



# PUBLIC JUSTICE

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## IMPACT. CHANGE.

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### **JOB ANNOUNCEMENT**

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**Please post and inform potential applicants.**

**June 2021**

### **SPONSORSHIP FOR DEBTORS' PRISON LEGAL FELLOWSHIP STARTING FALL 2022 WASHINGTON, D.C. or OAKLAND, CA**

[Public Justice](#) is a public interest legal advocacy organization dedicated to pursuing high impact lawsuits to combat social and economic injustice, protect the Earth's sustainability, and challenge predatory corporate conduct and government abuses. Our [Debtors' Prison Project](#) invites rising third-year law students and recent law graduates to apply for an opportunity to work with us as a legal Fellow. We seek to host a candidate to apply for one- or two-year public interest fellowships from funders such as Skadden, Equal Justice Works, and/or Justice Catalyst to begin in the fall of 2022.

#### **Public Justice Overview**

Public Justice specializes in high-impact, cutting-edge litigation. Our lawsuits fight for consumers' and victims' rights; the environment; a just, sustainable, and accountable animal agriculture industry; civil rights and civil liberties; workers' rights; and government and corporate accountability. Our Debtors' Prison Project is one of several substantive areas of our work, which also include our Access to Justice, Food, Environmental Enforcement, and Students' Civil Rights projects.

#### **Debtors' Prison Project (DPP) Overview**

No one should lose their freedom because they lack the means to pay a fine. But while old-school debtors' prisons were outlawed in the U.S. long ago, indigent criminal defendants still face the threat of jail and other substantial liberty deprivations when they can't pay. Local governments increasingly use traffic tickets and fines to fund their operations. Police target the neighborhoods with the least power and ticket Black and Latinx communities at higher rates than whites. Many people are fined for infractions linked directly to poverty, such as driving with expired tags or sleeping outdoors. These disparities are exacerbated by predatory for-profit corporations hired to supervise people on probation, collect past-due criminal debt, and electronically monitor people on supervised release. The companies tack on their own fees, trapping people in a spiral of debt and forcing them to choose between paying for life's necessities and paying the fines. The result? A two-tiered justice system that punishes people simply because they are poor.

We launched DPP in 2018 to take on this system. Our goals are to win compensation for victims, deter future abuses, and establish legal precedents to guard against the exploitation and incarceration of indigent defendants. Since then, we've won a landmark victory against a probation company and the City

of Montgomery on behalf of probationers forced to “sit out” their fines in jail if they could not buy their freedom. We filed a first-of-its-kind consumer protection lawsuit against a debt collector that threatens defendants with jail if they fail to reimburse the state for the cost of their appointed counsel. We’ve launched a new strategic initiative to marshal the Eighth Amendment’s Excessive Fines Clause to challenge the exorbitant fines imposed on indigent defendants. And we’re just getting started.

## The Fellowship

The Fellow would work closely with DPP attorneys to create an innovative litigation and advocacy project focused on a specific area of our work, potentially in a single jurisdiction. Possible focus areas include:

- **Legal advocacy on behalf of low-income criminal defendants against private actors in the criminal justice system.** This project could build on our [landmark consumer lawsuit](#) against Linebarger Goggan Blair & Sampson, LLP for threatening low-income Iowans with jail and loss of their driver’s licenses for failing to reimburse the state of Iowa for the cost of their indigent defense fees. A Fellow could develop new ways to use consumer protection statutes to hold private actors—debt collectors, electronic monitoring companies, private probation providers, etc.—accountable for abusing and misleading low-income people who owe criminal debt.
- **Challenging constitutional violations by supervised probation and electronic monitoring providers.** When cities rely on fines and fees to fund their operations, they have an incentive to use probation and monitoring to collect debt and maximize revenue rather than for any legitimate penal objective. To make matters worse, government functions are outsourced to for-profit actors whose “user fees” are then paid by the “offenders.” A Fellow could investigate and develop constitutional claims challenging (for example): (1) the use of a financially interested company or public agency as a “neutral” probation officer; or (2) the practice of subjecting only debtors who are unable to pay court debt to increased fees and infringements on liberty, which constitutes wealth-based discrimination.
- **Advocacy on behalf of unhoused individuals against the criminalization of homelessness.** Increasingly, rather than taking measures to care for their unhoused residents—such as providing shelter or services—some cities are responding to the worsening homelessness crisis by imposing strict laws designed to drive unhoused people out of town. For example, some local governments passed ordinances prohibiting people from sleeping outside and then impose steep fines for each violation. A Fellow could design a project to represent homeless communities in challenging the unconstitutionality of these laws and educate them about their rights. This project could build on our existing work marshalling the Eighth Amendment’s Excessive Fines Clause to fight the imposition of unpayable fines.
- **A project of your design.** We want to hear your ideas!

## Qualifications

- J.D. degree (by Fall 2022).
- Commitment to criminal justice reform and racial justice.
- Excellent analytical, legal research, legal writing, and speaking skills.
- Litigation experience (e.g., from internships, clinics, or clerkships).
- Ability to juggle multiple tasks at a time and work in a fast-paced environment.
- Self-motivation and proven ability to work independently and as part of a team.

- Sensitivity to the needs and concerns of, and ability to work well with, individuals and groups from diverse cultures, backgrounds, and orientations.
- Excellent attention to detail and commitment to follow-through.
- Strong organizational skills.
- Healthy sense of outrage and desire to change the world for the better. Willingness to travel on occasion.
- Experience in civil litigation is preferred.
- Because Public Justice handles litigation, education, and advocacy nationally, the position may entail some travel once travel is safe again.

We offer a mission-focused work environment and a teamwork approach. The annual salary is \$55,150. We also provide excellent benefits, including three weeks of paid vacation, two weeks of sick leave, two personal days each year, all federal holidays, employer-paid health, dental, and vision insurance premiums, and a 401(k) plan. Employment is contingent upon the receipt of funding from Skadden, Equal Justice Works, Justice Catalyst or a similar funder in an amount no less than \$50,000 per year. This is an exempt position that will report to the DPP's Director.

### **Applications**

Public Justice is an equal opportunity employer and values a diverse workplace. We strongly encourage applications from people with disabilities; people of color, including bilingual and bicultural individuals; LGBTQ individuals; people of all genders; veterans; and people of all ages. Public Justice is committed to providing reasonable accommodations to individuals with disabilities. If you are a qualified individual with a disability and need assistance applying online, please email [lawfellow@publicjustice.net](mailto:lawfellow@publicjustice.net). If you are selected for an interview, you will receive additional information regarding how to request an accommodation for the interview process.

Your application should consist of two electronic files: (1) your cover letter, resume, law school transcript, and references in a single .pdf file; and (2) a writing sample in another .pdf file, comprised of a legal brief or persuasive memo for which you were the primary author (please note the contributions of others). In your cover letter, please describe your interest in DPP and your proposed project. Please also specify whether you are applying to work in the Washington, D.C. or Oakland, CA office (other DPP attorneys are based in Oakland).

Please send your application to [lawfellow@publicjustice.net](mailto:lawfellow@publicjustice.net). Reference "2022 Debtors' Prison Project Fellowship Sponsorship" in the subject line. The application deadline is **July 6, 2021**, at which point applications will be reviewed on a rolling basis until the position is filled. For more information on Public Justice, please visit our website at [www.publicjustice.net](http://www.publicjustice.net).