

CHILDREN AND THE LAW COURSE SYLLABUS

Fall Semester 2009

Course Number: LAW 9586, 2 credit hours

Thursdays, 6:00 p.m. – 8:00 p.m.

Room 101 School of Law Building

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Course Objective: Considers the historical evolution of children's rights in American jurisprudence and issues faced by children in the legal system, particularly in custody, paternity, adoption, child neglect and abuse, and criminal proceedings, with attention to the role of lawyers and other professionals in the system.

1. Text: Abrams and Ramsey, Children and the Law: Doctrine, Policy and Practice, 3rd Edition.
2. Testing and Grading: Your grade for this course will be based upon a conventional law school exam administered at the end of the semester. The self-scheduled exam will be two hours in length.
3. Attendance and Participation in Class: Attendance will be taken at the beginning of each class and regular attendance is required of all students in the class. In the event a student misses more than two classes, your grade may be lowered by one-half point (i.e. from a B+ to a B). Class participation is also required of all students. Although class participation does not increase your grade, your grade may be lowered by one-half point if you are not adequately prepared for class and/or do not adequately participate and respond when called upon.
4. Computer Use: Students are welcome to use laptop computers in the classroom for purposes relating to this class.
5. Assignments: The following reading assignments, including notes and problems contained within those readings, as well as any supplemental reading assignments that may be given throughout the course, must be completed prior to each class.

CLASS	TOPIC	ASSIGNMENT
August 20 <u>NO CLASS</u>	Introduction Chapter 1 – The Status, Rights and Obligations of Children Childhood in America <i>Parens Patriae</i> Doctrine Traditional Roles of Parents and the Government The Movement Towards Children’s Rights PLEASE NOTE: THERE WILL BE NO CLASS ON THIS DAY. <u>Students, however, are responsible for the assigned reading above which shall be covered concurrently with the assigned reading for August 27, 2009.</u>	1-34
August 27	The Movement Towards Children’s Rights – Contin. Reconciling Parent’s and Children’s Rights	34-72
September 3	Children Articulating their own Interests International Law	72-108
September 10	Chapter 2 – Defining the Child-Parent Relationship Establishing Paternity and Maternity Questioning the Definition of “Parent”	122-168
September 17	Guardianship 3 rd Party Custody Emancipation The Legal Rights of Teenagers	168-199
September 24	Chapter 3 – Representing Children Introduction Children’s Abilities and Legal Disabilities The Role of the Child’s Counsel Child’s Attorney vs. Guardian ad Litem	200-234
October 1	The Indian Child Welfare Act Tribal Court Jurisdiction over Children Poverty and Race Cultural Context / Representing Children of Color	414-424 Additional Outside Reading to be assigned
October 8	Chapter 4 – Abuse and Neglect Introduction Discovering Abuse and Neglect: Reporting Statutes The Child Protection System Limits on Intervention Patterns of Abuse and Neglect	283-326
October 15	NO CLASS – MID-TERM BREAK	
October 22	Patterns of Abuse and Neglect Continued Duty to Investigate	327-371
October 29	The Reasonableness Requirement	375-414

CLASS	TOPIC	ASSIGNMENT
	Termination of Parental Rights	
November 5	Chapter 5 – Foster Care Challenges in Foster Care The Court’s Role in Permanency Planning The Child’s Right to a “Family” The Child’s Right to Services and Protection from harm Types of Placement	432-483
November 12	Chapter 7 – Adoption Introduction Agency versus Private (Direct Placement) Adoptions Consent The Rights of Unwed Parents Open Adoptions Transracial Adoptions / ICWA International Adoptions Adoptees’ Rights to Learn their Roots	619-628 655-694
November 19	Chapter 8 – Medical Decision-Making Decision-making Authority Medical Neglect Experimentation	714-719 746-760 774-799
November 26	NO CLASS – THANKSGIVING BREAK	
December 1	Review and Discussion of any Missed Material; REVIEW FOR EXAM.	