

JUVENILE JUSTICE LEGAL CLINIC
Spring, 2017 SYLLABUS

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Office hours: fluctuate each week/students will be assigned specific meet times

Course objectives: See Clinic Missions and Goals for Students, Mission Statement and Program Goals and Objectives located in the Juvenile Justice Clinic Handbook.

Clinic Student Assessment and Evaluations: See documents contained in the Juvenile Justice Clinic Handbook.

LEGAL CLINIC STUDENTS ARE REQUIRED TO ATTEND ALL CLASSES. Should you need to miss a class, discuss this with Professor Wells before missing the class, if possible. **Classes will meet in Room 164. Although this class provides opportunity for you to work your own cases and to experience “practice-oriented” learning, the class also requires you to carefully read the material assigned and to be prepared to *discuss* it in class.**

In addition, you will be assigned specific cases and will be expected to be in court on the dates that your cases are set, unless your class schedule or work commitments conflict. Court attendance is a crucial part of this clinic class, and almost all students say that attendance in court offers some of the most valuable experiences of the course. If you are eligible to obtain your 711 license, I highly encourage to do so to enable you to participate more fully in the court process.

****Read the Juvenile Justice Clinic Handbook prior to the first class.**

Of special note: Emergency Procedures. Southern Illinois University Carbondale is committed to providing a safe and healthy environment for study and work. Because some health and safety circumstances are beyond our control, we ask that you become familiar with the SIUC Emergency Response Plan and Building Emergency Response Team (BERT) program. Emergency response information is available on posters in buildings on campus, available on BERT's website at www.bert.siu.edu, Department of

Safety's website www.dps.siu.edu (disaster drop down) and in Emergency Response Guideline pamphlet. Know how to respond to each type of emergency.

Instructors will provide guidance and direction to students in the classroom in the event of an emergency affecting your location. It is important that you follow these instructions and stay with your instructor during an evacuation or sheltering emergency. The Building Emergency Response Team will provide assistance to your instructor in evacuating the building or sheltering within the facility.

Class Sessions for Spring, 2019

1. Tuesday, January 15, 2019

Introduction to the Juvenile Justice Clinic.

Assignment: ** Please read the Student Handbook for the Juvenile Justice Clinic.

Meet in Room 164 for introduction to the course and Clinic. I will answer questions, and we will tour the clinic space, meet staff, discuss necessary forms, procedures and the critically important concept of client confidentiality. Sometime within the first week of class, you should receive the names of the cases that the clinic will assign to you. You should begin to review your files as soon as possible.

We also will discuss the SIU-C Field Trip Policy. Some of the time you will spend in this class will involve academic activities outside of the law school. The University classifies these off-campus activities as "field trips." Each clinic student must sign an acknowledgment letter from the Clinic Director as well as SIU-C/Legal Clinic forms for Field Trip Participation and Assumption of Risk. You must complete these forms prior to engaging in *any* off-campus activities.

***Therefore, submit the following to my mailbox by January 22:** SIU-C Participant Agreement and Assumption of Risk Form, Assumption of Risk Form and signed acknowledgment letter from John Erbes, Clinic Director.

2. Thursday, January 17, 2019

Discussion of case responsibilities, how to begin and clinic expectations. Cases should be assigned.

Assignment: None.

3. **Tuesday, January 22, 2019**

An Overview of Juvenile Neglect and Abuse Law and the Role of Guardians Ad Litem.

Assignment: Read portions of Article I of the Illinois Juvenile Court Act of 1987, 705 ILCS § 405/1-1 through 405/1-8 and 405/1-17.

4. **Thursday, January 24, 2019**

Fundamentals of Neglect, Abuse and Dependency Cases

Assignment: Read portions of Article II of the Illinois Juvenile Court Act of 1987, 705 ILCS § 405/2-1 through 405/2-13.

5. **Tuesday, January 29, 2019**

NO CLASS.

Assignment: Continue to read through your assigned cases and begin to make collateral contacts.

6. **Thursday, January 31, 2019**

How a Juvenile Case Proceeds Through the Court System and the Duties and Role of the GAL before and at Adjudication, Disposition and Permanency Hearings.

Assignment: Read 705 ILCS § 405/2-14 through 2/23, and 405/2-28 and 405/28.1

7. **Tuesday, February 5, 2019**

Duties and Responsibilities of Attorneys for Minor Children - Is the Statutory Minimum Enough to Adequately Represent Your Clients?

Assignment: Read Illinois Supreme Court Rule 907 *and* 705 ILCS § 405/2-17.

8. **Thursday, February 7, 2019**

What Factors Do Courts Use When Determining the “Best Interest” of a Child?

Assignment: Review 705 ILCS § 405/1-3(4.05)(a-j).

9. **Tuesday, February 12, 2019**

Children, Domestic Violence and Trauma Both Before, During and After the Court Process.

Assignment: Read pp. 80-91 of the handout “Children Exposed to Domestic Violence” and be prepared to discuss.

10. **Thursday, February 14, 2019**

Continue discussion of the effects of domestic violence and trauma on children.

Assignment: To be handed out.

11. **Tuesday, February 19, 2019**

Child Safety - Steps for Critical Thinking and Analysis

Assignment: Read the Forward and Preface and pp. 1-19 of “Child Safety - a Guide for Judges and Attorneys.”

12. **Thursday, February 21, 2019**

Continue - Child Safety - Steps for Critical Thinking and Analysis

Assignment: Read the Forward and Preface and pp. 1-19 of “Child Safety - a Guide for Judges and Attorneys

13. **Tuesday, February 26, 2019**

Overview of Parents' Rights to Appointed Counsel in Illinois and Other States.

Assignment: Assignment: Review 705 ILCS § 405/1-2 through 405/1-5.
Read the handout “Life After *Lassiter*: an Overview of State Court Right-to-Counsel Decisions.” Additional handouts may be assigned.

15. **Thursday, February 28, 2019**

Variable Standards of Proof in Neglect/Abuse Cases - From Speed Bumps to High Jumps

Assignment: Read 705 ILCS §§ 405/2-9, 2/18, 2-22 and 2//29.

16. **Tuesday, March 5, 2019**

Mandated Reporters in Illinois - What does that mean, and who are they?

Assignment: 90 Illinois Admin Code Part 300, Section 300.30

17. **Thursday, March 7, 2019**

Children's Right to Counsel - Its Genesis and Progression

Assignment: *In re Gault*, 387 U.S. 1 (1967).

18. **Tuesday, March 19, 2019**

DCFS Rules and Regulations - Do They Impact a GAL's Duties and Responsibilities?

Assignment: Read 89 Illinois Admin. Code Part 300.

19. **Thursday, March 21, 2019**

Guest speaker planned.

20. **Tuesday, March 26, 2019**

Should our child clients testify? Under what circumstances?

Assignment: None for now. This will be a student-driven discussion, so come prepared to discuss.

21. **Thursday, March 28, 2019**

What Does the Future Hold for This Area of Law? The Foundations of the ABA Model Act Governing the Representation of Children in Abuse, Neglect and Dependency Proceedings.

Assignment: ABA Standards of Practice for Lawyers who Represent Children in Abuse and Neglect Cases, dated February 5, 1996.

22. **Tuesday, April 2, 2019**

The ABA Model Act Governing the Representation of Children in Abuse, Neglect and Dependency Proceedings - Is this the future? How might it affect you and your clients?

Assignment: The ABA Model Act Governing the Representation of Children in Abuse, Neglect and Dependency Proceedings, as adopted in August 2011. *See for comparison* the Model Act for Representation of Children in Abuse, Neglect and Custody Proceedings, as adopted in January 2009 by the National Conference of Commissioners on Uniform State Laws.

23. **Thursday, April 4, 2019**

Illinois' New Restoration of Parental Rights Law - Applications and Implications

Assignment: Read 750 ILCS § 50/14.5 and 705 ILCS § 405/2-34. Research any cases citing this statute since its enactment.

24. **Tuesday, April 9, 2019**

End of year wrap-up with questions, comments and end-of-semester responsibilities.

25. **Thursday, April 11, 2019**

TBA

26. **Tuesday, April 16, 2019**

Student Presentations.

27. **Thursday, April 18, 2019**

Students Presentations.

28. **Tuesday, April 23, 2019**

Last day of class.

** Be aware that the syllabus is subject to change due to emergency Court hearings, changes in Court docket, availability of speakers and opportunities for field trips.

*** **IMPORTANT**: If you cannot be in class, you are expected to notify me by text, email or phone call, or, if I am not available, someone in the Clinic by telephone or email *before* class if at all possible.