

Protecting Our Future: Law Firm Children's Law Projects

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Brief Description:

This program will focus on developing partnerships to provide direct representation and policy/reform work in the area of children's legal needs. The session will highlight the ongoing collaboration between DLA Piper Rudnick Gray Cary US LLP's Chicago office and Northwestern University's Bluhm Legal Clinic in the firm's Signature Pro Bono Project in Juvenile Justice and a recently completed legal needs assessment for children conducted in Houston, Texas by the Children's Rights Litigation Committee of the American Bar Association. Participants will learn about: ways to engage law firm lawyers to become involved in pro bono work for children; creating specific projects geared towards increasing pro bono representation of children; and addressing issues of training, ethics, community relations, skills-matching and best practices.

Topical Outline:

- I. Background on the Report on the Legal Needs of Harris County Children
 - a. History of the Children's Rights Litigation Committee.
 - i. Work assisting in the start up of children's law projects—free standing or within law firms.
 - ii. Work initiated when contacted by the community
 - b. Committee Meeting Houston, TX in April 2003
 - i. No children's law project or contact from the community
 - ii. How to spark community interest in the project?
 - c. Needs Assessment—what are Houston children's legal needs?
 - i. Involve law firms in the needs assessment to complete project and to generate interest in starting a children's law program to meet the needs
 - ii. Choose three areas to study: child welfare, juvenile justice and school suspension/expulsion.
 - iii. Utilized bar contacts to recruit 9 law firms and 1 accounting firm to complete the work. Each firm provided partner and associate volunteers to work on the report.
 - iv. Firms divided into three subject areas with a leader who was an expert in the subject.
 - v. Each team member provided with background materials in the appropriate subject matter to get some necessary information.

- vi. Each team began by conducting research on Texas law in their subject area.
- vii. Volunteers set up interviews and court observations for one week in Spring 2003. The subject team leader traveled to Houston for this week and interviews and court observations were completed then.
- viii. Each team wrote a draft chapter with their research and findings from interviews and court observations.
- ix. The Committee completed the Report and distributed it widely in Houston and across the country.

II. Findings of The Report on the Legal Needs of Harris County Children

- a. Juvenile Justice
 - i. Courthouse facilities overburdened
 - ii. Excessive Caseloads
 - iii. Resource Deficiencies
 - iv. Need to Seal Records
 - v. Shortage of mentors in juvenile court.
 - vi. Lack of consistent representation
 - vii. JP Court/Expulsion Case – No appointment process for the cases.
 - viii. No empirical evidence to assess effectiveness of program.
- b. Child Welfare
 - i. Social Workers are underpaid and their caseloads too high.
 - ii. The lack of guidelines for attorney caseloads and case distribution calls into question whether children are receiving effective assistance of counsel.
 - iii. Insufficient attorney pay limits the quality of representation
 - iv. There is no advocacy for children in the permanent custody of the state.
 - v. There is a lack of attorney advocacy for needed services and there are not enough services for children or parents.
 - vi. There is a lack of consistency in attorney training.
 - vii. There is a need for CASA volunteers.
 - viii. There is not enough space in the courthouse.
 - ix. Potential projects in this area
 - Trainings for lawyers
 - Project to provide representation to children in the custody of the state.
- c. School Suspension/Expulsion
 - i. Lack of attorney representation in hearings
 - ii. Lack of system due process
 - iii. Inconsistent application of Zero Tolerance Disciplinary Code
 - iv. Lack of follow-up with affected students by school administrators

- III. Starting a Children's Law Center in Houston
 - a. The Committee held a reception in November 2004 and invited all Houston law firms, the bar association and children's law practitioners and judges to officially release the Report.
 - i. At the reception we began to discuss follow up to the report. We would be holding meetings to discuss what a Houston children's law project should look like based on the needs outlined in the report, interest in the community and based on the resources available.
 - ii. Finding lawyers from the community willing to take a leadership role.
 - b. Follow-Up Meetings
 - i. Social service agencies, judges and law firm leaders gather to discuss the needs and potential projects.
 - ii. Securing commitments from law firms to a children's law project.
 - c. Participation by private practitioners
 - i. Explaining the problems/issue solving
 - Baker & McKenzie/Houston experience.
 - ii. Obtaining buy-in from private practitioners
 - Time commitment
 - Training
 - iii. Momentum
 - Maintaining focus and moving forward with specific commitment from private practitioners.

- IV. Replicating this Project
 - a. Lessons learned
 - b. Engaging law firms
 - c. Engaging the community