

Louisiana State Bar Association Children's Law Committee
February 5, 2020 – New Orleans, LA

In Attendance:

Ariel Test, Co-chair	Hector Linares
Karen Hallstrom, Co-chair	Martha Maher
Kristian Dobard	Curtis Nelson
Steven Farber	Michelle Perkins
Barbara Ferguson	Leigh Ann Rood-Sakla
Jesse George	Courtney Schroeder
Caitlin Glass	Jacqueline Williams
Franchesca Hamilton-Acker	Jennifer Womble
Mark Harris	LSBA Staff: Joanna Laidler, Monte Mollere
Barry LaCour	

1. Welcome & Introductions -approval of minutes from 11.6.19.

2. Trauma Informed Care

Ariel noted that the working group has tried to (a) gather trauma informed resources and (b) reach out to the LSBA Bar Journal in relation to publishing a special issue. All committee members interested in talking more about trauma are welcome to attend the working group following this meeting. Committee members are asked to forward trauma informed court resources to Joanna at LSBA.

3. Children's Law Awards

Each year the Bar Association recognizes a Louisiana Attorney and/or an organization that has provided outstanding services in the field of Children's law. Nominations for this award are currently open and close Friday, February 7, 2020. Nominations can be submitted online at lsba.org/probono. The children's law committee is also responsible for selecting the winner/s for this year's children's law awards. We will schedule a call to select the winner/s during February 17-22, 2020. If you are unable to attend the selection meeting, committee members will also be able to participate in the voting process electronically.

4. Juvenile Justice Issues

Ariel noted current media coverage of youth crime in New Orleans. Conversation reminiscent of 'super-predator' language, the criminalization of young children, and issues relating to delinquency and jail. LCCR has publicly stated that addressing the underlying causes of juvenile crimes needs to be focus, as opposed to incarcerating

children and sending them to adult facilities. Committees encouraged to join the conversation e.g. City Council has published numbers of crimes, which show that youth are not the main perpetrators of vehicle related crime. In March 2020, Louisiana will finish implementing "Raise the Age". Previously, the age of majority was different depending on the offence that the youth was arrested for. This will change, although youths can still be transferred to prosecution in adult court.

Curtis Nelson noted JDI State Collaborative has been the requirement (Act 147) that detention centers undertake screening of youths booked into detention facilities. Currently, the law does not specify the remedy if a screening is not undertaken. Options (a) going back to the legislature to add additional language, or (b) relying on the use of the word "shall" in the act, so that if the child appears at a 72 hour hearing and they haven't been screened, the defense has viable argument that the child should be released.

Discussion about different diversion programs in different parishes, e.g. Jefferson. Caddo Parish has smallest detention center in state (24 beds) and has worked hard to implement diversion programs. Contact Clay Walker for more information.

5. Child Protection Issues – Pelican Center Report (Mark Harris)

The Pelican Center is focused on two action items in the Child and Family Services Program Improvement Plan (PIP): (1) improving quality legal representation for children and families. Workgroup has been implemented to discuss attorney competencies for attorney stakeholders involved in CINC proceedings. In addition, looking to pilot in 1 or more of 4 pilot parishes (Rapides, Livingston, EBR, Caddo), of a multi-disciplinary representation model for parent representation, which would pair parent with masters level social worker and parent mentor/advocate. Pilot program, which has been underway in Orleans parish, which was funded by a grant from the Kellogg Foundation, is currently being evaluated. In talks with Rapides Parish (Judge Davidson & Deidre Fuller) to see if they want to pilot multidisciplinary program.

(2) Developing statewide group to consider service array and services which can help to prevent removal into care. Working to improve quality and diversity of services available to parents to prevent need for removal. Is it possible for the LSBA/ ATJ Committee, through this committee, to compile resources from attorneys that would be willing to provide pro bono legal services on civil legal issues? Also going to speak with local bar associations to see if they can take on certain types of cases.

ATJ Commission has obtained Justice For All Grant. Purpose of the grant is to assess what legal and non-legal resources we have in Louisiana. The grant is an effort to connect legal and social service resources. This grant will undertake a statewide assessment e.g. survey and community listening sessions, in order to ascertain gaps in services and consider what programs/initiatives might be developed. There is a future JFA grant available to develop some of the initiatives outlined in the planning and assessment stage. Michelle Gros is the project coordinator for the service array portion of the PIP. Michelle, Monte, and Curtis to connect.

6. Education Working Group

This aims of this working group are to work with schools to try to divert youths from juvenile justice system. Three members of the working group met with three elementary principals last week to have informal dialogue. Next week, the members of the working group will meet with three high school principals. Following the first meeting, one of the principals noted that we need to work together and put our differences aside to make a difference to children. Curtis has provided a list of suggested actions.

7. Upcoming Trainings

- i. New Orleans Family Justice Center is hosting a training on February 10, 2020 from 9-12pm (4th floor, Lilac Conference Room, Registration at 8.30am). Training is called "Trauma-Informed Legal Representation: For Survivors and Beyond". Cost is \$35 for CLEs (1 ethics, 2 general).
- ii. Trauma Informed Training Conference on April 9. 2020 & registration fee is \$20 (Curtis to send details) – CLE Credits available
- iii. Gary Mallon is providing 3-hr training on caring for LGBTQ+ Youth in April/May (Curtis to send details) – training is free

8. Other Business

- a. **Children's Law Opinion Service** – Joanna has received confirmation that IT has undertaken programming to obtain 'children's law' selection through the opinion service. Joanna to send detailed instructions on how to access opinion law service through LSBA website. This committee needs to provide clarity on what appellate decisions we want to be categorized as 'children's law'. Now, they have indicated that they will take a 'common sense' approach to what would be considered relevant to children's law. We can leave it at that or provide more detailed instructions. Karen suggested working definition is - Everything juvenile. All civil and criminal cases where there is an issue on appeal that involves children. Curtis to provide Westlaw categories.

9. Adjournment – Next Meeting, May 13, 2020 (New Orleans)