



CHILDREN, FAMILIES, AND THE COURTS



OHIO BULLETIN

SUMMER 2006

Vol. 3, No. 1

Making Progress: Improving Representation in Juvenile and Family Law

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Introduction

All juvenile and family courts that assume the ongoing task of recruiting and retaining attorneys to represent children and families understand how difficult it is. Requiring that prospective attorneys have specialized education on child-specific or family law topics is often impractical due to limited court budgets and an inadequate pool of applicants with family court experience or training. Consequently, many courts are either facing an attorney shortage or trying to quickly initiate an inexperienced workforce through total immersion in the chaos of juvenile and family court practice.

Recruitment, retention and training issues are not unique to a particular court, jurisdiction, or state but are instead a common dilemma in the realm of child and family law: how do cash-strapped court administrators and state legislators ensure zealous representation by qualified attorneys without breaking the bank? Although the discussions regarding this topic are ongoing, there have been few definitive answers to the question of how courts and the states that govern them should proceed.

In Ohio, the Supreme Court Advisory Committee on Children, Families and the Courts has begun addressing many of the topics discussed in this bulletin by convening a subcommittee dedicated to attorney education, training, recruitment and retention. This sub-committee, co-chaired by Kathleen Clark, Ph.D. and Judge Carol Dezso,

convened in early 2006 to determine the direction the committee will take over the next year and has identified two areas in which to concentrate efforts: (1) law school issues and (2) practitioner issues. These areas have been further defined as education and training, and the recruitment and retention of recent law school graduates (and includes the promotion of prestige in the practice of family law). The subcommittee has decided to first examine law school curricula in Ohio's nine law schools and then look for ways to promote family law curricula, such as introducing additional certificate opportunities, externships, Master of Laws degrees (LL.M.) and clinical programs (currently only two of Ohio's nine law schools, Ohio State University and Capital Law School, offer substantive family law programs; see page 13). The subcommittee will simultaneously examine the quality and availability of training for those attorneys who are already practicing child and family law.

In order to support the efforts of the Supreme Court Advisory Committee on Children, Families and the Courts subcommittee, this bulletin will discuss how compensation and training impact the recruitment and retention of family law practitioners as well as present an overview of how some law schools are addressing the need for specialized educational programs for law students. Themes discussed in this bulletin center around the need for standards of practice, adequate compensation and training and education for attorneys representing children.

Practice Standards

Standards of practice for attorneys in both the delinquency and dependency systems have been developed through the expertise of key stakeholders in both fields. In the field of juvenile justice, the adoption of standards presented, for the first time, an integrated approach to deal with juvenile delinquency prevention and control within the context of law enforcement and juvenile justice efforts. Dependency standards were developed more recently and continue to evolve. Perhaps because of their relative newness, "there is no established binding legal precedent or authority defining the role attorneys should play in representing [dependent] children."¹

Juvenile Justice Standards

Congress enacted the Juvenile Justice and Delinquency Prevention (JJDP) Act in 1974 as a response to *In Re Gault* and to other concerns about youth in the juvenile justice system.² This Act was the first federally supported comprehensive approach to the problem of juvenile justice and delinquency prevention. The JJDP Act in turn inspired³ the creation of the Juvenile Justice Standards,⁴ a 23-volume set of standards created by the Institute for Judicial Administration-American Bar Association (IJA-ABA) to establish the best possible juvenile justice system for society. Some examples of the fundamental principles of these standards are as follows: sanctions should be proportionate to the seriousness of the offense; there should be a right to counsel for all affected interests at all crucial stages of proceedings and a right to counsel for juveniles; and juveniles should have the right to decide on actions affecting their lives and freedom, unless they are found incapable of making reasoned decisions.

Standards in Abuse and Neglect Proceedings

In 1996, the American Bar Association (ABA) adopted *Standards of Practice for Lawyers Who Represent Children in Abuse and Neglect Proceedings*.⁵ A simultaneous effort to establish standards of representation transpired when the Conference on Ethical Issues in the Legal Representation of Children was hosted at Fordham University School of Law (hereafter referred to as "Fordham I").⁶ Fordham I brought together lawyers, judges, legal scholars and representatives of other professions to work together in order to develop and adopt recommendations to improve the quality of representation for children. This was a launching point

or, more aptly, a convergence of professionals in the best position to generate a series of recommendations designed to "improve the professional practices of lawyers who serve on behalf of children."⁷ In January 2006, ten years after Fordham I, "Representing Children in Families: Children's Advocacy and Justice Ten Years After Fordham" (Fordham II) was convened in order to revisit the original recommendations.⁸

Emerging Themes

Through the development of standards of practice and through convening various conferences, symposiums, and commission meetings, attorneys, judges, court administrators, and other key stakeholders have debated issues and made decisions that affect the quality of children's representation. Whether the discussion is focused on the representation of dependent children or delinquent youth, several central themes have emerged that affect how courts can adhere to recommended standards:

Compensation—Attorneys for children do not generally receive sufficient compensation for their representation. This is apparent both in the lower starting (and ending) salaries for children's attorneys in comparison to other areas of law as well as in the limited resources that children's attorneys have in terms of clerical support. The National Council of Juvenile and Family Court Judges' (NCJFCJ) 1998 survey of court improvement specialists found that "almost [three quarters] of the [court improvement] specialists believed that attorneys for children are under-compensated...[S]pecialists recognize that under-compensation often results in less qualified and committed individuals and higher turnover."⁹ According to the National Juvenile Defender Center, the "fiscal disincentives surrounding the practice of juvenile law are well known."¹⁰

Training—Attorneys for children do not receive thorough, adequate or consistent training either during law school or during their tenure working with courts. Law schools that provide education specific to representing children as clients in addition to rigorous and thorough training—such as those that provide externships, that require

History of Representation for Children

Delinquency Representation

In 1967, the Supreme Court guaranteed children the constitutional right to counsel in delinquency proceedings. The case which instigated this change in due process involved a 15-year-old juvenile, Gerald Gault, whose arrest and trial for making lewd phone calls resulted in a six-year commitment to the state industrial school (Gault would have been released at age 21). In comparison, an adult charged with the same crime would have received a maximum of a \$50 fine and two months in jail. The U.S. Supreme Court found standard trial procedures were not followed and that the court did not abide by the following due process protections:

- Notice of the charges with regard to their timeliness and specificity,
- Right to counsel,
- Right to confrontation and cross-examination,
- Privilege against self-incrimination,
- Right to a transcript of the trial record, and
- Right to appellate review.

The Supreme Court determined that juveniles were entitled to due process under the 14th Amendment. The court opinion held that "neither the Fourteenth Amendment nor the Bill of Rights is for adults alone."^{*}

Dependency Representation

Congress addressed the issue of representation in dependency proceedings by passing the Child Abuse and Neglect Prevention and Treatment Act (CAPTA) in 1974, which affected the ability of states to be eligible for federal grants through mandating the appointment of a guardian ad litem (GAL) to any child who is the subject of abuse or neglect proceedings.^{**} In 1996, Congress amended the statute to specify that a GAL may "be an attorney or a court appointed special advocate (CASA) or both" and that the appointment is designed to:

- Obtain first-hand, a clear understanding of the situation and needs of the child; and
- To make recommendations to the court concerning the best interests of the child.^{***}

In 2003, Congress specified that the GAL must receive training "appropriate to the role"^{****} but provided no further directions for states implementing the federal mandates. In view of this lack of direction from federal statutes, states have been left to their own interpretations of the law and, as a result, each has defined a unique model of practice in state statutes.

* In Re Gault. 387 U.S. 1 (1967)

** 42 U.S.C. § 5106 (a)(2)(A)(ix).

*** CAPTA Amendments of 1996, Sec. 107, 107(b)(2)(A)(ix)(I)-(II).

**** CAPTA Amendments of 2003, Sec. 114, 114 (b)(1)(A)(vii)(I)-(II).

students to represent and follow cases through court, and that offer Master of Laws (LL.M.) degrees—are in the minority. (See Recruiting and Retaining Qualified Attorneys—Law School on page 11). In addition, courts do not provide attorneys and other court personnel with training opportunities specific to a child’s developmental level. At the recent symposium, Fordham II, a working group discussed the issue of child development training and noted that "many judges, lawyers, lawmakers and social service providers are poorly informed about child development and how it bears on decisions made in the child welfare, juvenile justice and domestic relations systems and lack the skills to effectuate and engage children in the decision-making process."¹¹

Recruiting and Retaining Qualified Attorneys—Courts are increasingly faced with a shortage of attorneys who are willing to be assigned to child-clients, and the reality is that "many lawyers are professionally unqualified to serve children. A contemporary legal education may provide no training at all in interviewing and counseling clients, much less in interviewing and counseling child clients in light of developmental differences from adult clients."¹² Without a pool of new graduates who are knowledgeable about representing children, courts often recruit untrained lawyers and trust that they will be able to obtain enough knowledge while they are 'on the job' to adequately serve clients’ needs. This in turn increases courts’ difficulty in retaining qualified attorneys—an environment in which an untrained attorney is asked to perform a loosely defined job with minimal compensation and a high caseload does not bode well for a long career path within the juvenile or family court. An "ABA national survey found that 55 percent of juvenile defense attorneys remained in their positions less than 2 years," a fact which indicates that a majority of juvenile defenders are, at any one time, lacking experience and skills critical to job performance.¹³

Children’s attorneys are required to carry overwhelming caseloads comprised of the most marginalized of populations—often children of color, children with low socio-economic status, and children whose families have limited formal education and even less knowledge of the legal system.

A 2003 report¹⁴ released by the ABA assessed access to counsel and the quality of representation in delinquency proceedings in Ohio. The report’s recommendations included development of a system through which all children are represented; earlier appointment of counsel; increased funding and resources of public defender programs; and accountability and training of indigent defense counsel. The following are examples of some of the recommendations contained in the report regarding the importance of compensation and training for juvenile defense counsel:

"[The Governor and Legislature] should enact and implement a juvenile defense delivery system for the State of Ohio that ensures:

- Adequate funding and resources for salaries, contractual rates, expert services, case support and ancillary services; and
- Ready access to and quality representation by trained and competent defense counsel."

The report also recommended:

"[The Office of the Ohio Public Defender] should provide increased opportunities for all juvenile defense attorneys to participate in meaningful and intensive training on relevant issues facing children and youth in the system, including child development issues, motion practice, dispositional advocacy, detention advocacy, trial skills, competency and capacity litigation, education advocacy, and post-disposition advocacy."

Other recommendations were focused on Ohio law schools, recommending that they "examine the nature and content of law school courses related to juvenile practice to ensure appropriate educational opportunities are provided to law students that can support high standards in juvenile court practice." It is important to recognize all of the key stakeholders that are ultimately responsible for the current inadequacies in the field. It is not simply an issue that would be resolved through better law school programs and advanced certifications in juvenile or family law, nor would inadequate representation be addressed by a higher level of compensation without also funding increased training for counsel and making training mandatory for employment in juvenile and/or family law.

Another ABA release (2004) urges states to make substantive changes in the area of dependency representation:

"States should attract and retain effective, trained, and qualified lawyers in the dependency practice area by: (i) development and implementation of reasonable compensation for dependency counsel, that isn't tied to the volume of cases or clients a lawyer represents; (ii) establishment of loan forgiveness programs for attorneys who enter or currently practice in this area; (iii) development and implementation of national protocols and standards for reasonable attorney caseloads; (iv) federal and state support for attorney training; and (v) development, implementation of, and funding for, qualification and training standards for dependency counsel."¹⁵

Although specific to dependency, the above statement could be used to describe the needs of all aspects of indigent representation for children—qualified representation is needed whether a child is delinquent, dependent, or part of a family law proceeding. The difficulty lies in recruiting newer graduates into a field that includes an often-stressful working environment, little training or support from courts, and low levels of compensation.

Compensation

In an era of state and local budget crises, juvenile and family courts do not have the luxury of competing with private law firms offering competitive salaries, compensation packages or a more manageable caseload. There are limited funds available to juvenile and family courts to fund a wide variety of personnel, programs, and functions.

When attorneys are assigned to juveniles as part of an indigent representation system, there are generally three different methods used to finance their representation. The first, and most widespread, is the "pool" or "panel" of private attorneys who are appointed on a case-by-case basis. Children's representation is usually not the majority of their practice and they are compensated at a preset rate per hour or are paid per case usually either by published court rule or by a statute governing payment for indigent representation. Although these attorneys may need certain credentials (e.g. must have practiced law for at least one year in the state, must submit a resume, must go through a personal interview with one

or more judges, etc.), many times there is no prerequisite for them to have any expertise in juvenile matters.

The second model is the "contract attorney" in which a state or local jurisdiction contracts in advance with attorneys or law firms to secure representation in a given number of cases or for a given period of time for an agreed-upon fee. Attorneys who are compensated per hour are often limited to the number of billable hours they can submit per case and they are required to provide explanations of any extenuating circumstances if they wish to exceed the capped amount. "In court time" may be billed differently than preparation or "out of court time." In some states, state statute sets the limit on the total amount of compensation; in others, each county has its own guidelines for compensation rates. Contract counsel may be easier to budget for, and may enable counsel to develop expertise in the field over time, but this model can be criticized for being structured in such a way that creates economic incentives to minimize effort and maximize caseloads.¹⁶

The third model of representation is a specialized agency such as a public defender division, legal services or a child advocacy office that provides children's representation through a staff of salaried attorneys. These programs have the advantage of attorneys who are trained specifically on juvenile matters and who have chosen to work in the field. However, these specialized offices or divisions often have the reputation of being underfunded and hindered by unmanageable caseloads.

Attorney Compensation—Ohio

Ohio counties vary in how they address compensation for court-appointed attorneys in dependency matters. Local jurisdictions determine how indigent representation for children is structured by utilizing a combination of the three models of representation. Two of the largest counties in Ohio use a flat fee payment for attorneys selected from a panel of private counsel. These counties set maximum rates of compensation for assigned guardians ad litem and dependency counsel in the range of \$225 to \$1,000 per case. While this definitely does not fall in the top range of attorney compensation in comparison with other states, it is not the lowest.

Juvenile defense attorneys may not be a regular presence in many local courts. Problems cited in the 2003 ABA assessment of representation in delinquency proceedings in Ohio include the lack of qualified attorneys handling cases, ambiguity in determining eligibility for court-appointed counsel, and at what point in the process

Working Environment

When compensation rates remain low, what can often help attract and retain qualified attorneys is a positive working environment. One example of this is The Rocky Mountain Children's Law Center, formerly The Children's Legal Clinic (Denver, CO). The Center began as one of three models tested by a national pilot project looking for the best ways to legally represent abused and neglected children. After three years, researchers found that the Children's Clinic model delivered the highest quality of legal representation for children. The Center currently employs a staff of eighteen, including full-time attorneys, social workers, and administrative staff. They also maintain an expert panel that gives pediatric health care, psychological, and psychiatric technical help to staff attorneys, volunteers for a Pro Bono Attorney program, and law students in their Child Advocacy Clinic.

The Rocky Mountain Children's Law Center prides itself in the fact that attorneys take the time to get to know every child, understand that child's history, and find out what that child needs to heal. This kind of work environment in which attorneys and staff are working for a common, defined goal within an environment designed to promote expertise in the field and advance advocacy on behalf of abused and neglected children leads to high staff retention levels. Shari Shink, executive director of the Center, responded to the subject of working environment and compensation as follows:

*" . . . attorneys who choose to do this work typically know that salaries will not be comparable to major firms. However, there are other, more important trade-offs. Changing the world for children, particularly abused and neglected children, is a life changing experience for the attorney.... There is no more satisfying work! Also, the benefits, both tangible and intangible, are noteworthy."**

* More information on the Rocky Mountain Children's Law Center can be found online at <http://rockymountainchildrenslawcenter.org/about.html>

counsel is appointed. In addition, the report states that "the Office of the Ohio Public Defender has limited administrative oversight or authority over local practices, thus resulting in substantial discrepancies in how programs are structured and funded. Lack of compensation, lack of training, and inconsistency in technology and other support systems for attorneys [are] also pervasive."¹⁷

As with dependency matters, compensation for delinquency attorneys varies by county and is often capped by set fees for particular types of cases. Individual counties approve hourly rates for appointed counsel ranging from \$30 to \$60 per hour. Starting salaries for full-time public defenders ranged from a low of \$35,000 to a high of \$42,000. According to the ABA, "Judges and magistrates were nearly uniform in citing low hourly rates and fee caps as a significant barrier to getting and retaining competent attorneys for juvenile court."¹⁸

Recommendations to improve the quality of juvenile defense in Ohio included a call for the Office of the Ohio Public Defender to "develop and implement a strategic plan, including staffing, support, resources, training, expert services and adequate funding, for the formation of state public defender offices and/or standardized appointment procedures in every county." By implementing this recommendation throughout Ohio, the state would have irrefutable standards of practice that are enforceable at the local level. This would ensure that all juveniles would have counsel available at the earliest stage of delinquency proceedings.¹⁹

Improving Representation Through Compensation

Some states that have looked at improving the quality of representation in juvenile matters have developed ways to draft and award contracts in order to enhance attorney performance. According to ABA's publication, ChildCourtWorks, "Jurisdictions can develop an

experienced and specialized group of attorneys through the use of contracts. An ideal contract would set forth:

- A high standard in establishing minimum requirements,
- Clear hiring guidelines, and
- A through review process."²⁰

Contract models are varied and states are encouraged to develop a model that best fits with the representation needs of their population and location of the counties. Looking at whether a flat fee per case or hourly billing is the best choice, states must weigh the pros and cons of each in context. Maryland, Arkansas and California have all explored the use of contracts in improving dependency representation for children.

The Superior Court of California, Santa Clara County, developed a Request for Proposals (RFP) process to "select the most efficient and cost effective provider" to represent parents in dependency cases and children in conflict situations. The RFP provided detailed job requirements, including a list of specific local rules, and a background statement that detailed submission parameters for the grant process. By utilizing the RFP process, vendors were required to list related experience and professional qualifications of staff, responsiveness to the client population and the percentage of costs that would be directly applied to services. This allowed Santa Clara County to select a vendor based not only on the cost of the service but the quality of service to be provided and the familiarity of the applicant with the county's dependency court programs.

KidsVoice, a private non-profit organization in Allegheny County (Pittsburgh), PA, (see Training Through Interdisciplinary Advocacy on page 8) found a way to provide better services and representation for dependent youth both by making attorney positions salary-based (as opposed to billable hours) and by utilizing non-attorney staff to do investigations, participate in staffings and other sitework, and visit clients more frequently. By using less expensive but highly qualified staff to do some of the work traditionally associated with attorneys, KidsVoice keeps costs down and is able to provide more comprehensive representation for children with less cost to the county.

Training

Models of attorney training generally have one thing in common: they promote expertise in the field and in turn, trained attorneys can better provide zealous representation in the courtroom. There are several approaches to attorney training which should begin during law school with the pursuit of certification and specialized training in the field. However, the majority of attorneys that are practicing family law, whether in the fields of child welfare, juvenile delinquency or custody matters, did not "specialize" in these areas during law school. Pursuing additional training may be a way for these lawyers to bring more expertise into their chosen field. Two approaches to addressing a deficit in juvenile and family law proficiency are engaging in a continuing education program and participating in court-sponsored training.

Continuing Education

A Master of Laws degree (LL.M.) is designed for legal professionals who desire a more specialized understanding of the law in order to better serve their clients. Programs are designed to be individualized to the backgrounds and interests of attorneys and tend to emphasize interdisciplinary learning, clinics and externships, and current legal trends and research. Three American universities currently offer LL.M. degrees in family law: Chicago Kent College of Law, Loyola University of Chicago, and Hofstra University Law School in Long Island, NY.

Court-Sponsored Training

It goes without saying that courts should be involved in the creation, adaptation and promulgation of training standards for all court-funded attorneys. However, the costs involved in creating a training program, staffing it, and tracking participation may be prohibitive, especially in small (rural) courts and medium-sized jurisdictions. Court sponsored "brown-bag" trainings are one way for courts to provide ongoing training without substantial costs in terms of time or money.

Pima County's (Tucson, AZ) Juvenile Court Center (PCJCC) used these brown-bag trainings to provide judges and attorneys more specialized training for little or no cost to the court. At the beginning of their "Model Court" process in the late 1990's, PCJCC's Dependency Unit began sponsoring monthly lunchtime trainings for judges, attorneys, court personnel, child protective

Ohio Models for Attorney/Guardian ad Litem (GAL) Training

Below is a description of how two counties in Ohio developed standards of training and guidelines or manuals to supplement required training for attorneys and GALs representing child clients in abuse and neglect cases.

Cuyahoga County (Cleveland, OH)

Cuyahoga County Juvenile Court responded to Ohio's 1975 amendments to O.R.C. 2151.281 and the Ohio Rules of Juvenile Procedure that required the appointment of a Guardian ad Litem in all child abuse and neglect cases by requiring that the appointed GAL be an attorney (Ohio law does not require an attorney-GAL). In addition, Cuyahoga County organized the *Council on Children at Risk* to identify and address the problem of child abuse and neglect. The Council's legal committee quickly identified a problem in the number of attorneys available to represent children as GALs—the list was dwindling, and representation was becoming perfunctory. In 1977, the Council decided to recruit and train 100 attorneys in private practice to serve at-risk children as court-appointed Guardians ad Litem, creating the Guardian ad Litem Project. In 1978, attorneys began receiving a mandatory one-half day training to become a GAL. Now, attorneys must take an initial 2½-day training to become a GAL and are required to take a minimum of two additional half day advanced trainings per year to remain qualified to accept GAL appointments.

Cuyahoga County uses a set of published guidelines, developed through the Guardian ad Litem Project, to train all GALs representing child-clients. Known as the GAL Guidelines (full title: Guidelines for Guardians ad Litem Practicing in the Court of Common Pleas for Cuyahoga County-Juvenile Division), the six-guideline document was approved by the Guardian Ad Litem Advisory Committee in Cuyahoga County and adopted by the Court in Local Rule 19(E). The GAL Guidelines provide standards of professional conduct expected of guardians ad litem within the legal system and legal profession. The Guidelines strive to ensure quality representation of the best interests of child-clients and provide some examples of how GALs should proceed in specific situations. More information about the Guardian ad Litem Project and a copy of the GAL Guidelines is available on their web site at www.galproject.org.

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services and probation staff to increase knowledge on child-focused topics. The trainings utilized local experts in the field who were willing to donate their time to provide a one-hour training during the lunch hour and were well attended by both judges and attorneys. Training topics varied but included such topics as mental health, substance abuse, post-traumatic stress disorder, interagency cooperation, and family violence. Many of these trainings were also used to provide participants with Continuing Legal Education credit opportunities. By offering brown-bag trainings at the court facility and utilizing local experts and agencies, the cost to the court was minimal. Additionally, since both attorneys and judges attend the same trainings in this model, there is more understanding and dialogue about issues facing children and families such as the availability or lack of local services.

Training Through Interdisciplinary Advocacy

Interdisciplinary models of advocacy provide a close alliance between attorneys, social workers, and professionals from mental health, substance abuse and other disciplines that can provide resources that benefit the child and family. This close working relationship can improve attorney retention through its cooperative approach to law. Professional staff with expertise in their respective fields can provide both perspective and support to attorneys by taking on responsibilities (e.g., more frequent visits with child-clients) that can be overlooked under the strain of heavy caseloads. Although this idea of a collaborative model of advocacy and representation is not new, it is extremely limited in practice.

In Allegheny County (Pittsburgh), Pennsylvania, KidsVoice, a private, non-profit law firm, saw the value of an interdisciplinary practice model in providing more effective advocacy for child-clients. KidsVoice was

Ohio Models for Attorney/Guardian ad Litem (GAL) Training.....Continued

Hamilton County (Cincinnati, OH)

Hamilton County uses a "practice manual" created for attorneys who represent children in abuse and neglect cases. The manual was created out of a collaboration between the court, the prosecutor's office, the Office of the Public Defender, Guardian Ad Litem Division, ProKids (Court Appointed Special Advocate agency in Hamilton County) and the private bar to assist new attorneys desiring to practice in the court's dependency docket and to provide additional training to practicing abuse/neglect attorneys. The introduction to the manual* states:

"This manual reflects the belief that it is important that all attorneys who practice in the court have a good understanding of not only the 'letter' of child abuse, neglect and dependency law and procedure, but also the spirit and philosophy that underlies the legal mandates. When attorneys understand the goals of abuse, neglect and dependency practice, they are better able to advise their clients as well as advocate for their clients' positions in a manner that will be most persuasive to the court."

The practice manual covers Ohio child abuse, neglect and dependency law and key issues at each stage of the hearing process of the Hamilton County Juvenile Court, and provides practice pointers for attorneys. In addition to the manual, the Hamilton County Public Defender, Guardian ad Litem Division conducts both initial and ongoing GAL training for attorney and social worker GALs. They have developed a training manual specifically for use by newly hired GALs and utilize a training coordinator to work with social worker/GALs for several months to ensure their knowledge base. Newly hired attorney/GALs also receive intensive training from one of two attorney supervisors. In addition, ongoing training for GALs is provided monthly (2 hours) on topics such as community resources, court process and changes in the system.

For more information about the practice manual please contact Magistrate Carla Guenther at Carla.Guenther@juvcourt.hamilton-co.org. For more information about the training offered by the Office of the Public Defender, Guardian Ad Litem Division, please contact training coordinator Kim Helfrich at KHelfric.GWTC.Exchange@juvcourt.hamilton-co.org.

* *Ohio Abuse, Neglect and Dependency Law: A Practice Manual for Attorneys in Hamilton County.*

founded in 1908 originally as the Legal Aid Society of Pittsburgh. This organization provides full service advocacy as guardians ad litem or appointed counsel²¹ appointed by the court for children involved in dependency court proceedings in Allegheny County. Over the last six years, KidsVoice has grown from a group of 10 lawyers to a staff of around 60, and created a new model of child advocacy in the process.

KidsVoice teams attorneys with in-house Child Advocacy Specialists (CAS) including social workers, mental health specialists, and specialists in the fields of foster care, substance abuse, domestic violence, special education

and child development. The KidsVoice model is intended to utilize the staff's collective knowledge to provide more effective representation for children than the agency could with attorneys alone. KidsVoice attorneys and CAS's work on teams assigned by the geographical location of the client. These teams meet weekly to discuss cases coming into court and any follow-up needed from the previous week's court cases. This team-based model has allowed KidsVoice to reduce attorney caseload size, increase contact with child-clients, and provide more consistent advocacy through clearly defined policies and procedures.

Family Law: Hofstra's Interdisciplinary Model

The movement towards creating unified family courts has resulted in judges who hear cases that range from juvenile delinquency dockets to hearing divorce and custody matters. This necessitates judges to serve in the capacity of an adjudicator as well as supervise an array of family service providers from different disciplines and backgrounds. Attorneys who practice family law need to understand a variety of perspectives and work with professionals from various backgrounds in order to successfully negotiate through complex family issues and resolve disputes. Hofstra University's (Long Island, NY) Center for Children, Families and the Law* and the Association of Family and Conciliation Courts** (AFCC) is looking to reform family law practice through answering the question of whether the law school's family law curriculum adequately prepares future family lawyers for the challenges of practice.

In early 2004, the AFCC and the Center published a series of essays called "On Teaching Family Law." This publication was sent to law professors with an invitation to attend a Family Law Education Forum to discuss ways to improve family law education. The forum participants (family law faculty and professionals in law, psychology, mediation and related disciplines) agreed to focus on how to structure and develop an educational course of study which more closely matches the real-world practice of family law. The result was the Family Law Education Reform (FLER) project, co-sponsored by the AFCC and the Center for Children, Families and the Law.

*"The goal of the Family Law Education Reform Project is to develop a course of study that effectively prepares future lawyers for the practice of family law and for addressing the problems that families and children bring to court...Law students need opportunities to learn the skills and the underlying assumptions of mediation, collaborative law, custody evaluations and other techniques that can be used instead of or in conjunction with formal litigation. Contemporary practitioners draw from a broad array of skills, approaches and disciplines that go far beyond substantive legal doctrine. The goal of this project is to identify these tools and techniques, and to create curricular modules that enable family law teachers to present these ideas and approaches to their students, either in advanced family law courses, or in a form easily incorporated into a basic family law course."****

* The Center for Children, Families and the Law is a collaboration between Hofstra University's School of Law and the Department of Psychology. It has a unique collaborative program of interdisciplinary education, community service and research designed to encourage professionals from law and mental health to work together for the benefit of children and families involved in the legal system. More information about this organization can be found online at http://www.hofstra.edu/academics/law/law_center_family.cfm

** The Association of Family and Conciliation Courts is an interdisciplinary association of judges, lawyers, mediators, mental health professionals, educators, researchers and others dedicated to the constructive resolution of family conflict. More information about this organization can be found online at <http://www.afccnet.org/>.

*** Quote taken from the document "Family Law Education Reform Project" last viewed online May 16, 2006 at the AFCC website http://www.afccnet.org/pdfs/law_familylaw_education_reform.pdf.

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A rigorous five-week training curriculum is required of all new attorneys, which consists of training on topics such as local rules, abuse/neglect, mental health, mental retardation and developmental disability. The training also requires new attorneys to shadow agency attorneys, conduct court observations, prepare cases, and learn how to maintain legal files. Allegheny County contracts with

KidsVoice to represent about 5,000 dependent children per year. This contract, however, does not cover the entire cost of services, so the organization must also conduct additional fundraising on a yearly basis to sustain the level of service provided. More information about KidsVoice is available at <http://www.kidsvoice.org>.

Family Law: Hofstra's Interdisciplinary Model.....Continued

The Family Law Education Reform project's first task was to research and write a report on the status of Family Law curricula and evaluate whether they prepare future family law attorneys for actual practice. FLER reviewed family law courses and materials as well as convened several conferences with family law professors and other key stakeholders from the family law system to gather their input on curricula. FLER also surveyed stakeholders in the family law system to determine the most relevant skills needed to be an effectual family law practitioner. The majority of respondents felt that listening, setting realistic expectations for clients, involving clients in decision-making, and identifying clients' interests were "extremely important."****

In October of 2005, a draft FLER Report was released for comment. The report "documents a significant gap between education and practice that calls into question the quality of representation that future family lawyers will provide," and concludes that a "re-orientation of family law teaching is overdue." Recommendations from the draft report are directed primarily at law professors and encourage curricular reform. Specific recommendations include suggestions for law schools to:

- Reevaluate family law curricula to include subjects such as the role of the family court, dispute resolution and family violence;
- Make family law a required course for all law students;
- Increase elective courses beyond basic family law as well as offer certificate programs, concentrations, and advanced degree programs for attorneys wishing to specialize in family law; and
- Involve family law professionals in curricula through projects like mentoring, guest lecturing and providing job counseling.

The final report will be published in the Family Court Review in October 2006 with additional commentary from educators, judges, lawyers, mediators and mental health professionals. The draft FLER Report is available on the AFCC web site at http://www.afccnet.org/about/fam_law_tf.asp.

**** Schepard, A. February 13, 2006. *The Family Law Education Reform Report Completed*. Available online at <http://www.lawdatainc.com/res01.pdf>.

Recruiting and Retaining Qualified Attorneys — Law Schools

"Model" law schools that have comprehensive programs focused on delinquency, dependency or general family law have in common certain aspects of their programs:

- Clinics/internships/externships: Law schools that encourage students to engage in actual practice (i.e. representing child-clients in the courtroom) produce graduates who are skilled in real-world advocacy on behalf of their clients.

- Certificates/advanced degrees: Law schools that provide a concentration of classes focused on family law will produce attorneys with a specific skill set.
- Fellowships: Law schools dedicated to the promotion of the quality of advocacy recognize that if financial concerns are alleviated, students are better able to focus on their chosen field of law.

The following section highlights a few law schools that are using innovative curricula to ensure that graduating attorneys will not only go into the field of juvenile and family law, but will have the knowledge necessary to provide zealous representation in the courtroom.

Dependency Attorneys/Guardians ad Litem

The following are summaries of several university law school programs that specialize in educating law students to provide advocacy and representation for abused and/or neglected children in dependency matters.

Loyola University Chicago ***Civitas ChildLaw Center***

Founded in 1993, Loyola's Civitas ChildLaw Center was the first law school program to integrate a traditional J.D. curriculum with a specialized course of study in children's law. ChildLaw Center programs include several degree offerings (J.D., LL.M., M.J.); a clinic in which law students, working under the supervision of faculty, represent child clients in a range of legal proceedings; a policy institute that works on legislative and other law reform initiatives; a program devoted to the development of excellence and equity in the nation's schools; and an international children's rights initiative. Each year up to ten entering law students are named as ChildLaw Fellows. These students, who commit to legal careers in child advocacy, receive specialized training and scholarship support to help them achieve their career goals. In addition, all students are eligible to earn a Certificate in Child and Family Law if they take a number of elective courses from a broad set of offerings, including child welfare, juvenile justice, domestic violence, adoption, mediation, specialized trial practice, and international child and family law. More information about all of the programs at Loyola University Chicago, School of Law can be found on their website at <http://www.luc.edu/law/>.

University of Michigan Law School ***Child Advocacy Law Clinic***

The University of Michigan operates the Child Advocacy Law Clinic (CALC), the oldest such clinical law program in the nation. The Clinic provides an in-depth, interdisciplinary experience working with issues in child abuse and neglect and with children in foster care. One of the most distinctive aspects of the program is the fact that student attorneys represent children, parents and the county child welfare agency—all in different counties to avoid conflict of interest. Students are in control of their cases (under supervision) and complete all the steps

required to take a case to court. The CALC program begins with a series of classes to prepare students for what will happen in court. Class sessions cover child welfare and procedure; preliminary hearing simulations; learning to interview clients, especially children; dealing with evidence; case and trial preparation, including direct and cross examination; and mock trial practices. Cases and teams are assigned in the third week of class and students participate in case conferences. Besides the student attorneys, the conferences include the attorney/supervisors for each case, a psychologist and a psychology student intern who provide guidance. Depending on the needs of the case, students might also work with student colleagues from social work, pediatrics, and psychiatry. More information about the University of Michigan's Child Advocacy Law Clinic can be found on their website at <http://www.law.umich.edu/>.

Whittier Law School ***Center for Children's Rights***

Whittier Law School, located in Whittier, California, founded the Center for Children's Rights (CCR) in 1994 to address the needs of children who lack effective legal representation to ensure that their interests are recognized and protected. The heart of the Center is the Fellowship Program—one of the most comprehensive programs of its type among law schools. Each year the Center gives up to twenty students the opportunity to participate in a multi-disciplinary curriculum designed to prepare them for a legal career in representing children's interests.

The Fellowship Program was developed based on the theory that a small program setting that combines academic study, special events focusing on children's law issues, and "hands-on" training is the best curriculum for children's rights advocates. From the first day of their first year in the Fellowship Program, students begin specialized training in child advocacy—taking part in the regular academic program at Whittier Law School while completing a focused core curriculum. More information about the Children's Rights Program can be found on their website at <http://www.law.whittier.edu/centers/childrens-rights.asp>.

Ohio Universities: Certificates and Clinics

Two Ohio universities offer certificates in child and/or family law.

Capital University

Children and Family Law Concentration

A Children and Family Law Concentration is offered as part of Capital University's (Columbus, Ohio) specialized training program designed to prepare students for a career in juvenile and family court settings. * Students gain experience in family law practice areas ranging from divorce and child custody to more specialized areas such as juvenile justice, adoption law, and school law. Eleven credit hours of course work are required to obtain a certificate in this concentration. Capital's adoption law course is the only such course regularly taught at an American law school and the university offers Adoption Law Fellowships to students who are interested in pursuing a career in child welfare and/or adoption law after graduation (see Fellowships on page 15). For more information about the Children and Family Law Concentration, visit the Capital University website at www.law.capital.edu/Academic/ChilFam.asp.

Ohio State University Moritz College of Law

Justice for Children Project

The Justice for Children Project began as a joint venture of the Moritz College of Law and the Center for Interdisciplinary Law and Policy Studies. The Project engages in research and law reform, as well as direct representation of children through the Justice for Children Practicum. The Practicum provides third-year law students the opportunity to represent children in court proceedings under the supervision of law school faculty. Cases handled by students cover a wide range of issues, including abuse, neglect, delinquency, status offenses, custody matters, and termination of parental rights.

In April 2003, Ohio State University approved a new Certificate in Children Studies. This specialized certificate reflects recognition of the complexity of juvenile court representation and provides a rare opportunity for students who wish to specialize children's legal issues. To obtain the Certificate, students must complete twenty hours of specialized course work, including the required courses in Children and the Law and Family Law; participate in the Justice for Children Practicum; complete five additional semester hours of approved law school coursework; and complete five semester hours of graduate-level courses offered at Ohio State University. This interdisciplinary approach provides students with a more complete understanding of the issues faced by children and their families within the juvenile court setting.

Although the Justice for Children Project represents individual clients, the Project also is actively engaged in promoting the rights of children through law reform. To further this goal, the Project has created the Amicus Project to provide amicus assistance in cases that implicate the rights of children whose voices often are excluded from the litigation process. To date, the Project has filed amicus briefs in various courts, including courts in Ohio, Washington, and Kentucky. For more information about the Justice for Children Project, visit their website at: <http://moritzlaw.osu.edu/jfc/>.

* The Children and Family Law Concentration is linked with the Law School's National Center for Adoption Law and Policy and the Family Advocacy Clinic.

Juvenile Defenders

The following are summaries of a few selected university law school programs that specialize in educating law students to provide representation for youth involved in delinquency matters.

Georgetown University Law School *Juvenile Justice Clinic*

Georgetown University's (Washington, DC) Juvenile Justice Clinic, created in 1973, has a long history of representing the rights of children who have been charged with a variety of crimes. Limited to third-year students who are handpicked as well as chosen through a lottery system, the Clinic provides the opportunity to represent clients in court (approximately six clients over the course of a year). Clinic students interview clients and witnesses; investigate cases; research, write, and litigate motions involving the suppression of evidence and other legal issues; and conduct preliminary hearings, plea negotiations, trials, and plea and sentencing hearings. Students are required to be in class one week earlier than other J.D. students in order to attend a one-week "boot-camp" orientation program.

Georgetown University Law Center also has an established legal internship program for law school graduates. Graduate Fellowships are awarded to four outstanding recent graduates selected to participate in a two-year program leading to the LL.M. degree. Subsequently, the fellows represent indigent clients in criminal cases in the local courts of the District of Columbia. At the beginning of the second year, fellows reduce the number of new cases they accept and one of them assumes major responsibility for the supervision of students in the Juvenile Justice Clinic. For more information about Georgetown's Juvenile Justice Clinic, visit their website at <http://www.law.georgetown.edu/clinics/jjc/index.html>.

Northwestern University School of Law *Children and Family Justice Center*

Northwestern University School of Law's (Chicago, IL) Children and Family Justice Center (CFJC) was founded in 1992. The CFJC provides law students the opportunity to represent juveniles on matters of delinquency and crime, family violence, school discipline, health and

disability, and immigration and asylum under the supervision of attorneys and clinical professors. Second- and third-year law students meet with clients, research legal issues, learn pretrial investigation, interviewing, and counseling skills and litigate cases. The Center uses a team of attorneys and a social worker who teach, litigate cases, develop policy, and engage in law reform to improve the administration of justice. Externships, combined with classroom work, give law students the opportunity to gain on-the-job training while earning class credit. The CFJC also collaborates with communities and the child welfare, educational, mental health and juvenile justice systems to develop policies and solutions for reform. More information about Northwestern University's Children and Family Justice Center can be found at their website <http://www.law.northwestern.edu/cfjc/>.

Suffolk University Law School *Juvenile Justice Center*

Suffolk University Law School in Boston, MA operates a Juvenile Justice Center (JJC) that provides a Juvenile Justice Clinic to students who are in the last two years of the law school program. The JJC was founded in 1998 and its mission is to provide vigorous, high-quality representation for children in the juvenile court system, using a multi-disciplinary approach that includes supportive social services and education advocacy. The clinical program at the JJC provides students with practical, in-court experience. Students are required to spend at least one full day per week in the juvenile court²² and at the Juvenile Justice Center clinical offices as well as any additional time their cases require. In addition to court cases, students attend a weekly two-hour class and are required to meet with a clinical supervisor in order to discuss cases and reflect on court-related experiences. The JJC also monitors and actively advocates on state policies that affect how youth are sent to court and the consequences of their court involvement.

Two JJC attorneys supervise Suffolk Law students representing youth in court, as well as provide direct representation to juveniles from arraignment through disposition. The JJC handles 500 to 600 delinquency cases annually. More information about Suffolk University Law School's Juvenile Justice Center can be found at their website <http://www.law.suffolk.edu/>.

Law School Funding and Fellowships

The burden of undergraduate college loans is compounded when law school costs are added to the total. Many students rely on the promise of a high-paying attorney position to support their continued education. This can severely impact the number of recent graduates who are financially able, although willing, to choose family law. There are only a few established ways to help offset the high cost of a law school education, the most common of which include educational waivers and fellowships.

Educational Waivers

The ABA Legal Opportunity Scholarship Fund was established to "encourage and enable students who would not otherwise have the financial ability to attend law school." Law schools that participate in a matching program as part of the scholarship fund provide either matching funds or a tuition waiver for students in receipt of the scholarship. Students must submit an application containing information about their education, personal and family background, community service, and financial need. A full list of schools participating in the ABA Legal Opportunity Scholarship Fund is available on the ABA's website at www.abanet.org/fje/lsmf.html.

Fellowships

Many universities offer fellowships²³ both for students coming into law school, in order to defray some of the high costs of a law school education, or for graduating lawyers who wish to gain more specific field experience. Fellowships for law students specific to child and family law are much more limited in number. These fellowships are a financial supplement (dependent on fulfilling fellowship requirements such as academic performance) that allow students to pursue a family law education without the pressure of considerable debt to repay after graduation (or at least the full amount of debt). Two examples of child and family law fellowship opportunities for law students are from the Hofstra University School of Law (New York) and Capital University Law School (Ohio).

Hofstra's Center for Children, Families and the Law offers a Child and Family Advocacy Fellowship Program designed to train lawyers in an interdisciplinary environment to serve in the family law field. Each year, up to five fellows are selected from among the entering J.D. class to students who intend to pursue careers in

child and family advocacy. Awards include a maximum \$10,000 tuition fellowship each year and up to two \$5,000 summer externship stipends to help defray the cost of living expenses. Fellowships are renewed annually but are subject to academic performance and full participation in the program activities and externships. Information about the fellowship and the Center for Children, Families and the Law is available online at http://www.hofstra.edu/academics/law/law_center_family.cfm.

Ohio's Capital University Law School offers an Adoption Law Fellowship to students who are interested in pursuing a career in child welfare and/or adoption law after graduation. The fellowship includes an annual academic merit scholarship, work opportunities within the National Center for Adoption Law and Policy, a summer stipend, and an opportunity to work as a research assistant for a faculty member in the "Children and Family Law" curriculum. Students selected for the fellowship are required to fulfill all requirements of the "Children and Family Law" concentration, participate in additional projects approved by the director concerning a topic within child welfare and/or adoption law, and work in the area of child welfare or adoption law in the two years following law school graduation. Information about the fellowship and the National Center for Adoption Law and Policy is available online at www.law.capital.edu/AdoptionFellows.

Concluding Remarks

There is no easy way to address the myriad of issues concerning attorney compensation, training, recruitment and retention discussed throughout this bulletin. The Ohio Supreme Court Advisory Committee on Children, Families and the Courts subcommittee has begun the task of identifying the areas on which Ohio will focus, but achieving significant short-term change will be difficult. In order to achieve far-reaching changes, Ohio should look at developing a set of standards addressing quality of representation for children and families. Standards should address retention issues such as compensation, caseloads and attorney training and efforts should be made to implement standards (and fund implementation) at the local level.

Although there are a number of excellent law schools (only a few were mentioned in this bulletin) that offer specialized certificates, concentrations and clinics in the

areas of juvenile and family law, there is an increasing need for more of Ohio's law school programs to meet the demand for qualified representation in the field of juvenile and family law. Although this is an area under consideration by the subcommittee, local court jurisdictions can begin to address this need by requiring and providing a rigorous training regimen for newly hired counsel as well as providing training opportunities through resources in the local community. Improving family law programs in Ohio law schools should ultimately impact the quality and quantity of attorneys available to practice law in family court. However, without significant attention paid to work environment, caseload size, on-going training and standards and of course, level of compensation, focusing only on law school curricula will not create the desired long term outcome in Ohio. Through a combined effort by the courts, practicing attorneys and entities such as the Supreme Court and the Office of the Ohio Public Defender to set standards of practice, competitive compensation, and rigorous training requirements, the practice of child and family law in Ohio will show considerable improvement.

Endnotes

- ¹ Outley, Astra. *Representation for Children and Parents in Dependency Proceedings*. Prepared for the Pew Commission on Foster Care in preparation for the first Commission meeting held May 27-29, 2003.
- ² 42 U.S.C. § 5601 *et seq.*, Public Law 93-415.
- ³ 42 U.S.C. § 5602 Sec. 102 states that its purpose is “ (5) to develop and encourage the implementation of national standards for the administration of juvenile justice, including recommendations for administrative, budgetary, and legislative action at the Federal, State, and local level to facilitate the adoption of such standards.”
- ⁴ These standards (IJA-ABA, 1980) are available online at: <http://www.abanet.org/crimjust/juvjus/standards.html>.
- ⁵ American Bar Association, *Standards of Practice for Lawyers Representing a Child in Abuse and Neglect Cases*. 1996. Available online at <http://www.abanet.org/child/repstandwhole.pdf>.
- ⁶ The recommendations generated from the 1995 *Conference on Ethical Issues in the Legal Representation of Children* are available online at <http://law.fordham.edu/htm/st-eilr.htm#>.
- ⁷ Green, Bruce A. & Dohm, Bernadine. *Foreword: Children and the Ethical Practice of Law*. Fordham Law Review. Vol. 64. 1996. p. 1282. Available online at <http://law.fordham.edu/htm/st-eilr.htm#>.
- ⁸ On January 12-14, 2006, an invitational working conference, *Representing Children in Families: Children's Advocacy and Justice Ten Years After Fordham*, was convened as a follow-up to the original *Fordham I*. The reports and recommendations, along with the fourteen opening papers and approximately ten response papers will be published later this year (2006) in a special edition of the NEVADA LAW JOURNAL, vol. 6, no. 3.
- ⁹ Technical Assistance Bulletin, *Child Abuse and Neglect Cases: Representation as a Critical Component of Effective Practice*. March 1998. Published by the National Council of Juvenile and Family Court Judges, Reno, Nevada.
- ¹⁰ National Juvenile Defender Center's NJDC Bulletin: *Attracting and Retaining New Talent to Juvenile Defense*, available online at <http://www.njdc.info/pdf/factsheettalent.pdf>.
- ¹¹ Noted in the recommendations of Group II—Ages and Stages of Development. This is currently an unpublished document due to be finalized and released as reports and recommendations, along with the fourteen opening papers and approximately ten response papers later this year in a special edition of the NEVADA LAW JOURNAL, vol. 6, no. 3.
- ¹² Green, Bruce A. & Dohm, Bernadine. 1996. *Foreword: Children and the Ethical Practice of Law*. Fordham Law

- Review. Vol. 64. p. 1286. Available online at <http://law.fordham.edu/htm/st-eilr.htm#>.
- ¹³ Jones, J. June 2004. *Access to Counsel*, OJJDP Juvenile Justice Bulletin, U.S. Department of Justice, Office of Justice Programs, Office of Juvenile Justice and Delinquency Prevention.
- ¹⁴ *Justice Cut Short: An Assessment of Access to Counsel and Quality of Representation in Delinquency Proceedings in Ohio*. March 2003. American Bar Association Juvenile Justice Center National Juvenile Defender Center, Central Juvenile Defender Center and Ohio State Bar Foundation. Available online: <http://www.abanet.org/crimjust/juvjus/ohexecutive.pdf>.
- ¹⁵ Excerpt from the American Bar Association, *Report to the House of Delegates Los Angeles County Bar Association Recommendation*. In this document, the American Bar Association urges Congress, the States and territories to enact and/or adopt laws and policies, consistent with recommendations of the national bipartisan May 2004 Pew Commission on Children In Foster Care, for improving outcomes for abused and neglected children under dependency court jurisdiction. The full document is available online at <http://pewfostercare.org/press/files/ABAPewResolution.pdf>.
- ¹⁶ See ABA Standing Committee on Legal Aid and Indigent Defendants, Bar Information Program. July 1995. *Findings Concerning Contracting for the Delivery of Indigent Defense Services*.
- ¹⁷ See *Justice Cut Short: An Assessment of Access to Counsel and Quality of Representation in Delinquency Proceedings in Ohio*. March 2003. American Bar Association Juvenile Justice Center National Juvenile Defender Center, Central Juvenile Defender Center and Ohio State Bar Foundation. Available online: <http://www.abanet.org/crimjust/juvjus/ohexecutive.pdf>.
- ¹⁸ Ibid
- ¹⁹ Ibid
- ²⁰ See ChildCourtWorks. November 2002. *Using Contracts to Improve Representation of Parents and Children*. ABA Center on Children and the Law, a program of the ABA's Young Lawyers Division.
- ²¹ In most cases, Pennsylvania requires the appointment of an attorney as a guardian ad litem to advocate for the best interests of children who are the subjects of dependency proceedings. However, in some cases, such as adjudications due to truancy or ungovernability, the Pennsylvania Juvenile Act instead requires appointment of counsel. In each case, KidsVoice represents the child in accordance with the role prescribed by statute.
- ²² In Massachusetts, students are certified to practice under Supreme Judicial Court Rule 3:03; a certification which allows them to represent clients without compensation in both civil and criminal cases.
- ²³ See also: Loyola University Chicago School of Law ChildLaw Fellows on page 12, Georgetown University Law School graduate fellows on page 14.

Children, Families, and the Courts - Ohio Bulletin is a copyrighted publication of the National Center for Juvenile Justice in conjunction with the Supreme Court of Ohio and the Ohio Department of Job and Family Services. This bulletin is a quarterly publication that refers to a constellation of activities jointly administered by the Supreme Court of Ohio and the Ohio Department of Job and Family Services to improve both the interaction between child welfare and judicial systems, and the effectiveness of intervention in cases involving families where judicial action is required. This collaboration is supported by a blend of federal Court Improvement and Children's Justice Act grant funds.

The National Center for Juvenile Justice (NCJJ) is a non-profit organization that conducts research (statistical, legal, and applied) on a broad range of juvenile justice topics and provides technical assistance to the field. NCJJ is the research division of the National Council of Juvenile and Family Court Judges.

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