The charge of the Children’s Rights Committee of the Pennsylvania Bar Association is “to study questions and problems which affect children and to monitor and/or make recommendations concerning legislation relating to their interests. The committee shall inform lawyers on matters concerning children and develop programs for the legal profession to promote more effective advocacy on behalf of children in trial and appellate courts and shall implement such public education campaigns as are deemed appropriate.” We are involved in several projects which are described in this, our debut newsletter.

For the past year, Peter Kutulakis and I have co-chaired the committee and you should expect to hear from each of us alternately in this space. By way of brief introduction, I am a sole practitioner located in Montgomery County but focusing the major portion of my practice in the dependency court in Philadelphia where I represent both parents and children. As a family law practitioner, I believe that the best growing ground for children is in families where they are loved, nurtured and supported.

As we all know, however, sometimes the family dynamic does not provide well for certain children and the resources of the global village must be gathered together to support and nurture the child through to adulthood. Because lawyers are frequently directing this process, I believe we are also well positioned to comment on the issues involved and to influence public policy toward necessary changes.

I urge each one of you reading these words to communicate your experiences to us, to become involved in our programs and to serve on our committee as well. The process of advocating for children is a dialogue which the Children’s Rights Committee will be fostering in the weeks and months to come. We welcome your dedication to this endeavor.

Child Advocacy Conference Slated for April 4-5

The Children’s Rights Committee, in cooperation with the Pennsylvania Bar Institute, will hold a Spring Conference on Child Advocacy April 4-5 at Dickinson School of Law in Carlisle. Peter Kutulakis is serving as conference chair.

A more detailed presentation of the results of the Child Advocate Directory Survey recently conducted by the Children’s Rights Committee will be given at the Conference (See Summary Report in this issue). Publicity on the CLE course offerings will be forthcoming.

Students from Dickinson are assisting with hosting activities, which will include four programs with CLE credit, a cocktail reception, and a springtime evening program.

(See Conference, page 4)
Grant Awarded to Children’s Rights Committee

In May 1996, the Pennsylvania Bar Trust Fund approved a grant request for $5,000 to assist the Children’s Rights Committee in producing a directory, educational programs for child advocates and a brief writing network.

Under the capable leadership of Lucy Johnston-Walsh and Susan Morris, students from Dickinson School of Law Public Interest Law Fund devoted many hours this past summer doing research for the directory. The students identified attorneys who represent children as guardians, counsel or special advocates and surveyed the attorneys’ practices. The resulting directory was published and distributed in early January. A limited number of copies are still available, and can be obtained by calling PBA Committee Assistant Louann Bell at (800) 932-0311, ext. 276.

CLE classes on child advocacy will be offered at the Spring Conference on Child Advocacy April 4-5 at Dickinson School of Law. The classes will be videotaped and included as part of a series focusing on topics of immediate concern to child advocates. The committee, in conjunction with the Pennsylvania Bar Institute, will produce and make this videotaped series available to practitioners who may not have the opportunity to attend the training courses currently offered in the Philadelphia area.

Finally, the committee proposed to create a statewide network of law students who would work with a requesting attorney to provide research and brief writing assistance. Law students at Dickinson and the University of Pennsylvania have been solicited and are eager to become involved with appellate issues. The committee anticipates that appellate advocacy for children would be encouraged and promoted if greater resources were made available to the practitioner.

Problems Developing over Welfare Reform

By Joan M. Smith

The recent passage of federal legislation to reform the welfare system will create myriad problems for our nation’s children. It is anticipated that within the Commonwealth of Pennsylvania 230,000 families will lose their AFDC benefits, many poor families will lose $500 each year in food stamps and 9,000 severely disabled children will lose SSI benefits.

Judy Berkman of the PBA Civil and Equal Rights Committee, Sandy Ballard of the PBA Legal Services to the Public Committee, Sue Fritchie of the Philadelphia Bar Association Women’s Rights Committee, and Joan Smith of the PBA Children’s Rights Committee, have kept committee members informed of developments leading up to and resulting from this legislation.

As expected, we were unsuccessful in our letter-writing campaign urging President Clinton to veto the legislation. Subsequently, we distributed a legislative update on the impact of the legislation to committee members. Although Pennsylvania recently received a waiver of requirements to remove thousands of recipients from food stamps this winter, full implementation of other reforms is expected in March. Thus, the true consequences of the recent reforms are on the near horizon. We will continue to keep our membership informed of the problems and policy issues as they develop.
Summary Report — Child Advocate Directory Survey

During the fall of 1996, the Dickinson School of Law, in cooperation with the Children’s Rights Committee, mailed out questionnaires to attorneys throughout the Commonwealth of Pennsylvania who had been identified as child advocates. Ninety-six (96) responses were received, including five (5) from lawyers who no longer were involved with representing children. Highlights of the survey were as follows:

**Reasons for becoming a child advocate:** Overwhelmingly, respondents told us they had been introduced to child advocacy either by court appointment, or by the evolution of a family law practice, rather than actively having sought out the field of practice. Now that they are working in this field, however, respondents are motivated to continue by their concerns about the needs and welfare of children, and by the belief that children need an independent voice, and their own advocate in legal proceedings concerning their future.

**Application Process and Training:** The vast majority of respondents reported that their county or judicial district had neither a formal application process (75-13), nor a training program for child advocates.

**CLE Courses:** While a majority of the respondents (55) had not taken any CLE courses directly pertinent to child advocacy, a significant minority (38) had done so. Respondents attended courses offered primarily by the Pennsylvania Bar Institute (23) or a local bar association (9). Most respondents who had not taken relevant CLE courses did not specify a reason for their choice, but of those who did, lack of course offerings (15) was the main reason. Other reasons cited included schedule conflicts (6) and inconvenient locations (4), but none cited cost.

**Statewide Conference:** Respondents were overwhelmingly enthusiastic (71-11) in expressing interest in attending such a conference. [Editor’s Note: Let’s hope this translates into registrations for the event at Dickinson in April.]

**Professional Experience:** Virtually all respondents (85) reported having experience with Abuse/Neglect/Dependency proceedings. A substantial majority were also familiar with Custody/Visitation/Divorce cases (65) and Adoptions (64). A majority (52) were also familiar with Criminal/Delinquency issues, but only a minority (32) were experienced in handling Estates/Trusts/Financial Affairs of Minors.

**Challenges in Representing Children:** While respondents covered a broad range of issues, the two major themes were that children are difficult to represent because they have few rights, rarely are listened to, and that all parties in these cases suffer from a lack of resources.

**Agenda for Children’s Rights Committee:** Respondents displayed the greatest interest in receiving legislative updates (52), closely followed by a newsletter (48) and training (46). Only a minority supported lobbying or legislative activity (30), and fewer still were interested in networking (25), research and writing support (22) and mentor programs (22). Respondents showed the least interest in financial support for appellate work (17) and support services (7).

**Appeals:** The lack of interest in research and brief writing assistance, and in financial support for appellate work is consistent with the fact that only a relatively small minority (18) respondents have ever filed an appeal on behalf of a child client. Respondents expressed the view that they would be most inclined to file appeals (for any type of client) when they believe the grounds for appeal are meritorious (50) and when they are dissatisfied with the result (41). While they are not asking for it, some respondents did indicate that, if brief writing assistance (33) or financial assistance (32) were to be provided, they would be more likely to file appeals.

**Compensation:** Of those respondents expressing an opinion, almost twice as many think that compensation levels are inadequate (40) as consider them appropriate (21). Most attorneys reported that they received $50/hour compensation for their work; opinions about appropriate levels of compensation ranged from that figure upwards to $100/hour.

**On-Line Research Services:** A majority of respondents indicated that they have access to one or more on-line research services, such as the Internet (27), Westlaw (26) or Lexis-Nexis (17). A significant minority (42) report having no such access.

**PBA Membership:** The overwhelming majority of respondents surveyed reported being PBA members (73) with only a few stating that they were non-members (16).

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**SHORT NOTES**

**Unified Family Court:** The PBA Commission on Women in the Profession will hold a conference entitled “Fractured Families/Fragmented Courts” May 15 in Hershey, on the topic of the unified family court. The programming co-chairs of the conference are Kathleen Vetrano and Ann Begler.

Also, in our next issue, Marie Lawrence, a recent graduate of Villanova University School of Law, will write about the implementation of the unified family court concept in Delaware County.
UPCOMING CONFERENCES

- **March 20-23, 1997.** “Children in the World: Exploring the Rights of the Child,” at Saint Xavier University. For more information call (773) 298-3278 or “children@sxu.edu.” Information will be posted periodically on the Internet at http://www.sxu.edu/children/.
- **May 15, 1997.** “Fractured Families/Fragmented Courts,” Hershey. This conference, sponsored by the PBA Commission on Women in the Profession, focuses on the concept of the unified family court.
- **June 3 - 7, 1997.** 2nd World Congress on Family Law and the Rights of Children and Youth, in San Francisco. For information, contact the Association of Family and Conciliation Courts at (608) 251-4001.