

**STATE BAR OF MICHIGAN
CHILDREN'S LAW SECTION
ANNUAL REPORT
2014-2015**

INTRODUCTION

The Children's Law Section has made great strides this year in developing and creating ways for the juvenile law practitioner to better service clients and the community. One of the biggest achievements occurred in the area of technology. The Children's Law Section redesigned its website to provide quicker access to statewide information. Some of the key features of the new design include, but are not limited to, a library for housing county specific resources; a place for case law and legal updates; and the development of a seminar, training and event central hub for all things juvenile related. The Children's Law Section is also planning conferences and trainings that will take place in the upcoming year. Work has been done on the newly offered Mentor-Mentee program that was started last year to assist attorneys in all areas of juvenile legal representation. Other interesting and exciting accomplishments are highlighted in this report.

MISSION STATEMENT

The mission of the Children's Law Section is to serve and protect the interests of children, families, and legal professionals that are involved in juvenile justice, child welfare proceedings, adoption, and other related areas of legal practice affecting the rights of parents and children. The mission is two-fold in that 1) the Children's Law Section serves and protects the interests of children and families in legal proceedings by initiating and monitoring legislation; adopting positions on issues of public concern; writing and submitting amicus briefs to the Michigan Supreme Court; providing public service programs, training and outreach; and initiating, participating, and monitoring agency actions, policies and developments; and 2) The Children's Law Section functions to promote and protect the interests of attorneys and legal professionals that represent children and families by offering education, training, resources and tools to competently represent clients; offering mentoring and networking opportunities for legal professionals; adopting positions on legal issues of importance to attorneys that practice juvenile law; and initiating and monitoring court rule changes to effectuate proper implementation of legal mandates.

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Term Expires 9/30/2015
John Cici, P64636, Brighton
Karen Gulberg Cook, P26141, Beverly Hills
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Deborah McNabb, P41440, Grand Rapids
Lynn Perry, P36406, Grand Rapids

Term Expires 9/30/2016
Stephanie Cardenas, P71306, Grand Rapids
Erin House, P65203, Lansing
Joseph Kozely, P33327, Farmington Hills
Robbie Powelson, P43326, Ishpeming
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Term Expires 9/30/2017
Paula Aylward, P60757, Marshall
Noah Bradow, P74147, Lansing
Meredith Cohen, P74464, Detroit
Tracy Green, P56488, Detroit
Eric Scott, P63902, Sandusky

SECTION STANDING COMMITTEES

AMICUS COMMITTEE:

The Amicus Committee is responsible for responding to invitations from the Michigan Supreme Court for preparation of amicus curiae briefs related to issues concerning the mission of the Children's Law Section. The Amicus Committee is accountable for reviewing and monitoring pending Michigan Supreme Court, Michigan Court of Appeals and local county cases for possible intervention in matters affecting the practice of juvenile law and public policy concerns. The Amicus Committee reviews requests from individuals and organizations for potential support and/or opposition in cases that have systemic impact and/or cases of global importance. The Amicus Committee researches, drafts and files the necessary legal documents on behalf of the Children's Law Section. This year, under the direction of Elizabeth Warner, the Amicus Committee reviewed several requests for Amicus briefs. The majority of reviewed cases were resolved without formal CLS briefing.

LEGISLATIVE COMMITTEE

The Legislative Committee conducts analysis of pending legislation and identifies, prioritizes, and organizes legislation that should be considered for action by the Children's Law Section. The members of the Legislative Committee are actively engaged in drafting bills, attending legislative meetings and hearings, and lobbying for positions taken by the Children's Law Section. The Children's Law Section employs the support of a lobbyist, William Kandler of Kandler, Cusmano & Reed, who handles the coordination of the Committee's legislative events. The committee provided funding for an event sponsored by Senator Emmons concerning human trafficking. This year, the legislative committee, led by Jack McKaig, continued work on revising proposed legislation concerning the development of Best Interest Factors. The Legislative Committee partnered with law students and law professor, Deborah Paruch, from the University of Detroit Mercy School of Law regarding research for the factors. The Legislative Committee also advanced the position of CLS concerning faith based adoption bills, interstate compact, school truancy, consent calendar, raising the age of juvenile jurisdiction, and a host of other legislative topics presented throughout the year.

EDUCATION COMMITTEE

The Education Subcommittee is charged with the task of developing and implementing educational programs, trainings, brochures and informational materials, and conferences for legal professionals and the public concerning juvenile topics. The Education Committee, led by Stephanie Cardenas, is planning two events which will take place in the upcoming year. The first event will be the Children's Law Section Annual Conference which will take place on October 22nd and October 23rd, 2015, and will be held at the Eberhard Center in Grand Rapids. The second event is expected to focus on the topic of removal from the Child Abuse Central Registry. Additionally, the Education Committee has actively worked on revisions to the L-GAL protocol. The group anticipates updating the Parent Attorney Protocol in the same manner.

BY-LAW COMMITTEE

The By-Law Committee monitors the by-laws of the Children's Law Section and ascertains and drafts provisions for inclusion and/or exclusion that effect the functioning of the section. The By-Law Committee, led by Lynn Perry and Deborah McNabb, is currently revising the section's by-laws for consideration at the Annual Meeting.

PUBLICATIONS COMMITTEE

The Publications Committee is responsible for producing the Michigan Child Welfare Journal. The Child Welfare Journal is a quarterly publication edited by Joseph Kozakiewicz from the Michigan State University Chance at Childhood Program. The Publications Committee, led by Karen Cook, drafts articles, recruits writers for journal entries, edits articles, reviews submissions, and ensures the dissemination and distribution of each edition. This year, there was a temporary budget issue precluding dissemination of the journal. The budget issue has since been resolved and the committee is putting together future editions. The Child Welfare Journal is supported with funding from the Governor's Task Force on Child Abuse and Neglect.

AGENCY COMMITTEE

The Agency Committee is responsible for reviewing policies, procedures and practices of agencies and professionals that handle juvenile law matters. The Agency Committee identifies, analyzes, recommends, and implements actions on behalf of the Children's Law Section to protect the interests of children, families and legal professionals affected by systemic practices in the area of juvenile law. Tobin Miller is the Agency Committee leader. This year, the Agency Committee monitored Policy Bulletins; Medical Marijuana policies; Medicaid Provider issues; Performance Based Funding; and advocated for CLS members to participate in a survey on the prevention of sexual abuse of children.

MEMBERSHIP COMMITTEE

The Membership Committee serves to recruit new members and to maintain existing members of the Children's Law Section. This year, the Membership Committee supported advertising of the committee during the Young Lawyer's Section event. Michigan Law Schools were contacted to arrange scheduling for future recruiting opportunities. Active efforts were made to partner and participate with other sections and groups in a variety of capacities. Tracey Green was appointed to review the newly created Mentor-Mentee Program for further development and improvement. Expansion of the Mentor-Mentee program is expected to occur in the upcoming year.

SOCIAL COMMITTEE

The Social Committee plans and arranges social events for Children's Law Section members. The Social Committee, led by Erin House, held its second annual Holiday Party in December. The committee added a summer outing to its agenda this year. Members attended a baseball

game for the Lansing Lugnuts. The social committee worked on the purchase of promotional items. The items will be used by the Children's Law Section at upcoming events.

COURT RULES COMMITTEE

The Court Rules Committee monitors proposed court rule changes, administrative orders and existing court rules for the Children's Law Section. The Court Rules Committee prepares analysis, drafts proposed rules and changes, and brings information concerning court rule support, opposition, and changes to the attention of the Children's Law Section, State Bar of Michigan Representative Assembly and others to facilitate the improvement and/or enhancement of juvenile legal proceedings. This year, the Court Rules Committee submitted comments and recommendations for several proposed court rule changes including, but not limited to, MCR 5.531a regarding the marking and filing of clinical certificates as confidential; MCR 7.215(C) concerning the publishing of unpublished opinions from the Court of Appeals; and MCR 3.903, 3.920, 3.961 and 3.965 addressing changes based on the recent Supreme Court ruling *In re Sanders*.

NEW INITIATIVES COMMITTEE

The New Initiatives Committee identifies areas of patterns, trends, and forward-thinking themes to create new ways to handle juvenile law issues. This committee is responsible for proposing ideas that may be addressed through policy, procedure and practice invention and reform. The New Initiatives Committee was led by Paula Aylward. The New Initiatives Committee developed a list for monitoring national and local awareness months. This new list will assist the Section with advance planning and support for child-related causes. The New Initiatives Committee identified mental health issues as a top priority for additional committee efforts.

LIAISON PARTNERSHIPS WITH OTHER STATE BAR OF MICHIGAN COMMITTEES

REFEREES ASSOCIATION OF MICHIGAN
CRIMINAL LAW SECTION
FAMILY LAW SECTION
YOUNG LAWYERS SECTION

SECTION MEMBERSHIP

The Children's Law Section is comprised of approximately 657 members per the State Bar of Michigan Section Count. In the past year, membership has increased by approximately 112 persons. Members are employed in a variety of roles and capacities. Judges, referees, attorneys for parents, attorneys for children, prosecutors, agency leaders and representatives are among the identified persons that participate in the Children's Law Section.

MEETINGS

The Children's Law Section Council meets on the third Thursday of every month at 5:30 p.m. Meetings are typically held at the State Bar of Michigan building located at 306 Townsend,

Lansing, MI 48933-2083. Members and potential members are invited and encouraged to attend council meetings. Anyone wishing to attend a council meeting may locate information on the State Bar of Michigan Children's Law Section website in order to secure future meeting dates, locations, and directions for participation in upcoming council meetings.

SECTION AWARDS

Section awards are given to members at the Children's Law Section Annual Meeting held in October. Additional Awards have been distributed throughout the year at council meetings to recognize members making outstanding contributions in the area of juvenile law and on behalf of the Children's Law Section. Awards were given to Alicia Fabiano, Deborah McNabb, Stephanie Cardenas, Erin House, Meredith Cohen and Paula Aylward for their extraordinary efforts to support projects offered by the section.

FINANCIAL REPORT

In April 2014, the Children's Law Section held a fund balance of \$10,880.00. In April 2015, the Children's Law Section account reflects a fund balance of \$17,116.03. This past year, expenses primarily consisted of costs to the Section lobbyist, listserv, meetings, telephone services, promotional items and Section advertising.

FUTURE GOALS AND ACTIVITIES

The Children's Law Section has built a new foundation for the future. By creating new committees, revising the mission statement, and renovating outdated ways of handling section business, the Children's Law Section is on its way to achieving its goals. There still remains much work to be done. The newly created website is a testament to the importance that technology plays in making information accessible to members and non-members. Moving forward, the website will become even more important as additional resources are added and updated. Webinars and creative ways to introduce presentations and trainings will need to be considered as the areas of child welfare and juvenile justice become more complex. Completion of the Mentor-Mentee program is essential to providing a balance to the use of technology by offering members a personal connection when needed. Along with this, the Section will need to address the changing needs of the juvenile law practitioner and other professionals. Attorney funding and access to resources for clients continue to be issues that require section attention. Systemic factors often mandate consistent monitoring and review as legislation, court rules, agency policies and other practices continue to be implemented, at times, without notice. These changes must be met by the Children's Law Section in an expedient, yet through manner. Existing Section bylaws, protocols and requirements will need to continue to undergo revision to cover requirements for instantaneous decision making and reply. Finally, membership growth, interaction with other sections and groups, and yearly budget priorities should be continued as the Section progresses.

SUMMARY

The Children's Law Section welcomes everyone to join. We hope that the Annual Report

encourages you to participate in the many activities that the section has to offer. Information concerning upcoming events and meetings can be found on the Children's Law Section website. The Children's Law Section welcomes your input and suggestions on any and all juvenile law matters and section issues. Thank you for your interest in the Children's Law Section.

Respectfully submitted,
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