all were simply, but powerfully, giving voice to the verses of justice already written in our hearts — kids belong with their parents. People seeing persecution deserve protection. Children should not be held in cages. Families belong together.

— Professor Muneer Ahmad.

Tuesday, July 17, 2018

WIRAC Helps Reunite Two Immigrant Families

Two families that had been forcibly separated and detained for weeks under the Trump Administration’s “zero tolerance policy” were reunited on July 16, 2018, in Connecticut after a successful legal challenge by Yale Law School’s Worker & Immigrant Rights Advocacy Clinic (WIRAC) and Connecticut Legal Services.

Attorneys who worked on the case joined Connecticut Governor Dannel Malloy at Yale Law School on Tuesday, July 17, 2018, for a press conference to discuss the successful reunification efforts.

The two legal challenges brought by WIRAC (https://law.yale.edu/wirac) and Connecticut Legal Services (https://ctlegal.org/) were the first in the country brought by children, rather than parents, to challenge the Trump Administration’s forcible family separation policy. They are also the first cases in which a federal court has held that the government’s systematic dissolution of immigrant families violates the children’s constitutional rights.

“The ruling by the federal court sent a clear message to the government: you cannot ignore the harm you are causing children by forcibly separating them from their parents. More detention is not a solution,” said Aseem Mehta ’20, a law student intern with WIRAC.

On July 13, 2018, U.S. District Court Judge Victor Bolden held that the government’s conduct caused the children trauma, in violation of their due process rights, and ordered the government to act immediately to address the trauma it has caused the children. Three days later, the government transferred the parents from Texas to Connecticut, granted them parole, and reunited them with their respective children.

Plaintiff V.F.B., a 14-year-old girl who fled El Salvador, had last seen her mother in May of 2018. While V.F.B. and her mother were detained in an immigration facility in Texas, government officials led the girl away to shower, and when she returned, her mother was gone, according to the complaint. Plaintiff J.S.R., a 9-year-old boy who escaped persecution in Honduras, had not seen his father since

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June 2018, when they were forcibly separated while the boy slept, according to his lawsuit. Their cases highlighted the constitutional rights of children — and not only the rights of adults — to family integrity, freedom from government-inflicted trauma, and legal remedies to address the trauma they have been forced to endure.

Speaking at the press conference Tuesday, Muneer Ahmad, Deputy Dean for Experiential Education and Clinical Professor of Law at Yale Law School, talked about how all of the attorneys and advocates involved worked together to push for a quick and positive resolution.

“Lawyers stood up in court. A judge issued rulings. Activists rallied outside the courthouse,” said Ahmad. “Our elected officials spoke out on behalf of the most vulnerable among us. The local U.S. Attorney’s Office did the right thing. But in the end, we all were simply, but powerfully, giving voice to the verses of justice already written in our hearts — kids belong with their parents. People fleeing persecution deserve protection. Children should not be held in cages. Families belong together.”

Beginning in May, the lawsuit outlined how immigration officials took each child away from their parent through lies and deceit, held the children in cages, and then shipped them thousands of miles away from their parents, where they were kept virtually incommunicado. The government released the children and granted parole to their parents after the children sued in federal court. The children won a preliminary injunction requiring the government to address the trauma it caused; immigrants’ rights groups and elected officials rallied around the decision and demanded more release and reunification of the families.

“This is a victory for two families and for an entire community in Connecticut that united behind these children and in support of our state’s basic values of freedom, fairness, and family,” said Connecticut Legal Services staff attorney Massiel Zucco-Himmelstein. “We look forward to a time when every immigrant child has the kind of support and advocacy that won freedom for JSR and VFB.” Immigrants’ rights advocates and elected officials who rallied in the children’s defense hailed their release and reunification.

“This is a tremendous win for the immigrant community,” said Vanessa Suarez, with the community organization Unidad Latina en Acción (ULA) and the Connecticut Immigrant Rights Alliance (CIRA). “We believe that every human being has the right to migrate, without being detained or separated from their families. Migration is natural and courses through the blood of all life on Earth. We will continue to fight for the freedom and reunification of all the families who have been affected by this administration’s ‘zero tolerance policy,”’ Suarez said.

“President Trump’s family separation policy is not only cruel and heartless, it’s un-American,” Governor Dannel Malloy said. “It is clear that the children victimized by the administration’s actions will carry scars from this traumatic experience for the rest of their lives. This decision is a step in the right direction to ensuring that the two kids housed in Connecticut receive the services they need and are reunited with their families. But this decision is hardly consolation for the child abuse inflicted by this president. We must as a state continue to stand up for the most vulnerable in our society, who have been repeatedly attacked by the Trump administration,” he said.

Senator Richard Blumenthal stated: “Justice and humanity prevailed in reuniting these two children, but this fight is far from over for these families and thousands more who have been cruelly ripped apart. These families have suffered unconscionable tragedy and trauma as a result of President Trump’s disgraceful family separation policies. This Administration must be held accountable for the irreparable harm their shameful actions have caused. It is only through dogged determination by legal teams like Connecticut Legal Services and the Yale Worker & Immigrant Rights Advocacy Clinic and strong support from advocates, public officials and ordinary citizens who simply care that we will as a nation ensure the justice prevails for every person.”

U.S. Congresswoman Rosa DeLauro stated: “I welcome the decision to reunite J.S.R. and V.F.B. with their parents. This victory would not have been possible without the tireless efforts of Connecticut Legal Services and the Yale Law School Worker and Immigrant Rights Advocacy Clinic—thank you for all of your work to reunite these families. Nevertheless, the scope of this problem remains tragically great. There are more than 2,500 children still enduring the horror of government-sanctioned child abuse, and we must not stop fighting until each and every one is back with their family.”

Senator Chris Murphy noted: “What President Trump has been doing to these families is illegal and unconstitutional. The courts continue to say that, but he continues to do it. I’m glad that these kids are being reunited with their parents, but the emotional damage caused by this separation will never heel. There is an evil to what’s happening here. I don’t know why anybody would want to terrorize these kids in the way that his administration has, and it’s unfortunate that we have had to go to court over and over again to try to do the right thing for these children.”

More information about the cases can be found at [http://ctlegal.org/freeourkids/](http://ctlegal.org/freeourkids/)

Connecticut Legal Services is Connecticut’s largest nonprofit law firm, dedicated to improving the lives of low-income people by providing access to justice. CLS’ free legal assistance and advocacy help vulnerable people meet their basic needs and escape poverty. CLS is the lawyer for immigrant children who are detained without their parents at Connecticut’s federally-contracted children’s shelter.

The Worker and Immigrant Rights Advocacy Clinic, a part of the Jerome N. Frank Legal Services Organization at Yale School, represents immigrants, low-wage workers, and their organizations in labor, immigration, civil rights, and other matters.
Friday, November 9, 2018

Collaboration with Lowenstein Clinic Proves “Critical” to Justice Project Pakistan
In “Historic” Decision, Veterans Court Will Allow Class Actions

In a decision Chief Judge Robert Davis described as “seismic,” the U.S. Court of Appeals for Veterans Claims, acting en banc, yesterday issued an opinion unanimously holding that veterans may bring class actions against the U.S. Department of Veterans Affairs (VA).

Read the decision. (/system/files/area/clinic/document/moonk_order.pdf)

A majority of the eight-judge court additionally decided that the court would follow the same rules for class actions that U.S. federal district courts use. This means veterans will not have to wait for new rules to be developed; they have guidelines for bringing class actions against the VA immediately. The majority also ruled that the Veterans Court can engage in limited fact-finding in class actions. This is unusual for appellate courts and is a critical element in adjudicating a class action. The court divided 4-4 as to whether the particular class proposed in this case, Monk v. Wilkie, which involved a challenge to extraordinary delays in VA processing of appeals, met these newly adopted class standards.

The Veterans Legal Services Clinic at Yale Law School represented Conley Monk, Jr., a Vietnam veteran from New Haven, Connecticut.

“I want to emphasize the significance of the Court’s decision and the historic nature of this case,” wrote Chief Judge Robert Davis in a concurring opinion. “The Court holds that it will, in appropriate cases, entertain class actions. This holding is a seismic shift in our precedent, departing from nearly 30 years of this Court’s case law. . . . This is a watershed decision that will shape our jurisprudence for years to come and, I hope, bring about positive change for our Nation’s veterans and ensure that justice is done more efficiently and timely.”

“In appropriate cases, aggregate resolution of issues will allow the Court to address systemic problems in the VA system and more fully protect the rights of the men and women who served our Nation,” wrote Judge Michael Allen in an opinion joined by two other judges, concurring in part and dissenting in part. Judge Allen’s opinion described the decision in Monk as “groundbreaking” and one whose “import . . . cannot be overstated.”

The case was filed by Monk, who sought to challenge the years-long delays in VA resolution of disability benefits appeals. Mr. Monk filed the case on behalf of himself and all other veterans who had waited more than one year for a decision by the Board of Veterans Appeals. “In the Marine Corps, I was taught to fight as part of a unit,” said Mr. Monk. “I’m pleased the court will no longer require that each veteran fight for justice alone.”

“We are gratified that the Veterans Court has adopted the class action device, which will allow our nation’s veterans to unite in fighting for prompt answers to their disability benefits claims,” said Catherine McCarthy, a law student intern in the Veterans Legal Services Clinic. “The VA’s delays are intolerable, and we hope the court will exercise its class action authority to hold the agency to account.”

“We applaud the Veterans Court’s landmark decision, which will benefit the hundreds of thousands of people who served their nation and are currently navigating their claims for disability benefits through the Veterans Administration’s backlogged administrative system,” said litigation partner Lynn Neuner ’92 of Simpson Thacher & Bartlett LLP, co-counsel for Mr. Monk and the class petitioners.

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