

ABIGAIL SAMUELS

*Recipient of the 2022
Roxana C. Arsht Fellowship*

BY ABIGAIL SAMUELS, ESQUIRE



Choosing a career in legal aid work can be a difficult one due to the large debt that many of us shoulder to attend law school. There are certainly more lucrative career paths available to someone with a law degree. But public interest lawyering is a great privilege for those able to afford the financial sacrifice. The Roxana C. Arsht Fellowship (the “Fellowship”) is allowing me to share in this privilege as a staff attorney at Community Legal Aid Society, Inc. (CLASI), and for this I am grateful.

My path to my current position at CLASI was a circular one. Before I went to law school, I worked at CLASI for two years as a paralegal. I left to go to law school at the University of Pennsylvania, with the hope of becoming a legal aid lawyer, but with no particular plan to return to Delaware or CLASI. I spent my law school summers interning at legal aid organizations outside of Delaware. After working in other communities, I

could not ignore what was a growing desire to return to Delaware, and CLASI, to begin my career.

Specifically, I realized how unique it is to be a legal aid lawyer in Delaware. Delaware is home to only three legal aid organizations, far fewer than most states. Thus, CLASI’s work on behalf of its clients is of critical importance to the communities that it serves. CLASI also engages in exciting policy-level advocacy informed by the needs of its clients. For example, CLASI is closely involved in the coalition working to establish a legislative right to representation for tenants facing eviction. This model of combining individual representation with policy advocacy is an effective way to both assist individuals navigating the civil legal system while we also work to make that system more just and accessible for all people with limited financial means.

Since returning to CLASI in 2019, I have been working in CLASI’s Medical Legal Partnership (MLP) program. The MLP program has a uniquely different client base from most of CLASI’s programs, which rely on clients contacting the office and requesting assistance. The MLP, however, relies on partnerships with

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health and social services providers throughout the state, including Christiana Care and the Division of Public Health. Those partners administer a screening tool to their patients in the healthcare setting to assess a range of civil legal needs. When the healthcare provider identifies that a patient has a legal issue, the provider refers the patient to CLASI for assistance.

The interdisciplinary partnership between health and legal services allows CLASI to employ a more holistic approach to addressing so-called “social determinants of health.” The social determinants of health are the varied factors that impact an individual’s health outcomes, many of which cannot be addressed through traditional, clinical healthcare. Consider a family living in rental housing with substandard conditions that a landlord is unwilling to repair. Poor housing conditions, such as mold, could lead to a variety of health issues. Though a doctor can treat those health issues, a doctor cannot resolve the underlying housing conditions that cause them. But a lawyer can. Through our MLP programs, the doctor that treats the patient’s health issues can refer the patient to CLASI so that a lawyer can help resolve the systemic problem that underlies those health issues: the patient’s housing issues.

Most of the cases that I handle involve family law or public benefits issues. CLASI’s family law practice primarily serves clients who are survivors of domestic violence seeking protection from abuse (PFA) orders in Family Court. Those clients also often need assistance with related issues, including custody and divorce. Obtaining a PFA order through a hearing in Family Court requires a survivor of domestic violence to recount the abuse that she or he endured. For that reason, the process itself can be quite taxing. I am often reminded by our clients that having an attorney to provide support and advocacy during the process, even separate from the outcome of the case, can be incredibly valuable. My public benefits cases involve working with

clients who have been denied or cut off from public benefits programs, such as food stamps or Medicaid. I represent individuals in administrative appeals to obtain or maintain eligibility for these important programs. These two areas of practice, family law and public benefits, often feel as different as can be from one another. Yet in both types of cases, I am frequently working with the client toward similar types of goals. Whether it be safety from violence, access to health insurance, or food stability, much of CLASI’s work involves advocating for clients’ rights and access to basic necessities, which many of us, myself included, may take for granted.

I feel incredibly fortunate to spend my days advancing CLASI’s mission

of combatting injustice on behalf of vulnerable and underserved Delawareans alongside colleagues who are as committed to doing the same. I am often reminded that my job — unlike many — provides me both a means to get by and a great deal of fulfillment. I am also grateful for the support from the broader legal community in Delaware from which both the entire legal aid system in Delaware and I benefit immensely. The Fellowship is just one example of the many ways that legal aid work is sustained and supported by our colleagues in the Delaware Bar. I extend my sincere thanks to the Delaware State Bar Association, the Women and the Law Section, and, of course, Judge Arshnt for this opportunity. 🍷

Abby Samuels is a native Delawarean and 2019 graduate of the University of Pennsylvania Law School, where she served as Editor in Chief of *The Journal of Law and Social Change*, Volume 22. Abby earned an honors B.A. in Political Science and Women’s Studies, magna cum laude, from the University of Delaware in 2014. She worked as a paralegal in the Disabilities Law Program at CLASI for two years between college and law school. Abby’s position at CLASI is her first job as an attorney.

McCollom D’Emilio Smith Uebler LLC is pleased to announce

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