

Report for Pascal Krummenacher: Expedition Fund 2015

Introduction

Being granted funding from the Queen Mary Expedition Fund helped me finance my trip to California's Bay Area where I spent the summer working at a legal non-profit in the city. The **General Assistance Advocacy Project** (GAAP) is an organization that caters to San Francisco's tenderloin district's homeless and indigent population. GAAP's main areas of practice are benefits law and citations law. As an advocate for the organization I was able to work in both branches and was eventually given a lot of responsibility and freedom in my work.

My Responsibilities

Given the plethora of people in need in San Francisco and the fact that we are the only organization within our discipline to provide assistance in the city, volunteers like myself were given a lot of responsibility early on. I shadowed intake interviews on my first day and was immediately struck with the degree of indigence our clients were living under as well as the overwhelming nature of their problems. The first woman I shadowed was being evicted, kicked off her housing benefits and verbally abused at the same time. She later informed us that she was also battling a terminal cancer. A client like her constitutes an extreme example of our clientele but by no means an anomaly. The dire straits that each and every one of my clients found themselves in was very emotionally taxing. Coming from a rather privileged background and living in what can comparatively be described as a welfare state, it is shocking to see how low some countries decide to hang their social net. Some of our clients were living on \$65/month benefits. Although they were also provided with shelters if they wanted them, these places often tended to be unhygienic and were often the site of petty theft among lodgers.

On my second day I was given two of my own clients. By the end of the week I was working 5 cases, and by the end of the second I was handling about 10. GAAP put a

lot of faith in their advocates. Having a client meant you handled the initial intake interview as well as all subsequent communication. Advocates like me were in charge of all follow up conversations and were also the direct point of communication for negotiations with San Francisco County whenever it decided to reject or discontinue one of our clients' benefits. When necessary, the statutory scheme allowed individuals to challenge benefits related decisions in an administrative hearing in front of a hearing officer. Since many of our clients had physical and/or mental disabilities we often represented them in administrative hearings when our previous negotiations with the county were unsuccessful. In my time with GAAP I only had to take a case to hearing once. My client had been denied her benefits due to the fact that she was not a US citizen. She had an application for an immigrant visa pending and was residing in the US legally. Even so, the county had decided to interpret its own regulations narrowly so as to deny her. Through research into immigration law as well as the legislative history underpinning the entire program I was able to persuade the hearing officer that our understanding of the law was correct and my client was awarded her benefits, including backdated payments.

In terms of citations work, San Francisco has a well-known practice of criminalizing homelessness. If someone isn't sheltered and have to sleep on the street they will be given a citation for obstructing the sidewalk. They sleep in the park and they get one for camping in a public park. If they turn to store doorways they get another for trespassing. Other quality of life citations are routinely handed out disproportionately to the homeless population. At GAAP we helped clients fight these citations and also guided them in the process of writing them off by accumulating "community hours", hours the client spends receiving services intended to help them break the cycle of homelessness.

Academic Development

As a student of UK Law, I often tended to forget how vastly different our laws could be. The gray areas within our legal system seem big when observed up close but in

the context of comparative law they are very minimal. Other common law systems have taken very different approaches to issues such as administrative decisions, civil procedure and criminalization. During my time with GAAP I think I certainly became aware of these differences and along with drawing me further into public interest law it also raised an interest in comparative law. I have come out of this clerkship with a deeper appreciation for the law and a newfound understanding of what interests me in the field. I now feel that I am better equipped to make decisions about my future and what direction I would like to take my legal career in.