



"Injustice anywhere is a threat to justice everywhere."

Letter from Birmingham Jail, April 16, 1963

Martin Luther King, Jr.
Summer Internship and Fellowship Program

Pennsylvania
Legal Aid Network, Inc.

THE DRUM MAJOR

Class of 2019 Essay Collection



"Make a career of humanity, commit yourself to the noble struggle for equal rights. You will make a greater person of yourself, a greater nation of your country and a finer world to live in."

– Rev. Dr. Martin Luther King, Jr.

Pennsylvania Legal Aid Network, Inc.
Louise Brookins Building
118 Locust Street
Harrisburg, Pennsylvania 17101

July 31, 2019

To the 2019 Martin Luther King, Jr. Interns:

We are pleased to present you with the 2019 edition of **THE DRUM MAJOR**, which is a small token of appreciation for your efforts this summer.

Through your work during the past ten weeks, you have touched the lives of many clients who have nowhere else to turn. You learned how to use your skills to make equal justice a reality.

For this, we thank you. Wherever your paths may lead you, we hope that your experience here will be an inspiration and a reminder of how you can make a difference.

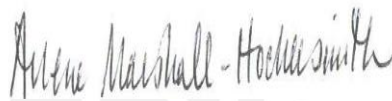
Very Truly Yours,



Samuel W. Milkes, Esq.
Executive Director



Very Truly Yours,



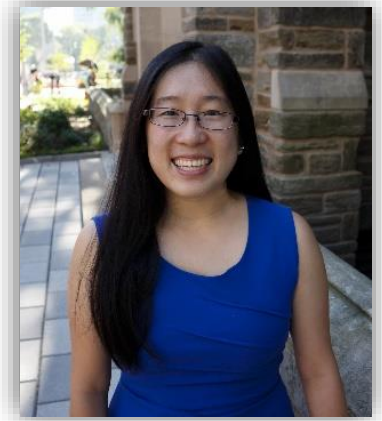
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Justice At Work



“...I just want to be there in love and in justice and in truth and in commitment to others, so that we can make of this old world a new world.”

- Dr. Martin Luther King, Jr., “The Drum Major Instinct”

Empowerment Through Love, Justice, and Truth

Dr. Martin Luther King, Jr. spoke the above words over fifty years ago on February 4, 1968. At the time, the United States was going through a period of intense political turmoil and civil unrest. The Civil Rights Movement was in full swing and anti-Vietnam War sentiment was steadily increasing. Movement leaders, civil rights attorneys, and ordinary people from all walks of life mobilized to fight against the injustices they saw being perpetrated by the U.S. government both within and outside the country.

As I write this essay today in July 2019, our nation is similarly in the throes of political strife, widespread protests, and civil disobedience. News headlines shine a daily spotlight on the tragedies and traumas resulting from the government’s inhumane treatment of immigrants and asylum seekers. Federal lawsuits filed to stop discriminatory governmental policies have become a common occurrence as well. Given these dark and turbulent times, Dr. King’s entreaty to all of us “to be first in love ... first in moral excellence ... [and] first in generosity” is as relevant and urgent today as it was over fifty years ago.

In the current climate of presidentially sanctioned racism and xenophobia, immigrants—especially non-white immigrants—are especially vulnerable to attack, harassment, and exploitation in their daily lives, including in the workplace. Too many employers abuse and underpay their undocumented employees while also threatening them with deportation to prevent them from reporting the abuse. While this type of labor exploitation has occurred for years, employers feel particularly emboldened in carrying out these abuses without fear of sanction, given the anti-immigrant political climate under the current Trump administration.

This summer at Justice at Work (JAW), I had the privilege of preparing T visa applications for immigrant victims of sex trafficking and labor trafficking. I also performed legal research for employment litigation, including a class action lawsuit for unpaid wages and discrimination based on national origin. In bearing witness to clients’ stories and preparing their

cases, I have been continually amazed, not only by the human capacity for depravity and cruelty, but also by the bravery and resilience of clients in the face of horrific traumas.

One of my most moving experiences this summer was meeting with and interpreting for a client who fled for her life after receiving death threats from her abusive employer. She had arrived in the U.S. on a visa to perform agricultural work in a rural area. She withstood harassment and verbal abuse from her employer, sometimes working 12 to 16 hours per day without sufficient breaks and in dangerous heat. She was also subjected to wage theft, subpar housing without potable water, and confined to the employer's property. She and other workers even had to ration their food, limiting themselves to sharing beans and two tortillas each, because the employer often refused to help them obtain adequate provisions. After the employer left his gun out in plain sight in the work area, described holding a gun to the head of a former worker, and told our client that he would kill if necessary, our client and other workers fled the premises. Although she was terrified and traumatized, our client bravely underwent a three-hour FBI interview regarding her trafficking situation. I had the privilege of providing English-Spanish interpretation for her during this interview.

Another client, who inspired me with her bravery and resilience, is a young woman who was trafficked into the U.S. to work in prostitution. This woman was initially trafficked in her home country. Her trafficker controlled her through physical and verbal abuse, as well as threats of violence against her family. Although our client did not want to enter the U.S. illegally to work as a prostitute, she made the journey to the U.S. after her trafficker severely beat her when she protested. For over a year, our client worked as a prostitute in the U.S. and turned over her earnings to her trafficker. Her trafficker coerced her to continue working for him through constant surveillance, verbal abuse, and threats of future violence against her family if she tried to escape or report him to authorities. Our client was finally freed after being arrested during a police raid. She is currently cooperating with law enforcement and living in a shelter. Although she is now safe, her family may be in danger. Since her arrest, her family has seen her trafficker several times in their home village and are currently contemplating relocation.

While these stories of human trafficking may seem extreme, they are unfortunately quite common and occur in cities, suburbs, and towns all across the United States. Human trafficking is both rampant and hidden in plain sight. As I type these words, there are people being trafficked in Philadelphia, the surrounding suburbs, across the state of Pennsylvania, and in other states across the nation. Trafficking victims can be found in a variety of industries and workplaces, including farms, greenhouses, landscaping companies, restaurants, factories,

massage parlors, nail salons, and even private homes, where they provide domestic services such as cooking, cleaning, and babysitting. Traffickers often appear to be ordinary people, such as small business owners, farm operators, and even doctors and ministers.

During my brief time at JAW, I have seen a direct and obvious connection between Trump's anti-immigrant policies and the increased vulnerability of immigrant trafficking victims. For example, one trafficker texted a cartoon image of Trump building a wall to a client and warned him to be careful. In nearly all of the trafficking cases I have worked on this summer, traffickers explicitly threatened their workers with deportation to coerce them to continue working in dangerous conditions. Even workers who come on visas are vulnerable to deportation threats because their immigration status is tied to their continued employment with the business that sponsored their visa. For example, after our client on the agricultural visa fled her employer, she and the other workers who fled received a group text message from her employer stating that he had reported them to immigration.

Although it is easy to become discouraged when faced with unrelenting news of injustices and atrocities, it is precisely in times like these that empowering the marginalized and the vulnerable "in love and in justice and in truth", as Dr. King put it, is most essential. I feel privileged to have witnessed and taken part in this type of social justice work during my time at JAW. The clients I have met and interacted with at JAW have humbled and inspired me with their stories, their love and commitment to family (which drove them to leave home in search of better economic opportunities in the first place), their courage, their grit, and their perseverance. It has also been a privilege and an honor to meet and work with tremendously committed, intelligent, and passionate attorneys, paralegals, staff, and other legal interns who are dedicated to social justice, thanks to the support and funding I have received from PLAN, Inc.'s Martin Luther King, Jr. Summer Internship Program.

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“We all have the drum major instinct. We all want to be important, to surpass others, to achieve distinction, to lead the parade. ...And the great issue of life is to harness the drum major instinct. It is a good instinct if you don’t distort it and pervert it. Don’t give it up. Keep feeling the need for being important. Keep feeling the need for being first. But I want you to be the first in love. I want you to be the first in moral excellence. I want you to be the first in generosity.”

– Rev. Dr. Martin Luther King, Jr.

A Life of Service

These words are the embodiment of what a life of service should look like. How appropriate is it that these words, delivered by Dr. King just two short months before his assassination, are spoken by someone who not only preached service but epitomized it? As a Martin Luther King, Jr. (MLK) Intern for the Pennsylvania Legal Aid Network (PLAN), my summer involved working for Philadelphia Legal Assistance (PLA) in their family law department. I was excited to begin my internship in my hometown where I could continue my legal education and be of service to people from Philadelphia, many of whom live in the neighborhoods where I grew up. I was proud to be chosen as an intern and to sit amongst other interns who were service-oriented as well. I was ready to metaphorically roll up my sleeves and get to work. I wanted to show my capabilities as a public interest attorney and, I can admit, achieve distinction amongst my peers. As I settled into my role at PLA, I quickly learned that the help that I provide to my clients is far better than being distinguished amongst my peers. The feeling of solving a problem that negatively impacted a client’s life is indescribable, especially when the client is anxious about their situation.

From a young age, the importance of having a servant’s heart was instilled in me but rarely have I checked my drum major instinct. The drum major instinct can either make you an arrogant attention seeker or it can make you a humble servant. Because of the competitive nature of law school and the legal profession in general, it could be easy to fall into the former category. To paraphrase Dr. King, the drum major instinct is natural because we like being recognized for

the things that we do.¹ After carefully listening to the sermon giving by Dr. King, I was reminded of another passage in scripture, “[s]o when you give to the needy, do not announce it with trumpets, as the hypocrites do in the synagogues and on the streets, to be honored by others. Truly I tell you, they have received their reward in full.”² As a child and a teenager, I was involved in many community service projects around the city of Philadelphia. It made me feel good to help others. That feeling of being of service to others has carried itself into my adult life. In helping others though, I never want to make the service about me. I want the reward to be the positive changes in my clients’ lives. Over the course of the summer, every time I met with a client and they expressed genuine gratitude for my helping them with a custody matter or support issue, I knew that I have chosen the right profession. The reward this summer has been in helping people through their difficulties. I do not choose to boost my ego by constantly reminding others of the work that I do as it takes the focus from the work and puts it on me. While helping others, I want to make sure that I always maintain a humble servant’s heart.

Growing up in the city of Philadelphia, I saw just how much advocacy was needed. Although I could not always articulate the devastation around me, I knew, inherently, that my neighbors and family needed help. The conditions that I grew up in were so normalized that many people did not know or understand that they could get help so they did not seek it. Many were ashamed and did not want to admit to being in poverty. When I initially heard the term “poverty law,” it triggered something in me and I struggled with that particular phrase. The word poverty is a dirty word especially to those who live in it or come from it. I know, firsthand, what it feels like to be in need. I come from a single parent home and we had to rely on public assistance in one form or fashion for most of my childhood. I see in my clients what I saw in my mother and aunts: people who need someone to advocate for them in a non-judgmental way. During my internship, I strived to be for my clients what the women in my family and the people from my neighborhood needed when I was growing up.

When I started law school, my objective was to fight for the rights of the marginalized and to be a voice for those who feel voiceless. During my time at PLA, I recognized that a career in public service should not be focused on the individual doing the work but the people that the work helps. This summer, I was reminded that the desire to be first or the best is not a bad thing if the desire is not to boost your own ego. Family law is not easy and, with the added layer of poverty and sometimes abuse, it can become traumatic. Upon reflection of my experiences this

¹ Rev. Dr. Martin Luther King, Jr., Sermon at Ebenezer Baptist Church in Atlanta, GA (Feb. 2, 1968).

² Matthew 6:2 NIV, (2015).

summer, I remain committed to having a humble servant's heart. I hope that the work that I did this summer reflected the love, moral excellence, and generosity verbalized by Dr. King.

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Community Justice Project



The Unusual Cadence of Action and Impact Litigation

Over the summer, I had the wonderful opportunity to intern with Community Justice Project (CJP). CJP specializes in action and impact litigation. Through class action lawsuits, administrative law reform, and legislative advocacy, CJP fights for the civil rights of citizens in the areas of housing, public benefits, employment, and immigration. CJP works to create a positive change for low-income residents of Pennsylvania. Overall, my experience at CJP was the perfect summer learning environment. During the school year, I often found myself knee deep in search queries of cases from the past on Lexus and Westlaw, yet I still did not get any closer to understanding how the law lives and breathes. This internship exposed me to both the theory and practice of community lawyering. From start to finish, I was able to participate in many learning opportunities including weekly “brown bag” workshops, meetings with community advocates, and observing community workgroups who develop direct action plans. I also conducted legal research, sat in on client interviews, and drafted original materials. This summer has been highly informative and has helped me to narrow down my plans and goals for my life and legal career.

Prior to my internship, I had an idea of the areas of law CJP handled but was unsure of what action and impact litigation really meant. Moreover, my perception of class action lawsuits was that it was only an available and valuable option to those physically injured and seeking damages. I had a limited idea of class action lawsuits from watching television commercial advertisements from law firms telling watchers to call a toll-free number if they were injured from some manufacturing defect, suffering from mesothelioma, or died from the use of medical products. My internship has opened my eyes and given me a better picture of the possibilities and innovative advocacy strategies that class action litigation offers and how CJP uses class action litigation to tackle the immediate needs of its client population while paving the way for more permanent systemic change. This internship was an excellent chance for me to witness lawyers furthering the social justice movement and breathing life into the words of Dr. Martin Luther King, Jr.’s shared during his “Drum Major Instinct” sermon.

As attorneys dedicating working hours to public sector work, we concentrate on the individual client. We seek to remove hurdles and reach as many clients as we can. This is

courageous and honorable work. In many ways, we are following the lifestyle Dr. King suggested in his Drum Major Instinct sermon. In this sermon, Dr. King calls out an instinct that is common in all of us, to be in front, be recognized, and be a leader similar to the drum majors of a band. Because I grew up in North Carolina surrounded by Historically Black Colleges and Universities (HBCUs), the band culture analogy resonated deeply with me. What would a band be without a leader to show the way? We all wish to be leaders, but in our leadership, we can sometimes forget the directions in which we are leading. Dr. King draws attention to this instinct, not for the purpose of condemnation, but instead to challenge us to harness it in a manner which will help others.

Attorneys working in the public sector have chosen to turn away from the private sector and forfeit riches, fame and expensive cars given to in-house counsel. In this way, we have honored the first part of Dr. King's challenge, but we must continue to strive to meet the second part. Dr. King challenged us to not only be wary of chasing fame, but to also strive to be the best in deeds towards others. This means to be the best advocate we can for our clients, to continue pushing the needle for innovative ways to protect our client's rights and to not settle until every disadvantaged individual receives their fair chance at justice and obtaining the American dream.

CJP has given me an opportunity to push the needle and protect the disenfranchised through direct interaction addressing social injustices and the chance to listen to, rather than talk at, the very clients that I hoped to serve. Sometimes as advocates, I/we speculate what populations need based on our own ideas of common sense and book research. It is easy to theorize the work of justice but not address the immediate hurdles of a given population. I/we cannot expect to be great advocates for our clients if we do not even understand what our clients need. I can still remember the sound of relief in a potential client's voice when they realized the attorneys in front of them were actually there to listen and not just pass them along. I am thankful for the opportunity that CJP gave to me to work hands on with clients facing various issues spanning from improper labor practices to inadequate housing. This internship also challenged me to ask myself tough questions, interrogate my complacency, reimagine how things should be, and contemplate how the law should work to the benefit of citizens.

I enjoyed the opportunity to use legal skills in advocating for systemic change. The work at CJP alleviated some of the cynicism I developed over the course of my prior two years of study. As aspiring attorneys in the public sector, we look forward to working client by client to produce the change we want to see. Nonetheless, I must admit that, given the current political climate, cuts to public funding and overall disfavor showed towards public service, I sometimes feel the fight for social justice seems like an insurmountable task. Even though my work this summer exposed

me to blatant systematic injustices and inequality, the experience left me with a rejuvenated sense of hope that the fight for social justice is far from lost. CJP offered innovative solutions and strategies outside the traditional recourse of litigation. I was able to reexamine the role of lawyers in the fight for racial and economic justice.

Dr. King urged his congregation to not dwell on his life's achievements, awards, and Nobel Peace Prize, but asked that they remember him as one who spent his life serving others. Dr. King also told his congregation, "Yes, if you want to say that I was a drum major, say that I was a drum major for justice, say that I was a drum major for peace. I was a drum major for righteousness. And all of the other shallow things will not matter." I am deeply invested in doing social justice work. CJP is also committed to infusing their practice with social justice. More importantly, I feel my internship at CJP has allowed me to realize ways in which I can continue to meet the challenge offered by Dr. King. My time with CJP has helped me to better understand where I fit in this larger struggle for a better society and the steps that I need to take in my future. I will continue to beat the drum of justice and be a leader in helping my fellow wo(man).

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From Service to Reward

This summer, I had the privilege of being chosen to intern with Northwestern Legal Services (NWLS). Northwestern Legal Services is a non-profit, civil legal aid program and is a part of the Pennsylvania Legal Aid Network (PLAN) system. Attorneys who work for PLAN provide free civil legal aid services to those who are underprivileged.

For the past ten weeks, I learned about family law and obtained experience in dealing with a variety of cases. The subject areas ranged from custody, divorce, and unemployment compensation to social security, housing, and domestic violence protection. On my first day, I was instantly given a taste of what it was like in the life of an attorney. After being introduced to staff, my supervising attorney and I headed to the courthouse for a Protection From Abuse (PFA) hearing. After being introduced to the client, I observed my supervisor as she made an offer to the Defendant. It was the first time that I have ever been exposed to a domestic violence situation and my attention was caught very quickly. Although the litigation was something that some may see as such a small gesture, I knew right then that no paycheck could ever amount to the gratification felt by the clients for their attorney.

During my time at NWLS, I was responsible for collecting and looking through medical records, drafting opening and hearing memos, performing client interviews, organizing files, and sitting in on custody clinics. I also talked to clients on the phone and updated them on their cases. I also collected photographs and documents for use as evidence should a case go to trial. I also spent a lot of time in court observing my supervisor while she litigated and shadowed her speaking with opposing council.

One of my most enjoyable moments during my internship was drafting an Appellate Brief for the Board of Review on the behalf of a client who lost their unemployment case. Every first year law student who just finished their year by writing a brief for a Legal Methods class probably just clenched their chest. Although it may have not been the most exciting assignment, it was absolutely the most fulfilling. The client came in extremely upset because he had not sought services until after his hearing had taken place. He was unfamiliar with the law, as most lay people are, and felt as though he had been cheated out of a fair trial. Favorable

unemployment case decisions are very important to people who are counting on this money to continue their livelihood. When I notified the client that I had researched a case similar to his and wrote a brief asking for the decision to be reversed, he lit up like a firework. It was this exact day that made all of the bad ones worth it.

Being a law student and an intern at a law firm is difficult. It is tedious and tiresome; your clients' problems weigh down on your shoulders. Even so, this is a profession in which you will find the most intrinsic rewards. In this profession, we are able to help those who would be turned away elsewhere. We are able to come through for those who rely on us.

During Dr. King's Drum Major Speech, he spoke of a final common denominator in life for everybody, which is death. This statement really put into perspective just how equal everyone is. Even then, the services provided to everyone are not always equal. Not everyone has been raised in the same manner nor with the same means. Not everyone has been given the same economical and financial opportunities. The lack of certain opportunities ripples into the lack of particular public services due to financial burdens. This is where attorneys who work practice public interest law play a part. They are the type of people who Dr. King speaks so highly of—those who give their life serving others. Legal aid clients deal with so many problems already on a day-to-day basis. It should be easy to obtain the legal help when it comes to dealing with personal and/or life changing situations. Simple is exactly what public interest lawyers make of these unfortunate situations. They are empathetic, compassionate, and remind clients that they understand and are on their side. They dedicate their time to serving the public and look for absolutely nothing in return.

My time at NWLS has truly been a memorable experience. Prior to this internship, I dreaded the thought of being a litigator because public speaking and constantly socializing with others gives me anxiety. Now, I find myself eager to do those things. The attorneys at NWLS have been key to helping me to find my voice by allowing me to really be involved with the cases. The MLK Internship Program is such a great opportunity. It gives law students an opportunity to work with others who were once in your shoes and only wish to see the interns succeed. Legal aid attorneys are not only passionate about helping others but they know the law and are very supportive in helping interns learn it from a hands on perspective. This experience is not only one that will leave an impression on one's life but also on all of people helped in their time of need.

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“Injustice anywhere is a threat to justice everywhere.”

– Rev. Dr. Martin Luther King, Jr.

“Everybody can be great ... because anybody can serve.”

This Martin Luther King, Jr. quote has been accompanying me since I was a child. I was born in Albania, proud to say in the same country where Mother Teresa was born. I was raised by a mother who has been a teacher her entire life. I watched her teach children the strategies of learning and mentoring. I was raised with the philosophy that helping others never hurts.

My parents taught me that anything is possible so long as you believe in it. Early in my youth, I was shown that success is defined by following your dream, no matter the obstacles. These teachings guided me when I pursued a law degree in Albania and continues to reflect my attitude as I now embark on my path pursuing a law degree in United States. I find that being an attorney and using the law to help clients is very satisfying. I am eager to face any challenge, no matter the odds, towards practicing law here in the United States.

I am a student at Drexel University. I learned about the MLK Internship Program through a pro bono activity that the school had organized with the Legal Aid of Southeastern Pennsylvania (LASP). Having the chance to intern this summer at LASP gave me the opportunity to see and feel closely the huge difference that legal aid is making in the lives of people who really need help without having to be overwhelmed with attorneys’ fees. It was great to have the chance to participate in intakes, to learn about the issues in the community, and to have the chance to participate by asking questions.

I admired how the attorneys communicated with each other and the level of responsibility they had in not rushing to give a client uncertain advice. Instead, they took their time, when necessary, and consulted with their colleagues so that they could give clients the best legal advice and inform him or her of the next step in the process.

Another case I would like to mention is the help offered by one of LASP’s attorneys to a woman who was diagnosed with cancer, had undergone many surgeries, but was unable to pay

for her medications. The attorney helped her with an application for social security and health benefits.

It was great to participate in different hearings, settlements, and preparing briefs. To see closely that even though cases look the same from outside, they usually are very different from one another and the outcomes are different. The notion of equal opportunity to justice declared by Dr. King has inspired many attorney organizations nationwide including the Montgomery County Bar Association. The Bar Association recently organized a clinic to assist people released from prison to restart their lives with necessary resources such as a home, identification cards, drivers licenses, food, counseling, interviewing skills, and much more. Participating in this clinic was a great experience not only for me but also for those handing out information. It was very impressive to watch representatives from different organizations move around to meet in-person with other organizations to learn about what services they offer in order to pass that information to members of our client community in the best way to make sure they would not remain homeless and hungry and without hurting their pride.

LASP organized also a birth certificate clinic. We offered help to those people who have never had a birth certificate or any identification documents needed for housing, school, food stamps, or health insurance. It felt good to serve many people who had learned about this clinic from social media and word of mouth.

At the end, I would like to mention that I remember quite well the first day of our intern training in Harrisburg and my curiosity to learn more about what legal aid offers to the community. I remember also how enthusiastic the instructors were, even though they had many years of experience, some with 30 years. Only now, I am able to understand that serving the community and giving back your best is what makes someone feel accomplished when he or she does something. It can be very meaningful to others.

My parents taught me that anything is possible if you believe in it. From early in my youth, it was impressed upon me that success is defined by following your dreams no matter the obstacles.

In his Drum Major Sermon, Dr. King said, “Yes, if you want to say that I was a drum major, say that I was a drum major for justice. Say that I was a drum major for peace. I was a drum major for righteousness. And all of the other shallow things will not matter.”³ Yes, I would like to do the same.

³ Rev. Dr. Martin Luther King, Jr., *The Drum Major Instinct*, pp. 185-186.

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Drum Major Against the System

Fifty-one years ago, Dr. Martin Luther King, Jr. delivered his “Drum Major Instinct” sermon to a crowded church in one of my favorite places in this nation, Atlanta, Georgia. In this impassioned sermon, Dr. Martin Luther King, Jr. described the drum major instinct as an instinct that we all possess: the desire for recognition, praise, and to be first. While the merit of this sermon poignantly empowers us to be drum majors for justice, there are nuances in addressing every individual as having this instinct.

Women in society are conditioned to take up as little space as possible, be humble, not to create too many ripples, and not to be too confident or have an ego. This is not just my opinion, as there have been countless studies on the confidence gap between men and women in professional development in society. Maybe Dr. King. was right —this is the basic instinct, but society has just made women suppress it.

I have actually spent a large part of the past couple years trying to become comfortable with taking up space and articulating my ultimate career goal: to obtain a high position of power in a large non-profit or governmental agency so that I can effectuate positive and impactful change for the traditionally and historically marginalized and oppressed. The drum major instinct that I am working to possess is not for self-serving reasons to feed my ego, but is so that I can be in a position to make the world better than it is now for all regardless of race, gender, immigration status, and socioeconomic class. Although I think Dr. King was wrong when he said that all people possess the instinct to be praised, possess power, and be first, I strive to be a drum major for justice even though being first in a crowd is not a natural instinct or maybe just one society has stripped from me.

While I am supposed to write about a meaningful and impactful experience that I had during my summer internship at the Pennsylvania’s Institutional Law Project (PILP), which represents prisoners in various civil rights actions in the state of Pennsylvania, my entire summer experience has been meaningful. So, I am taking this opportunity to discuss more generally why prison litigation work is meaningful to me and why I will continue this work in the future. Upon

graduation, I will be a civil rights attorney and will represent the incarcerated throughout my career.

To understand why prison litigation work is important, I believe that history provides a relevant framework and starting point. While we have been told that history repeats itself, I would argue that history has only continued and the systematic oppression that was born at the beginning of the colonization of this country—and continued through the Antebellum South—exists today; it just exists in a different form. The system has grown from its oppressive roots the same way in which a tree limb and its branches grow. The limb and the branches of a tree are not the roots, but they exist because of the roots. Many institutions make up the tree of systematic oppression but the branch that I have the most experience in right now involves the American prison institution, which is a branch directly attached to the criminal [In] “justice” branch.

As it exists today, our prison institution grew from the roots of slavery. Post the abolition of slavery, the planter elite needed to find a new form of social control of the underclass. It did so by creating the incarcerated state. Prisons in the late 1800s were nothing but “slavery by another name.” Laws in this country composing the criminal justice system were originally and intentionally designed to capture, exploit, and continually oppress newly free members of our society. While these exact laws may not remain, they have evolved and their remnants remain. Today, many would deem America to be the leader of the “free world,” which is ironic considering that we are a prison nation. Our country has more incarcerated persons than any other country, even countries we consider to be under dictator rule and not free.

The prison system in our country is an inherently toxic and abusive entity that systematically entraps underclasses and maintains their underclass position by preventing an elevation of socioeconomic status via the prison label post-incarceration (i.e., post punishment). Abuse is never permissible. If anyone deems abuse of a person to be okay, they have succeeded in the dehumanization of that individual. Abuse is even more cruel, insidious, and harmful when there is government force behind it. When a correctional officer physically or sexually assaults a prisoner, or allows another inmate to do it for him, he is doing such with the power of the system behind him. He is in a position given to him by the government, thus the government has empowered and enabled this abuse.

Additionally, everyone has inherent rights. Whereas some fundamental human rights have yet to be fully recognized by our society, such as the right to receive medical care regardless of your socioeconomic status and the right to social protection, such as housing and be free of unjust and exploitive work conditions, we, as human beings, have the right to never be

treated in a dehumanizing manner. Further, a person does not just have certain basic rights because he or she is human but because we live under the United States Constitution. Our system strips people of many constitutionally-given liberties in prison. I believe that even a person convicted of heinous crimes is not stripped of all his human and constitutional rights.

Civil rights of prisoners must be protected because of the inherent corruption and biases of our criminal justice system. Under current Pennsylvania law, someone sentenced to life without parole in prison at 18 could be there simply because he or she was a get-a-way driver for a robbery gone bad. He or she could be sentenced to death by incarceration for not even knowing that the trigger man had a weapon. In our system, a person sentenced to die may only be guilty of not being white and being at the wrong place at the wrong time.

People in power, who play a role in the upholding of our prison institutions, are able to continue because the large majority of our society is incredibly punitive and do not know the historical and social implications of our criminal injustice system. If someone has been convicted, then they are “bad,” and we don’t care about “bad” people as a country. The interaction with the criminal justice system itself causes a person to be relegated to underclass in our society, less deserving of rights, and a vicious cycle of punishment and post-punishment collateral consequences continue to oppress that individual.

This understanding of how our system is designed to create and maintain underclasses through criminal justice and punishment is what allows me to keep fighting for the most oppressed people in our country. Statistically speaking, people in prison are people of color, poor, uneducated, and have low job skills. Prison litigation is civil rights for the historically and systematically oppressed.

At PILP, I have been engaged in an equal protection lawsuit fighting for equal treatment of women at a county jail. I have also been assisting in 8th Amendment civil rights actions for excessive force and failure to protect. My prison litigation experience at PILP has been my most immersive experience in prison litigation to date and has only reaffirmed and upheld all the beliefs stated in this essay. Dr. Martin Luther King, Jr. said in his drum major sermon that at his funeral, he wanted the eulogizer to say that in his life he visited those who were in prison and that he tried to love and serve humanity. I do not think it is coincidence that the latter statement came after the statement of visiting someone in prison. Assisting someone in prison is a large representation of humanity by exercising our ability to forgive and recognize that someone made a mistake that should not control their life. As a drum major for justice, I will continue to try to

take up space for those who cannot and those who did not have the same access to education and power as I do.

Alexandra Robinson
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Community Legal Services



There's No Place Like Home

Abraham Maslow's *Hierarchy of Needs* categorizes universal human needs by necessity. Often depicted as a pyramid, the location of a human need in the pyramid corresponds to its individual importance to every human being. The bottom level of the pyramid consists of basic physiological needs that must be fulfilled before progression to the higher levels. This means that we all need food, water, and shelter before we can ascend through the pyramid to consider our psychological and self-fulfillment needs. As a Certified Legal Intern in the Housing Unit of Community Legal Services (CLS), my summer was dedicated to ensuring that low-income Philadelphians had access to one of our basic human needs: shelter.

There is a housing crisis in Philadelphia. In Philadelphia, low-income households routinely struggle with substandard housing and eviction. Women of color and families with children suffer disproportionately at the hands of greedy landlords and courts that do not protect them. The sad truth is that there is simply not enough safe and affordable housing in Philadelphia. Many clients that receive eviction notices are being evicted from uninhabitable houses and apartments. Their fear of being unable to find replacement housing keeps them in unsafe houses they are unable to afford. My internship focused on improving housing conditions and preventing eviction.

Unlike the other units at CLS, members of the Housing Unit conduct their own intakes. This meant that once or twice a week, I was on intake and met directly with new clients. Depending on the level of need, each intake session lasted anywhere from three to five hours, which roughly translated to intakes for two to six clients. At the beginning of each intake, I collected basic demographic information and determined what type of housing issue was present. Housing issues included eviction, repairs, illegal lockouts, and hoarding. After consulting with my supervising attorney about each issue, I was then able to provide legal advice to each client and begin the process of resolving their individual legal issues. Throughout the summer, I provided legal assistance to more than thirty-five clients. While each client's story was unique, two client stories were particularly memorable.

One of my most memorable clients was an elderly gentleman who first came to intake with a Notice to Quit. A Notice to Quit is often the first document that a tenant receives when his landlord decides to begin the eviction process. The notice instructed my client to vacate the premises within ten days because he violated the terms of his lease. What my client's landlord viewed as breaching the terms of his lease was my client's collection of possessions in his apartment. My client was diagnosed with hoarding disorder, which meant that it was difficult for him to discard possessions because he was emotionally attached to each item. His hoarding disorder was exacerbated by other mental health diagnoses and physical trauma he had experienced. Along with one of the social workers in the Housing Unit, I visited my client at his home to understand the severity of his hoarding disorder and determine what types of social supports would be most beneficial to him. After communicating with my client's landlord, we were able to delay his eviction by agreeing to work with him and refer him to a case manager to address his underlying trauma and reorganize his apartment.

Another memorable client was a young woman of color who was illegally locked out of her apartment. The eviction process requires a landlord to serve a tenant with a Notice to Vacate and a court complaint. Once the landlord files a complaint with Municipal Court, both the landlord and tenant receive a hearing date. If the judge rules in favor of the landlord at the hearing, the landlord obtains a judgement for possession and can then file for a Writ of Possession and Alias Writ of Possession to physically remove a tenant from his property. However, not all landlords comply with that process. When a landlord changes the locks on a property or shuts off utilities, he engages in a "self-help eviction." A self-help eviction forces a tenant out of a property illegally. In my client's case, her landlord not only changed the locks on her front door, but also shut off the water and electric utilities. As a result, my client was unable to access her property or her possessions. Through the combined efforts of myself and a social worker in the Housing Unit, including multiple phone calls and several text messages, we were able to convince the landlord to allow my client to access her home. The utility issues persisted for several weeks and I pursued a resolution until the end of my internship.

Because I was a Certified Legal Intern during the summer, I was authorized to represent clients in Municipal Court under the supervision of a licensed attorney. My first court appearance was on July 19, 2019. My client was a young woman of color who fell behind in rent because she lost her job. The goal was to negotiate with her landlord to set up a payment agreement, allowing my client and her child to continue having a home while paying back her outstanding balance. As this essay was submitted prior to the court date, I cannot report on the

outcome of my client's case. I can report that I represented additional clients in Municipal Court during the last few weeks of my internship.

As one of Pennsylvania Legal Aid Network's Martin Luther King, Jr. interns, I was tasked with serving clients in the manner preached by Dr. Martin Luther King, Jr. in his famous sermon, "The Drum Major Instinct." Dr. King describes the drum major instinct as "a desire to be out front, a desire to lead the parade, a desire to be first." We all possess the drum major instinct. How we utilize our drum major instinct ultimately determines whether we benefit society or solely benefit ourselves. When we use our drum major instinct solely for ourselves, we are blinded by our egos and we forget that our purpose is to empower our neighbors. When we harness our drum major instinct to benefit society, we strive to be "first in love...first in moral excellence...first in generosity." We become great when we recognize that greatness stems from service. Anyone can be great because "you don't have to have a college degree to serve. You don't have to make your subject and your verb agree to serve. You don't have to know about Plato and Aristotle to serve...You only need a heart full of grace [and] a soul generated by love." I serve by being a public interest legal advocate. I am privileged to have been able to serve as a Martin Luther King, Jr. intern two summers in a row with PILP and CLS. When I graduate from law school and become a public interest attorney, I intend to continue harnessing my drum major instinct to provide civil legal services to low-income Philadelphians.

Jason Sullivan-Halpern
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MidPenn Legal Services



A Drum Major for Justice

When my friends and family learned I was going to be the first person in my family to attend law school, they were understandably excited. “You’re going to win all your cases when you’re a lawyer!” they predicted. “You’re going to earn a lot of money after graduating!,” some observed. I sincerely appreciate that they were doing their best to be supportive. Now that I am entering my second year of law school, I understand how important confidence is to succeeding in an environment dominated by people who are accustomed to being the most educated, recognized, and well connected. The desire to prove oneself can be somewhat overwhelming at times.

In one of his final sermons entitled *The Drum Major Instinct*, Dr. Martin Luther King, Jr. warned against leaving this impulse unchecked. It can certainly lead to egotism. It can lead to living well above your means which can ultimately result in stress and unhappiness. And, on a national scale, it can lead to American exceptionalism which has started countless wars. Dr. King’s advice was to direct this basic human instinct – *to be the best* – towards public service. He challenges us to be a drum major for justice. In doing so, he asks us not to remember him for his own legendary public achievements but for his simple passion for helping others.

Working at the Clearfield office of MidPenn Legal Service (MPLS) provided me with an amazing opportunity to put Dr. King’s advice into practice. I have been able to assist the attorneys with a wide range of legal issue by learning more about the Protection From Abuse (PFA) Act, custody, civil forfeiture, mortgage foreclosure, and unemployment compensation law. The most rewarding part of my experience has been the everyday victories in helping underserved individuals and families with important legal issues by employing the hard-earned research and writing skills I gained at Penn State Law over the last year.

I assisted local attorney Doug Campbell with representing dozens of plaintiffs in PFA cases referred to MPLS by the Community Action’s Crossroads Project, which assists victims of domestic violence across Clearfield County. In some of these cases, the plaintiff was seriously injured or facing death threats and urgently needed legal recourse. The hearings can be traumatic for plaintiffs because they are required to be face-to-face with their abusers and subjected to stern cross-examination about their horrific experiences. Advocating for a final order that

prohibits the defendant from contacting the plaintiff for up to three years, bars the defendant from consuming drugs or alcohol (which fuels the abuse in many cases), and prevents the defendant from possessing firearms for the length of the PFA gives these plaintiffs some peace of mind. A final order is also a tool that can be used to bring criminal charges if their abusers violate the conditions of the order in the future. I'm quite happy to report that MPLS' Clearfield Office has succeeded in obtaining final orders requested by their clients since I began working there in May.

The custody cases I observed have been very emotional too. Some of MPLS' clients needed to overcome significant allegations, such as substance abuse and child neglect, to convince the court to allow them to continue caring for or visiting with their children. A bitter family dispute taking place in a public forum hurts everyone involved too. Requiring the parties to participate in a custody conference and mediation before trial gives them and their attorneys a chance to reach an agreement that not only protects the best interest of the children involved but also allows the parties to work towards a better co-parenting relationship by observing a regular childcare routine. Being prepared for such proceedings by thoroughly interviewing clients about their familial problems, understanding the case law implicated, and investigating the facts to put our clients in a better bargaining position in custody negotiations gives MPLS the best chance of obtaining an arrangement that keeps or reunites our clients with their children while their cases develop. Without the attorney's guidance and representation, clients may not even be able to see their children for extended periods of time.

The civil forfeiture and foreclosure cases MPLS asked me to research involved clients who were at critical risk of losing their homes entirely. I felt immense pressure to investigate every factual detail and allegation in the complaint and aspects of the relevant statutes and case law to determine if they had any available defenses. I searched high and low for some technicality, like a notice requirement or some novel legal argument like the court not having subject matter jurisdiction to hear the case, to present to each client to give them hope. I cannot discuss the details or resolutions of these cases given they are ongoing. But, after spending countless hours reading hundreds of cases on LexisNexis and Westlaw, I can confidently say I did everything in my power to ensure these clients were adequately represented, for better or worse.

For most people, interacting with the legal system is terrifying. It is a tangled web of opaque rules, little bureaucracies, and arcane traditions. Peoples' livelihoods are often at stake in their controversies before the court too. Being able to be an advocate for someone in need thrust

into such a battle has been a transformative and motivating experience. It has enabled me to become a better law student, future attorney, and person generally and has further cemented my interest in public interest work. Of course, I continue to strive for better class rankings, success on the law review, and prestigious summer internships. But, more importantly, in the spirit of Dr. King, “I just want to be there in love and in justice and in truth and in commitment to others, so that we can make of this old world a new world.”

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North Penn Legal Services



“Jesus gave us a new norm of greatness. If you want to be important—wonderful. If you want to be recognized—wonderful. If you want to be great—wonderful. But recognize that he who is greatest among you shall be your servant. That's a new definition of greatness.”⁴

-Rev. Dr. Martin Luther King, Jr.

Legal Aid: Preserving and Restoring Life, Liberty, and Property

I became interested in practicing law because I am passionate about civil rights. Whenever I told people this, they always asked me, *what does that mean? There are so many areas of civil rights, what will you practice?* I was never able to provide a specific answer to these types of questions. All I knew was that I wanted to help underserved communities, who often have no advocate in their corner. I was not sure which practice area would accomplish this goal.

According to Merriam-Webster, “Civil Rights” are the non-political rights of a citizen, especially the rights of personal liberty guaranteed to U.S. citizens by the 13th and 14th amendments of the constitution and by acts of congress. I looked further into the amendments and one line really resonated with me, “nor shall any State deprive any person of *life, liberty or property*, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.”⁵ Through working at North Penn Legal Services this summer, I’ve realized that legal aid organizations work hard every day to preserve and restore the life, liberty, and property of their clients. Three major experiences in the course of my internship have confirmed this to be true. Legal aid attorneys do some of the most important work in civil rights, not because they are seeking name recognition or top salaries, but because they want to serve others, much like Dr. King discussed in his sermon, *The Drum Major Instinct*.

My first experience was with a client who was being represented at a debt collections hearing. The client had to stop working due to health complications and the loss of her ability to earn an income to support herself as she had once been accustomed to really took a toll on her.

⁴ King, *The Drum Major Instinct* (1968).

⁵ United States Constitution, 14th Amendment, Section 1.

The attorney representing her was able to present a strong case and the magistrate ruled in our client's favor. Immediately after the hearing, the attorney and I went to a nearby McDonald's, where the client was waiting for us to update her on the outcome. Upon hearing the good news, the client was instantly overcome with a feeling of relief. She told us that she felt physically better because she no longer had this debt problem hanging over her head. In this case, the attorney did not walk out of the courtroom to a crowd of news reporters, he didn't earn any percentage of damages, and he didn't counter sue to send a message to the adverse party. His reward was knowing that he had worked hard to preserve and restore the life and livelihood of his client through winning this case.

My second experience was with a client who was being represented for a pardon hearing, in front of the PA Board of Pardons, which took place in the Pennsylvania Supreme Courtroom. When our client's name was called from the list, he approached the board and explained how he has tried to move forward and become a productive member of society since his prior criminal conviction. As he answered questions from the board, the attorney representing him stood by his side, and had no reason to talk during the proceeding. After hearing all of the petitioner's cases, the board voted, and when my client's name came up, my heart was racing, I was hoping for the best. As each of the five justices uttered one simple word, "yes", my client began to tear up with joy. With one word from each of the board members, my client had been recommended for a pardon from the governor with a 5-0 vote. Although other petitioners were recommended for a pardon that day, not everyone was recommended with a unanimous vote from the board.

In this case, the attorney didn't present a grand case in court, in fact he never spoke a word to the court. He didn't stand in front of the board and tell them about the countless hours that he had worked on our client's case for over two years. He didn't get to tell the court how he had brilliantly navigated obstacles to make it possible for our client to be granted the opportunity to even have this hearing in the first place. But the attorney didn't care about any of that stuff, he was satisfied knowing that by helping his client become recommended for a pardon, he had restored his client's liberty.

My third experience was with a client who had been wrongfully locked out of her home and all of the belongings in her apartment had been thrown away or damaged. The client had a hand written list of all of the items she had lost, down to the salt and pepper in her apartment. My supervising attorney assigned me to create a spreadsheet of her items and complete a valuation with citations. At first, I thought of this as a tedious task, something that was not of much importance. As I started typing out this long list of items, I began to realize that this was

someone's whole life. It included clothing, jewelry, children's books, even things that could not be assigned a price, like family photos. When our client looked at the list that I had created, she felt justified. The landlord had made her feel that her stuff was of no importance because it was not expensive, implying that she was not important. Looking at this detailed list gave her the validation that she was important and that every item that made up her life was of value. In that moment, I understood that I may not have been writing an elaborate memorandum, but this was just as important. I was working to help my supervising attorney restore our client's property.

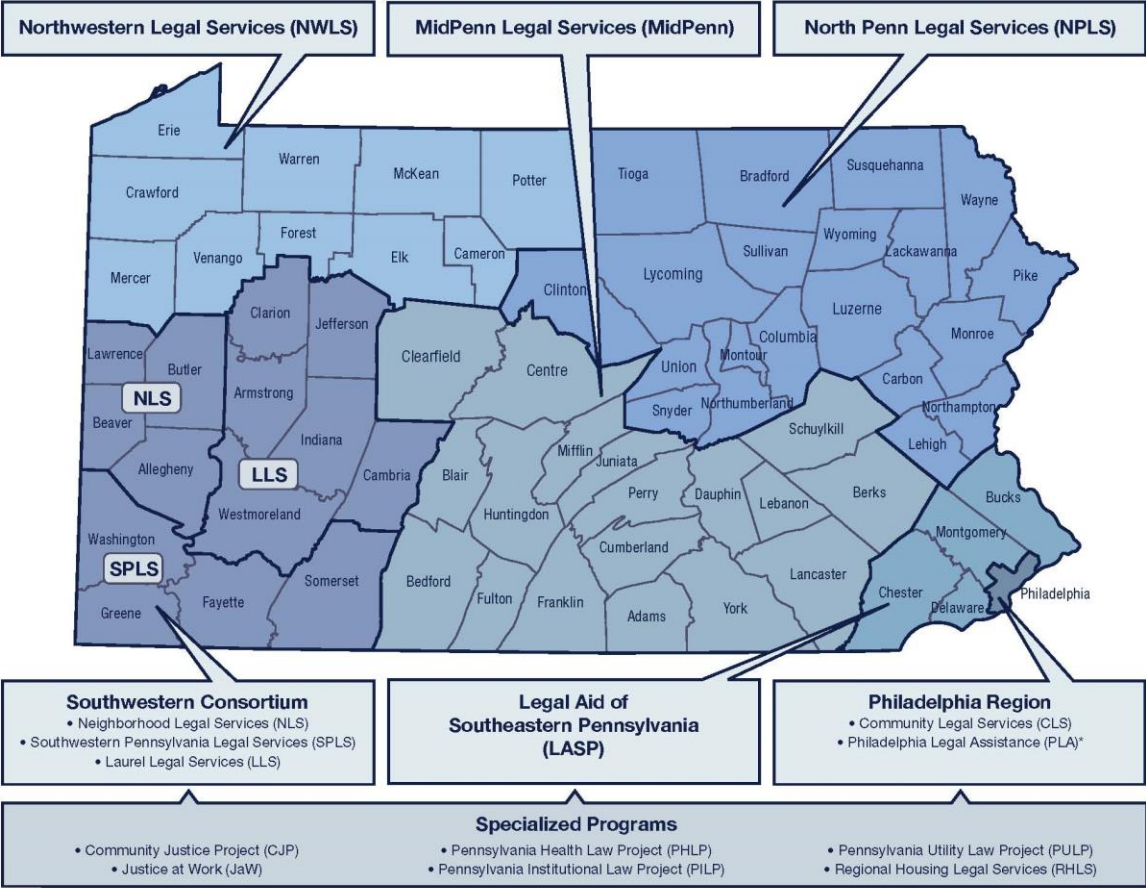
Each of these experiences and many more helped me figure out my answer when people ask, *there are so many areas of civil rights, what will you practice?* My answer will be *legal aid*. Legal aid attorneys serve the most vulnerable among us, not because they are seeking personal gains or recognition, but because it is the right thing to do. To me, that makes legal aid attorneys the greatest among us in the legal profession.

**Martin Luther King, Jr. Summer Internship Program
Class of 2019**



Back row left to right: Jason Sullivan-Halpern, Shalisa J. Brunson; Marcus Gaines-Cherry, Abraham N. Doe, and Santana K. Velez. **Middle row left to right:** Alexandra J. Robinson, Juliana Muhaj, and Gabriella Reber. **Front row left to right:** Amy Chin-Arroyo, Sierra Lyles

PENNSYLVANIA LEGAL AID NETWORK



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