

Professor Linda Elrod



Children & Family Law Center

THE 18TH ANNUAL FAMILY LAW INSTITUTE

The Washburn Law Children and Family Law Center held its 18th Annual Family Law Institute Friday, Sept. 16, 2005. The program examined the problem of “no fault” divorce with “at fault” people. The law appears to be fault neutral, however the participants do not always see it that way. The program explored the various types of tort actions available to divorcing parties and looked at the use of negligent and intentional infliction of emotional distress in family systems.

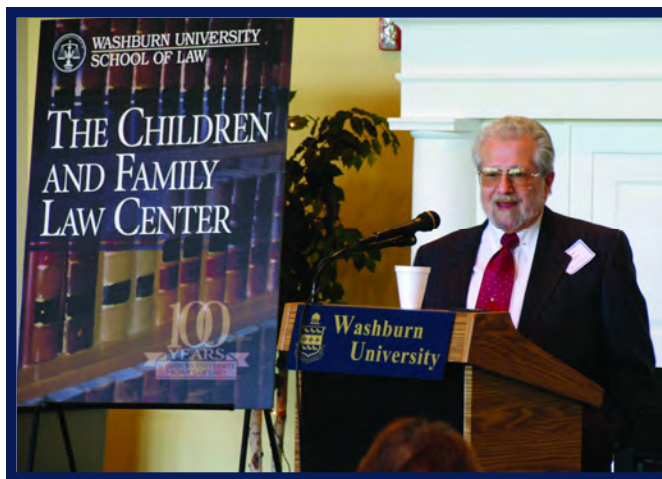
In addition, as families have become more fragmented and varied, children also have tort action possibilities. The program looked at torts and causes of action from the child’s perspective and discussed current proposals for representation of children.

Regarding children, one of the most complex and controversial topics is the issue of relocation. Across the country, appellate decisions are looking at the appropriate legal standards to apply in relocation cases. In addition, the program also discussed the increased complexity of family law and how it requires lawyers to stay abreast of malpractice issues.

Two nationally recognized experts presented during the program. Professor Robert Spector, the Glenn Watson Centennial Professor of Law and Legal Director of the Interdisciplinary Graduate Training Program in the Prevention of Child Abuse and Neglect at the University of Oklahoma, keynoted the program with his presentation, “The World of Marital Torts.”

Spector served as the Reporter for the Uniform Child Custody Jurisdiction and Enforcement Act and as Deputy Head of the United State’s Delegation to the Hague Convention on Private International Law’s Special Commission on the Protection of Incapacitated Adults. He also serves as an Expert Member of the United State’s Delegation to the Hague Convention on

Private International Law’s Special Diplomatic Commissions for the Convention on the Protection of Minors. He is a member of the Governing Council of the American Bar Association Family Law Section where he chaired the Committee on Marital Torts and served as Vice-chair of the Law School Curriculum Committee. He has published more than 80 articles on family law.



Professor Robert Spector

Ann Haralambie, a Certified Family Law Specialist in private practice in Tucson, Ariz., explained the numerous tort actions available to children and discussed new proposals for lawyers who represent children. Haralambie's practice is restricted to family and juvenile cases, with an emphasis on custody and child abuse. She is a former President of the National Association of Counsel for Children, and charter life member of the American Professional Society on the Abuse of Children. She founded and serves as President of the Arizona Association of Counsel for Children. She has authored four books on representing children and parents.



Ann Haralambie

Several Washburn Law faculty also presented. Distinguished Professor Linda Elrod discussed, "Balancing the Interests of Parents and Children in Relocation Cases." Professor Sheila Reynolds presented recent cases on lawyer malpractice, and Professor Robert Rhee discussed the intentional and negligent infliction of emotional distress in family matters. Family law students also had the opportunity to meet with both Spector and Haralambie in small group sessions during lunch. The 18th Family Law Institute which was held on the Washburn University campus had more than 45 participants.

OTHER CENTER NEWS

In addition to the Institute, the Family Law Student Society, under the leadership of Dallas Bauer '06, Stefanie Benson '06 and Sara Martin '06, brought in numerous speakers throughout the semester who participated in the lunch time learning series in the Children and Family Law Center.

During the fall semester, 16 law students served on the student staff for the *Family Law Quarterly*, a publication of the American Bar Association Family Law Section, which is edited at Washburn

Law. The issues this year included a special issue on domestic violence, a comparative custody symposium detailing the custody laws in countries on five continents and a symposium on assisted reproductive technologies.

In addition, the Washburn Law Clinic offered 20 students "hands on" experience with family law cases and live clients. Professors Aliza Organick, Lynette Petty and Sheila Reynolds each supervised several interns working on family law cases. In November, Rachel Pirner and Scott Curry '97 presented a

moot court-type of presentation of their argument on a case.

A variety of opportunities existed for students to learn about and become involved in family law activities throughout the semester. In addition to several family law specialty courses and clinic opportunities, students were encouraged to become involved by watching court cases, attending continuing education programs and meeting with alumni and family law practitioners.

In January 2006, 30 students completed a course in child advocacy to prepare them to be effective advocates for children and to provide high quality legal representation of child clients. In addition, the Children and Family Law Center hopes to start a Child Advocacy Fellows Program to attract students interested in child and family advocacy.

To learn more about the Center, or to volunteer, contact Director, Professor Linda Elrod at 785-670-1838 or linda.elrod@washburn.edu