

A MESSAGE FROM THE CHAIR



Dear Children and the Law Colleagues,

Greetings! I hope this newsletter finds you close to completing a productive and rewarding fall semester. I am looking forward to connecting with many of you at the upcoming AALS Annual Meeting in New Orleans, Wednesday, January 2 – Sunday, January 6, 2019.

For this year’s Annual Meeting, our Section is partnering with the Section on Poverty Law to present a panel on *Bridging the Gap: Perspectives on Poverty and its Impact on Childhood*. Researchers have established that poverty is the most significant threat to child wellbeing. Poverty impairs children’s learning, negatively affects their social, emotional, and behavioral development, and can also contribute to poor physical and mental health. According to the National Center for Children in Poverty, 43% of children in the United States live in low-income families, and 21% live in families with income below the federal poverty level.¹ Poverty in the United States contributes to a class-based opportunity gap for children that forestalls upward mobility and leads to what the Saguaro Seminar authors characterize as “the shriveling of the American Dream of opportunity for all.”²

Chair Elect Maryam Ahranjani and Poverty Law’s Chair Elect Sacha Coupet have worked to plan a terrific session exploring intersections of poverty, law, and child wellbeing. Our special guest, Professor Luis Zayas, Dean of the Steve Hicks School of Social Work and the Robert Lee

¹ See NATIONAL CENTER FOR CHILDREN IN POVERTY, CHILD POVERTY (2018), <http://www.nccp.org/topics/childpoverty.html>.

² THE SAGUARO SEMINAR, HARVARD KENNEDY SCHOOL, CLOSING THE OPPORTUNITY GAP 2016, at 3 (2016), <http://www.theopportunitygap.com/wp-content/uploads/2015/08/2016-Working-Group-Report.pdf#page=74>.

In this Issue:

<i>Message from the Chair</i>	1
<i>Section Officers & Executive Committee</i>	3
<i>Publications, Honors & Presentations</i>	4
<i>Upcoming Conferences & Calls for Papers</i>	8
<i>Events at the AALS Annual Meeting</i>	9
<i>Job Announcements</i>	12

Sutherland Chair in Mental Health and Social Policy at the University of Texas-Austin, will speak on the children of immigrants, poverty, and stress. The balance of our panelists was chosen from our call for papers. Professor Shanta Trivedi (University of Baltimore) will speak about child welfare law and its disproportionate impact on children living in poverty. Professor Yael Cannon (Georgetown) will present on health interventions for children living in poverty. Finally, Professor Jenny Carroll (University of Alabama) will discuss the disparate impact of criminal law on adolescents living in poverty. Our joint session is scheduled for Thursday, January 3, from 1:30-3:15 p.m. This promises to be rich and important programming. I hope to see many of you there, and encourage you to bring along colleagues in related fields.

In Section business, it will soon be time for us to elect new Section officers and designate our Executive Committee. If you're interested in serving in either capacity, please contact Chair-Elect (and soon to be Chair!) Maryam Ahranjani, Maryam.Ahranjani@law.unm.edu.

Best wishes for warm and peaceful winter break!

Warmly,

A handwritten signature in cursive script that reads "Meredith Johnson Harbach". The signature is written in black ink on a white background.

Meredith Johnson Harbach

**CHILDREN AND THE LAW
SECTION OFFICERS**

Chair: Meredith J. Harbach
University of Richmond School of Law
Phone: (804) 287-6688
E-mail: mharbach@richmond.edu

Chair-Elect: Maryam Ahranjani, University of New
Mexico School of Law
Phone: 505-277-2113
E-mail: Maryam.Ahranjani@law.unm.edu

Secretary: Julie McConnell
University of Richmond School of Law
Phone: (804) 289-8921
E-mail: jmcconne@richmond.edu

Treasurer: David B. Thronson,
Michigan State University College of Law
Phone: (517) 432-6916
E-mail: david.thronson@law.msu.edu

Executive Committee

James G. Dwyer
William & Mary Law School
(757) 221-2685
jgdwye@wm.edu

Cynthia Godsoe
Brooklyn Law School
(718) 780-0681
cynthia.godsoe@brooklaw.edu

Jonathan Todres
Georgia State University
College of Law
(404) 413-9165
jtodres@gsu.edu

Melanie Jacobs
Michigan State University
(517)432-6944
mjacobs@law.msu.edu

PUBLICATIONS, HONORS and PRESENTATIONS



Barbara Atwood, Mary Anne Richey Professor of Law Emerita, James E. Rogers College of Law: Professor Atwood notes that the Uniform Law Commission gave final approval to the Uniform Nonparent Custody and Visitation Act in July of this year. She served as vice-chair of the drafting committee and expects several introductions in state legislatures in the coming year. All uniform acts are available at www.uniformlaws.org.

James G. Dwyer, Arthur B. Hanson Professor of Law, William & Mary School of Law: Professor Dwyer was part of an event at the American Enterprise Institute for his new book, *Liberal Child Welfare Policy and Its Destruction of Black Lives*, at the end of September. They also created a podcast of his being interviewed about the book.

<http://www.aei.org/events/child-welfare-and-poverty-in-america/>

Cynthia Godsoe, Professor of Law at Brooklyn Law School: Professor Godsoe has a number of publications coming out. These include two book chapters, *Rewritten Supreme Court Commentary in Sessions v. Morales-Santana*, 582 U.S. __ (2017), in *Feminist Judgements: Family Law Opinions Rewritten* (Rachel Rebouche ed., Cambridge Univ. Press forthcoming 2019), and *Parental Love and Purposeful Violence*, in *The Politicization of Safety* (Jane Stoeber ed., NYU Press 2018), and a piece in a symposium issue on “Disruptive Innovations in Criminal Defense,” *Participatory Defense: Humanizing the Accused & Ceding Control to the Client*, 69 Mercer L. Rev. 715 (2018).

Meredith Johnson Harbach, Professor of Law at the University of Richmond School of Law: Professor Harbach spent time during her 2017-18 sabbatical leave as a Visiting Scholar at Emory Law’s Vulnerability and the Human Condition Initiative. While at Emory, she presented “The New *Parens Patriae*” in December 2017 and on “Childcare as Social Reproduction” in May 2018 at the Conference on Vulnerability and the Social Production of Resilient Societies. Her paper on Childcare and Vulnerability Theory is forthcoming in Volume 37 of the *YALE LAW & POLICY REVIEW* (2019); she recently presented it at the Family Law Scholars & Teachers Conference, and the ClassCrits XI Conference. She also has book chapters forthcoming in *REPRODUCTIVE JUSTICE REWRITTEN* (Kimberly Mutcherson, ed., Cambridge Univ. Press), and *THE OXFORD HANDBOOK OF CHILDREN’S RIGHTS LAW* (Oxford University Press).

Melanie B. Jacobs, Senior Associate Dean, Chief of Staff, Professor of Law, Michigan State University College of Law: Dean Jacobs has the new title listed above. She is wearing many hats and keeping quite busy!

Julie McConnell, Clinical Professor of Law, University of Richmond School of Law: Professor McConnell was recognized in December as the 2018 Woman of Achievement by the Metropolitan Richmond Women’s Bar Association. She also co-edited the 2018 editions of *Juvenile Justice Update* (with Adrienne Volenik). Professor McConnell also participated in a “*Panel Discussion on Mental Health in Virginia’s Juvenile Justice System,*” for the Regent University Law Review’s 31st Annual Symposium, in Virginia Beach, VA on November 2, 2018. And will be presenting “*Juvenile Law Explained: It Really is Easier than Understanding Your Teenager,*” at the Virginia State Bar’s Annual Criminal Law Conference in February of 2018.

Laura McNeal, J.D., Ph.D., Associate Professor of Law, Brandeis School of Law: Professor McNeal published the following articles: McNeal, L. (Forthcoming, Spring 2019). Hush Don’t Say a Word: Safeguarding Students’ Freedom of Expression Rights in the 21st Century, *Georgia State University Law Review* and McNeal, L. (2018). From Hoodies to Kneeling Through the National Anthem: The Colin Kaepernick Effect and the Implications for K-12 Sports, *Louisiana State University Law Review*.

Jonathan Todres, Professor of Law at Georgia State University College of Law: Professor Todres reports the following in press publications: “Article 8: The Right to Preservation of a Child’s Identity” (coauthored with John Tobin) in *The Convention on the Rights of the Child: A Commentary* (J. Tobin ed., Oxford University Press, forthcoming January 2019), and “Children’s Right to Participate: Insights from the Story of Malala.” In *Literary Cultures and Twenty-First Century Childhoods* (N. op de Beeck ed., Palgrave, forthcoming spring 2019). Jonathan was also appointed to the Board of Editors of the International Journal on Child Maltreatment: Research, Policy, and Practice, a newly-launched peer review journal.

Professor Robin Fretwell Wilson, University of Illinois College of Law: Professor Wilson directs the Family Law and Policy Program. The Program will be hosting, the International Society of Family Law Regional Conference, “Family as the Crucible of Culture and Society: Inequality, Vulnerability and Justice Within the Family,” in Chicago, June 13-14, 2019. More information and registration is [here](#). The theme is revisiting and reimagining the status of women and vulnerable persons in the family, the setting that often shapes our lives more than any other. This conference will consciously straddle empirical research on the family, innovative thinking about family law policy, and efforts at engaged policy making. In particular, the Family Law and Policy Program will provide scholarships to policy makers who will participate in rich engaged conversations. It is co-sponsored by the United Nations’ Convention on the Elimination of Discrimination Against Women, the Discovery Partners Institute, the University of Notre Dame Law School, and the Ruth and Emanuel Rackman Center.

She will also be hosting, for the third time, the Harry Krause Emerging Scholars Workshop, on June 15, 2019, In Chicago, the following Saturday. Information on that event is [here](#). Scholarships are available. Emerging family law scholars who have been in teaching less than 7 years are encouraged to submit proposals to workshop Works in Progress.

Professor Wilson has also recently published a [book](#) (enter code RWILSON2018 for 20% discount), *The Contested Place of Religion in Family Law* which includes a number of chapters on related to children and the law issues, such as circumcision, corporal punishment, and vaccinations. Professor Wilson’s chapter in the book on failure to treat children for religious reasons, “By Faith Alone: When Religious Beliefs and Child Welfare Collide,” is co-authored with Professor Shaakirah Sanders. *New York Times* best-selling author Dr. Paul Offit writes about

vaccination, Eric Rassbach writes about circumcision, James Dwyer writes about parental authority, Merle Weiner writes about child custody, Merle Weiner writes about custody agreements, as does Brian Bix. The *Family Law Quarterly* reviewer said: “*The Contested Place* provides an important discussion highlighting a range of perspectives on these issues, and it will likely serve as a valuable contribution for years to come.”

Professor Wilson’s second [book](#) (enter code WNESKRIDGE2018 for 20% discount), which she co-edited with Yale law professor William N. Eskridge, Jr., *Religious Freedom, LGBT Rights, and the Prospects for Common Ground*, will be published by Cambridge University Press in January 2019. The book features chapters by equality scholars and religious liberty scholars ranging from Yale law professor Reva Siegel and Doug NeJaime to Stanford professor Michael McConnell. Jonathan Rauch - Brookings Institution, Washington, DC, had this to say about the book: “This superbly edited, richly diverse, and impressively comprehensive volume promises a 360-degree vantage on one of the most complex and polarizing issues of our day - and it delivers. Whether you already know what you think, or are coming fresh to the controversy, you will find these pages to be rich in wisdom and glowing with the spirit and ingenuity of American pluralism.”

UPCOMING CONFERENCES, EVENTS, and CALLS FOR PAPERS



February

[A Workshop on the Clash of Values: Paternalism vs Liberalism](#)

Emory University School of Law
February 1-2, 2019

[Surviving the AI Surge: Artificial Intelligence and the Practice of Law](#)

University of South Carolina School of Law
February 9, 2019

[Consumer Law Scholars Conference](#)

UC Berkeley School of Law
February 21-22, 2019

April

[2nd Biennial Conference on Race + IP](#)

NYU School of Law
April 5-6, 2019

[The Promises and Perils of Emerging Health Technologies](#)

Northeastern University School of Law
April 11-12, 2019

*Call for papers deadline November 12, 2018

[We Robot](#)

University of Miami School of Law
April 11-13, 2019

*Call for papers deadline November 5, 20

March

[Women and the Law](#)

University of Detroit Mercy School of Law
March 8, 2019

*Call for papers deadline November 9, 2018

[Dignity, Tradition, & Constitutional Due Process: Competing Judicial Paradigms](#)

University of Nevada, Las Vegas, William S. Boyd School of Law
March 14-15, 2019

[Fourth National People of Color Legal Scholarship Conference](#)

American University Washington College of Law
March 21-24, 2019

May

[AALS 2019 Conference on Clinical Legal Education](#)

San Francisco
May 3-7, 2019

[ASIL-Southeast Journal Scholar Workshop](#)

Washington & Lee University School of Law
May 13, 2019

*Call for papers deadline January 7, 2019

[Women in the Law Conference](#)

Northeastern University School of Law
May 17, 2019

2019 AALS Annual Meeting
New Orleans
January 2-6, 2019

Don't miss these Children and the Law related events!

1. [3270] Children and the Law and Poverty Law Joint Program - Bridging the Gap: Perspectives on Poverty and its Impact on Childhood

Thursday, January 3, 1:30-3:15 p.m., Canal (3rd Floor of Hilton New Orleans Riverside).

Featured keynote speaker **Luis H. Zayas**, PhD (Dean and Professor, Steve Hicks School of Social Work, The University of Texas at Austin) will open our joint session by addressing both children of and as immigrants, including citizen-children and refugee/immigrant children in detention and family separation. His remarks will focus on the psychosocial harms on children and impact on family/parental functioning. Poverty Law Section Chair Professor **Sacha Coupet** (Loyola Chicago) will moderate a discussion with Professors **Shanta Trivedi** (University of Baltimore), **Yael Cannon** (Georgetown), and **Jenny Carroll** (University of Alabama). Prof. Trivedi will present on the need for reform of child welfare policies that, in failing to meaningfully consider the harm of removal, disproportionately injure poor children.

Prof. Cannon will share upstream health interventions for poor children aimed at preventing opioid addiction within the Lifecourse Health Development theory. Finally, Prof. Carroll will explain how the recent American Academy of Pediatric report, which indicated that ACES can produce significant delay in/prevent normal brain development, has significant criminal law implications for children living in poverty.

In Section business, we will hold a brief **business meeting** immediately after our session, from **3:15-3:30 on Thursday, January 3**. It will also soon be time for us to elect new Section officers and designate our Executive Committee, which we will do electronically in January. If you're interested in serving in either capacity, please contact either me, mharbach@richmond.edu, or Chair-Elect (and soon to be Chair!) Maryam Ahranjani, Maryam.Ahramjani@law.unm.edu.

2. [3360] Family and Juvenile Law – *Alternative Approaches to Teaching Family Law*

Thursday, January 3, 3:30-5:15 pm, Camp, Third Floor (Hilton New Orleans Riverside)

AALS Section on Family and Juvenile Law Teaching Panel

Teaching a basic or advanced family law course can be challenging each year with new changes in the law and increasing expectations for students to be “practice ready.” There is also more student demand for feedback and assessment throughout a semester. This panel presents alternative pedagogical approaches to family law, including simulations, integration of technology, addressing ethical concerns, incorporation of state law, and developing learning outcomes. Presentations will include a variety of interactive methods of teaching from small group exercises, role-plays, drafting exercises, incorporation of supplemental reading to address cultural competency, daily quizzes, and other teaching methods that have been useful for better student comprehension and mastery of the subject.

Speakers:

- Kaiponanea Matsumura, Arizona State University Sandra Day O’Connor College of Law: *Prompting Student Engagement in Large Classes: Daily Exercises and Hypotheticals*
- Jessica Dixon Weaver - Associate Professor, SMU Dedman School of Law: *Uncovering Race in Family Law*
- Nancy Dowd and Teresa Drake, University of Florida Levin College of Law: *A Dynamic and Effective Way to Teach Domestic Violence*
- Janet Heppard, University of Houston Law Center: *Teaching Family Law by Weaving Together Traditional Family Law topics, Practical Skills, and other Legal Areas Affected by Family Law*
- Andrea Charlow, Drake University Law School: *You Be the Judge: Teaching Practice Skills in a Large Substantive Class*

Moderator: Naomi Cahn, George Washington University School of Law

3. [5245] Family and Juvenile Law, Co-Sponsored by Children and the Law and Sexual Orientation and Gender Identity Issues - *Parents' and Children's Rights in a Post-Obergefell World*

Saturday January 5, 10:30-12:15 pm, Quarterdeck C, Riverside Building (Hilton New Orleans Riverside)

Recent family law discussions have largely centered on adult intimate relationships, overlooking the significant changes also occurring in the parent-child dyad. This panel will focus on the interplay between parents’ and children’s relational rights, and how these have evolved to reflect demographic realities, new understandings of childhood and adolescent development, and the sea change in marriage jurisprudence. Topics may include definitions of parenthood, including context and number of parents; the balance between parental obligations and rights; the relationship between marriage and cohabitation and parenthood; as well as children’s rights to a

voice and influence in their relationships with adults, their own education, and their discipline/freedom from harm.

Speakers:

- Jamie R. Abrams, University of Louisville, Louis D. Brandeis School of Law (from a call for papers)
- Michael J. Higdon, University of Tennessee College of Law
- Melanie B. Jacobs, Michigan State University College of Law
- Gregg Strauss, University of Virginia School of Law (from a call for papers)
- Tanya M. Washington, Georgia State University College of Law

Moderator: Cynthia M. Godsoe, Brooklyn Law School

The Family and Juvenile Law section will hold a brief business meeting following this program to elect next year's Executive Committee, and also have a Section Lunch at a nearby restaurant. Please email cynthia.godsoe@brooklaw.edu if you are interested in attending.

JOB ANNOUNCEMENTS:

*The University of Richmond School of Law seeks a faculty director for the Jeanette Lipman Legal Clinic for Families and Children. Created in 2009, this endowed clinic provides a broad range of legal services to economically challenged families and children in the areas of divorce, custody, and child welfare. It is one of four in-house clinics, staffed by full-time faculty at the University of Richmond. The faculty director will have a significant role in determining the clinic's areas of emphasis and operation.

Required qualifications for this position include a law degree, a license to practice in Virginia (or a willingness to become licensed), experience in litigation involving families and children and/or clinical teaching with underserved populations.

This is a renewable contract position. Salary and benefits will be commensurate with experience and scope of responsibilities assumed. Starting date is flexible, but position would ideally be filled for the 2019-2020 academic year. Interested applicants should send a cover letter, curriculum vitae, and list of references to jemconnell@richmond.edu.

The University of Richmond is committed to developing a diverse workforce and student body and to supporting an inclusive campus community.

*The University of Baltimore School of Law is accepting applications for the position of Deputy Director of its Sayra and Neil Meyerhoff Center for Families, Children and the Courts (CFCC). Founded in 2000, CFCC enjoys a national and international reputation. CFCC's mission is to create, foster, and support a movement to integrate communities, families and the justice system to improve the lives of families and the health of the community. The Deputy Director works closely with CFCC's Director to advance the center's interests and advocacy work and to collaborate with organizations whose missions align with that of CFCC.

The successful candidate will have the experience and ability to provide expertise in family law and family justice system issues, secure grants and meet grant reporting requirements, offer technical assistance on family court reform projects and evaluations, assist in the development of educational syllabi and materials, initiate and help to shape CFCC publications, and oversee CFCC staff and law students' projects and experiential work, among other responsibilities. The position is a 12-month, full-time position with excellent benefits. Required experience includes a J.D. degree plus five to ten years in the practice of family law or family advocacy, expertise in family justice system issues, excellent writing skills with a record of publications, and demonstrable success in securing grants and complying with required reports. For more information, contact Professor Barbara Babb, CFCC's Director, at bbabb@ubalt.edu or 410-837-5661. To apply, please visit this link: <http://www.ubalt.edu/about-ub/offices-and-services/human-resources/jobs-at-ub.cfm?&posting=1370>.