CHILD ADVOCACY POLICY WORKSHOP

Professor Elizabeth Bartholet
Ms. Jessica Budnitz

Fall-Spring 2005-06

Course Information, Syllabus and Schedule for
Fall & Spring Classes

Updated October 10, 2005
COURSE INFORMATION

Course Materials

Course materials will be available prior to each course session either through the Distribution Center and/or the course website. Further details will be provided at our first session and by email throughout the year.

Administrative Details

Professor Elizabeth Bartholet
Office: Hauser Hall 422
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E-mail: ebarthol@law.harvard.edu
Office Hours: Fridays: 3:00 pm - 5:00 pm
Assistant: Carol Bateson, Hauser Hall 418, (617) 496-0551,
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Lecturer on Law Jessica Budnitz
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Office Hours: Tuesdays: 3:00 pm – 5:00 pm
Assistant: TBA

Course Website

Check the course website for announcements and materials. To access the course website, log on to iCommons (http://myhls.law.harvard.edu), go to the My Courses box and click on Child Advocacy Policy Workshop. Cross-registered students need to bring their signed add/drop form, a picture ID or school ID# to the Student Services Administrator in Hauser 025 to have an iCommons account set up. Auditors need to bring a note (e-mail will suffice) from the faculty member or the faculty assistant describing the need for access to the iCommon site to the Student Services Administrator in Hauser 025. Non-HLS auditors also need to bring a picture ID or school ID# to the Student Services Administrator in Hauser 025.

Course Requirements

Course requirements include: regular attendance, active participation in class discussion, submission of written questions prior to workshop sessions, a summary write-up after one session, and a final paper. Students have the option of writing a substantial paper for one additional credit, which can be used to satisfy the School’s Written Work Requirement.

The workshop will meet for 1 ½ - 2 hour sessions throughout the Fall and Spring terms. CAP is inviting practitioners, activists, and community members who are working on issues related to the workshop topics of the day to join the class dialogue. Following each workshop, all are

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invited to a reception where students will have the opportunity to talk informally with the speakers and invited guests. Additionally, students will be allowed to sign up for one post-reception dinner during the year, enabling students an additional opportunity to interact with the speakers, guests, and CAP faculty.

**Workshop Questions:** By 9 AM the morning of each Thursday session, students should email ebarthol@law.harvard.edu AND jbudnitz@law.harvard.edu a brief question (or questions) for the upcoming workshop speakers along with a short indication of why the question is significant. The questions and accompanying comments should be roughly ½ a page. In the subject line of the email, please write: Policy Workshop Questions for Month X, Date Y.

**Workshop Write-Ups:** In lieu of the session questions for one week during the year, each student will be assigned to draft a brief summary write-up. The write-up will describe the topics covered in the session, the main points made by each workshop speaker, and any significant reactions from the class and other audience members. Write-ups should be concise (no more than a page). Please note that CAP may post write-ups on our website, so please draft something appropriate for public dissemination. By 9 AM on the Tuesday following the workshop session, students should email ebarthol@law.harvard.edu AND jbudnitz@law.harvard.edu the write-up. In the subject line of the email, please write: Policy Workshop Write-Up for Month X, Date Y.

**Final Paper:** Students will also submit a final paper (roughly 15 pages in length). Papers will be due on the last day of the examination period, May 12, 2006, unless written for extra credit (see below). The paper should be viewed as a thought piece, which discusses any of the major topics and issues of the course. Students may opt instead to write a longer paper (roughly 50 pages) for one additional credit, in satisfaction of the Written Work Requirement or for optional written work credit.

Before committing to a particular paper topic, students should speak to Professor Bartholet to discuss their proposal, or email her their proposal. Those who want to get feedback on drafts should plan to get them in roughly a month before the final due date to enable Prof Bartholet to read, comment and return in time for revisions, keeping in mind that she has other demands on her time. Count on a 1-2 week turn-around time. There is no requirement that you turn in a draft, but it will likely be helpful to you to get comments. In fairness to all, Prof Bartholet will read and comment on only ONE draft per student.

Unless done for extra written work credit this paper should **not** be conceived of as a research paper. The point instead is to demonstrate you have thought deeply about course topics and materials. While the paper topic should be broad enough to cover general course themes, do not feel that you should mention as many issues as possible. That’s not the idea and it would make it impossible to write a good paper.

In writing, we strongly advise you to follow the “preview” principle, putting up front what it is you have to say, and then following up with the demonstration proving your point. Apply this principle in writing your Intro, in writing first sentence of each paragraph, and first paragraph of each section. We mention this with apologies for giving you such elementary writing advice, but

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over the years Prof Bartholet has found that few students do this and gets tired of writing the same thing on endless drafts.

As to citation form, use blue book form except that you may make up an appropriate way of citing to materials that you use from the assigned course readings.

**Extra Credit/Written Work Requirement Papers:**

Basically the same rules apply except:
-- This is a research paper
-- Normal bluebook rules apply for all cites
-- Length and due date deadlines differ and are governed by rules as set out in HLS catalog as noted above in “Course Requirements.”

2Ls can get extensions to complete during 3L year so long as they document substantial work on paper done by end of exam period of spring term 06 (e.g., draft outline, partial draft, or report on research).

**Grading:** Grades will be based on fall and spring class participation (assuming class enrollment is 50 or less), the session assignments (i.e., the questions and write-up), and the final paper. For those doing regular credit papers, it will count for 50% of your grade; for those doing extra credit papers, it will count for 2/3 of your grade.

**Note Re Email Communication:** Feel free to email Professor Bartholet to schedule meetings, send proposals, submit draft and final papers (no need for hard copy of same). Also, feel free to email Ms. Budnitz.
SYLLABUS AND SCHEDULE FOR FALL & SPRING CLASSES

Note that we may be updating this at various times during the year as necessary changes are made. Please keep free not only the dates scheduled but also the other Thursdays, 5-7 pm, in case we have to switch dates for certain sessions.

Week 1 – Sept 8: Introductory Session

Read in preparation the Course Information, Syllabus & Schedule document. We will describe the nature of this course and its requirements, and answer any questions. Attendance is ESSENTIAL for all enrolled in or interested in adding the course. Note that assignment packets for all future weeks will be distributed roughly one week in advance of class, and you will be notified by email whether to pick up at Distribution or download from the course website.

Week 2 – Sept 22: Big Picture: Overview of Children's Issues, Interests and Rights

Guest Speaker:
  Barbara Woodhouse, Director & Chair in Family Law, Center on Children and the Law, Univ. of Florida

Prof. Woodhouse is one of the nation's leading thinkers on child welfare, director of one of the nation's leading academic centers on children and the law, and author of many important works on children's rights both in the U.S. and internationally. She will lead off our Policy Workshop series talking about the importance of children's legal issues, the goals of her Center, and the way in which children's rights are structured in the law.

Week 3 – Oct 6: Working from Within for Reform: Heading State Child Protection Systems

Guest Speakers:
  Harry Spence, Commissioner, Dept. of Social Services, Massachusetts
  Nicholas Scoppetta, Former Commissioner, Administration for Children's Services, NYC

Nicholas Scoppetta, now Fire Commissioner, was brought in to head NYC’s Child Protection System (CPS) at a time of crisis. Harry Spence is the relatively recently appointed head of Massachusetts CPS. They will talk about the challenge of running these systems designed to protect kids from abuse and neglect, and their visions and approaches to accomplishing system reform.

Week 4 – Nov 10: Protecting Children Globally: Pros & Cons of International Adoption

Guest Speakers:
  Jakob Doek, Chair, United Nations Committee on the Rights of the Child
  Jane Aronson, Executive Medical Director and Founder, Worldwide Orphans Foundation
  New York City

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International adoption is an enormously controversial topic, with many human rights and other activists opposing it as contrary to the interests of poor children, their birth parents and their countries of origin, and many others advocating for it as an important part of a comprehensive approach to international child welfare. Jakob Doek heads the very important U.N. Committee on the Rights of the Child and will give us his perspective on the policy and the international law issues. Dr. Aronson is a leading international adoption medical specialist, who has worked extensively evaluating and treating children raised in orphanages, as well as trying to improve orphanage conditions; she has also founded the Orphan Ranger Program, which sends students and health care professionals to work in orphanages around the world. She will tell us something about the orphanage conditions in which children who are not adopted typically live, and give us her perspective on the issues.

This workshop session is being offered in conjunction with an international conference on children sponsored by the International Advocates for Children (www.iachildren.org), entitled: “World Conference on Children without Parental Care: New Tools for Understanding and Enforcing Human Rights.” Conference participants (which will include government decision-makers and dignitaries from countries abroad as well as international NGOs) have been invited to attend our policy workshop. Please NOTE that the workshop will not be held in our regular room location; new room TBA.

**Week 5 – Nov 17: Working from Outside to Reform the Child Protection System: Cooperation as vs Challenge; Research as vs Advocacy**

Mark Testa, Director, Children & Family Research Center, School of Social Work, Univ. of Illinois at Urbana-Champaign
Marcia Lowry, Founder and Executive Director, Children’s Rights, Inc.

Professor Testa heads a research center which has had a very successful relationship with the Illinois Child Protection System, and will tell us about how his Center worked in a cooperative way with CPS officials to accomplish policy reform. Marcia Lowry will tell us about the strategy she has pursued for decades now, using impact litigation challenging CPS systems throughout the nation, to try to achieve systemic reform. They will discuss the pros and cons, frustrations and satisfactions, of different approaches to achieving change for children.

**Week 6 - Dec. 1: Working from Within to Reform the Child Protective System: The U.S. Congress and the Cook County, IL Public Guardian's Office**

Cassie Statuto Bevan, Member of U.S. House of Representatives Subcommittee on Human Resources of Committee on Ways and Means, Senior Policy Advisor to House Majority Leader on Child Welfare Issues

Patrick Murphy, Judge, Circuit Court of Cook County, and former Director of the Cook County Public Guardian's Office

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Cassie Bevan has worked as a legislative aide in the U.S. House of Representatives since 1984 on issues of child welfare generally and child maltreatment in particular. She played a lead role in designing, enacting, and enforcing key federal legislation of the last decade, including the Multiethnic Placement Act and the Adoption and Safe Families Act. She will discuss her perspective on the issues and the role that she has been able to play working within the U.S. Congress setting. Patrick Murphy, now a judge on the Circuit Court of Cook County, served for 25 years as Cook Country Public Guardian, advocating for the rights of abused and neglected children and the elderly. Brought in to reform the Public Guardian's office, he went on to earn a nationwide reputation as a fierce advocate for children, and a critic of the child welfare system for not focusing enough on children's as compared to parents' interests. He will talk about his work, the role that a Public Guardian can play, and his perspective on the issues.

**Week 7 – Feb 9: Promising Reform Initiative: The Federal Adoption & Safe Families Act**

Richard Barth, Director, School of Social Work at University of North Carolina

Professor Barth has been one of the nation's leading researchers in the areas of abuse & neglect, foster care, and adoption, and has headed two different important child welfare research centers, including the one he now directs at the Univ. of NC. He will talk to us generally about the relationship between research and policy reform, and specifically about what research has to say about the success to date of this very important federal legislative attempt to influence child welfare policy.

**Week 8 – Feb 16: Promising Reform Initiative: Intensive Early Home Visitation**

David Olds, Professor of Pediatrics, Psychiatry, & Preventive Medicine, Univ. of Colorado Health Sciences Center
Suzin Bartley, Executive Director, Massachusetts Children’s Trust Fund
Jennifer Atler, Executive Director, Invest in Kids

Intensive early home visitation programs represent a preventative approach to child abuse and neglect; they are designed to protect children by providing support for fragile families, enabling parents to learn successful parenting skills and to connect with productive educational and employment opportunities. Professor Olds has developed an intensive home visitation model which has demonstrated impressive success in achieving a reduction in child maltreatment. He is now engaged in an exciting effort to take his program “to scale,” using his research to show different communities around the nation that these programs are cost effective. Suzin Bartley headed the successful effort to persuade the Massachusetts legislature to invest in a different model of home visitation, known here as Healthy Families MA. They will discuss their programs and the pros and cons of their different models. Jennifer Atler will discuss the work she and other lawyers from the private bar in Colorado have done to create a non-profit designed to help take to scale important child welfare reform initiatives, and what they are doing in particular to help replicate Olds' home visitation model throughout the state.

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Week 9 – March 2: Lawyering for Children: The Need and the Challenge

Margaret Marshall, Chief Judge, Supreme Judicial Court of Massachusetts

Chief Justice Marshall, whose court has issued a number of incredibly important decisions affecting children's rights, will talk about the importance, interest and intellectual challenge of children's issues.

Week 10 – March 9: Promising Reform Initiative: Family Drug Courts

Judith Kaye, Chief Judge of the State of New York, New York State Court of Appeals

Chief Judge Kaye of New York's highest court will give her perspective on the importance of legal issues affecting children, and talk about some of the work she has done from within the NY judiciary to press for reform in the child welfare area, including both her work heading a reform commission, and her work implementing one of the most significant reforms designed to address the important intersection between child welfare and parental substance abuse, the Family Drug Court system. Together with a judge heading a New York Family Drug Court, she will describe how the system works to increase the likelihood that parents will succeed in rehabilitation efforts and be able to successfully parent their children, and to reduce the time spent by children in inadequate institutional care.

Week 11 – March 16: Promising Reform Initiatives: Innovative Educational Initiatives

Rick Weissbourd, Harvard University John F. Kennedy School of Government

Rick Weissbourd does important work at the intersection of research and policy affecting children in the educational arena. He will talk about how, in a world of too-scarce resources, such resources as exist should be allocated as between different competing options, in order to best serve children, discussing the comparative benefits of, e.g., early education as vs grade school as vs high school, programmatic reform as vs decreased class sizes, targeting a limited number of empirically-proven programs as vs spreading the resources across multiple programs. He will discuss what the research has to contribute, and also the politics surrounding education policies and reform initiatives.

Week 12 – April 6: Troubled Reform Initiatives: Problematic Trends in Juvenile Justice

Leslie Harris, Judge, Juvenile Court Judge, Suffolk Juvenile Court, Trial Courts Of Massachusetts
Francine Sherman, Director, Juvenile Rights Advocacy Project at Boston College Law School
Tim Carey, Juvenile Court Probation Officer, Cambridge
Tom Coury, Executive Director, Gardiner Howland Shaw Foundation

Judge Harris will provide a perspective from the bench, discussing what he has learned in his years as a juvenile court judge sitting in the Boston and Dorchester Juvenile Courts. Prof.
Sherman, who directs a legal clinic, will provide both an advocates and academic's perspective, talking about her extensive work with girls in the juvenile justice system. Juvenile Probation Officer Tim Carey will describe the role of POs in delinquency cases and the obstacles he faces when trying to connect youth in Cambridge to resources. Mr. Coury, who has been involved in juvenile justice issues in our state for decades, will talk about the role the foundation he directs plays in supporting innovative juvenile justice reform efforts.

**Week 13 – April 20: Starting a Child-focused Social Change Organization & Leveraging Support via the Media, the Private Sector, and the Philanthropic Community**

Matt Dalio, Founder, China Care Foundation  
Justin Pasquariello, Founder and Executive Director, AFC Mentoring  
Terrence Stevens, Founder and CEO, In Arms Reach  
Lynn Girton, Chief Counsel, Volunteer Lawyers Project of the Boston Bar Association

Matt Dalio, currently a student at Harvard College, will talk about the organization he founded as a high school student, which has provided hundreds of thousands of dollars to improve the conditions of care for orphanage children in China, and about his efforts to help students throughout the U.S. start comparable organizations centered in their own institutions. Justin Pasquariello will talk about the organization he founded shortly after graduating from Harvard College, designed to mentor children living in out-of-home care. Terrence Stevens will talk about the organization he founded to break the cycle of incarceration by providing services to children in Harlem whose parents are imprisoned. Inspired by his own devastating NY prison experience, Mr. Stevens has been successful in garnering support from an incredible range of sources including the former mayor of NYC, judges and state legislators, a senior executive at one of the world's leading investment firms, a major record executive, and a host of celebrities. Lynn Girton will discuss her organization's role leveraging the private sector, and some of the pro bono opportunities for young attorneys working in private law firms.