

August 20, 2012

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

Dear Mr. Ruben,

My summer with DNA – People’s Legal Services in Shiprock, New Mexico, was unforgettable and solidified by desire to pursue a career in public interest. Working with low-income clients on the Navajo Nation not only gave me valuable experience, but brought me to a closer understanding of the injustices faced by those with limited resources.

While all low-income communities face hardship, the problems that DNA deals with are truly unique. An ever-important issue is jurisdiction. Although our National government describes all Indian tribes as “sovereign,” the Full Faith and Credit Clause fails to mention Indian tribes. Therefore, it can be difficult for judgments made by Navajo Nation courts to be executed outside of the Reservation’s borders. Because of this, it is often in the client’s best interest to bring claims in state court when defendants are businesses that are located in New Mexico. This not only creates an extra barrier between clients and the courthouse, thereby increasing the likelihood that unfair consumer practices will go unpunished, but it damages the autonomy of the Navajo Nation as a whole. This was a recurring theme throughout my summer. The attitudes of state businesses and employers, the timidity of many clients, and various procedural barriers showed that the issues that underlie the jurisdiction problem affect the daily life of Navajo residents and the ability of Navajo communities to develop.

In reflecting on the ways in which state businesses take advantage of Navajo consumers, one particular client comes to mind. She purchased a mobile home from a notoriously dishonest dealer in Farmington, New Mexico. The mobile home was used and in poor condition, but the business’ owner made verbal promises that he would fix any problems that the client could find. This promise induced the client to pay a down payment, which was \$2,000 – a significant amount of money for her. After paying the down payment, she was permitted to enter the mobile home in order to make a list of defects that she wanted fixed. While making the list, the mobile home’s floor collapsed under her and she injured her hips and legs. When her health was restored, she told the business that the mobile home’s condition was so poor that she would be unable to live in it, and requested that her down payment be returned. Although she had signed no contract, and was given only a hand-written receipt for her deposit, the business told her that her down payment was non-refundable and that she could either lose the money, or sign the contract and have the mobile home fixed. Thinking she had no other choice, she signed the contract. After signing, but before delivery, she called to check that the requested repairs were made. The business referred her to the contract, which stated that all mobile homes were sold “As-Is” and that they were under no obligation to fix

anything. She was then left with an uninhabitable mobile home, which after financing amounted to \$68,000.

This mobile home business preys on Navajo residents because they know that many Navajos lack experience in contractual agreements, and therefore are easy to take advantage of. Many of their customers (and our clients) are older, and speak only Navajo. Luckily, this client came into DNA. After extensive research, I drafted a lengthy complaint with five legal claims for my supervising attorney to file in New Mexico state court. The entire office read the complaint and gave feedback – bringing in experiences from their own caseloads to suggest possible leads in case law. A favorable outcome would release our client of her obligation to the business, get her back the down payment and other rent payments and fees made, and possibly result in a revocation of the business' license for failing to comply with regulations placed on dealers of used mobile homes. The attorneys at the office are in agreement that the chances of a favorable outcome are high.

Another common practice of businesses, specifically title loan companies, is to perform illegal repossessions on the Navajo Reservation – by following New Mexico law, but not Navajo law. Under Navajo law, agents of repossession companies must obtain signed consent from car owners right before their cars are taken, or else get a court order from a Navajo Court. Title loan companies often try to escape from this law by telling clients that they are not responsible for the actions of the repossession company, which is a lie, or by bypassing the written consent requirement altogether. One of my emergency-intake clients this summer was the victim of such an action. After writing a letter that outlined all of the title company's legal violations, as well as making several phone calls alongside a supervising attorney, we were able to get the client his car returned the same day. The title loan company also dropped all associated fees – which amounted to \$600, despite the fact that the client was only \$50 and 10 days delinquent on his payments.

The legal experience I gained this summer was invaluable. I represented a client in a disabilities hearing and won a favorable decision. I led a mediation meeting with a client and her landlord and kept the client from being wrongfully evicted from her home. I helped many victims of domestic violence to obtain protection orders. I helped people apply for public benefits and adequate housing. I also engaged in community education by creating simple brochures that explained Section 8 Housing, Public Benefits, and Power of Attorney forms.

Because of my experiences this summer, I am entering into my second year of law school even more inspired than when I entered my first year. I want to thank Equal Justice America for its grant, as it made taking a non-paying internship possible for me.

Sincerely,

Emily Soli



DNA-PEOPLE'S LEGAL SERVICES, INC.

August 26, 2012

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Dan Ruben, Executive Director
Equal Justice America
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Midlothian, VA 23112

Re: Fellowship Evaluation for Emily Soli

Dear Mr. Ruben,

I am pleased to provide feedback on Emily Soli's fellowship experience with DNA-People's Legal Services, Inc. Through her internship with our office, Emily made huge contributions to our legal work and to our client community. We greatly appreciate your organization's support, which enabled Emily to work this summer on the Navajo Nation.

Currently, I served as the Project Director for the Diné B́ ts'í́ báá Ah'jiteí (DBA) Program, a medical-legal partnership between DNA-People's Legal Services and the Navajo Area Indian Health Service (IHS). Diné B́ ts'í́ báá Ah'jiteí is Navajo for "Program for the Health of the People." Much of Emily's work during her summer at DNA supported our medical-legal partnership, but she also conducted intakes and worked on cases that fell under the general services of the Shiprock DNA office. Ameryn Kreiner is the Managing Attorney of the Shiprock DNA office. Ameryn and I jointly supervised Emily's work.

Emily displayed a level of initiative that is uncommon in volunteer interns. For example, Emily served as the primary representative for one of our clients in negotiations with a housing agency. Emily argued to the agency that our client had remained in compliance with her lease terms and managed to help the client avoid an eviction. Under my supervision, Emily represented a disabled adult with severe rheumatoid arthritis at a hearing before the Social Security Administration. Just before the hearing, our client was admitted to a hospital for severe pain and shortness of breath. Although our client could not attend the hearing, Emily presented arguments to the Administrative Law Judge and moved for an approval of our client's disability claim. Based upon Emily's arguments and the strength of the evidentiary record, the Administrative Law Judge granted a fully favorable decision. As a result, our client now receives increased income and Medicaid health insurance.

While several of Emily's tasks produced concrete results, some of her contributions were less measurable. At the beginning of the summer, Emily conducted an intake meeting for a client whose children had been taken away by the Division of Social Services. As the client was nearing completion of a reunification plan, a domestic violence incident – our client was the victim – caused the Division of Social Services to prolong the removal of the children from the home. Emily met with this client several times throughout the summer with a goal of preventing further domestic violence and helping the client develop and complete a reunification plan. Emily helped me prepare for a domestic abuse hearing, which led to the issuance of a lasting protection order. Although our office did not have the resources to represent this client in her abuse/neglect case, Emily accompanied our client to a hearing, so

that she could feel supported. After the hearing, our client was confused about several of the topics that had been discussed. Because Emily was present at the hearing, we were able to help our client work through the confusing issues. Our client later reported that Emily helped her control her anger against the Division of Social Services and motivated her to complete all of her recommended services.

In addition to casework, Emily devoted significant time to community education projects and the development of do-it-yourself legal materials. Emily redrafted our standard, over-the-counter Durable Power of Attorney document so that it could actually be understood by members of our client population. She created brochures on housing resources for low-income families and the options for Indian Health Service patients to receive insurance coverage for off-reservation health care. Finally, she created a comprehensive guide to public benefits for Navajo families living in New Mexico. All of these materials will be useful to our office for months or years into the future.

Again, we greatly value the contributions that Emily made this summer. We recognize that this would not have been possible without your generous financial support. If you have any questions about this letter, please feel free to contact me at (505) 368-3211 or by e-mail to mvan@dnalegalservices.org.

Sincerely,

A handwritten signature in black ink, appearing to read "Matt VanWormer", with a long horizontal line extending to the right.

Matt VanWormer, Attorney