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"No Easy Answers for Everyone"

During my 1L year, the University of Pittsburgh School of Law's professors emphasized that when clients come to our offices, they come with problems, not outlines of all the legal issues. That concept has repeatedly proven to be one of the most important things that I have learned. As best they can, clients give us facts, paperwork, and other relevant (and sometimes irrelevant) information. Clients may or may not be familiar with the law(s) regarding their problems. Clients may only know that something is wrong and that someone must do something to fix it. Clients approach us hoping that we can help solve their problems and restore some sense of normalcy. Unfortunately, even with centuries of precedent, vast compilations of legal analysis, and the assistance of attorneys who have come before us, we cannot always find desirable answers. However, because of our commitment to our clients and our desire to help them improve their situations, we continue to dig for answers that will enable them to move forward.

To me, the search for answers is especially important when providing legal services to lower-income individuals. Lower-income persons cannot afford the same lengthy, drawn-out legal processes that some higher-income individuals can. Lower-income individuals can also not afford the high-priced lobbying that can change the system to their benefit. Because of those monetary imbalances and disadvantages, public interest attorneys have stepped up to try to help close the gap between legal need and legal access. Unfortunately, even with public interest attorneys' efforts, many issues remain unaddressed, and questions receive incomplete answers or no answers at all. However, despite the challenges behind answering people's needs, public interest attorneys and law students like me continue to strive to provide equal access to justice.

Sometimes practical limitations prohibit us from answering questions. Many times I overheard a Regional Housing Legal Services ("Regional Housing") attorney field phone calls from individuals seeking legal service that Regional Housing simply does not provide. Knowing this man's concern for others, if Regional Housing offered the service, and if he had the time and resources, I confidently believe that he would have taken on every case possible. However, even though public interest attorneys dedicate their careers to serving others, reality's limitations prevent us from answering all questions. Fortunately for those callers, even though the attorney could not take on their cases, he always tried to direct them to the proper resources and agencies.

Sometimes we have trouble finding the proper answer because the law has no direct answer. For example, a client's property manager approached us with a series of landlord-tenant questions, specifically what to do with a tenant's personal property if the tenant dies or goes to jail. I searched multiple housing websites; read and reread the Landlord Tenant Act and multiple other statutory provisions relating to personal property, estates, wills, and trusts; and even spoke with landlord-tenant attorneys. Surprisingly, I found a section of the Landlord Tenant Act dedicated to the right to cable television but nothing speaking directly to personal property and a tenant's death or incarceration. I can imagine valid (and not so valid) reasons for cable television provisions, but I cannot fathom how, in a world where incarceration and death are unfortunate realities, someone neglected to fit those issues into the Landlord Tenant Act. My only hope is that somehow we can find an answer for this client, even if no law expressly provides it.

Sometimes the answers we seek lie between the written lines of the law and we must do our best to intuit what an agency or judge will say about an issue. A Regional Housing attorney approached me to see if I could review some material and help clarify whether multiple nonprofits could form a single-entity, nonprofit, limited liability company ("LLC") in

Pennsylvania. Immediately, I began thinking about tax considerations, the permissible acts of a nonprofit, and the types of legal entities that Pennsylvania recognizes. Although several legal articles claimed that such a thing was possible, unless I had express, tangible, written authority from the relevant, governing legal bodies, I could not shake my doubts and hesitations.

My research kept revealing statutes, case law, and guidance documents stating things that nonprofits could or could not do under both federal and Pennsylvania law. Unfortunately, I could find no governing legal document that explicitly stated that Pennsylvania nonprofits can legally form a nonprofit LLC. I eventually found the Internal Revenue Service guidance document that explains how an LLC can file as a nonprofit for federal tax purposes. Unfortunately, the document stated that state law must allow it, and Pennsylvania law seemed silent on the issue.

Sitting at my desk with scraps of federal and state law that I often thought were as clear as mud, I attempted to stitch together my Frankenstein's monster that was meant to guide someone through the darkness. I only wanted to find a clear "yes" or "no" answer whether the creature known as the Pennsylvania nonprofit LLC could rise and lead a normal life. However, every time I attached a new limb, I either found that another limb was missing or that the creature looked nothing like I had imagined. I continuously found that new conclusions often contradicted old ones that only minutes before I had felt so sure about. Eventually, with the insight and guidance of my supervising attorneys, I gave life to something that looked like it could survive the pitchforks and torches of agency and judicial scrutiny. I knew, though, looking at my creation, that in the future it would only raise more questions that I could not yet answer.

Sometimes the first answer we seek leads us down a rabbit hole filled with new questions that we never thought to ask and new answers that we never thought to seek. The first case on which I worked seemed to perpetually evolve in that manner. A Regional Housing attorney had

asked me to research whether members of a residents association had an easement to a water supply, of which the association would later become receiver. Importantly, the water supply rests on a separate parcel from residents' properties, and we had concerns that if the water supply owner sold the parcel, the residents could lose their access to water. We hoped to establish a protected right to maintain water service that existed independently from the receivership.

My research led me down a twisting path—a path filled with switchbacks and dead ends—through Pennsylvania property law. Due to inconsistent and unclear use of terminology, I continued to go back and forth over the issue of an implied easement to a water source on a separate parcel of land. Additionally, I questioned whether residents had an irrevocable license. Somewhere in the weeds of Pennsylvania case law the license lurked, but like the will-o-the-wisp that lures weary travelers into the swamp, we chose not to chase it. Of all the possibilities, I felt most confident that it did not appear that the residents could claim water access rights under the doctrine profit a prendre. That final conclusion did teach me the following valuable lesson: sometimes knowing what the answer is not can be just as helpful as knowing what the answer is.

Once we thought we had a handle on the legal basis for an implied easement, we began to ask how we could protect residents from a possible rate increase by a future owner. In my search to find legal price limitations for private utility customers, the water supply began to take on the form of a public utility. Although that eased some of our concerns over customer access and price protection, it raised more concerns about receivership responsibilities. Keeping in mind that we might be dealing with a public utility, I then had to find answers regarding the scope of a receiver's authority and responsibility. Despite other attorneys' help in our search, we still had many questions, including practical matters such as how the residents association can cover the costs of their newfound legal responsibilities if the original owner did not pay compensation.

To complicate matters, the residents association wanted to address onsite illegal waste dumping and vandalism of vacant properties. Those issues raised legal questions regarding waste management, trespassing, and the scope of the receivership. Like other legal matters I researched, I found no single, definitive answer that addressed every concern. Instead, I had puzzle pieces of law clouds and fact sky that I had to arrange in a way that could help protect our client and enable them to mitigate waste and vandalism. With no picture on a box to follow (just the picture in my head), I assembled my receivership jigsaw puzzle and gave it to my supervising attorney to rearrange, add, and remove pieces. I hope that when the judge receives our puzzle, the pieces will hold together and that the judge will see the same picture that we tried to form.

Throughout the process, we maintained regular contact with the residents association. We knew that the members cared deeply about their community and simply wanted the freedom to take care of that community. To them, this was not a series of letters, memos, petitions, and orders. To the residents, the issues involved their homes, their health, and their safety. We could easily empathize with their desire to maintain the property and do the work that the owner had refused to do. However, as their attorneys, we had to try to keep them on a tricky path, a path on which the wrong step could send their goals and objectives tumbling down a ravine. At times, we found ourselves giving them the answers that they needed, even though they did not necessarily want those answers. At those times, we could only do our job and hope that people would listen.

If I said that I found easy answers at more than one or two turns, I would be lying. Perhaps, though, that is why we have internships. If all of the answers were quick and easy, law students would not set up forts in libraries, arming themselves with casebooks, supplements, and outlines, preparing to do battle with papers, finals, and ultimately the bar exam. Students would not accept internships, externships, and research positions that pay little or no money, all for the

hope of learning something that might help them in the future. In turn, practicing attorneys and judges would not need clerks and interns to review current and pending cases; research relevant law; and write something that hopefully resembles an intelligent and reasoned argument.

Our clients may or not know all of the work and effort that we put into their cases. They may or may not know just how murky the law can be. Our clients do know that they have questions and that they need answers. They may want answers to serious problems or answers to seemingly innocuous situations. Clients may or may not ask the right questions, but that is not their job. The attorney must ask the right questions and find the best possible answer. Unfortunately, as much as our clients rely on us, we cannot always find the answers that they need or want. We can only find the answers that exist—or that no answer exists. Sometimes we have to form completely new answers and try to convince a judge or agency that we are right. If we are lucky, the answers that we come up with will provide some relief to our clients.

Like other public interest attorneys, the search for the right answers that can hopefully help someone drives my commitment to public service. We scour the pages of countless documents, examining sections, breaking down sentences, and looking up the meanings of individual words, trying to determine one way or another whether the law gives our clients legal recourse. We continue our searches for the right answers because if we do not, only those who can afford legal assistance will receive it, creating greater imbalance and injustice.

For those of us committed to public interest work, people's limited access to legal representation is in and of itself an uneasy and difficult answer to accept. We reluctantly accept it because it is reality, but it is a reality that we choose to strive against and change. We do so because in the future, when someone asks what we did to make things better, I think that we all want to give an answer that gives us a sense of accomplishment and allows us to rest easily.