The PBA Children’s Rights Committee presented its 2006 Child Advocate of the Year Award to attorney Jason P. Kutulakis, who serves as the solicitor for Dauphin County Social Services for Children and Youth. Kutulakis is a partner in the Carlisle law firm of Abom & Kutulakis L.L.P. The award was presented on April 21 during the Committee’s 10th Annual CLE Seminar in Mechanicsburg.

The Child Advocate of the Year Award was established to recognize the accomplishments of lawyers and judges who are advocates for children within the commonwealth or who are involved with child advocacy.

According to the official nomination, “The proficiency with which Mr. Kutulakis performs his work promoting the rights of children, has become well known throughout the state, and as such, he has been called upon to assist and provide legal guidance to other counties. Through his foresight, knowledge, expertise, commitment and dedication, Mr. Kutulakis has directly and indirectly had a positive impact on the lives of children/families.”

Kutulakis’ focuses his legal practice in an area of the law that fosters and promotes the advancement of children’s rights. In 1997, he was hired by the Dauphin County Public Defender’s Office where he worked primarily in the Juvenile Division. He eventually left the public sector and opened his own private practice to continue his work with children’s rights. In 1999, Kutulakis was appointed solicitor for Dauphin County Social Services and Children and Youth Services. This work led to a “dramatic increase in finalized adoptions.”

Kutulakis is a member of the Pennsylvania Supreme Court Juvenile Procedural Rules Committee and the PBA Children’s Rights Committee. He regularly participates in statewide meetings and training programs regarding juvenile law and is a current member of the Pennsylvania Children and Youth Solicitor’s Association. Kutulakis currently serves as the stand-in solicitor for Cumberland County Children and Youth and is a consultant for York County Children and Youth.

He is a graduate of the Pennsylvania State University and the Pennsylvania State University Dickinson School of Law.

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Comments From the Chair

By Craig B. Bluestein

I am humbled and thrilled to be taking over as chair of the Children’s Rights Committee (CRC) of the Pennsylvania Bar Association.

Of the many committees of our 29,000-member PBA, the Children’s Rights Committee is especially dear to my heart. Kids comprise a group of persons so often overlooked, or given less than a full say, in and out of the courtroom. That is where the importance of our committee lies.

We have historically been quite involved in many areas involving the improvement of services to children and the expansion of the legal rights that they enjoy.

A hallmark of our committee has been the presentation of two continuing legal education seminars, in coordination with PBI. This year marked our 10th anniversary in providing further legal education to an audience dedicated to helping kids.

Members of our CRC have been involved in reviewing and promoting legislation and the delinquency and dependency rules, serving on local and statewide committees, being a part of the Joint State Government Commission Task Force on various legislation affecting children, and keeping the membership informed regarding changes in law and practice, and other services.

My goal is not only to continue along our past course, but to aggressively expand that activity. While we now have approximately 80 members, we need to expand our base. I call upon and, in fact, challenge every one of our members to bring in at least one new member in the next 30 days. (See Web-based sign-up instructions on Page 7.)

What do we offer? Among many other things, a listserv for the sharing of opinions from those skilled in dependency, delinquency and children’s affairs generally. To-date, there has been little activity utilizing this amazingly effective communication device. In the next few weeks, we will begin to use the listserv more. Dependency Rules are about to be passed, and we will be sharing our thoughts about practice and procedure on the listserv. New Delinquency Rules have recently passed, and more discussion must take place about them.

Currently the committee has several subcommittees (See sign-up form on Page 9.), including legislative, Child Advocate of the Year and newsletter. I challenge more of our members to volunteer to write for OUR newsletter, which is admirably spearheaded by Patricia Dervish. We must reach out to help Patricia so that we may put forth a timely newsletter of which we are proud, and which helps to educate attorneys about our work and the procedural and substantive rights of children.

We are planning the fall CRC seminar — to be held Nov. 10, 2006, in Mechanicsburg at PBI headquarters — and we seek not only volunteers to assist with that endeavor, but also your ideas as to what presentations would be of interest and concern to attendees. Your ideas and involvement is requested.

And as for me, what has been my involvement in the children’s rights arena? Having been involved in more than 1,000 adoptions and 350 contested termination of parental rights proceedings at the Common Pleas Court and appellate levels, I am acutely familiar with our current concerns on the state of the law. Currently serving as guardian ad litem out of the Child Advocacy Unit of the Public Defender Office of Montgomery County, I represent children in court at permanency, detention, adjudication, disposition and other types of hearings. Previously, I served on the Advisory Committee to the Joint State Government Commission Task Force on Adoption. I currently serve on the Advisory Committee with regard to Assisted Reproductive Technology (Surrogacy) Law. As chair of the Montgomery County Children’s Rights Committee, I am working with others on an October 2006 seminar to assist in training volunteers to serve as advocates for children in criminally-related or conflict cases through the Montgomery County Child Advocacy Project (MCAP). In short,

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I am knee-deep in work involving the rights and position of children. Allow me to use this forum to offer my sincere gratitude to Joyce Hatfield-Wise, immediate past chair, for recruiting me into the position of co-vice chair for the past several years along with your other co-vice chair, Andrea Marceca of York County. Joyce ably steered the committee through many activities and seminars. Those seminars received excellent reviews as to presentation and content from our attorney audiences. I thank her for her time and commitment, and hope that she will continue to share her thoughts and expertise, and to be an integral part of the CRC.

Finally, let me welcome other new members of the leadership team of our committee, whose input, guidance, and expertise I — with heartfelt thanks — seek. They are: vice chairs Andrea Marceca and Jessica Holst; and Laval Miller-Wilson of the Juvenile Law Center, chair the Legislative Subcommittee. Laval will keep us informed as to what is happening in this state’s Legislature. We will not merely respond to legislation, too often written with too little input and sent to the floor with too little notice. We will coordinate with Laval in writing and promoting needed legislation. We continue to thank Patricia Dervish, our newsletter chair and pray that she has the interest and fortitude to continue on for a while. And, we seek the input and involvement of all of you who care about kids.

I look excitedly forward to the coming year, and call upon us to make a difference in the lives of children in 2006 and beyond.

Respectfully and enthusiastically, Craig B. Bluestein, cblueste@mail.montcopa.org

Comments From the Chair (Continued from Page 2)

By Eleanor L. Bush

The General Assembly seems poised to enact amendments to the Child Protective Services Law and the Adoption Act that are intended to bring Pennsylvania into compliance with the federal Child Abuse Prevention and Treatment Act (CAPTA). After over a year’s worth of study and discussion by the Department of Public Welfare and a work group of child welfare system stakeholders convened by the Department, Gov. Rendell announced this spring that Pennsylvania had submitted an application for CAPTA funding. Gov. Rendell also announced that companion bills intended to enable Pennsylvania to qualify for funding would be introduced in both the state Senate and the House of Representatives.

In the House, two bills were introduced, either of which would achieve the governor’s desired result. While both have received attention and action in the House, House Bill 2670 appears to be the version that is “moving.” On June 20, it received unanimous final passage by the House.

Senate Bill 1183 appears to be the Senate version of the CAPTA legislation. It was referred to the Senate Aging and Youth Committee on April 19. As of June 20, it had received no further action.

Key elements of HB 2670 include the following:
- Addition to the Adoption Act of a ninth ground for involuntary termination of parental rights, applicable to situations where the parent has been convicted of listed crimes in which the victim was a child of the parent.
- Amendment of the CPSL to establish citizen review panels charged with examining policies, procedures, and practices of the child protective services system and reviewing child fatalities and near-fatality.
- Amendment of the CPSL to require health care providers to report the birth of infants affected by parental substance abuse to the appropriate county agency.
- Amendment of the CPSL to define “nonaccidental.”

According to Gov. Rendell’s press release, federal officials have already indicated likely approval of Pennsylvania’s CAPTA plan, assuming that the necessary legislation is enacted. Stay tuned for further action in the state Senate.
By Patricia H. Dervish

On April 21, the Pennsylvania Bar Institute convened the 10th annual Conference for Child Advocates. In addition to reviews of case law and legislation, the day included a presentation on the use of psychological expert testimony, tips from the bench, and an ethics hour in child advocacy. Jason P. Kutulakis, solicitor for Dauphin County Social Services for Children and Youth, received the 2006 Child Advocate of the Year Award. Included here is a review of some of the relevant case law presented at the conference in the areas of dependency, termination of parental rights, and delinquency.

In Adkins v. Luzerne County Children & Youth et. al., 2005 WL 2129921 (M.D.Pa.), the U.S. District Court reviewed the removal of two children from their father’s custody. The removal was for the purpose of a medical examination, was effectuated with the police and without a court order, and lasted four days. The reviewing court found that the C&Y agency and all who acted on its behalf had “reasonable and articulable evidence” justifying their decision to remove the children, thus meeting the standard required for removal. Neither the children’s nor the father’s due process or Fourth Amendment rights were violated. This case follows the decision in Croft v. Westmoreland County Children and Youth Services, 103 F3d 1123 (3rd Cir.1997). Read together, the cases provide the guidelines for the proper emergency removal of children from the custody of their families.

In re: J.R., a Minor Child, 875 A.2d 111 (2005) the Superior Court held that the Philadelphia County Department of Human Services was not required to provide home telephone service to a father whose child was in the custody of the agency. In brief, the father of J.R. was attending only half of the visits arranged by DHS. The father indicated that it was difficult for him to confirm the visits as required by the agency, since he did not have telephone service in his home. Despite suggested alternatives by the DHS caseworkers, the court ordered the agency to pay for home telephone service. The agency appealed. The Superior Court vacated the order, finding three errors: first, that alternatives were not sufficiently explored by the trial court; secondly, that the court made no specific finding that the home telephone service would serve the dependent child’s needs, interests and welfare; and thirdly, the trial court did not make a finding that the telephone service was a reasonable effort toward reunification as required by the statute.

In In re: Petition to Compel Cooperation with Child Abuse Investigation, 875 A. 2d 365, (2005), the Superior Court held that a home visit required by the Child Protective Services Law and its regulations implicates the Fourth Amendment. Therefore, if an agency seeks a court order to compel the home visit, the agency must provide sufficient evidence to establish probable cause.

Several cases that concern the role of non-parents in proceedings involving dependent children were discussed. Specifically, the Superior Court addressed this issue in In the Interest of C.M., a minor child, 882 A. 2d 507 (2005) and In re: C.M.S., a Minor, 884 A. 2d 1284 (2005), cases from Westmoreland and Dauphin Counties, respectively.

Judge Stephanie Domitrovich, Court of Common Pleas, Erie County, reported several cases on the issue of voluntary relinquishment versus involuntary termination of parental rights. The context usually arises when the child welfare agency has filed an involuntary termination of parental rights and the parent then

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wishes to relinquish his or her rights voluntarily. For a variety of reasons, including the possibility of an aggravated circumstance in cases involving future children, the agency may not want to consent to the voluntary petition. In an opinion written by Judge Domitrovich in *In the Matter of the Adoption of K.D.M.C. and D.D.C.*, 44 IN ADOPTION 2005, Erie County, the court held that it has the option on which petition to consider when both are filed, weighing among other things, the reasonableness of the agency’s refusal to consent on the voluntary petition. Several cases on this issue have been reviewed by the Superior Court since 2002, namely, *In the Matter of the Adoption of A.J.B.*, 797 A. 2d 264 (2002), and *In the Matter of the Adoption of A.M.B.*, 812 A. 2d 659 (2002).

On Aug. 4, 2005, the Supreme Court of Pennsylvania granted an allowance of appeal in the case of *In re: Adoption of J.E.J., C.J.U. and N.G.F.*, 864 A. 2d 1207 (2004). In this Washington County case, an aunt and uncle petitioned for adoption despite the fact that they did not have the consent of the Office of Children and Youth Services, which had custody of the child. The aunt and uncle argued, *inter alia*, that the exception to the consent requirement carved out by the court in *In re: Adoption of Hess*, 608 A. 2d 10 (1992) applied. The agency appealed. The court held argument in early 2006. A decision is pending.

There were a series of cases in the area of juvenile delinquency. The Superior Court considered the admissibility of certain statements made by a juvenile. In *In the Interest of K.Q.M.*, 873 A. 2d 752 (2005), K.Q.M. was at the home of a friend and interviewed by two police officers. His parents were not notified and no other adult was present for the interview. In addition, the officers did not inform him of his Miranda rights. K.Q.M. filed a motion to suppress, and was denied by the trial court. The Superior Court disagreed, and held that the totality of the circumstances indicated that the in-home interview was tantamount to a custodial investigation. Therefore, absent Miranda warnings and other safeguards provided juveniles, the statements were inadmissible.

The Superior Court held that a “conscious and counseled decision” is insufficient to safeguard the juvenile’s due process rights. The trial court is required to hold a hearing and create a record ...

In *Commonwealth v. Ghee*, 889 A. 2d 1275 (2005) a 17-year old charged with aggravated assault requested at the detention hearing that his case be transferred to adult court. He later asked the court to reconsider, that his initial waiver was not made knowingly or intelligently. The trial court refused. The Superior Court held that a “conscious and counseled decision” is insufficient to safeguard the juvenile’s due process rights. The trial court is required to hold a hearing and create a record in which the court considers all of the factors, including the juvenile’s understanding of the consequences of his decision and his amenability to treatment in the juvenile system. The standard was set down by the Pennsylvania Supreme Court in *Commonwealth v. Batty*, 482 Pa. 173, 393 A. 2d 435 (1978).

Finally, in *Alexander v. Commonwealth Dept. of Transp., Bureau of Driver Licensing*, 885 A. 2d 651 (2005), the Commonwealth Court held that the Vehicle Code, specifically the requirement for chemical testing and the suspension of driver’s license absent the required test applies equally to juveniles and adults. The 17-year old refused to submit to blood alcohol testing, despite the fact that he was read the PennDOT form spelling out the requirements for testing a person suspected of a DUI violation. PennDOT revoked his license. The Court of Common Pleas reinstated his license after the juvenile’s appeal to the court. PennDOT appealed to the Commonwealth Court, which reinstated the suspension of Alexander’s driving privileges.

*Laval Miller-Wilson and Marsha L. Levick (above) of the Juvenile Law Center, and Judge Stephanie Domitrovich, researched and presented the review of case law in dependency, delinquency, and termination of parental rights.

Patricia H. Dervish, editor of this newsletter, is the senior deputy district attorney at the Child Advocacy Center of Lehigh County, and the director of training, Lehigh County Office of Children and Youth Services.
The Litigation of a Child Welfare Case Under the Indian Child Welfare Act

Submitted by Valerie S. Cammarone, Deputy County Solicitor, Lehigh County

It is another Monday afternoon at the office when a caseworker and his supervisor stop by to ask a “couple of questions.” All three of you go into your office where you learn that the caseworker has a family on his caseload that might be Native American, and he wants to know if this matters in relation to the pending adjudication hearing in juvenile dependency court. After asking a few questions you learn that the mother is indeed half Sioux. What happens next? Are there special requirements that must be followed before your county agency can proceed? Are the hearings any different regarding the legal standards required to prove dependency or regarding the submission evidence? What is your next step as the agency attorney, besides transferring the case to a co-worker?

The appropriate place to start is to review the mandates of the Indian Child Welfare Act (hereinafter “Act”), found at 25 U.S.C. Section 1903 et. seq. This Act applies in all juvenile dependency matters and also in voluntary and involuntary termination matters. The Act does not apply in delinquency proceedings or private custody disputes.

A brief bit of background information is necessary to explain why such stringent requirements were now deemed necessary. Congress passed the Indian Child Welfare Act in 1978 in order to protect the interests of Indian children who historically had been removed from their homes and placed in foster care at a much higher rate than non-Indian children.

The threshold question is does the Act apply? Not all families who claim to have Native American heritage have children who meet the definition of Indian child listed in the Act. Under the Act, a child is an Indian child only if he/she is unmarried, under 18, and a member of a federally recognized Indian tribe; or is the biological child of a member of a federally recognized Indian tribe, and therefore eligible for membership in any federally recognized Indian tribe. Pennsylvania does not have any federally recognized tribes living in the commonwealth, and not all tribes are actually recognized by the Act. Accordingly, an attorney would need to review the list of federally recognized tribes. The Internet provides a valuable research tool to determine whether indeed the tribe that the child is alleged to be a member is indeed an Act-recognized tribe: This Web site can be found at www.doi.gov/bureau-indian-affairs. The Web site also provides the contact person who can accept service for the tribe.

Congress passed the Indian Child Welfare Act in 1978 in order to protect the interests of Indian children who historically had been removed from their homes and placed in foster care at a much higher rate than non-Indian children.

There are two main facets of the Act: ensuring proper due process for the tribe, and ensuring that the proceedings are conducted in accordance with the applicable legal standards.

There are two main facets of the Act: ensuring proper due process for the tribe, and ensuring that the proceedings are conducted in accordance with the applicable legal standards. Concerning the notice requirements under the Act, the county Children and Youth Agency must send notice by registered mail to the parents, Indian custodian, and the tribe. This notice must include the child’s name; child’s tribal affiliation, if known; a copy of the petition; county agency contact information; county agency attorney contact information; the court’s location, mailing address and telephone number.

Contents of this notice should include: (1) a statement informing the parents, Indian custodian, and the tribe of their right to intervene; (2) a statement that if the parents, Indian custodian, and tribe are unable to afford counsel, counsel will be appointed for them; (3) a statement that the parents, Indian custodian, or tribe have up to 20 days to prepare for the proceedings; (4) a statement explaining that the parents, Indian custodian, or tribe can request a transfer to tribal court; (5) statement explaining to the parents, Indian cus-
The Litigation of a Child Welfare Case Under the Indian Child Welfare Act

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todian, or tribe the potential legal consequences of the proceedings; and (6) that the matter is confidential. If the identity or location of the Indian custodian, and tribe is unknown, notice must be sent to the Secretary of the Interior, who has 15 days to provide notice to the parent, Indian custodian and the tribe. The tribe’s petition to intervene is granted unless the court finds good cause not to allow intervention, meaning that the party that is objecting to the intervention has the burden of proof on this issue.

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At the hearing, the court must determine by clear and convincing evidence that continued custody by the parent is likely to result in serious emotional or physical damage to the child. This evidence must be presented by qualified expert witnesses or laypersons with substantial experience in Indian child and family services. The expertise should relate to the specific tribe and not just be a recitation of what is required under the Act.

The Indian child’s placement must follow a particular order, in that the caseworker must look to place the child with extended family before foster care, and any foster home or institutional placement must receive the approval of the tribe, unless there is good cause to the contrary. These procedures must be followed in all cases until custody is returned to the parents, or the child is adopted.

However, in termination of parental rights cases, the burden of proof that is required under the Act is beyond a reasonable doubt, and the agency evidence must include a qualified expert witness on the issue that continued custody would likely result in serious emotional or physical harm. In all cases, the court must prepare detailed factual findings, legal conclusions and its rationale in support of its decision. As the agency attorney, you need to review the requirements with the court so any Order that is generated meets the requirements of the Act.

In conclusion, in any case where the Act applies, it is incumbent on the agency lawyer to ensure compliance and to assist the court in providing the necessary evidence that would support its Order.

Note from the Editor: The Pennsylvania Child Welfare Training Program, University of Pittsburgh School of Social Work, has recently published the Pennsylvania Indian Child Welfare Handbook, an excellent resource for social workers and attorneys. The Training Program can be reached at www.pacwcbt.pitt.edu, or (717) 795-9048. Karen Ostrander is listed as the contact person on this publication.

Your PBA Listserv

To subscribe to the listserv, complete the form on the front page of the PBA Web site (www.pabar.org). Once subscribed to the listserv you will get the following confirmation message: “File sent due to actions of administrator traci.raho@pabar.org”

To send a message to members of the listserv, address your e-mail to childrenrts@list.pabar.org.

To reply only to the sender, hit “Reply,” and type your personal reply to the sender. This response will only go to the sender, not to the entire listserv membership. You can use the message header to manually add other recipients outside of the sender or the membership.

To reply to the entire listserv membership, hit “Reply To All,” and type your response in the message body. This response will go to the sender and also to the entire listserv membership.

To unsubscribe, send a message to childrenrts-request@list.pabar.org with “unsubscribe” in the subject.

IMPORTANT: When you reply to the message, make sure that the listserv name is included either in the “to” or “cc” fields. If you see the listserv name with “bounce” included in the name, remove that address. The “bounce” address is a black hole. You may have to manually add the listserv address to one of the address fields in order for your reply to make it to the members of that list.

To change your e-mail address, you must unsubscribe the old e-mail address using the old e-mail address and subscribe the new e-mail address using your new e-mail address. Sending an e-mail to the list will not change your e-mail address on the listserv.

For customer service, contact Traci Raho, PBA internet coordinator at (800) 932-0311, ext. 2255.
Land Mines: No Child’s Play

By Alma S. De León, Administrative Law Judge, Allegheny County

Imagine yourself being displaced from the place you call home and forced to move to areas with land mines left after a war conflict. Imagine your children playing, unaware that their playground is infested with land mines. Imagine yourself unable to take care of your loved ones because a land mine mutilated your body. Imagine your children losing limbs or being disfigured because they thought what they found in the backyard was a toy. What I am relating has happened and continues to happen in Vietnam, Cambodia, Angola, Iraq, Afghanistan, the Balkans region and other Third World countries that have been affected by internal conflicts.

As Graca Machel, chair of the United Nations’ study on the Impact of Armed Conflict on Children states in the preface of After the Guns Fall Silent: The Enduring Legacy of Land Mines: “A threat haunts Africa. It is the threat of millions of land mines contaminating almost one-third of the countries of Africa. Every day, land mines affect the lives of African children. If they are not the victims of land mines themselves, their lives are forever changed when a parent becomes a mine casualty. Even when land mines do not claim victims directly, they have other ways of affecting people, such as depriving families of land to grow food or to graze their animals.

Recognizing that this threat exists — not only in Africa but in many countries throughout the world, the United Nations has called for the eventual elimination of land mines. People everywhere are beginning to assess seriously the impact of land mines and other weapons on children and civilian populations.”

Machel notes that Africa is the most mined continent in the world, but it is not the only one. There are 64 other countries with millions of land mines. Machel has seen children who are victims of land mines and has learned of the deep impact that land mines have on their lives. “The millions of land mines sown throughout the world will continue to make victims of children and their families in countries where the wars are long silent.” Machel emphasizes the need to raise awareness of the children’s misery caused by the proliferation of mines and commends the work of organizations such as the Vietnam Veterans of America Foundation who have contributed to the understanding of the implications of the continued use of land mines. The report prepared with the support of the above mentioned organization has provided enough documentation to argue persuasively that the long-term cost of land mines outweighs the military usefulness. It is time to look for other ways of achieving peace and secure a better future for children who have experienced the terror of the war. They deserve it.

UNICEF has also expressed their concern about children and land mines: “The devastating effect of land mines on children is tri-fold: death, mutilation and no parents left.” The international organization reports that in many mine-affected countries, children account for one in every five land mine victims. According to the International Campaign to Ban Land Mines, 15,000 to 20,000 people are killed or maimed by land mines every year.

Some facts about children and land mines:
• In Cambodia, children account for up to 50 percent of land mine casualties, as reported by the Cambodian Red Cross.
• In Somalia, more than 55 percent of land mine victims are children, as indicated in the 2003 Land Mine Impact Survey.
• Children are often attracted by the intriguing and colorful appearance of land mines and explosive remnants of war. They find out too late that they are not toys.
• Children are far more likely to die from land mine injuries than adults. An estimated 85 percent die before reaching the hospital.
• Children who have been displaced and return home are in particular danger of land mines because they are not aware of the hazardous areas where they play or walk. That has been the case in Cambodia and Afghanistan.
• Land mines cause serious injuries in children: they may lose their sight or hearing, lose fingers, toes and limbs; suffer injuries to their genitals.
• They also suffer psychological trauma from the injury. For example, “Cambodians believe that a person missing a limb is not whole — a body missing a part means the spirit is incomplete. So the maimed are shunned. No one hires them. If they do not have family members to support them, they must beg for food.

(Continued on Page 9)
Land Mines: No Child’s Play

Many commit suicide or spend their lives shut away, afraid to venture out.” (Business News).

In other instances, families abandon their children because they cannot support them. When they feel rejected, they may join gangs to protect themselves, as has happened in Vietnam.

Without adequate medical treatment, children injured by land mines are often pulled out of school. They face limited opportunities for education and employment and are often perceived as a burden to their families. Children struggle with issues relating to peers. They cannot play with their friends in the same way they used to and they are seen as different. It is important to point out that in developing and poor countries, there is not much sympathy for land mine victims when the communities have to struggle for their basic needs on a daily basis.

Land mines have a profound impact on the lives of children whose parents or caregivers have been killed or maimed. When mothers are maimed or killed, children are less likely to receive adequate nutrition, to be immunized or protected from exploitation. When fathers are victims of land mines, children are forced out of school and into work to supplement family income.

The cost of providing long-term care for child victims of land mines is prohibitive. Rehabilitation clinics are often too far away or too expensive to access. According to the International Committee of the Red Cross, “a prosthesis (artificial limb) for a child should be replaced every six months.”

• Uncleared land mines prevent access to reconstruct homes, roads, schools, health facilities and other essential services. No access to farmland and irrigation makes worse the subsistence of communities that relied on cultivating their lands. It is a no-win situation for those who do not have any other source of income to feed their children.

UNICEF clearly states that land mines and unexploded ordinances (UXO) violate nearly all the articles of the Convention on the Rights of the Child: a child’s right to life, to a safe environment in which to play, to health, clean water, sanitary conditions and adequate education.

As children’s advocates, we cannot ignore what happens in other parts of the world. We must cross the barriers and create awareness about children — victims of war — who have been denied the right to live in a safe place without fear of physical injury or psychological trauma. A call to action must be made to promote discussion about the impact of land mines in countries where war conflicts have taken a toll on civilians — and particularly children.

References:
Photo Highlights from Spring Children’s Rights Seminar

(from left) CRC Chair Craig B. Bluestein, Judge Todd Hoover, Child Advocate of the Year Jason P. Kutulakis, Immediate Past CRC Chair Joyce A. Hatfield-Wise, CRC Co-Chair Andrea Marceca

(from left) Judges Kathleen R. Mulligan, Allegheny County; Stephanie Domitrovich, Erie County; Susan Peikes Gantman, Montgomery County; and Samuel A. Kline, Lebanon County

Kim White, Lancaster County, and Pamela Parascandola, Dauphin County