Preface

“I’m Winston Wolf. I solve problems.” I had been representing a nine-year-old boy for a few months when his father called me the “Wolf.” Unfamiliar with this pop culture reference, I feared the worst. Lawyers are often called sharks. Some may be called rats. I, however, was the Wolf. My client’s father assured me that being the Wolf was a positive thing for his family. The family was in the thick of a relocation case. The father had been accused of inappropriately touching my child client. There were accusations of domestic violence. The child was in therapy. Both parents were frustrated with the legal system. Both parents’ lawyers were lost, not knowing where the truth lay. Their positions were as far apart as they could be. There were complicated cross-jurisdictional legal issues. The child would not communicate with either parent. What could this family do? That is where I came in. A large part of my family law practice is child representation. I’m the Wolf. I enter the case, help educate the child, take stress and pressure off the lawyers, investigate the situation, and pursue positions for the child’s best interests. I solve problems.

When I was asked to write this book, I hesitated. Although I have been consistently representing children in their parents’ custody disputes for most of my career, I always have the genuine fear I am doing something wrong. There is no set formula for this type of work. It requires significant flexibility. Every case is different from the last. I am not a therapist—who am I to tell you how to speak to a child? I am not a psychologist—you should probably not listen to me when I opine on child behavior. I am not an educator, swim coach, violin instructor, or crossing guard. In fact, I am not even a parent. I cringe when one of my child client’s parents asks me whether I have children of my own, as if that is the benchmark for being a competent child’s attorney. I am not a social worker. I am most certainly not a judge.

Why should you read this book, filled with my practices for representing a child client? I hope I am careful, meticulous, thorough, thoughtful, and communicative. I have been told I “do my homework” so well that no one can “argue with” me over the position I ultimately take on behalf of my child client. I do not jump to conclusions. The truth is these cases are never easy. They will drain you. You will need to rearrange your schedule to meet with your child clients when you wish to be home eating dinner with your family. You will be going to your child client’s basketball game instead of your own child’s football game. You will take on the genuine need to protect these
children. You will get mad at them. You will be frustrated with them, almost as if you were their parent. However, your role will be absolutely unique. You will have limitations, set by court orders and the law. You will think about these children as you drive to the office, as you wash your hair in the shower, and as you lie awake in bed at night.

I share my experiences and my war stories to give you some confidence in working with these extraordinary young individuals who are experiencing one of the most difficult times of their lives. I hope that some of you who read this book will reach out to me and share your stories, so I can continue to learn and grow in my work with these children. Above all, I hope this book will help you to be the problem solver that all children’s attorneys must be.