

## **Projects on a Platter: Encouraging Young Lawyers to do Pro Bono**

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**Brief Description:** The Truancy Intervention Project is a partnership among the Fulton County Juvenile Court, Kids In Need of Dreams, Inc. (KIND), and the Atlanta Bar Foundation. The Project provides volunteer attorney and non-attorney partners to children who are involved with the juvenile court system due to excessive absences from school. The main objective of the Project is to provide early, positive intervention when children in Atlanta Public and Fulton County Schools who are chronically absent from school and as a result, either become involved with the Fulton County Juvenile Court or are referred for early intervention at the school level. The Project's real hope is that once the reasons for the absences can be determined and resolved, and the child returns to school, then perhaps the child's life can be redirected to a more positive and constructive future.

### **Topical Outline:**

- I. Why Truancy?
  - a. Georgia Compulsory School Attendance Law
    1. Every parent, guardian, or other person residing within this state having control or charge of any child or children between their sixth and sixteenth birthdays shall enroll and send such child or children to a public school/private school/home study program...
    2. Any parent, guardian, or other person residing in this state who has control or charge of a child or children and who shall violate this code section shall be guilty of a misdemeanor and, upon conviction thereof, shall be subject to a fine not to exceed \$100.00 or imprisonment not to exceed 30 days, or both, at the discretion of the Court having jurisdiction. Each day's absence from school in violation of this part shall constitute a separate offense.
    3. "Deprived child" means a child who: Is without proper parental care or control, subsistence, education as required by law, or other care or control necessary for the child's physical, mental, or emotional health or morals.

- b. The progression from school failure to serious adult crime is well documented and terrible expensive.
  - 1. 1,525,000 teens in the U.S. in the year 2000 were high school dropouts.
  - 2. Dropouts are 6 times more likely to be unwed parents and 7-1/2 times more likely to be dependent on welfare than graduates.
  - 3. Each school failure costs society a minimum of \$440,000 in lost earnings and taxes over the lifetime of the individual. This does not include any costs associated with crime or public assistance.
  - 4. Truancy is a great predictor among teens of delinquency, substance abuse, theft, gang activity, teen pregnancy, and the need for public assistance.
  - 5. More than 82% of all adult prison inmates in Georgia are high school dropouts.
  - 6. Only 60% of Georgia children graduate from high school.

## II. What Does the Project Do?

- a. History: The Truancy Intervention Project was developed and organized in late 1991 in response to the recurring factor of truancy among children who appeared in Juvenile Court. In 1994, over 15,000 children passed through the Fulton County Juvenile Court, 30% of whom were under 13 years of age. The Juvenile Court observed that truancy was an early warning sign for these children.  
Recognizing the need for a private sector partner to further provide for the children in the Project, Kids In Need of Dreams (KIND) was formed in 1993 through a Centennial Gift to the community by the law firm of Alston & Bird.  
The Project now has over 200 volunteer attorneys and over 50 non-attorney volunteers and has served more than 2300 children since its inception.
- b. The program improves the handling of truancy and educational neglect cases through:
  - 1. Responsiveness: A separate Juvenile Court calendar has been established to ensure a timely response to the needs of the child, and one judge hears all truancy and educational neglect cases.
  - 2. Representation: The child will be represented by a volunteer who has more time to devote to the case than an overloaded public defender, or court-appointed attorney.
  - 3. Resources: A resource manual has been developed by KIND, Inc. and the Juvenile Court and lists possible sources of assistance. In addition, some funds are available through KIND to meet certain needs of the child. Experienced staff within the Juvenile Court, including the probation officers assigned to the Project and a school social worker, are listed in each file sent to the volunteer. Along with the Project staff, these individuals are available to discuss and explore programs that will best meet the needs of the child.

### III. Role of the Volunteer

- a. The Project's volunteers can serve the children of Fulton County in a number of ways:
  1. As the truant's attorney, the volunteer provides direct representation at the adjudication and disposition proceedings in Juvenile Court.
  2. As a *guardian ad litem*, the volunteer serves as an officer of the court by representing the best interests of the child in an educational neglect or truancy case.
  3. In the early intervention program, volunteers have the opportunity to intervene at the school level before a child's absenteeism becomes a more serious, chronic problem.
- b. What is a volunteer committing to do?
  1. In juvenile court proceedings, the volunteer attorneys are appointed as both the lawyer and the *guardian ad litem* for the child in all hearings relating to the truancy charge. In this dual role, the attorney commits to advocate for the child's expressed wants while looking after the child's best interests. Should a conflict arise between these roles, volunteers are advised to contact the KIND office to discuss the conflict with the staff. The attorney does not represent the family of the child, he/she represents the child only. If other charges arise on the delinquency or deprivation side of Juvenile Court, the attorney is not required to represent the child.
  2. All TIP volunteers can serve as *guardians ad litem* (GAL) in juvenile court proceedings stemming from allegations of truancy or educational neglect. The GAL's responsibility is to investigate the allegations and make a report and recommendation to the court based on what he/she feels is in the child's best interest. The volunteer also agrees to serve as an advocate and role model for the child.
  3. All TIP volunteers can also serve as Early Intervention advocates. Volunteers with the early intervention initiative commit to attending an initial planning meeting with the child and his/her family at the child's school to address the issues related to the absenteeism. The volunteer will develop and maintain a mentoring relationship with the child and family to ensure the child's successful return to school.
- c. Time Commitment:
  1. The Project asks that upon completion of training, a volunteer commit to serve on one case for one year or until the case assigned to him/her is closed.
  2. Some volunteers choose to take more than one case at a time. A volunteer can expect to spend 25 or more hours annually on a single case.

#### IV. Exporting the TIP Model

##### a. How does it work?

1. Since school failure plagues all communities, KIND began “exporting” the TIP model to other jurisdictions across the state and throughout the country in 1997. To date, KIND has exported its services to 12 Georgia counties where Truancy Intervention Projects have been successfully developed, and is currently in the preliminary stages with four additional counties.
2. Striving to decrease truancy problems in other locales, the staff of KIND helps implement Truancy Projects by offering training and resource manuals, on-site start up assistance and ongoing planning and implementation support. KIND offers materials and "tele-assistance" to places outside of Georgia, which have an interest in truancy intervention.
3. With generous funding from the Georgia Bar Foundation, KIND is also able to provide counties within Georgia small "**seed grants**" to assist in implementation of the model.

#### Website Links:

1. The Truancy Intervention Project Training Manual.  
Kids in Need of Dreams, Inc. (KIND)  
395 Pryor Street, Suite 4122  
Atlanta, GA 30312-2713  
(404) 224-4741  
FAX (404) 2893-0751  
<http://www.truancyproject.org>
2. <http://www.childwelfare.net>
3. <http://www.gabar.org>
4. National Dropout Prevention Center at Clemson University  
<http://www.dropoutprevention.org>