

Professor Linda Elrod



Children & Family Law Center

Washburn Law's Children and Family Law Center has had an exciting first year. Three major events highlighted the beginning of the Center: "Collaborative Law" in February, "Representing Children" in May, and "The Role of Judges and Lawyers in High Conflict Custody Cases" in September.

Collaborative Law

On Feb. 14, 2003, the Center brought in attorney Sherri Goren Slovin from Cincinnati, Ohio, to train in collaborative law. Collaborative law is part of the therapeutic jurisprudence movement and is becoming extremely popular in several parts of the country. Forty-four people, including five faculty and 10 students, learned the basics of collaborative law and its approach to resolving domestic disputes.

Role of Attorneys for Children

On May 9, 2003, the Children and Family Law Center helped the National Association of Counsel for Children start a Kansas chapter with a CLE program on representing children. Ann Haralambie of Tucson, Ariz., author of *Handling Child Custody, Adoption and Abuse Cases*, *The Child's Attorney*, *Child Sexual Abuse*, was the keynote speaker.

Center faculty have been active on a national and state level in trying to increase the professional role of lawyers for children. Prof. Elrod served on a committee of the American Bar Association Family Law Section that drafted Standards for Lawyers Representing Children in Custody Cases. The Standards became official ABA policy on August 12, 2003. Elrod's

article, *Raising the Bar for Lawyers Who Represent Children: ABA Standards of Practice for Custody Cases*, came out this fall and appears at 37 *FAM. L. Q.* 122 (2003).

On the state level, Prof. Sheila Reynolds, working with the Kansas Judicial Council, proposed amendments to the Kansas Supreme Court Guidelines for guardian ad litem (GALs). The amendments, adopted by the Kansas Supreme Court in July, shift the GAL's role to that of an advocate for the best interests of the child, rather than an investigator who files reports with the court.

The Role of Judges and Lawyers in High-Conflict Custody Cases

On Sept. 12, 72 people attended a program on high-conflict custody cases out of the law school. Prof. Andrew Schepard of Hofstra Law School and director of the Hofstra-North Shore-Long Island Jewish Health System's Center for Children, Families and the Law, outlined the devastating effects of parental conflict on children. He then offered ten ways judges and lawyers could change their systems to make the process less adversarial for children and their parents. Dr. Wes Crenshaw, a child psychologist, talked about the problems of alienation and how to work with alienated parents and children. Ron Nelson '81 and Lynn Ward '90 shared secrets for dealing with clients involved in high-conflict cases. Larry Rute '73 and Dr. Kathryn Nichols explored ways to "get past no" and move clients to resolution in mediation. Prof. Elrod highlighted ways for lawyers to advise parents to prepare for the possibility of abduction, ways for lawyers to help prevent abductions through appropriate orders and how to use the Uniform Child Custody Jurisdiction and Enforcement Act and the Hague Convention on the Civil Aspects of International Child Abduction to retrieve wrongfully taken children. Prof. Sheila Reynolds explored ethical concerns that can catch lawyers who get caught up with their high-conflict clients' world.



Professor Nancy Maxwell, Dean Dennis Honabach and Dr. Katharina Boele-Woelki

CASA Training for Law Students

The Children and Family Law Center worked with the CASA (Court Appointed Special Advocates) program in the summer of 2003 to train 11 students. CASAs are trained volunteers who are assigned one to two children or sometimes a sibling group. The CASA meets with the child on a regular basis, explains the court system to the child, goes to hearings, writes reports to the court, and meets with the child's attorney and social workers to assure that the child's best interests are being met.



Alan Alderson '74

New Class Offerings

This fall we added two family law courses: Adoption and Juvenile Offender. We also added a Family Law Quarterly one-hour course. By fall 2004, we hope to have a "Financial Aspects of Divorce" seminar.

Comparative Family Law was offered in England last summer and will be offered in Utrecht, Netherlands, this summer. Prof. Nancy Maxwell and Ian Sumner, lecturer at Utrecht, team-taught the course.

Clinic

Twelve students in the spring and another 12 in the fall practiced family law in the law clinic under the supervision of Prof. Sheila Reynolds and Prof. Lynette Petty. Six interns represented clients with family law issues in the summer session of the Law Clinic. The Clinic currently serves as guardian ad litem for fifty teenagers in the child-in-need-of-care system. In addition, we have filed two private CINC actions on behalf of relatives concerned about the safety of small children in their care. In the domestic area, interns represented 17 clients in a variety of cases, including divorce, paternity, custody, legal separation, and equitable division of property. Over half of these cases involved domestic violence.

Family Law Student Society (FLSS)

The Family Law Student Society began meeting in January 2003. We are linking with other groups that deal with children such as the ABA Child Custody Pro Bono Project, the ABA Center for Children and the Law,

and BNA Family Law electronic updates, among others. The FLSS has several committees, such as a court watch, CASA, speakers, and bulletin board that help with programming.

Lunch with the Experts

Over the past year the Center has sponsored "Lunch with the Expert," which allows eight students to eat lunch with someone who practices in the family

law area. This fall we have had Dr. Katharina Boele-Woelki, chairperson of the European Commission on Family Law; Alan Alderson '74; and Mickie Brassel '99.

Advisory Board

The Children and Family Law Center will put together its advisory board to provide advice, ideas and, hopefully, some funds to help the work of the Center. In addition to Prof. Elrod, director, six faculty are currently involved in the Center: Professors Megan Ballard, Stephanie Mathews, Nancy Maxwell, Loretta Moore, Lynette Petty and Sheila Reynolds.

To learn more about the Center or to volunteer to mentor students with a focus on the family law area of practice, please contact director, Professor Linda Elrod, at linda.elrod@washburn.edu.

High Conflict Custody Training

