

SYLAW:

Law Students Dedicated to Justice for Street Youth

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In the 1990s, the number of homeless and at-risk youth (“street youth”) in the greater Seattle area increased significantly. Today, on any given night, there are as many as 2,000 street youth, ranging from about 12 to 24 years of age, in the greater Seattle area. Keeping pace with this increase, service providers fought to expand and strengthen the services available to these youth. While they made phenomenal gains in providing youth with a wide variety of necessities, one aspect of the youth’s needs remained unmet in Seattle.

The missing component was that of legal assistance. While most street youth have other basic needs met, there is often a legal issue which, if remedied, can expedite the transition to a positive and healthy adulthood. Legal needs for these youth vary, but generally fall into the following categories: abuse, neglect, and other family law issues; health, housing, and employment issues; educational barriers; and difficulty accessing state and federal entitlements. If these particular needs are not met, youth are often prevented from achieving other goals necessary for making progress toward stable housing, employment, and educational opportunities. These youth are then left with less constructive options for resolving their issues.

A group of law students, staff, and professors at the University of Washington took it upon themselves to fill this gap in services. Their efforts led to the creation of the Street Youth Legal Advocates of

Washington (SYLAW). SYLAW has helped hundreds of youth overcome the legal obstacles they face.

History

SYLAW fills the gap. In the spring of 1995, law students at the University of Washington School of Law began work on a street youth advocacy project. The project was intended to mirror an adult homeless advocacy project in which attorneys volunteered at a homeless shelter and provided information, referrals, and representation.

The program began with law students volunteering at a local youth drop-in center to supply legal information and referrals. Unfortunately, the program had difficulty getting off the ground and faded away. In the fall of 1996, several faculty, staff and students from the UW School of Law began to revive the dormant program. They hoped to include as one of the program's components a way to actually resolve the legal problems of the youth. The new program intended to use law students working under the guidance of a supervising attorney from the law school. In addition, each student was to have a community pro bono attorney at his or her disposal for advice on specific issues. This way, clients would not only receive education about their problems, but a resolution of them as well. Representation was to be limited to civil law, as youth are entitled to a free criminal defense by public defender agencies.

In the summer of 1997, the program successfully sought 501(c)(3) status and was incorporated as SYLAW, Street Youth Legal Advocates of Washington. Several students began intensive work on preparing SYLAW for its official launch, including researching issues on which the program was to educate and/or provide representation. To help better grasp what issues SYLAW might encounter, the program conducted a citywide survey of service providers and visited programs in the District of Columbia and New York. The students solicited community leaders for an Advisory Board, contacted care providers, applied for preliminary grants to get the project off the ground, and worked with care providers to better define how its

educational and referral processes would work. In the fall of 1997, SYLAW began to provide comprehensive services.

SYLAW makes an impact through education. SYLAW partnered with innovative existing resources to provide outreach and legal education. Twice a month, students would ride along with Streetlinks, an outreach van that provided basic services to street youth in Seattle. The partnership produced multiple positive effects. Even when not offering legal information, the students were able to learn more about the youth and understand how and why they came to be on the streets. Students routinely described it as a life-changing experience. In addition, riding along in the van established SYLAW as a legitimate service in the eyes of the street youth community, a critical goal for any successful program, as the distrust of lawyers among this community runs high. Street youth rarely see lawyers as distinct from a system they feel helped put them on the streets. They often refer to public defenders as “public pretenders” and harbor even more disdain for prosecutors. The idea of a civil attorney, beyond someone who “sued people,” was foreign to both youth and service providers. In fact, an early meeting with the director of a local health clinic ended with the frustrated director exclaiming, “I still don’t get exactly what you’re going to

SYLAW successfully represented Kayla, an at-risk youth who had been wrongfully expelled from a school because of a fight. The school district had implicated Kayla in the incident despite several witnesses who were willing to testify that she was not involved. Additionally, the school district had failed to properly notify Kayla’s parents, who speak very little English, of their appeal rights. Following negotiations with SYLAW, the school district agreed to readmit Kayla to a school in the district and to expunge the incident from all of her records.

do, if not help these kids with their criminal cases.” His frustration was understandable given that the creators of this program weren’t exactly sure either. The early SYLAW volunteers knew only that there was a need, and the partnership further opened their eyes to the lack of legal information and the overabundance of legal barriers that existed for street youth.

To address this frustration and confusion, SYLAW began to offer community-based presentations on legal issues relevant to youth. SYLAW sent checklists with dozens of legal issues to service providers who could check the issues they wished to have covered in the presentations. Generally, two students, under the supervision of an attorney, would prepare the presentation using the outreach materials located in the growing SYLAW library. The students would attend the presentation, speak briefly about SYLAW and the referral process, and after presenting, would ask each participant to fill out an evaluation of the presentation. After a while, it became apparent that presenting to the providers was equally as important as presenting to the youth. While the low pay for service providers kept turnover high, it rarely approached the turnover in the youth population. Thus, training providers was critical to ensure that information was actually reaching new populations of street youth.

SYLAW’s public education was not solely limited to teaching about specific legal tools. For a long period of time, SYLAW students taught a weekly class at an alternative school in a local drop-in center and modeled the curriculum on Street Law courses. Classes on topics as broad as the first amendment and legislative process were included, and the students were generally very engaged. SYLAW conducted classes for several different groups, including offender youth, Campfire Girls, and public school students.

Another method of reaching out was closer to traditional legal services. SYLAW began to offer weekly “hang out the shingle” information centers at local service provider sites, including alternative schools for street youth. Youth asked SYLAW volunteers questions and were provided with information and referral services.

SYLAW provides a voice for youth. Connecting with the youth and providing information soon became routine. But students

expressed a recurring frustration with providing referrals: few legal providers were actually equipped to handle the issues of street youth. One problem was logistical: being able to meet youth where they were and when they were available. Another was being able to provide services in a holistic manner. While one attorney might be able to help a youth get federal benefits, he or she might not be equipped to handle the issues related to helping that youth escape an abusive parent. For most youth, having two attorneys is often overwhelming, and SYLAW quickly realized it was going to need to establish better services to represent these youth. At the same time, a statewide legal services provider, Columbia Legal Services, was again attempting to reach out to this population, but still was stymied by the fact that these youth didn't connect with the traditional style of providing legal services.

In 1999, Columbia Legal Services and SYLAW joined together and began to provide the full range of civil legal services and education for at-risk and homeless youth. Two to four students at a time interned at Columbia, each handling a number of cases. The student interns also helped with the outreach portion of the program, which was still largely performed by volunteer students.

Referrals to SYLAW were often made by caseworkers who had received written consent from their clients to contact a legal agency and to disclose any relevant information. In choosing whom to represent, SYLAW gave preference to youth who had been referred by a service agency. Walk-in clients were accepted on an availability basis.

SYLAW and Columbia invested significant resources in the law student interns. One goal of SYLAW was to create young attorneys who, wherever they practiced, would understand the legal needs of street youth. In order to make sure that law students got as much out of the program as possible, law student interns were required to commit at least 20 weeks to the program, but most stayed on for a year or longer. Interns were given substantial responsibilities: representing clients in court, working on briefs in state and federal court, and counseling clients on critical matters. It was not unusual for students to come in on weekends or work nights to accommo-

date clients—they did this not out of a sense of duty to SYLAW, but out of passion for the clients’ cases. Former interns have gone on to work for State Supreme Court Justices, big and small law firms, the prosecution and the defense bar, and the state Attorney General’s office, among other positions. They have often commented that their experience with SYLAW has helped positively shape how they approach issues involving youth. Former interns have taken on pro bono cases and worked with their firms to secure donations to keep SYLAW afloat.

In order to make legal information more accessible to youth and service providers, SYLAW launched a website (www.sylaw.org) and produced materials that informed at-risk youth and their service providers about relevant legal issues. Throughout the course of providing services, SYLAW interns discovered their clients often have better access to the Internet than to the mail or phone. Therefore, communication and information dissemination through the web became a useful tool.

SYLAW worked to involve private law firms as well, coordinating the law firm representation of 30 youth service agencies that were seeking to clarify the laws regarding services to at-risk and homeless youth. The results of the process were legal memoranda

SYLAW assisted David, a teen who had made it to his sophomore year of high school without earning any credits. David had severe learning disabilities, had begun to fail to show up for classes, and was facing possible time in youth detention as a result of a truancy contempt motion filed by the school district. SYLAW worked to get the truancy contempt motion dismissed, obtain special education services for the student, and work with the school and school psychologist to obtain full educational testing. David received additional help as a result and was on a path towards graduation.

which were circulated among all service providers to help them better serve young clients in need.

Braam v. State of Washington. Successes have come on systemic levels as well. The expertise gained through the SYLAW partnership greatly helped Columbia Legal Services in its role as co-counsel in *Braam v. Washington*,¹ a statewide class action lawsuit challenging the constitutionality of foster child treatment as it related to mental health assessments and care, placements, foster parent and caseworker training, and educational support. A major issue in the case became the number of youth who were poorly served and who, as a result, ended up on the streets both before they turned 18 and after legally becoming adults. In that case, the Washington Supreme Court held that foster children in Washington have a substantive due process right to be free from unreasonable risks of harm and a reasonable right to safety. The case was settled with the State, and among other things, it promised to reform the way it treated adolescents in its care, including improving its response to the problem of runaway foster youth.

SYLAW in Transition

SYLAW's major support came from AT&T Wireless through the Equal Justice Fellowship Program of NAPIL (formerly the National Association for Public Interest Law). AT&T Wireless provided funding for an attorney for two years. Additional funding was secured through local foundations, individual gifts, and general funding from Columbia Legal Services. For interns, SYLAW relied on fellowships, such as the ABA John J. Curtin, Jr. Justice Fund and the law schools' public interest fellowships. SYLAW interns also received work study and course credit.

In late 2004, Columbia Legal Services lost half of its staff as funding was shifted to another organization. With its reduced staff, Columbia began to take cases largely focused on systemic changes.

¹ For more information, see www.braamkids.org.

A SYLAW-UW volunteer talks with a homeless youth at TeenFeed.



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As part of this change, the direct partnership with SYLAW was reduced to an advisory role, and SYLAW was no longer equipped to provide direct representation for youth. SYLAW is now focused on expanding its membership and applying for grant funding to allow SYLAW to again provide full-time staff attorneys to represent homeless youth. In the meantime, SYLAW's mission is being carried out through the efforts of its student chapter at the University of Washington School of Law (SYLAW-UW). SYLAW-UW continues to directly serve Seattle's homeless youth population by partnering with service providers in the University District to support existing programs and provide new legal services.

SYLAW's work within existing programs. SYLAW continues to provide significant services to the community, even without a direct legal services partnership.

Interactions between homeless youth and Seattle police officers are frequently characterized by feelings of hostility and mistrust. In hopes of easing this tension and cultivating greater understanding between police and youth, service providers have teamed up with the Seattle Police Department to create Donut Dialogues. Every year, SYLAW-UW provides much needed financial support for this event. The Donut Dialogues, created by and run in conjunction with Peace for the Streets by Kids from the Streets,² bring police officers and

² For more information, see www.pskks.org.

youth together in one room, and begin with an educational talk about basic laws regarding loitering, trespassing, and other areas where youth and police generally collide. This piece is then followed up by a question and answer period where police and youth break into small groups and try to reach a better understanding of each other. SYLAW-UW supports this program by providing financial support to pay for incentives for youth who participate as well as food. Incentives play a major part in many of the programs that SYLAW-UW facilitates. Youth have the opportunity to earn incentives (for example, bus tokens or small amounts of cash) for their participation. Incentives communicate to youth that we value their time, as well as allow them to get some of their needs met while attending one of our programs.

Natasha, an 18-year-old formerly homeless youth, had been involved in a two-year custody battle against the father of her child and her own mother when she got in touch with SYLAW. The father of the child was a multiply-convicted felon who had had little contact with the child because he had been in jail for much of the child's life. Natasha's mother had significantly abused and neglected Natasha when she was a child. After SYLAW became involved in the case, Natasha's mother voluntarily dismissed her petition for custody. The court entered a parenting plan that required the father to engage in substance abuse treatment, batterer's treatment, and other services before he has contact with the child. SYLAW also assisted Natasha in obtaining stable housing. With her housing and family law situations resolved, Natasha was able to obtain steady employment.

SYLAW breaks another barrier for youth. In 2004, SYLAW-UW partnered with the Washington Defender Association and other sponsors to start the Juvenile Records Sealing Clinic. A successful legislative reform effort headed by SYLAW, Columbia Legal Services, and a collaboration of youth services providers opened the door for thousands of young adults to seal their juvenile records. Young adults with juvenile criminal histories encounter many challenges when they apply for jobs, housing, financial aid, or take other steps necessary for adult independence. Many people incorrectly believe that juvenile conviction information is automatically destroyed upon a person's eighteenth birthday. In Washington, however, individuals must take proactive steps to ensure that their juvenile criminal history is sealed, and some offenses, such as sex offenses, may never be sealed. Prior to the legislative reform, Washington's laws in this area were the most severe in the United States.

Amanda, a 17-year-old youth, ran away from her physically and emotionally abusive parents. She sought emancipation in order to remain in the safe alternative living arrangement she had obtained. Prior to filing for emancipation Amanda had attempted to resolve issues through family counseling, but her parents refused to participate. Child Protective Services declined to intervene due to the client's age. The parents filed runaway reports and harassed Amanda at her place of work and her school, causing the A-student to miss school and to seek counseling. SYLAW prevailed in a contested emancipation proceeding which enabled Amanda to live away from home legally. As a result, she has resumed her excellent academic standing and refocused on planning for college. She also resumed efforts to engage her parents in family counseling.

The Sealing Clinic is held each month to help individuals who are eligible to seal their juvenile records navigate the court process. SYLAW-UW student volunteers meet with clients and assist them in determining their eligibility and completing the necessary paperwork. Since its inception, the Sealing Clinic has served over 100 clients and increased awareness of Washington's sealing laws. It is our hope that the clinic will improve awareness of the consequences of juvenile criminal history.

In order to increase our presence and build rapport with the homeless youth community, SYLAW-UW volunteers attend TeenFeed once a week. TeenFeed is a program run in Seattle's University District that provides an evening meal to homeless youth in the community. During TeenFeed, SYLAW-UW volunteers interact with homeless youth and engage them in conversation about their legal concerns and questions. Youth with specific legal needs are encouraged to visit the Street Youth Legal Drop-in Center (SYLD).

SYLD was launched in 2006. SYLAW hopes that SYLD will be a critical part of the mission to empower homeless and at-risk youth to address and eliminate the legal obstacles that may prevent them from reaching their goals. Staffed entirely by law students, SYLD is not able to provide legal representation to homeless youth. Instead, volunteers assist youth with identifying their specific legal needs and accessing pre-existing resources. SYLD volunteers help youth track down their public defender, ascertain the status of any pending criminal charges, and encourage them to quash outstanding warrants. SYLD volunteers also help youth access civil legal representation for matters related to housing, employment, and public entitlements.

Conclusion

SYLAW is a critical and innovative resource for the thousands of street youth in Washington State. While adapting to changing circumstances and funding issues, the program has consistently sought to provide legal services to youth in a meaningful way. The program has been popular among law students, restoring their faith in the connection between law and justice. It has also been popular among the youth themselves, creating new respect between the legal profession and young people who rarely see lawyers in a positive light. SYLAW has created bridges between private firms, providers and youth, opening lawyers' eyes to the possibilities that exist for positive partnerships. Throughout the decade that SYLAW has existed, while many things have changed, two constants have remained: the overwhelming need for legal services among street youth and the enduring commitment of an often untapped resource for serving this population—law students.



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Corey Fitzpatrick

Corey Fitzpatrick graduated from the University of Washington School of Law in June 2006. She is the current President of the SYLAW Governing Board and a former SYLAW intern. During her law school career, Ms. Fitzpatrick primarily focused on legal issues related to child welfare and juvenile justice. In 2004, she was a University of Michigan Bergstrom Child Welfare Law Fellow. As a third-year law student she participated in the Children and Youth Advocacy Clinic, where she represented youth in dependency proceedings. Ms. Fitzpatrick was recently awarded the 2006 Charles Z. Smith Public Interest Student of the Year Award in recognition of her commitment to public interest law.