

CHILDREN'S CHAMPION

NEWSLETTER OF THE CHILDREN'S LAW CENTER

June 2002

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CLC Legal Director Testifies in Congress

Legal Director Matt Fraidin testified on April 24 to the U.S. Senate D.C. Appropriations Subcommittee on a panel with The Honorable Rufus King, Chief Judge of the DC Superior Court, and The Honorable Lee F. Satterfield, Presiding Judge of the Family Court. The Subcommittee, chaired by Sen. Mary Landrieu (D-La.), invited The Children's Law Center to comment on the Court's plans to implement the federal Family Court Act of 2001, which creates a new family court in DC based on a one judge/one family model.

Fraidin described the interdependence of the court, the lawyers and the child welfare agency. He urged the Court to hold lawyers and social workers accountable for their actions. He also cautioned the Court not to put efficiency or case-closing statistics above the best interests of each child who comes before them. Excerpts of Fraidin's testimony are below. To read his entire statement, go to www.childrenslawcenter.org.

[Continued on page three.]



ABA 5K Race to Benefit The Children's Law Center

Begin training now! The American Bar Association Section of Individual Rights and Responsibilities has chosen The Children's Law Center as the beneficiary of their "Pursuit of Justice" Run. Open to the general public, this 5K race will be held during

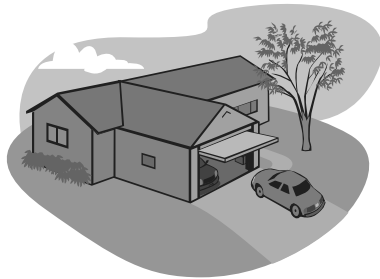
the cool morning hours of August 10, 2002.

CLC will receive proceeds from the \$25 registration fee. To get on the mailing list for information about the run, please contact Amy Miller at 202-467-4900 ext. 10 or amiller@childrenslawcenter.org.

Save the Date:

The Children's Law Center will hold its 2002 Distinguished Child Advocate Awards on October 16 at the Kennedy Center's Rooftop Terrace. Details to come.

The Children's Law Center helps at-risk children find safe, permanent homes and the education, health and social services they need to flourish by providing comprehensive legal services to children, their families and foster and kinship caregivers.



Living with a Real Family in a Real Home

Tony was rescued from his mother's apartment where, often left alone, he didn't have enough to

eat and his severe asthma went untreated. He was placed in a group home for medically fragile children. Although the group home was for infants and toddlers, eight-year-old Tony lived there because his developmental delays made him susceptible to bullying by his peers.

Thanks to the hard work of CLC staff attorney Yasmine Pahlavi, Tony now lives in a real family with his grandmother and his three cousins.

When she heard about Tony's plight, his grandmother, Mrs. Matthews, moved to DC from South Carolina. She was already raising her grandnieces and her grandson because their parents were unable to care for them. She began visiting Tony, who immediately started calling her "grandma," and she resolved to adopt him.

Mrs. Matthews had everything Tony needed – love, patience and the ability and willingness to take him to medical appointments and follow up on his special educational needs. Everything but enough bedrooms in her house. Mrs. Matthews couldn't bring Tony to her home until she had room for him. Mrs. Matthews tried to find a bigger house. She looked and looked, but couldn't find a landlord who would accept her subsidized housing voucher.

Finally, Mrs. Matthews called The Children's Law Center. Yasmine tried to get Tony's social worker to help, but he said there was nothing he or his agency could do.

That didn't stop Yasmine. She wasn't going to let Tony languish in a group home when he had a loving family waiting for him.

Yasmine used tenacious advocacy, knowledge of the law and stubborn will to find Mrs. Matthews a home. First, she contacted the Edgewood/Brookland Collaborative. Working together, they located a house for Mrs. Matthews. Then she called the housing inspector, but he wouldn't come. Yasmine persisted. The housing inspector found that the house needed repairs. The landlord wouldn't fix the house, but Yasmine refused to take no for an answer. The landlord fixed the house, but the housing inspector wouldn't re-inspect. Yasmine kept at it. The inspector came back, the house was approved, but the paperwork got stalled at the housing agency.

While Yasmine was untangling the red tape, the landlord decided not to hold the house for Mrs. Matthews unless she paid a \$600 deposit. After Yasmine advocated with Child and Family Services Agency and the court, this final obstacle was overcome.

Today, Tony lives with his grandmother and his cousins in their new house, part of a real family in a real home.

CLC Founder Offers a National Perspective

CLC founder and board member James R. Marsh authored "Federal Impact on Adoption," a chapter in the most recent edition of the Matthew Bender treatise, Adoption Law and Practice. The chapter is the first comprehensive legal analysis of the effect of the federal government's 1997 Adoption and Safe Families Act on traditionally state-based adoption law.

James also recently started e-Lawpublishing.com LLC, a digital media company that publishes electronic newsletters and e-Books for attorneys, social workers and other professionals involved with children, families and the law. e-Lawpublishing.com publishes The Adoption and Child Welfare Law Reporter, which is a monthly examination of state and federal case law, policy and legislation concerning adoption, child welfare, paternity, third party and grandparent visitation and agency liability. It is distributed exclusively by e-mail and includes access to e-Lawpublishing.com's online service, which contains hundreds of state and federal cases, legislative and regulatory material and government publications on adoption and child welfare.

Four years after founding The Children's Law Center, James Marsh moved to New York to be closer to



family. Despite his distance, James continues to be an active member of CLC's board of directors.

IN ADOPTION LAW AND PRACTICE,
 JAMES R. MARSH, FOUNDER OF THE
 CHILDREN'S LAW CENTER, NATIONALLY
 RECOGNIZED AS A LEADING CHILD
 ADVOCACY ORGANIZATION,
 EXAMINES THE ADOPTION AND SAFE
 FAMILIES ACT AND THE CASES JUST
 NOW BEGINNING TO CHALLENGE ASFA AT
 THE TRIAL COURT AND INTERMEDIATE
 APPELLATE COURT LEVEL.

Quote from a Lexis Nexis advertisement.

Adoption Attorney for a Day

by Sheldon Krantz

I am a white collar criminal defense lawyer with Piper Rudnick by trade. Handling an adoption case in Superior Court in the District of Columbia is worlds apart from the kind of work I typically do. I'm glad I ventured into that world along with many of my Piper Rudnick colleagues in order to help reduce the backlog of adoption cases in the District.

I needed effective training before I could be of any help to an adoption client, and I got it. The Children's Law Center's all day training program was superb.

My first clients were the warm and caring foster parents of two-year-old Marq. While I had to get used to a very different setting and very different parties, it did not take long to learn about the joys of helping a family adopt a child. And it was pleasant relief for a change not to have to do battle with a federal prosecutor who held all the cards.

Preparing for the hearing was a fascinating experience. I worked closely with the assigned social worker and a dedicated guardian ad litem, reviewed case files and, best of all, was greeted by a smiling toddler when I met with my clients in their home. LaShanda Taylor, CLC's pro bono adoption project coordinator, patiently answered my questions and explained the unique features of adoption cases that don't show up in the statute or the court rules.

During an evidentiary hearing at which I successfully argued that the birth mother's parental rights should be terminated, I received friendly lectures from Judge Burnett about how things are done in his courtroom. I particularly derived pleasure in introducing as our last item of evidence pictures of the darling two-year-old child.

In truth, I remember few times in my now rather lengthy professional career when I felt as good as I did when the judge ruled in our favor. It is too late for me to change careers now, and I would not want to do it anyway. But I

have learned why Judith Sandalow and her accomplished staff are so committed to the work that they do. Justice was really done, and I was gratified to help make it happen.

CLC Legal Director Testifies in Congress

[Continued from page one.]

We believe that the Court is devoted to improving the welfare of children, and that the Transition Plan represents a tremendous commitment to step up to the plate. But the Committee and the Court should hear another message: The Court must go one step further. Judges cannot protect children unless lawyers and the Child and Family Services Agency provide them with accurate information. Judges need the help of attorneys and CFSA, and can make sure – by convening hearings, issuing orders and demanding adequate performance – that the others contribute to the process the information and representation required to protect children.

The child welfare system is like a three-legged stool – the court, the lawyers and social services are the three legs. No matter how strong we make the court leg, the stool will fall down if the other two legs are broken. Without good lawyers and an effective Child and Family Services Agency, the court cannot do its job.

We note that the performance measures listed in the Plan all relate to dates, timelines and other easily measurable numerical goals. We recognize that it is difficult to measure and evaluate the quality of outcomes. Nonetheless, it is important to remember that implementation of efficient systems and achievement of quantitative targets must not overshadow judges' duty to look at the specific needs of each individual child, and to achieve the right result for every child in every case.

We must all be vigilant in ensuring that our ultimate focus remains the best interests of each individual child. New organizational charts and creative redistribution of responsibility are not enough; we need new practices and renewed energy to safely, humanely and responsively provide every child with the benefits of a permanent home.



CLC's Judith Sandalow and Piper Rudnick's Elizabeth Doney and Sheldon Krantz celebrate award.

Piper Rudnick Named 2002 Pro Bono Law Firm of the Year

Congratulations to Piper Rudnick, LLP for winning the DC Bar's Pro Bono Law Firm of the Year Award for 2002!

The centerpiece of Piper Rudnick's pro bono commitment is a signature project working to help children in the District of Columbia. The project sought to use the varied talents of Piper Rudnick staff and attorneys.

Litigation partners, government contracts attorneys and Information Technology staff have all taken part. Together, they have taken over 20 cases through The Children's Law Center's Pro Bono Adoption Project, developed a research project on special education, served as CLC's general counsel and provided the technical support to the family law site of Probono.net, a new online resource hosted by The Children's Law Center.

The Children's Law Center

Working Together for Children

Thank you to **Howrey Simon Arnold & White** for hosting our adoption training on May 1, 2002. In addition to letting us use their conference space, the firm provided lunch and copies of the adoption manual for participants.

The **Freddie Mac Foundation** awarded The Children's Law Center \$50,000 to support its work helping abused and neglected children find safe, permanent homes by representing foster parents and kinship caregivers in adoption, kinship custody and guardianship proceedings.

CLC Welcomes Pro Bono Attorneys

Welcome to our new pro bono attorneys. The following attorneys attended a full-day training on May 1 at which they learned about adoption, guardianship and custody so that they can help abused and neglected children in the District of Columbia move into safe, permanent homes. They join lawyers from more than 30 area law firms as members of The Children's Law Center's Pro Bono Adoption Project.

Bread for the City

Jamie Hochman Herz
Su Sie Ju

Bureau of National Affairs

Maggie Cohen

Covington and Burling

Irene Chase

DC Bar Pro Bono Program

Valerie Despres

Dickstein Shapiro Morin & Oshinsky

Sandra Barbulescu
Nicole Cober
David DeSalle
Lynne DeSarbo

Mike Nannes

John Pierce
Cara Romanzo
Steven Weinstein

Fried Frank Harris Shriver & Jacobson

Michael Anstett

Howrey Simon Arnold & White

Michelle Cotter
Solette Magnelli
Rachel Strong

Morgan, Lewis & Bockius

Gayle Grabow Wallace

Proskauer Rose

Brian Elsbernd

Skadden, Arps, Slate, Meagher & Flom

Andrea Adelman
Sterling Ashby
Sara Turner

Swidler Berlin Shereff Friedman

Courtney Duke

Wiley, Rein & Fielding

Scott Bain

Wilmer, Cutler & Pickering

Chris Herrling

Lisa Landsman



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