Poverty and Government Intervention in Families Due to Alleged Child Abuse and Neglect

What’s the Connection and What Should the Law Say About It?

10:00 a.m. to 12 Noon

Families living in poverty are disproportionately subject to State Intervention, under child abuse and neglect laws, for allegedly abusing, or far more frequently for neglecting, their children. This is despite state laws across the U.S. that “neglect” accusations can’t be sustained in cases where the “neglect” is a child not getting adequate food, clothing, shelter, etc. due to a family’s poverty. An expert panel of attorneys and public policy experts will explore how changes in our laws might better address the poverty-child protection nexus. Children in low socioeconomic families are more than three times as likely to be abused, and about seven times as likely to be neglected. Why? Based on twenty years research, it was recently concluded that, in children four and under, neglect is actually more likely than physical abuse to lead to aggression in later childhood. Clearly then, child neglect is a problem that the law must appropriately respond to. This session will examine what the ABA doing to address these issues, what statutory and judicial reforms at the federal and state levels could be to assure families don’t risk losing their children due to poverty that’s related to child neglect, and presenters will offer examples of possible reforms.

Moderator:
Howard Davidson
Director, ABA Center on Children and the Law, Washington, DC

Panelists:
- Congressman Danny K. Davis (invited)
  7th District of Illinois
- John Bouman
  President, Shriver Center, Chicago
- Richard Cozzola
  Chicago Legal Assistance Foundation
- Lisa Christensen Gee
  Voices for Illinois Children, Chicago
- Laurene M. Heybach
  Chicago Coalition for the Homeless
- Diane Redleaf
  Family Defense Center, Chicago
- Bryan Samuels
  Director, Chapin Hall Center for Children, University of Chicago

This is a complimentary CLE program.*

Please RSVP to ensure sufficient handouts are available on site. Lawyers, non-lawyer advocates, providers, students, etc. are encouraged to attend. For more information about the ABA Midyear Meeting and other programming, please visit http://www.ambar.org/midyear. For more information about this program or to RSVP, please contact Garry Bevel at Garry.Bevel@americanbar.org.

*The ABA directly applies for and ordinarily receives CLE credit for ABA programs in AK, AL, AR, AZ, CA, CO, DE, GA, GU, HI, IA, IL, IN, KS, KY, LA, MN, MS, MO, MT, NM, NV, NY, NC, ND, OH, OK, OR, PA, SC, TN, TX, UT, VT, VA, VI, WA, WI, and WV. These states sometimes do not approve a program for credit before the program occurs. This course is expected to qualify for 1.5 CLE credit hours in 60-minute states, and 1.8 credit hours in 50-minute states. This transitional program is approved for both newly admitted and experienced attorneys in NY. Attorneys may be eligible to receive CLE credit through reciprocity or attorney self-submission in other states.

For more information about the ABA Commission on Youth at Risk, visit:
Meeting the Educational Needs of Highly Mobile Students: The Education Rights of Homeless Children and Youth and Those in the Child Welfare System

1:30 p.m. to 3:00 p.m.

Strong advocacy is needed to ensure highly mobile children are able to access and succeed in education. Children and youth experiencing homelessness, and in foster care, share many similar obstacles to meeting their educational needs. This session will focus on these populations and highlight the McKinney-Vento Act and other child welfare laws that support school continuity and stability for children, and provide advice for legal advocates, educators, and policymakers for using these important laws to benefit highly mobile children and youth. Each participant will receive a free ABA book entitled “Educating Children Without Housing: A Primer on Legal Requirements and Implementation Strategies for Educators, Advocates and Policymakers.” It addresses federal educational mandates related to homeless students under the McKinney-Vento Homeless Assistance Act. The manual provides innovative strategies for educators and school administrators, state coordinators and policymakers, and advocates and attorneys to play a role in ensuring the education rights of children and youth experiencing homelessness. This revised edition includes additional strategies designed to assist communities to exceed compliance and move toward greater commitment -- to embody not only the letter but also the spirit of the law. Additions include new sections on: homeless students with disabilities; students involved in the child welfare system; application of the Act in response to disasters; as well as expanded sections on definitions, preschool children, and unaccompanied youth. The book also includes an updated directory of resources.

Panelists:
Ashley Frethold
Staff Attorney, LAF, Chicago, IL
Laurene Heybach
Director, The Law Project of the Chicago Coalition for the Homeless, Chicago, IL
Kristin Kelly
Staff Attorney, ABA Center on Children and the Law, Washington, DC

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http://www.ambar.org/homeless • homeless@americanbar.org • http://www.facebook.com/ABACHP

Screening and Talkback of the Documentary A Place at the Table

3:00 p.m. to 5:30 p.m.

50 Million Americans—1 in 4 children—don’t know where their next meal is from. A Place at the Table tells the powerful stories of three such Americans, who maintain their dignity even as they struggle just to eat. In a riveting journey that will change forever how you think about the hungry, A Place at the Table shows how the issue could be solved forever, once the American public decides—as they have in the past—that ending hunger is in the best interests of us all. Talk back discussion will be led by Myles Lynk, Chair of the Section of Individual Rights and Responsibilities, and Antonia Fasanelli, Chair of the Commission on Homelessness and Poverty.

"A film that should make you furious." —Marshall Fine, Huffington Post
"Is a shocker even for those of us in a potential audience that think they’ve heard everything about poverty amidst plenty." —CompuServe
"As important and eye-opening a documentary as you’ll see this year... [A] terrific call to action..." —Joe Neumaier, NY Daily News

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