

**AALS FAMILY AND JUVENILE LAW
SECTION NEWSLETTER*
Winter 2008**

Alicia Brokars Kelly, Widener University School of Law, Editor

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MESSAGE FROM THE CHAIR

I hope that everyone will attend the Section Program at the AALS Annual Meeting, Thursday, January 8, at 8:30 - 10:15 a.m. (Marina Salon F, South Tower, Level 3, at the San Diego Marriot Hotel & Marina). It should be an excellent event. The topic will be "The Growing Disconnect Among Work, Family, and Marriage," and there will be an impressive collection of experts from both law and non-law fields (Profs. June Carbone, Nanacy Dowd, Steven Martin & Ruth Milkman). And please stay after the discussion for a brief Section Business Meeting.

On a more personal note, I just wanted to express my deep gratitude for the opportunity to be the Section's Chair this year, and for the two prior years as Chair-Elect and Secretary-Treasurer. It has been an honor and a pleasure.

We welcome your participation and involvement in the Section's activities. Feel free to contact an officer or member of the executive committee if you have a question or suggestion, or if you want to get involved in the work of the Section.

Best Wishes,

Brian H. Bix, Chair

* This newsletter is a forum for the exchange of ideas. Opinions expressed here are not necessarily those of the Section and do not necessarily represent the position of the Association of American Law Schools.

MESSAGE FROM THE CHAIR-ELECT

Section on Family and Juvenile Law

PANEL: "The Growing Disconnect Among Work, Family and Marriage," Thursday, January 8, 2009, 8:30 – 10:15 am.

Dear Section Members,

We hope you can join us in January for the Annual Meeting of the AALS in San Diego, Our panel on Thursday, January 8, 2009 at 8:30 – 10:15 am. We will consider **The Growing Disconnect Among Work, Family and Marriage**. This panel will examine why it is hard for women and men across the socio-demographic spectrum to combine work, marriage, and family, and examines how the growing disconnect plays out differently for different people. For example, women and men at the bottom of the income ladder often combine work and children, but do not marry or have long-term stable relationships on which they can draw. Many low income men are not marrying, although fathering children, and struggle to find work. At the other end of the income scale, highly educated men and women often face difficulties combining work, family and marriage; hence the "opt-out revolution," in which professional women are leaving the workplace in droves, sometimes temporarily and sometimes permanently, to focus on their families. Significant numbers of professional men and women have never been married or are divorced or separated. Many also have no children living with them. Understanding the disconnect among marriage, family, and work for individuals across the socio-demographic spectrum is important to understanding the limits of what family law can and cannot do in this regard. This panel will examine these phenomena in detail, drawing on the insights of demographers and sociologists, as well as law faculty. Panelists include

- Ruth Milkman, Director of the Institute for Research on Labor and Employment at UCLA;
- Sharon Sassler, Associate Professor at Cornell University's College of Human Ecology;
- June Carbone of the University of Missouri – Kansas City School of Law;
- Nancy Dowd of the University of Florida Levin College of Law; and
- Robin Fretwell Wilson of Washington & Lee University School of Law (moderator).

Our program will be co-sponsored by Women in Legal Education, Socio-Economics, Minority Groups, Law & Social Science, Poverty, and Children and the Law.

Best Wishes for a Happy New Year.

Robin Fretwell Wilson, Program Chair
Washington & Lee University School of Law

MESSAGE FROM THE CHAIR OF CHILDREN & LAW SECTION

It has been a pleasure to serve as Chair of this nascent section for the past year. I'm sure that I, like so many other people, have often been disheartened by the dearth of legal discourse about children. It is my hope that our section can serve as a vehicle for including children's legal, emotional, physical, and intellectual needs and desires within all areas of law.

It is to this end that the section's topic at the 2009 Annual Meeting is the provocatively titled, "Children, Sex, and the Law." Professor Jennifer Drobac of Indiana University School of Law will examine the increasing number of children subjected to sexual harassment in their part-time employment. Shannon Price Minter, senior attorney at the National Center on Lesbian Rights, will talk about the special needs - legal and otherwise - of lesbian, gay, bisexual, and transgender children who are in state care. Finally, Dr. Ted Shaw, a partner at ITM (Intensive Treatment Modalities) Group and a psychologist specializing in the treatment of sexual offenders, will describe his work with children and why the law should treat them differently than adult offenders. Sacha Coupet, Director of Research at Loyola-Chicago's Civitas ChildLaw Center and next year's section chair will moderate. It is our hope that scholars who might not otherwise attend a session on children's issues will attend and consider whether their fields of specialty would be enriched by placing children into their analyses.

We have started an e-mail distribution list that has been fairly inactive this year, but which I'm sure will be more utilized in the future. Please use the list to send information about your recent scholarship, conferences that you think are of interest to other members of the section, as well as discussion about emerging legal issues. If you are not already a member of the list, you can join by completing the subscription form at <http://lists.ubalt.edu/mailman/listinfo/aalschildlaw>.

I look forward to seeing you in San Diego!

Odeana R. Neal, University of Baltimore School of Law

SECTION WEB SITE & LISTSERV

The Section website includes a list of officers as well as sections on Upcoming Meetings and Events, Teaching, Scholarship, News, and Links to other Family Law Sources and Organizations.

The web site is managed by Peg Brinig at Notre Dame. If you would like to have anything published on the Section web page, <http://law.nd.edu/faculty/brinig/aals/>, please send it to her (mbrinig@nd.edu). She welcomes contributions. The site can serve as a between-newsletter place to post conference information that can be accessed by people outside the Section. Contact Peg by email at mbrinig@nd.edu.

The listserv for the Section is aals-familylaw@uidaho.edu. You must be a subscriber to post to the list. To subscribe, go to <http://www.lists.uidaho.edu/mailman/listinfo/aals-familylaw> and follow the instructions or email Liz Brandt at ebrandt@uidaho.edu.

CONTINUATION OF THE MENTORING PROGRAM

The Section's Mentoring Program for teachers and scholars in the fields of family and juvenile is going strong. This program provides opportunities for new professors or those new to family law and juvenile law to build relationships with experienced teachers and scholars in these subject areas. If you are interested in participating in the Mentoring Program, either as a volunteer

mentor or mentee, please contact Chairperson Alicia Kelly at abkelly@widener.edu. This program is available in addition to, and, if a participant so desires, in coordination with, the Scholarship Feedback Program (described below). We welcome your participation.

CONTINUATION OF THE SCHOLARSHIP FEEDBACK PROGRAM

The Section invites your participation in the Scholarship Feedback Program designed to allow members to solicit feedback on works in progress in the family and juvenile law arenas. Although scholarship review can and should come through many avenues, the section provides this resource to help make the scholarship review process less intimidating and more effective, particularly for more junior faculty or for faculty members who are beginning to write scholarship in a new area. As we all know, it can be invaluable to have someone who is knowledgeable in the field in which you write to review your work. The Scholarship Review Chairperson, Vivian Hamilton, continues to seek the names of people willing to review scholarship in targeted areas. If you are interested, please contact Vivian at vhamilton@wm.edu and provide your name, contact information, and the specific subject areas in which you would be willing to review. The Chair acts as a “gatekeeper” of the list of volunteers and will be sure that no one volunteer is overburdened with reviews. Members should also contact Vivian once you have a manuscript ready for review; she will then contact volunteers to determine their availability. This program provides feedback on scholarship, but also opens the door to new relationships among scholars in targeted subject areas. We welcome your participation.

UPCOMING EVENTS & CALL FOR SUBMISSIONS

Collaborative Law Conference: Hofstra Law School is pleased to host a conference on Collaborative Law and the Uniform Collaborative Law Act on November 20, 2009. The Conference is being organized in cooperation with the National Conference of Commissioners on Uniform State Laws, the Association of Family and Conciliation Courts, the International Academy of Collaborative Professionals and the Section on Alternative Dispute Resolution of the American Bar Association. For further details, please contact Franca Fanizzi, Executive Director of the Family Law Programs at franca.fanizzi@hofstra.edu.

A special issue on collaborative law will be published by the Hofstra Law Review following the conference. Academics and practitioners are invited to submit articles for consideration. For questions, publication guidelines, and submission to the Hofstra Law Review, please contact lawrev@hofstra.edu.

Critical Perspectives on Court and Law Reform, Washington University's 9th Annual Access to Justice Colloquium: March 27, 2009.

Jane Spinak (Columbia) keynote. Other speakers include: Mae Quinn (Tennessee), Marie Kenyon (St. Louis University); Adele Morrison (NIU, visiting at Wash U), Brendan Roediger (Wash U.), Leigh Goodmark (Baltimore), Helen Kang (Golden Gate), Liz Hubertz (Wash U.), Kathy Andria (American Bottom Conservancy); Doug Eller (Grace Hill Settlement House);, Michael Kwun (Electronic Frontier Foundation); David Deal (Wash. U); Chuck McManis (Wash U.); Peter Joy (Wash U.). The colloquium will include panels on: Success and Failures in

Children; Youth and Family Justice Reform; Critical and Ethical Perspectives in Interdisciplinary Practice, Pursuing Environmental Justice: Obstacles and Opportunities, Using Intellectual Property to Preserve Access to Justice; Criminal Justice; and Domestic Violence. Washington University Journal of Law and Policy will publish the colloquium papers in a special issue on Family Court Reform (vol. 31). See also the call for papers included below in this newsletter.

Domestic Violence Conference: Thinking Outside the Box: New Challenges and New Approaches to Domestic Violence, Journal Of Legal Commentary 16th Annual Symposium, at St Johns University School of Law, March 20, 2009 (Queens Campus). Speakers include Caroline Bettinger-Lopez; Sarah M. Buel; Donna Coker; Cheryl Hannah; Donna Lee; Holly McGuigan; Kristian Miccio; Emily Sack; Elizabeth Schneider; Deborah Tuerkheimer & Joan Zorza. For more information please contact Karyn DiDominici ddomink@stjohns.edu or 718-990-1950.

Feminist Legal Theory Conference, Second Annual, at the University of Baltimore School of Law. It will be held on Thursday, March 5 and Friday, March 6, 2009 and will include a panel on Applying Feminist Legal Theory to Family Law, moderated by Professor Jane Murphy and featuring: Ann Shalleck, The Interpenetration of Family and State: Privatizing Social Welfare through Family Law; Laura Kessler, New Frontiers in Family Law; Amy Dillard, Otherness, Gender Ambiguity and the Immemorable Past: A Meditation on Transcendental Feminism; Martha Ertman, "They Ain't White, They're Mormons:" An Illustrated History of Polygamy as Race Treason.

More information about the conference (including abstracts for most of the papers) is available on our website: <http://law.ubalt.edu/femconf>.

The Future of Family Law Education Conference: Invitation: Call for Presenters and Papers! The Midwest Family Law Consortium invites you to attend "The Future of Family Law Education," a family law education conference with topics and demonstrations to enliven your teaching. The conference will be held on Friday, June 26, 2009, at William Mitchell College of Law, St. Paul, Minnesota.

Send your proposals to Nancy Ver Steegh at nancy.versteegh@wmitchell.edu before February 1, 2009. Selected papers will be published in the Family Court Review. For more information call 651-290-6342 and watch the conference website at www.wmitchell.edu/lectures and the Family Law Education Reform Project website at www.flerproject.org.

The conference is sponsored by the Midwest Family Law Consortium: Indiana University School of Law—Indianapolis; University of Missouri-Kansas City School of Law; and William Mitchell College of Law with the American Academy of Matrimonial Lawyers, Minnesota Chapter; the Association of Family and Conciliation Courts; and Hofstra University School of Law, Center for Children Families and the Law.

Family Law Education Reform Project: We are writing to follow up on our announcement over the summer about the Family Law Education Reform (FLER) website project that is

designed to encourage family law professors to incorporate practice perspectives into their courses. We were delighted with your enthusiastic response to the development of the site! We want to encourage you to send us whatever skills-based exercises you have developed in ANY area of family law. At the end of this newsletter, there is attached a sheet with directions on how to submit an exercise for posting. We have also attached a non-exclusive list of potential topics. The exercises will be indexed by both skill(s) used and substantive area of family law (e.g., an exercise might appear under both headings of counseling and domestic violence, or custody and drafting, etc.).

As part of our development of the site, we are committed to posting as many exercises as possible. Although there are no mandatory guidelines for posting, we'd like to encourage you to send us exercises that have clear instructions and are user-friendly (for both teachers and students). Access to the website must be approved by a member of the editorial committee. Please let us know if you have any comments on the website. If you are willing to discuss your experiences in developing or using skills-based exercises, then please let us know and indicate that on the exercise.

To access the FLER website, please go to www.flerproject.org, and establish a log-in and password. Click on the "Create new account" link in the left column. Please let any of us know if you have any questions. And, thank you!

Best wishes, the Editorial Committee for the FLER Website:

Naomi Cahn, George Washington University Law School Andrew Schepard, Hofstra Law School Nancy Ver Steegh, William Mitchell College of Law Peter Salem, Executive Director, Association of Family and Conciliation Courts

The International Society of Family Law Upcoming Conference & Call for Papers. The ISFL is sponsoring a regional family law conference in ISRAEL on June 7-9, 2009. The theme is: Family Law in a Multicultural Environment: Civil and Religious Law in Family Matters. The location is near Tel-Aviv, Israel: Bar-Illan University Law School (Ramat-Gan, Israel) and also Sha'arei Mishpat Law College (Had Hasharon, Israel). The Conference Hotel is Kfar Macabiah Hotel a resort hotel near Bar-Illan University in Ramat-Gan. Persons wishing to present a paper at this conference should submit a one-page abstract/proposal containing the following information: Working Title of the Paper, Author's Name, Academic or Professional Title, Institutional Affiliation, Mailing Address, Phone, and Email Address, and a one-or two paragraph description or outline of the issues, ideas and points they intend to discuss in their paper. Proposals from American scholars should be sent to Lynn Wardle at wardlel@law.byu.edu. Deadline for submission: February 20, 2009 (earlier submissions preferred; rolling acceptances). For more information, see the Conference Website and Registration Site: <http://www.law2.byu.edu/isfl/israelcon2009/> .

Women & Law Symposium: Rutgers School of Law-Newark is pleased to be celebrating its centennial this year. To honor the law school's tradition of contributing to social justice, we are hosting an all-day symposium on Feb. 13, 2009 entitled "Rutgers School of Law-Newark Celebrates Women Reshaping American Law." The event gathers major figures in the development of women's rights law and highlights the connections between Rutgers and that

history. United States Supreme Court Justice Ruth Bader Ginsburg will deliver the keynote address. Professor Catharine MacKinnon will deliver closing remarks.

Speakers also include Professor Sarah Burns of NYU School of Law, Professor Sally Goldfarb of Rutgers School of Law-Camden, Professor Victoria Nourse of University of Wisconsin Law School, Professor Susan Deller Ross of Georgetown University Law Center, and Professor Wendy Webster Williams of Georgetown University Law Center. Yale College Professor Fred Strebeigh, author of the forthcoming book *Equal: Women Reshape American Law* (Norton 2009), will deliver opening remarks.

Registration information will be available in early January. Best regards, Suzanne A. Kim, Conference Planning Chair, Rutgers School of Law – Newark email: skim@kinoy.rutgers.edu

Call for Papers: The *Washington University Journal of Law and Policy* is collecting submissions for its thirty-first volume entitled *Family Court Reform*. The volume will be published in conjunction with the Equal Justice Colloquium on Family Court Reform to be held at Washington University in March 2009. The *Journal of Law and Policy* is a symposium-based publication that dedicates each volume to a particular topic. Accordingly, each volume offers a cross-section of the scholarship in a particular field and attempts to help guide the dialogue on that topic. Please take note of the key date and formatting requirements for Volume 31. Submissions should be emailed to Katie Greiner at kagreiner@wulaw.wustl.edu by March 23, 2009. The *Journal* expects to publish the *Family Court Reform* volume in December 2009. Articles typically range from 30 to 50 double-spaced pages. Authors should consult the 18th Edition of *The Bluebook* for proper citation forms.

Family Law Writing Competition: Hofstra Law School and the Association of Family and Conciliation Courts (AFCC) are proud to sponsor a Family Law Writing Competition to celebrate the establishment of Hofstra's Family Law L.L.M Program in 2006. The competition is organized in cooperation with the *Family Court Review*, the academic and research journal of AFCC. Topics for submission should focus on international or interdisciplinary subjects of family law. Submissions must be the work of a law student or a law student in cooperation with mental health, social science or other relevant graduate students. Awards include consideration for publication in *Family Court Review*.

We congratulate Elizabeth McDonald from Washington University Law in St. Louis, the 2008 winner. Her article titled, *Sperm Donor or Thwarted Father? How Written Agreement Statutes are Changing the Way Courts Resolve Legal Parentage Issues in Reproduction Cases*, will be published in the April 2009 edition of *Family Court Review*.

Submissions are due by March 16, 2009. For more detailed information please visit the website at law.hofstra.edu/fcr.

The University of La Verne Law Review invites submissions to Volume 31. The University of La Verne Law Review was formerly the *Journal of Juvenile Law* (1977-2007), and continues to publish one dedicated issue per year on matters of juvenile law. The deadline for submissions is Sept. 1, 2009, but earlier submissions are encouraged. The University of La Verne Law

Review will enter into Prepublication Agreements on the basis of submitted abstracts from authors with a strong publication record. Anticipated date of publication is November 15, 2009, and the University of La Verne Law Review is committed to policies of light and respectful editing, as well as on-time publication. Please send abstracts to lawrevjuvenile@ulv.edu.

RECENT EVENTS

International Perspectives on Family Law, Mt. Kopaonik School of Natural Law, Serbia, December 2008. The Mt. Kopaonik School of Natural Law met for its 21st Annual conference in Serbia on December 13-17, 2008. Attending the conference, which has been little known in the United States, were members of the judiciary, academy, and governmental and non-governmental agencies concerned with law, representing more than 30 countries from 4 continents. Two sessions of the conference were devoted exclusively to family law, drawing papers from 24 scholars working in China, the United States, Italy, the United Kingdom, Slovenia, Bosnia and Herzegovina, Macedonia, and Kosovo. The sessions were organized by Professor Olga Cvejic-Jancic, Professor of Law at the University of Novi Sad in Serbia, and covered topics ranging from same-sex marriage to adoption, cohabitation, divorce, paternity, abortion restrictions, the right to marry and form family, the protection of witnesses to domestic violence, matrimonial finances, age as an issue of consent, marriage under Islamic law, and parental consent to children's healthcare. Copies of the papers and abstracts presented in English are available at the faculty webpage of Professor Robin Fretwell Wilson of Washington & Lee University School of Law, at <http://law.wlu.edu/faculty/profiledetail.asp?id=216> (see the link labeled Mt. Kopaonik School of Natural Law on the left side of the page).

MEMBER NEWS AND RECENT AND FORTHCOMING PUBLICATIONS

Annette Appell published *Representing Children Representing What?: Critical Reflections on Lawyering for Children*, 39 Columbia Human Rights Law Rev. 573 (2008); and *The Endurance of Biological Connection: Heteronormativity, Same-Sex Parenting and the Lessons of Adoption*, 22 B.Y.U.J. Pub. L. 289 (2008).

Barbara Atwood published *The Voice of the Indian Child: Strengthening the Indian Child Welfare Act Through Children's Participation*, 50 Ariz. L. Rev. 127 (2008); *The New Uniform Representation of Children in Abuse, Neglect, and Custody Proceedings Act: Bridging the Divide Between Pragmatism and Idealism*, 42 Fam. L. Q. 63 (2008); *Permanency for American Indian and Alaska Native Foster Children: Taking Lessons from Tribes*, 37 Cap. U. L. Rev. ____ (2008) (forthcoming); *Child Custody*, in *The Chicago Companion to the Child* (University of Chicago Press) (2009) (forthcoming); and *Child Protection in a Pluralist Society: Challenges and Opportunities*, in *The International Survey of Family Law* (2009 Edition)(forthcoming).

Barbara Babb announces: The University of Baltimore School of Law Center for Families, Children and the Courts (CFCC) is working on several new projects. Professor Barbara Babb, CFCC's Director, and CFCC Senior Fellows Gloria Danziger and Judith Moran are guest editors of the April 2009 special issue of the *Family Court Review*, the journal of the Association of Family and Conciliation Courts (AFCC) published in cooperation with Hofstra University

School of Law. The special issue is devoted to articles on substance abuse and addiction as they relate to family law cases. Professor Babb and Gloria Danziger previously have served as guest editors for the April 2008 special issue of the Family Court Review on unified family courts (UFCs).

CFCC has published the fifth edition of its newsletter, the Unified Family Court Connection. The Fall 2008 issue includes articles devoted to UFC implementation by two different jurisdictions. Hon. Howard Lipsey, a Rhode Island family court judge, writes about how the nation's first UFC manages family law matters with maximum efficiency. Hon. Bobbe Bridge, president of the Center for Children and Youth Justice and former Washington State Supreme Court Justice, and Hon. Paula Casey, a Thurston County (Washington) Superior Court judge, contribute two articles about Washington's UFC initiatives. The Unified Family Court Connection is mailed to 2,000 judges, attorneys, court administrators, law school faculty, legislators, and other family court experts around the country.

CFCC, in collaboration with the National Center for State Courts (NCSC), presented a two-day UFC workshop in December for the New Mexico family court system. The workshop covered the development and implementation of UFCs, including their theoretical and structural components, physical attributes, operation, advantages, evaluation, court services, and challenges.

CFCC, in collaboration with the Association of Family and Conciliation Courts, provided two two-day workshops in December. The first workshop was conducted by Christine A. Coates, M.Ed., J.D., for professionals who work with high-conflict families. The second workshop was conducted by Marsha Kline Pruett, Ph.D., M.S.L., for professionals who work with fathers in intact, separated, or divorced families.

For further information about CFCC and any of its initiatives, or if you would like to receive the Unified Family Court Connection, please contact Professor Barbara Babb at 410-837-5661, bbabb@ubalt.edu, or consult CFCC's Web site at: www.law.ubalt.edu/cfcc/

Theresa Glennon published School Regulation of Reproductive Decision Making, in *REGULATING AUTONOMY: SEX, REPRODUCTION AND THE FAMILY* (Eds. Martin Richards et al., forthcoming, 2000-09) and an article, *Divided Parents, Shared Children, Conflicting Approaches to Relocation Disputes in the USA*, 4 *UTRECHT LAW REVIEW* 55 (2008). She presented this paper at Utrecht University in June, 2008.

Alicia Brokars Kelly has a forthcoming article, *Money Matters in Marriage: Unmasking Interdependence in Ongoing Spousal Economic Relations*, *LOUISVILLE LAW REVIEW* (2008). Alicia presented and workshopped this paper at the Emerging Family Law Scholar's Conference hosted by Cardozo School of Law in June 2008, where she also presented on a panel "Teaching to Millenials." Alicia will present *Money Matters in Marriage* at an upcoming conference "Update for Feminist Law Professors" hosted by the University of Pennsylvania School of Law in February 2009.

Laura T. Kessler published "Getting Class," an essay that grows out of the ClassCrits Working Group at Buffalo and uses examples from employment discrimination and family law to explore the problem of inattention to class in legal feminism and other left critical theories in law. See Laura T. Kessler, *Getting Class*, 56 *BUFFALO LAW REVIEW* 101 (2008), available at http://papers.ssrn.com/sol3/papers.cfm?abstract_id=1311494

Cynthia Mabry published *Teachers' Manual, Adoption Law: Theory, Policy and Practice* (2008). Looking Beyond the United States: How Other Countries Handle Issues Related to Unwed Fathers in the Adoption Process, 29 *Capital L. Rev.* 363-412 (2007).

Solangel Maldonado wrote the following: *FAMILY LAW IN THE WORLD COMMUNITY* (Carolina Academic Press, 2nd ed., forthcoming 2009) (with D. Marianne Blair, Merle H. Weiner, and Barbara Stark); *Taking Account of Children's Emotions: Love, Anger and Forgiveness in "Renegotiated Families,"* ___ *Va. J. Soc. Pol'y & L.* (forthcoming 2008) (Symposium); *Permanency v. Permanent Ties: The Case for Post Adoption Contact,* ___ *Capital L. Rev.* ___ (forthcoming 2008) (Symposium); *Race, Culture, and Adoption: Lessons From Mississippi Band of Choctaw Indians v. Holyfield,* 17 *Colum. J. Gender & L.* 1 (2008). She made the following presentations: Presenter, *Taking Account of Children's Emotions: Love, Anger, and Forgiveness in "Renegotiated Families,"* Law and Emotion: Re-Envisioning Family Law Conference, University of Virginia School of Law (Sept. 2008); Presenter, *Race, Culture and Ethnicity in Assessment of Parenting and Parent-Child Interactions,* Joint Conference of the American Bar Association and American Psychological Association, Chicago, Illinois (April 2008); Presenter, *Permanency Decisions: Balancing Children's Best Interests and Biology,* Wells Conference on Adoption Law, Capital University Law School (March 2008).

Sy Moskowitz delivered a paper "On Their Own: The Legal Abandonment of Contemporary American Youth in the Workplace" at the University of San Diego Law School in October 2008. He taught a course in Comparative Family Law in South America during the summer of 2008.

Thomas Oldham is publishing *Changes in the Economic Consequences of Divorce, 1958-2008* in Vol. 42, #3 (Fall 2008) of the *Family Law Quarterly* pertaining to the legal and social changes in the last 50 years that have impacted the economic consequences of divorce.

Angela Onwuachi-Willig co-authored *A House Divided: The Invisibility of the Multiracial Family* with Jacob Willig-Onwuachi (Grinnell College Physics) for a special projects issue of the *HARVARD CIVIL RIGHTS-CIVIL LIBERTIES LAW REVIEW*. They presented the paper together at the Thirteenth Annual Latina/o Critical Theory Conference at Seattle University School of Law. Additionally, Angela and Jacob co-authored an opinion-editorial regarding the Varnum case (Iowa's same-sex marriage case) entitled *Iowa Supreme Court Should Again Be A Pioneer*. The op-ed appeared in the *IOWA CITY PRESS-CITIZEN*. The op-ed can be found at this link: <http://www.press-citizen.com/apps/pbcs.dll/article?AID=2008812090301>.

Marc R. Poirier published *The Cultural Property Claim within the Same-Sex Marriage Controversy*, 17 *Colum. J. Gender & Law* 343 (2008); *Same-Sex Marriage, Identity Processes, and the Kulturkampf: Why Federalism is Not the Main Event*, 17 *Temple Pol. & Civ. Rights L. Rev.* 387 (2008). He has two more pieces in the midst of edits that should be out within the next

couple of months: Marc R. Poirier, *Gender, Place, Discursive Space: Where Is Same-Sex Marriage?*, 3 Fla. Int'l U. L. Rev. -- (forthcoming 2008) [part of a LatCrit XII symposium]; *Microperformances of Identity: Visible Same-Sex Couples and the Marriage Controversy*, 15 Wash. & Lee. J. Civ. Rights & Soc. Justice (forthcoming 2009). Marc spoke on October 15 at Southern Methodist University Dedman School of Law's Colloquium on Law and Citizenship on the topic "Visibility, Locality, Identity: Citizenship and the Same-Sex Couple"; gave a public talk on October 21 at Wayne State University Law School on "The Cultural Property Claim Within the Same-Sex Marriage Controversy, and will be presenting a paper on February 4, 2009, at Hofstra University School of Law's Law and Sexuality Colloquium on "The Standardization of Legal Kinship Forms: What the Numerus Clauses Principle May (or May Not) Have to Offer the 'Civil Union'/Marriage' Controversy"; and appeared on an NJN New Jersey Public television network program, *Due Process*, on June 29, 2008, as an academic expert on civil unions and same-sex marriage.

Janet Leach Richards: I have just completed a book that is at the publisher's (Carolina Academic Press) and should be available shortly. It is *PRACTICAL GLOBAL FAMILY LAW*, part of the Contextual Approach Series, which is the brainchild of Andrew J. McClurg, Herff Chair of Excellence, University of Memphis. The book is a student reader that compares and contrasts how a simple divorce would be handled in the U.S., China and Italy. I edited the book and wrote the U.S. portion. My co-authors are Professor Chen Wei (China) and Lorella Dal Pezzo (Italy) who responded to each of my chapters by detailing how the same issues would be addressed in their respective countries. Comparative charts are located at the end of the chapters to highlight the similarities and differences in the three countries.

Elizabeth Schneider: I have been visiting in Fall 2008 at Columbia Law School. The second edition of our domestic violence casebook, Elizabeth M. Schneider, Cheryl Hanna, Judith G. Greenberg and Clare Dalton, *DOMESTIC VIOLENCE AND THE LAW: THEORY AND PRACTICE* (Foundation Press 2d. 2008) was published this year. And I have two family law articles that are in press: Elizabeth M. Schneider, *Domestic Violence Law Reform in the 21st Century: Looking Back and Looking Forward*, 42 *Family Law Quarterly*____ (Fall 2008) (50th Anniversary of the ABA Section on Family Law issue); and Elizabeth M. Schneider, *Domestic Violence, Citizenship and Equality in GENDER EQUALITY: DIMENSIONS OF WOMEN'S EQUAL CITIZENSHIP* (Linda C. McClain and Joanna L. Grossman eds., Cambridge University Press forthcoming_____).

Jana B. Singer published *RESOLVING FAMILY CONFLICTS* (Ashgate, October, 2008) Edited by Jana B. Singer, University of Maryland and Jane C. Murphy, University of Baltimore. Over the past two decades, there has been a paradigm shift in the way the legal system handles most family disputes -- particularly disputes involving children. This 'paradigm shift' has reshaped the practice of family law and has fundamentally altered the way in which disputing families interact with the legal system. This interdisciplinary volume examines the contours of the changes in family conflict resolution and explores their implications for family law scholarship and practice. Part of Ashgate's Family, Law and Society Series, the volume includes contributions from lawyers, legal academics, social scientists and mental health professionals.

Lynn D. Wardle published Lynn D. Wardle, *The Fall of Marital Stability and the Rise of Juvenile Delinquency*, 10 J. L. & Fam. Stud. 83 (2007), which suggests that we may be punishing children for the failings and mistakes of their parents. It notes that fragile family structure and marital family instability are strongly associated with juvenile delinquency. It observes that most family law casebooks and juvenile justice casebooks entirely ignore (at least in their tables of contents and indices) the very powerful connection between juvenile delinquency and fragile family structure and marital disintegration. It presents some of the evidence of such connections, and reviews some of reasons for such connections and for the academic neglect of such connections; Lynn D. Wardle & Lincoln Oliphant, "In Praise of Loving: Reflections on the 'Loving Analogy' for Same-Sex Marriage," 51 Howard L. J. 117 (2007), notes the extensive effort (and little judicial success) of advocates of same-sex marriage to invoke the Loving analogy to support their claims for same-sex marriage. The U.S. Supreme Court explicitly rejected the Loving analogy just five years after it decided *Loving v. Virginia*. There is extensive literature from African-American leaders, scholars, and commentators who reject on eight different grounds the Loving analogy to same-sex marriage. African-American voters have similarly rejected the analogy as they have voted against same-sex marriage overwhelmingly in proportions exceeding that of other groups of Americans generally (as the 70% African-American vote for Prop 8 in California dramatically showed); Lynn D. Wardle, "The Hague Convention on Intercountry Adoption and American Implementing Law: Implications for International Adoptions by Gay and Lesbian Couples or Partners," 18 Ind. Intl. & Comp. L. Rev. 113 (2008), examines in the history of the Hague Convention on Inter-Country Adoption and the potential impact on adoption of children by gay and lesbian couples and partners. It is timely because America's ratification of the Hague Convention has just been completed and the American implementing laws have now taken effect. It is clear that the drafters of the Hague Convention intended the Convention to have no impact whatever on inter-country recognition of adoptions by gay and lesbian couples-the Convention intended to leave that to the domestic policies of the sending and the receiving states. The potential for the Hague Convention, ironically, to reduce the number of inter-country adoptions is noted.

Merle H. Weiner published *Intolerable Situations and Counsel for Children: Following Switzerland's Example in Hague Abduction Cases*, 58 Am. U. L. Rev. 335 (2008) (forthcoming); and *Codification, Cooperation, and Concern for Children: The Internationalization of Family Law in the United States Over the Last Fifty Years*, 42 Fam. L. Q. 585 (2008) (forthcoming).

Robin Fretwell Wilson published a new volume entitled *SAME-SEX MARRIAGE AND RELIGIOUS LIBERTY: EMERGING CONFLICTS*, co-edited with Douglas Laycock and Anthony R. Picarello, Jr. She also published several article and book chapters: "Matters of Conscience: Lessons for Same-Sex Marriage from the Healthcare Context," in *SAME-SEX MARRIAGE AND RELIGIOUS LIBERTY*; "Essay: A Matter of Conviction: Moral Clashes Over Same-Sex Adoption," 22(2) *BYU Journal of Public Law* 475 (2008); and "American Law Institute's PRINCIPLES OF THE LAW OF FAMILY DISSOLUTION, Eight Years After Adoption: Guiding Principles or Obligatory Footnote?" *50th Anniversary Issue*, 42 *Family Law Quarterly* (Fall 2008). Professor Wilson was voted Teacher of the Year by the Women Law Students' Association at Washington & Lee in the Spring of 2008, received the Law Alumni Faculty Fellow Award for Scholarship for 2008 – 2009, and lectured on US Family Law at the University of Padua in Italy in May. She gave a keynote address on "De Facto Parenthood and Child Well-being" in November at the Georgia Supreme Court's Summit *For Children's Sake* and presented papers at the University of Novi Sad and the Mt. Kapaonik, Serbia, XXI Conference of the Kopaonik School of

Natural Law (“Emerging Conflicts Between Same-Sex Marriage and Religious Liberty: Finding a Live-And-Let-Live Solution”); The Chapman Dialogue Series’ Panel on *Legal Aspects of Same-Sex Marriage and Prop 8 Issues* (“Emerging Conflicts Between Same-Sex Marriage and Religious Liberty: Finding a Live-And-Let-Live Solution”); the Washington & Lee University School of Law Symposium on *Protecting Virtual Playgrounds: Children, Law and Play Online* (“Sex Play in Virtual Worlds”); University of Virginia Conference *Who is Called a Parent and Why?* (“The Meaning of Adoption: A Comment on Brinig and Patterson”); 13th World Conference of the International Society of Family Law & the Austrian Federal Ministry of Justice (“Matters of Conscience: Lessons for Same-Sex Marriage From the Healthcare Context”); First Amendment Center, Newseum, Panel on *Same-Sex Marriage and Religious Liberty: Emerging Conflicts* (“Matters of Conscience: Lessons for Same-Sex Marriage From the Healthcare Context”); Princeton University, Family Seminar (“Ignoring Gender: A Critique of Modern Family Law”). Professor Wilson may be reached at wilsonrf@lwu.edu.

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