Kids First at McDermott Will & Emery LLP
by Don Hilliker

In the fall of 2002, McDermott Will & Emery launched Kids First, a program to make a difference in the lives of at-risk children in the communities where we practice. For years, the firm has represented at-risk children on an ad hoc basis in several of our offices. Kids First is a way for us to broaden and deepen that commitment. And by concentrating the efforts of all our U.S. offices in a defined area, and approaching it in a systematic way, we maximize the impact of one important aspect of our pro bono work.

The focus on children was a popular choice among our lawyers, many of whom were already heavily involved in children’s issues. Of course, the fact that many have children of their own makes the work especially rewarding. It’s also professionally enriching, adding to our attorneys’ knowledge and skill sets. Our associates have had opportunities early in their careers to take personal responsibility for cases and develop their negotiation, mediation and advocacy skills.

Program Launch

With the help of the Children and Family Justice Center at the Northwestern University School of Law, we decided to focus especially on the needs of disabled children for special education services. The need for legal services in the area is obvious, but also important was the fact that the educational rights of disabled youngsters is governed largely by federal law, including the Individuals with Disabilities Education Act of 1975 (IDEA). That gives us a common body of law that is applicable to cases in all of our United States offices.

We kicked off the program in November 2002 with a U.S. office-wide video conference featuring guest speakers Tony DeMarco of Suffolk University’s Juvenile Justice Center and, from the Children’s Law Center of Massachusetts, Barbara Kaban. Since then we have had two more video conferences to provide legal updates and promote the program through the use of outside speakers and our own lawyers. We expect to hold these conferences in the summer and the fall every year. Each office is encouraged to have individual training sessions as well and most are doing so.

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If there is one lesson to be learned from those who use their law degree to affect social change, it is that different situations call for different solutions. We must be creative in thinking about how to solve each problem no matter how familiar it may seem. This is a lesson evidenced by the committee’s great success in Houston over the past two years, when the committee was asked to help identify solutions for how to address the crisis of unmet legal needs of children in Harris County. Faced with hundreds of models from around the country about how to solve the crisis of unmet legal needs, the committee decided to do something it had never done before. Leading an engine of pro bono volunteers from many of Houston’s most prominent firms, the Children’s Rights Litigation Committee completed an evaluation of the unmet legal needs of Harris County children in child protection, juvenile justice, and school discipline. The results, so far, have been remarkable.

First, a little background – a little more than two years ago, the Committee decided that it would undertake a project in Houston to determine whether children were receiving adequate legal services in three areas: juvenile court, abuse and neglect cases, and school expulsion and suspension cases (zero tolerance). The Committee recruited nine major Texas firms, each of which agreed to devote attorney time to doing the research and witness interviewing that was needed to analyze the existing system and then make recommendations for change.

For eighteen months, the Committee and firms worked on the project. We observed court proceedings and we interviewed hundreds of persons who came into contact with children involved in the legal system including judges, lawyers, probation officers, court personnel, etc. After collecting the data we prepared a report that runs 92 pages. Before going further I should add that if any of you are interested in receiving a copy, please send us an email or call and we will be pleased to send a copy.

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On November 11, 2004, the Committee formally released the report at a reception hosted by the firm Susman Godfrey. The president of the Houston bar, Rocky Robinson, welcomed the more than 70 lawyers, judges, bar officials and child advocates who attended. He noted that the Houston bar had a long history of exemplary public service and he expressed confidence that the Houston bar would rise to the occasion and find a way to assist in the challenging task of providing legal assistance to Houston’s children. A representative from the Committee noted that the Houston bar was as talented and generous as any bar in the country and he added that the Committee was prepared to assist as needed in getting a project off the ground.

Angela Vigil, a member of the working group of the Committee and Director of Pro Bono Service in North America for Baker & McKenzie, challenged the attorneys to look at the report as an opportunity to change the way Harris County operates its legal system. Angela repeated what sounds like our mantra, if you need help and are committed to change, call us and we will help.

The highlight of the reception was hearing from a child who was able to tell us what the help of a competent lawyer had meant for his life. The child explained that he had been the subject of horrible abuse and had floated in the foster care system until Shari Shink, Director of the Rocky Mountain Children’s Law Center, had taken his case. Through Shari’s efforts, the child was placed in a good home and eventually adopted by loving parents. The child said quite simply, “this lawyer saved my life.”

The lesson of Houston seems to be that, though children across the country struggle with many of the same unaddressed needs that plague Harris County, the solutions in each place can and should be uniquely designed to address the distinctive qualities of a particular legal community. With the efforts of the more than 50 lawyers who participated in the Harris County Report, we are satisfied that the beginning of a solution has been charted there. Now the community stands before the great task of taking the next step of solving the problems identified in the report and making life better for the underserved and disadvantaged children of Harris County. The CRLC plans to help build that solution and looks forward to more projects in the future in which the creative talent of the community and the unstoppable energy and commitment of pro bono lawyers can be called upon to address unmet needs in other locations around the nation.

Geoffrey Vitt is a partner at Vitt & Rattigan, PLC, in Norwich, VT.

K. Ann Barker is Assistant General Counsel for the Tennessee Department of Children’s Services.
and could no longer take care of him. He also showed signs of a learning disability that interfered with his ability to perform everyday tasks and complete his homework.

Through multiple meetings, hearings and after a transfer to another public school, it became clear that the public schools, despite their denials, were not equipped to serve his needs. Ultimately, the youngster was successfully placed in a private school specializing in learning disabilities – with his tuition and transportation paid for by the public school system! According to his foster mother, he is now getting the special attention he needs and is thriving in his new school. Some other examples:

- In Chicago, we challenged the expulsion of a high school student whose behavior stemmed from post-traumatic stress disorder brought on by a sexual assault she suffered when she was 10 years old. After aggressive discovery, negotiation and mediation the child was placed in a new school where she is receiving the special educational services to which she is entitled.

- In Silicon Valley, a partner successfully extinguished a $9,000 claim by San Mateo County against a woman who was being unfairly charged for reimbursement of the costs of housing her 17-year-old nephew in juvenile detention facilities. The claim was impacting her credit record and threatening her own son’s ability to obtain financial aid for college.

- In Boston, we obtained a major award on behalf of the Children’s Law Center of Massachusetts in an attorney’s fee dispute with the Boston Public Schools. The $94,000 settlement will be used to help fund a new attorney to handle special education requests for foster children.

- In Washington, one of our partners and associates prepared and filed an amicus brief in the DC Circuit Court of Appeals on behalf of a disabled children’s advocacy group in a case challenging the denial of attorney fees in the settlement of claims under IDEA.

- This past summer, summer associates from eight of our offices collaborated to prepare background materials on various federal statutes for use by parents, lawyers and judges on special education and other issues. We did this work in collaboration with the National Children’s Law Network and the Children and Family Justice Center at Northwestern Law School’s Bluhm Legal Clinic.

Part of a Broad Commitment to Children

We view our commitment to at-risk children very broadly, to encompass community service, pro bono legal work, charitable giving and other activities – an overall, integrated approach to serving the needs of children.
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For several years, our lawyers, paralegals and staff have volunteered their time to tutor disadvantaged children in local schools through a program we call Partners in Reading. The firm supports the program by crediting lawyer participants with pro bono time, reimbursing transportation costs and donating reading materials. In Chicago, our tutors’ work with the children at the William H. Brown School has been a key factor in helping it improve its reading scores and obtaining additional funding for its programs.

To further promote literacy, the McDermott Will & Emery Charitable Foundation made a $100,000 donation in October 2004 to First Book, a Washington-based charity, to sponsor the distribution of 500,000 books to underprivileged children throughout the country. First Book (www.FirstBook.org) was named last year as one of the top ten charities in the country by Forbes magazine. Firm lawyers and staff helped with the distribution and reading parties for inner-city children in schools across the country. As a result, countless children from low-income families will get the chance to start on a lifelong path to reading and learning.

Beyond representation in court and our tutoring and literacy efforts, the Firm has provided on its website, free of charge, detailed information about how employers can help their employees lower, at no cost to the employer, the after-tax cost of adoption from around $20,000 to something on the order of $6,000. This idea and work was the product of one of our tax partners, who is an adoptive parent himself. This special web-site, launched in late 2002, provides a wealth of resources to help parents overcome the financial barriers to adoption. Using free model plans and forms, employers can set up programs that enable their employees to take advantage of federal tax relief benefits to reduce typical adoption costs by two-thirds. The plan costs employers nothing, while the benefits to children placed in loving and nurturing homes are immeasurable.

Next year the McDermott Will & Emery Charitable Foundation will be extending its commitment by sponsoring two Equal Justice Works Fellows to work with public interest children’s rights projects in Washington, DC and Los Angeles, respectively. Our goals are to encourage young lawyers to consider a career in public service addressing children’s needs, help facilitate important work, deepen our own expertise in children’s issues and expand the opportunities for our lawyers to work on issues affecting at-risk children.

Key Considerations

Based on our experience in setting up Kids First, I would offer the following advice to others interested in creating such programs:

- Start with a focus. Our decision to concentrate especially on the needs of disabled children for special education services gave all our U.S. offices a common body of federal law with which to develop a shared area of expertise.

- Keep it flexible. Within the framework, encourage individual offices to tailor the program to their own communities’ needs and allow attorneys to follow their own specific interests.

- Keep visibility high. Conduct regular events across offices to promote the program and provide training. Ensure the involvement of senior partners to build participation by others.

- Develop relationships. Reach out and partner with relevant children’s law referral agencies in your area.

Our Kids First program provides a platform for us to continue to develop expertise in children’s issues as an integral part of our overall commitment to the needs of children at risk. We expect to see that commitment grow and expand in the coming years.

Don Hilliker is a partner in the Trial Department of the Chicago office of McDermott Will & Emery LLP and Chair of the Firm’s Pro Bono Committee. He is also a co-chair of the Section of Litigation’s Pro Bono and Public Interest Committee.

For assistance in starting a pro bono project within a law firm please visit www.abanet.org/litigation/committee/childrens_l/ or call Catherine Krebs at 202 547-3060.
Prior to this, I had never appeared in Court to try a case or argue a motion. Being an old dog trying to learn new tricks, I was nervous about practicing in court, but I learned there was a great need for legal representation of caregivers who have taken abandoned children into their homes. I studied Michigan law and the Michigan Court Rules relating to abandoned and neglected children. From my experience at the SEC, I knew interview techniques, so I could interview the caregivers and listen to the stories of how the children came into their care. I quickly learned the right questions to ask. I also learned that I could listen to tales of child neglect, abandonment and abuse and, for the most part, not internalize the facts. That’s because I found the stories to be uniformly sad, yet hopeful. True, the children had been abandoned by their parents to live with relatives or neighbors, but these caregivers willingly accepted the challenge and took in the children as their own. Often, the caregivers had known or observed for months that the mothers were not taking proper care of the children. They saw that the baby’s diapers were not changed regularly, the homes were filthy and infested with vermin, and that the children were failing to thrive. However, I found great comfort that the caregivers seeking my help were willing to accept the children into their lives.

In some cases, the soon-to-be caregivers would receive a call from the mothers who stated that Children's Protective Services was at the door and was giving them a choice: find someone immediately who will accept the children or have them removed and placed into foster care.

I began to learn why the mothers abandoned their children: often they have emotional or mental problems and cannot deal with their small children; some moms have a drug abuse problem, or in some cases, the moms have died. Many of the mothers had a child, or several children, while still in their teens and never really grew up themselves. However, the children cannot wait for their mothers to become adults.

My clients range in age from 18 years to 80+ years. Close to half of my clients are grandparents who may have already raised several children of their own – one of whom does not measure up to being a mother or a father. Some clients include aunts, who have their own small children, and are themselves in their 20s and 30s. Other clients are unrelated to the children, but were neighbors with whom the children were left when the mothers skipped out, or were friends of the mothers or baby sitters for the neglected children. I stand in awe of those people who agree to take on the role of caregivers for these children.

By this point, you will have noted that I refer primarily to women. Women are the primary persons on both sides of my cases. I have had more than 100 clients, only two of whom were men. About ninety percent of the other clients were women, and the remaining nine percent were married couples (where it is usually the woman who is the driving force to be the caregiver). The ratio is the same on the other side of my cases: most of the time I am dealing with the mothers of the abandoned children. The fathers generally are long gone, unknown, or in prison. Most of the fathers were never a part of the child’s life.
The initial step in my work is receiving a telephone call, or walk-in, from a prospective caregiver, who has obtained my name from a non-profit legal organization, from other attorneys who know that I accept pro bono clients, or from a newspaper article about my work. She will explain her predicament, usually that the mother is no longer taking care of her children. The first step when a caregiver comes to me is establishing guardianship. I have found that the caregiver must become a guardian so that she will have legal authority to visit with the medical staff treating the child or to get the child into school or into other activities. The Health Insurance Portability and Accountability Act, Public Law 104-91, has established definite privacy rights such that only a parent or guardian can have access to certain kinds of information about a child such as medical information. It is now doubly important to have the Courts establish guardianships for abandoned children.

After being guardians for two or more years, many of my guardianship clients inquire about adopting the children. I generally will then agree to assist with the adoption. In Michigan, prior to adoption, parental rights must be terminated. The case must be investigated and a petition filed with the Circuit Court. In my county separate attorneys are appointed for each parent and an attorney/guardian ad litem is appointed for the child. The matter is then set for trial. At the trial the guardian, and perhaps other witnesses, will testify about the parental neglect. There may also be documentary evidence, such as Court orders showing that the parents are way behind on child support payments, or in some cases, files showing the criminal history of the parents. Upon completion of the proceeding, the Court can then terminate parental rights, unless it clearly is not in the best interest of the child.

It should be noted that none of my practice involves children in the foster-care system, children who have been seized in drug raids or children taken into protective custody by law enforcement agencies.

Rather the children I assist are those who have relatives or caregivers to intervene for them before the child is placed into foster care.

As I stated above, I am at a time in my life where it is important for me to give back to community members who are in need of my legal skills. I opted to become involved with representing caregivers who take in abandoned and neglected children and who themselves need legal representation as caregivers. Potential clients are referred to me, and their initial contact with me is by telephone. Occasionally, a potential client will just walk into our law firm. In some instances, I need to react immediately to obtain a guardianship where the child may be in danger. Other times, I work the new client into my case load, which is currently running about four months from the time that a client contacts me until I can work the case and file the necessary court paper. Currently, about 96% of my work is dealing with pro bono clients. I still provide a little help to the law firm in securities law. I record 700-900 hours per year for pro bono cases.

My firm, Warner Norcross & Judd LLP has provided me with needed support in my pro bono practice. Not only do I have access to secretarial support, but I have use of the library and other facilities of the firm. I can, and frequently do, obtain advice from other litigators. For those cases that are appealed to the Michigan Court of Appeals, I can draw on the skills of attorneys who have an appellate practice. I have also obtained assistance from our young summer associates.

For those of you looking for a rewarding legal experience towards the end of your career, I highly recommend expanding into a new area of the law where the need for pro bono legal help is great. If you have been a transactional attorney, you may wish to try your hand at litigation. You may wish to contact an organization near you which deals with abused and neglected children. You can find such an organization by checking the ABA Directory of Pro Bono Children’s Law Programs.

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One Retired Lawyer’s Contribution (continued from page 7)

Programs on the Children’s Rights Litigation Committee website (www.abanet.org/litigation/committee/childrens_l/). If there are no programs in your area, which is entirely possible, then contact the local family court staff and inquire about how abandoned children are handled in your area.

Spend some time at the family court and attend some of the hearings involving abandoned and neglected children to hear first hand their stories. Talk with some of the attorneys involved. Examine the court files of the cases. Review the applicable statutes and court rules, and the appellate decisions affecting guardianships of minor children, termination of parental rights and other related matters. Join the Children’s Law Section of your state’s bar as well as the family law section of your local bar. You can also obtain help from our Children’s Rights Litigation Committee staff.

Once you have started down the path to becoming an advocate for the rights of minor children, you will reap the benefits of knowing you are providing legal assistance for the smallest and least represented members of our society.

You will have an educational and informative learning experience – and you’ll make a significant difference in the life of a child and his or her new family.

Weldon H. Schwartz is Of Counsel with the law firm of Warner Norcross & Judd LLP. He is a 1978 graduate of the University of Detroit Mercy, Detroit, Michigan. After 30 years with the U.S. Government, including 22 years with SEC, he retired in 1994 and moved to Grand Rapids, Michigan. His e-mail address is wschwartz@wnj.com.

Child Hearsay Exceptions Under *Crawford v. Washington* by Hillary Harrison McNally

Many states in the past two decades have created a formal statutory hearsay exception to admit out-of-court statements made by children regarding sexual, physical, or emotional abuse. Each exception varies according to jurisdiction, whether the exception applies in civil and criminal, age restrictions of the child, restrictions on subject matter, or requirements of findings of fact by the court prior to determining admissibility. Despite these differences, these statutes are intended to protect children from the negative psychological effects of in court testimony in civil and criminal matters.

The United States Supreme Court considered the admissibility of hearsay under the Sixth Amendment Confrontation Clause in *Crawford v. Washington*, 124 S.Ct. 1354 (2004). In Justice Antonin Scalia’s opinion, the court concluded that testimonial out-of-court statements are barred under the Confrontation Clause, unless the witness is unavailable and the defendant had prior opportunity to cross examine the witness. *Id.* at 1364.

**Child Hearsay under Crawford**

*Crawford* brought into question the statutory child hearsay exception in the State of Florida. In Florida, hearsay of a child victim was admissible under certain circumstances. First, the child must be eleven (11) years old or younger physically, mentally, emotionally, or developmentally. F.S.A. § 90.803(23)(a). Second, the child must be a victim of child abuse or an unlawful sexual act. F.S.A. § 90.803(23)(a). Third, the trial court must hold a hearing to consider the age of the child, the statement made, and the circumstances surrounding the statement, to ensure that there are “sufficient safeguards of reliability” and the court must state, on the record, the basis for its findings. F.S.A. § 90.803(23)(a)(1). If those three criteria are met, a child victim’s out of court statement(s) may be admissible in a civil or criminal court hearing in Florida.

*Crawford* was published in March 2004, and the Florida legal community immediately began debating its effect on Florida law. Many lawyers believed that the child hearsay exception stated in Florida law had been declared unconstitutional. However, some maintain that *Crawford* is not an impenetrable shield.

The Confrontation Clause of the Sixth Amendment of the United States Constitution specifically applies to criminal prosecutions. While the Due Process Clause of the Fourteenth Amendment does provide that parents have the right to confront their accusers in a civil proceeding, this right to confrontation is not as extensive as the rights guaranteed (continued on page 9)
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by the Sixth Amendment. Victor Vieth, “Keeping the Balance True: Admitting Child Hearsay in the Wake of Crawford v. Washington,” (available from author upon request), citing John E.B. Myers, Evidence in Child Abuse and Neglect Cases Section 7.50 (1997 & 2003 supp.). Moreover, the Court in Crawford limits the holding to federal and state criminal prosecutions, pinpointing the rights protected in the Confrontation Clause as a “bedrock procedural guarantee.” Crawford at 1359.

The Court in Crawford refuses to provide a boilerplate definition for “testimonial.” Justice Scalia in his final paragraph specifically states, “We leave for another day any effort to spell out a comprehensive definition of ‘testimonial.’” Id. at 1364 [footnote omitted]. However, the case does provide a trail of clues, the first of which is the definition of ‘testimony’ taken from the 1828 publication of Webster’s Dictionary, “[a] solemn declaration or affirmation made for the purpose of establishing or proving some fact.” Crawford at 1364 citing 1 N. Webster, An American Dictionary of the English Language (1828). The court goes on to distinguish between an accuser making a formal statement to governmental authority (i.e., police officers) as testimonial and a person making a casual remark to an acquaintance as nontestimonial. This distinction leans towards protection of traditional hearsay exceptions such as the dying declaration and the excited utterance. Quoting the Brief for National Association of Criminal Defense Lawyers et al., the Court continues to distinguish testimonial statements as those “that were made under the circumstances which would lead an objective witness reasonably to believe that the statement would be available for use at a later trial.” Crawford at 1364.

If the declarant is made unavailable by acts of wrongdoing by the accused, then the rule of forfeiture established in Reynolds v. United States trumps the Sixth Amendment. Crawford at 14 citing, Reynolds v. United States, 98 U.S. 145, 158-9, 25 L.Ed. 244 (1879). If, in the trial court’s opinion, the abuse of the child renders the child unavailable for cross-examination, the defendant or parent has forfeited their right to confront the child at trial. See Richard D. Friedman, “Children as Victims and Witnesses in the Criminal Trial Process: The Conundrum of Children, Confrontation, and Hearsay,” 65 Law & Contemp. Prob. 243, 250 (2002). In establishing an argument that the abuse has rendered the child unavailable, therapists, counselors, psychologists treating the child can be very helpful. (Keep in mind that some states provide a privilege between the patient and therapist.)

In a footnote, the Court in Crawford addresses the 1992 case of White v. Illinois wherein the statements made by a child victim to a police officer in response to questioning were treated as excited utterances. The Court seems to walk the line acknowledging that child victims provide new challenges in strict interpretation of the fundamental rules of evidence, but they note only the difficulty and leave the conundrum for the trial courts. The footnote reads:

One case arguably in tension with the rule requiring a prior opportunity for cross-examination when the proffered statement is testimonial is White v. Illinois, 502 US. 346, 112 S.Ct. 736, 116 L.Ed.2d 848 (1992), which involved, inter alia, statements of a child victim to an investigating police officer admitted as spontaneous declarations. Id., at 349-351. It is questionable whether testimonial statements would ever have been admissible on that ground in 1791; to the extent that the hearsay exception for spontaneous declarations existed at all, it required that the statements be made “immediately upon the hurt received, and before [the declarant] had time to devise or contrive anything for her own advantage.” Thompson v. Trevanian, Skin., 402, 90 Eng. Rep. 179 (K.B. 1694). In any case the only question presented in White was whether the Confrontation Clause imposed an unavailability requirement on the types of hearsay at issues. See 502 U.S., at 348-9. The holding did not address the question whether certain of the statements, because they were testimonial, had to be excluded even if the witness was unavailable. We “[look] as a given ... that the testimony properly falls within the relevant hearsay exceptions.” Crawford at 1364, n. 4.

The clues in Crawford which lean towards a definition of testimonial evidence are designed for classic felonious criminal interpretation. The application of “testimonial” creates pitfalls when applied to child victims. Younger children may not have the capacity

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Announcements

♦ The American Bar Association’s Standing Committee on Pro Bono and Public Service and the Child Custody Pro Bono Project are now accepting nominations for the annual Ann Liechty Child Custody Pro Bono Award. Nominees must have played a significant role in delivering or enhancing free legal services directly to children in child custody matters. Eligible custody matters are limited to divorce/domestic relations; parentage/unmarried parents; adoption; and private guardianship. Applications can be found at http://www.abanet.org/legalservices/probono/2005nominationsolicitweb.pdf. The deadline for submission is March 24, 2005.

♦ Improving Outcomes for Older Youth: What Judges and Attorneys need to know, a judge’s and practitioner’s guide to federal programs for youth aging out of foster care is now available at http://www.nrcys.ou.edu/nrcyd/publications.htm or by contacting Barbara Loud at NRCYD, (918) 660-3700 to receive a bound copy for $6.00. The Guide was written by Kathleen McNaught and Lauren Onkeles and published by the National Resource Center on Youth Development (NRCYD) in Oklahoma. The guide is designed to be a basic outline of those federal programs that address well-being issues for these youth, covering education, health, employment, housing, and the specialized needs of youth with disabilities, teen parents, tribal youth, and undocumented youth. Additionally, it provides information on how to personalize the guide book (the hard copy is in binder form with tabs) with state-specific information.

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or the competency to comprehend that the abuse that occurred is wrong or that the offender is subject to punishment, certainly they will have difficulty understanding that their statement is intended to be used in a prosecution. Even older children may not understand that an interview may be used for testimonial purposes. Vieth, “Keeping the Balance True: Admitting Child Hearsay in the Wake of Crawford v. Washington,” page 5. More often than not in traditional interview techniques between a police officer and a child victim, evidence of law enforcement is usually minimized or removed from the situation to provide a warmer, less intimidating environment for the victim. This can create confusion that the police officer is acting as a friend or acquaintance, eliminating the possibility that the child could conceive that their statements would be used in the future for prosecution.

The forfeiture rule assists in establishing that the child is unable to testify. If the trial court concedes on factual findings, at minimum the child is protected from the impact of in court testimony. If the trial court does not agree that the child victim has been made unavailable under the forfeiture rule, many jurisdictions provide for taped testimony or closed circuit testimony. These methods help to hedge the potential damage to the child from having to give in court testimony.

In support of a statutory child hearsay law, Crawford does not specifically address that matter. Crawford addresses testimonial evidence, such as statements given to a police officer and applied in a criminal prosecution. Moreover, through the clues leading to a distinction between testimonial and nontestimonial evidence, a case can be well made that a child’s statements are nontestimonial in nature thus falling into a “firmly rooted hearsay exception.” Vieth, page 3.

Final Preparation

As the impact of Crawford continues to be assessed, it might be helpful for children’s lawyers who represent child victims to work together on this issue. I would invite anyone who is trying to create an acceptable child hearsay exception under Crawford to please contact me. I would also like to hear from anyone who is taking on the task of lobbying their legislatures for more specific statutes that help to craft the exception around the Court’s concerns on the Sixth Amendment.

Hillary Harrison Gulden is a solo practitioner in West Palm Beach, Florida focusing on franchise, corporate, and real estate law. Juvenile advocacy is the mainstay of her pro bono practice. hillary_g@yahoo.com
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Catherine Krebs, Committee Director
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