I AM OBSESSED WITH HOW SOCIETY responds when mothers and fathers fail to care for their children. Clinical teaching in the Child Advocacy Law Clinic allows me to pursue this obsession while also serving the “trinity” of the University’s mission statement: teaching, research and service.

Teaching/service: Individual child protection cases provide the base and inspiration for all my other professional work. Sometimes I am asked, “Don’t you ever get tired of handling child cases? Doesn’t it get boring or repetitive?” To which I answer a resounding “No!” Each child is different. Each family, each court — and each team of student attorneys — adds to the diverse mix that fuels the rest of my work. Besides, students like the Child Advocacy experience because of the immense satisfaction they get from using their new legal skills to help a specific child. My satisfaction is doubled because not only do I share in the pleasure of providing the very best legal service for a child or parent, but I also revel in the students’ performance and their introduction to a humane and altruistic aspect of the law.

Teaching/research: Real cases ground me in the real world but also provide a data base for the question of “What’s wrong with this picture?” Part of my job is to understand the real world and teach students to work effectively in it, but another part of the job, and a part I really like, is the creative “visioning,” — that is, seeing things that are not there and devising alternatives to a reality so many accept. People sometimes look askance when I say part of my job is to “see things that aren’t there.” I suppose this is a variation on the old saw “you don’t have to be crazy to do this job, but it helps.”

My research and writing rests on the experiences of particular cases and often involves student work of some sort. One of my most influential books, Advocating for the Child in Protection Proceedings, was co-authored by an interdisciplinary group of graduate students in the Bush Program on Child Development. When the U.S. Congress mandated a national evaluation of legal representation of children, that book formed the conceptual framework for a National Center on Child Abuse and Neglect study. In Michigan child welfare reform, the Supreme Court, Governor’s office or State Bar have often appointed me to task forces and commissions and I have tried to involve students in various ways when appropriate. Michigan child protection and foster care statutes include sections initially drafted by Michigan law students. Going back to the early ’80s, Lisa D’Aummo and her partner Jennifer Levin, both ’84, helped draft sections of the bill that made Michigan's child welfare court process one of the most efficient in the nation. One of the best and most recent examples of student involvement in research/public service is a bill to define the role of the child’s attorney in child protection cases. Greg Stanton, ’95, helped draft a set of recommendations subsequently adopted by the State Bar Children’s Task Force, of which I was co-chair. When Lt. Governor Binsfeld asked for our help in drafting legislation, Rachel Lokken, ’97, and Kristin Schutjer, ’98, developed some very important bill language. Albert Hartmann, ’98, wrote a law review article on the topic (Hartmann, “Crafting an Advocate for the Child,” 31 Michigan Journal of Law Reform 237 [Fall 1997]) and last March, he and I, at the Lt. Governor’s invitation, testified in support of the bills before a joint committee of the Michigan
Senate and House. (See 41.2 Law Quadrangle Notes 32-35 [Summer 1998]). These bills passed the Michigan Senate unanimously and as this is being written, are pending in the Michigan House.

Research/Service: I just completed a sabbatical year in Washington, D.C., where I worked on President Clinton's Initiative on Adoption and Foster Care. The Clinton Administration asked me to draft guidelines for state legislation governing permanence for children. These guidelines are technical assistance to the states and address court and legal process and lawyers' roles in child protection and foster care cases. Recommendations include: enforceable post-adoption contact with siblings and extended family; a new form of permanent guardianship to achieve stable homes for children and non-adversarial case resolution such as mediation and family group conferencing. Extended family are engaged early in the process and given more power to influence the planning for a child. Grounds for termination of parental rights are proposed that reflect the growing consensus that children cannot wait indefinitely for their parents to get it together. The overall effect of the guidelines is nothing short of recasting the entire jurisprudence of child protection to achieve safety and permanence for the child in a disciplined court process.

For over 20 years I have been blessed by challenging students and supportive and insightful colleagues, like Suellen Scarneccchia, '81, and David Chambers. It has been exhilarating to pursue justice for children and to be part of the redefinition of child welfare jurisprudence. Our Child Advocacy Law Clinic is looked upon as the model of such clinics around the nation and we are often called upon to advise other schools in the development of similar programs. Where else but at the University of Michigan Law School could one get the level of institutional and intellectual support necessary to sustain such an enterprise? I look forward to the next 20 years.