

Professor Linda Elrod



Children & Family Law Center

The Washburn University School of Law Children and Family Law Center sponsored several activities during the spring semester.

Children are increasingly impacted by changes in immigration rules. On March 16, the Children and Family Law Center and the Kansas Association of Counsel for Children, co-sponsored a program titled "Immigration and Children: Searching for the Voice of the Child." Associate Professor David Thronson, University of Nevada at Las Vegas Law School, keynote speaker, explored the intricate interaction of family law and immigration from the perspective of the child caught in the middle. Angela Ferguson and Kathleen Harvey, solo practitioners in immigration law in the Kansas City area, explained the basics of immigration law and discussed ethical considerations. Michael Sharma-Crawford '02, discussed the



Andrea Rusche '07 and Claudia Weaver '07

immigration consequences of juvenile offenses. This is the third year the two groups have worked together to provide programming; in 2005, the Privatization of Child Welfare, and in 2006, The Indian Child Welfare Act.

The Family Law Student Society, under the leadership of Amy Coppola '07, and Kerrie Lonard '07, put together several "Lunch and Learn" programs." In January, Dr. Bud Dale '09, Andrea

Rusche '07, and Claudia Weaver '07, explained the process of researching, writing, and filing an amicus brief in the Kansas Supreme Court. The case involved an issue about the rights of a known sperm donor in an artificial insemination situation when there was no agreement with the mother as to parenting. The issue involved the Kansas Parentage Act, known vs. anonymous donors, and constitutional rights of fathers. The students and Professor Elrod also made a presentation on appellate brief writing for "The Value of Amicus Curiae Briefs as Teaching Tools," for the *The Art of Advocacy: Writing to Win*, Continuing Legal Education Program at Washburn, on March 10, 2007.

The April "Lunch and Learn" program was about alternative dispute resolution. Art Thompson, the dispute resolution coordinator for the Kansas Supreme Court, discussed available dispute resolution procedures throughout the state. Sheri

Keller, Shawnee County Court Services, talked about case management and the new program her office has developed for High Conflict Couples. Topeka attorney Bill Ebert, who also teaches a course in Mediation at Washburn Law as an adjunct, advised students on the benefits of mediation for parents in custody disputes.

Faculty and students continue to support the Court Appointed Special Advocate (CASA) of

Children & Family Law Center



Ron Nelson '81, Governor Kathleen Sebelius and Professor Linda Elrod

Shawnee County. Professor Elrod serves on the CASA Advisory Board. Professor David Pierce helped found the CASA program in Southeast Kansas. Over 25 law students served as CASAs and volunteer in a number of ways.

Faculty members in the Center worked on legislative changes this year. Professor David Pierce suggested an important change for the recently enacted Revised Child in Need of Care Code. Senate Bill No. 118 became law upon publication in the Kansas Register on April 5, 2007, and amends K.S.A. §§ 38-2219 & 38-2249 (Supp. 2006). The amendments make it clear that reports prepared by a court-appointed special advocate or by the SRS may be read by the presiding judge prior to being offered or admitted into evidence. If the judge relies upon the report to support a fact or conclusion, the report must be admitted into evidence, but this requirement does not limit the judge's ability to become familiar with the contents of a report prior to a proceeding.

Linda Elrod, the Richard Righter Distinguished Professor of Law, was the Reporter who helped draft the Uniform Child Abduction Prevention Act (UCAPA). UCAPA, approved by the National Conference of Commissioners on Uniform State Laws (NCCUSL) in July 2006, and by the American Bar Association in February 2007, was introduced as Senate Bill 18 in Kansas. Elrod, Ron Nelson

'81, and Eric Fish from NCCUSL, testified in both the Senate and House Judiciary Committees. UCAPA complements the Uniform Child Custody Jurisdiction and Enforcement Act by making the threat of abduction a basis for emergency jurisdiction. The Act outlines risk factors for abductions and offers numerous remedies for judges to consider to protect children from abduction by parents or those acting with them. UCAPA attempts to limit child abduction by allowing persons entitled to custody of a child to seek restrictive measures if a parent or other person does certain activities which indicate an intent to abduct the child.

Amy Coppola '07, and Laura Schoenberger '07, finished their year as student editors for the *Family Law Quarterly*. Holly Fisher '08, will be the student editor-in-chief for 2007-2008; Megan Fluharty '08, will be executive research editor in charge of *The Law in 50* with Tracey Johnson '08 (fall 2007), and Christine Campbell '08 (spring 2008).

The Washburn Law Clinic offered 20 students "hands on" experience with family law cases and live clients. Professors Aliza Organick, Lynette Petty and Sheila Reynolds each supervised several interns working on family law cases. A variety of opportunities to learn about and become involved in family law activities happened throughout the year. In addition to several family law specialty courses and the Clinic, students were encouraged to be involved in watching court cases, attending continuing education programs, and meeting with alumni and family law practitioners.

By Distinguished Professor Linda Elrod

If you wish to learn more about the Center, or if you would like to volunteer, please contact director, Professor Linda Elrod, at (785) 670-1838 or linda.elrod@washburn.edu