Children’s Interests: An Annotated Bibliography, 2010-12

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This bibliography covers law review articles published, for the most part, after 2008. Articles for which the title is self-explanatory or that concern only a single case, state, or statute are cited, but not annotated. For older annotations, see Mary K. Kisthardt, Children’s Interests: An Annotated Bibliography, 22 J. AM. ACAD. MATRIM. LAW. 517 (2009).

Adoption .................................................. 534
  International Adoption ............................ 536
  Native American Adoption ....................... 538
  Same-Sex Couple Adoption ...................... 539
Child Abuse and Neglect ............................ 541
Child Custody and Visitation .............................. 544
  Custody Evaluators ................................ 546
  International Child Custody .................... 549
  Parental Alienation ................................ 550
  Relocation ......................................... 551
  Same-Sex and Transgender Child Custody Issues .. 552
  Third Party Custody and Visitation ............... 554
Child Support ............................................. 556
Domestic Violence ........................................ 558
Education ................................................. 560
Foster Care ................................................ 567
Guardianship .............................................. 567
Health Care ................................................ 569
Immigrant Children ....................................... 571
Miscellaneous ............................................. 574
Parental Rights ............................................ 575

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Representing Children .................................... 576
Reproductive Rights ...................................... 578

Adoption

Annette Ruth Appell, Reflections on the Movement Toward a More Child-Centered Adoption, 32 W. NEW ENG. L. REV. 1 (2010) (discussing the increasing prevalence and acceptance of post-adoption contact practices, the state statutes regulating such contact, and sociological studies regarding child well-being as a result of open adoptions and contact).

Andrea Carroll, Cracks in the Cost Structure of Agency Adoption, 39 CAP. U. L. REV. 443 (2011) (addressing potential remedies for failed adoptions, including recoupment of payments to birth mothers and adoption cancellation insurance).

Linda D. Elrod, A Child’s Perspective of Defining a Parent: The Case for Intended Parenthood, 25 BYU J. PUB. L. 245 (2011) (making the case that when parents intentionally create a parent-child relationship, especially with assisted reproductive technology, the law should recognize the parental relationships for the sake of the children).


Sara C. Mills, Perpetuating Ageism Via Adoption Standards and Practices, 26 Wis. J.L. GENDER & SOC’Y 69 (2011) (addressing the phenomenon of age discrimination by adoption agencies and identifying possible statutory provisions and constitutional arguments that can be used to combat this practice).

Dawn J. Post & Brian Zimmerman, The Revolving Doors of Family Court: Confronting Broken Adoptions, 40 CAP. U. L. REV. 437 (2012) (evaluating a set of New York City Family Court cases of adoption dissolutions after legal finalization and exploring the reasons for them—ranging from extreme psychological or medical problems on the part of the child to inadequate guardianship issues on the part of the parents).
Vol. 25, 2013  Annotated Bibliography  535


Jaime P. Weisser, Comment, *Virtual Adoption: The Inequities of the Equitable Doctrine*, 35 Nova L. Rev. 549 (2011) (discussing inconsistencies among various states in employing equitable principles during intestacy proceedings to recognize the claims of children who a parent intended to adopt but for whom the parent failed to complete the legal requirements to actually adopt).


Kristina V. Foehrkolb, Comment, *When the Child’s Best Interest Calls for It: Post-Adoption Contact by Court Order in Maryland*, 71 Md. L. Rev. 490 (2012) (Maryland).

536 Journal of the American Academy of Matrimonial Lawyers


International Adoption

Richard Carlson, Seeking the Better Interests of Children with a New International Law of Adoption, 55 N.Y.L. Sch. L. Rev. 733 (2010-11) (urging international law to eliminate the requirement of “subsidiarity,” which commands sending countries to “exhaust all possibilities of local placement before releasing a child for adoption by parents” in another country).

Elizabeth Long, Note, Where Are They Coming From, Where Are They Going: Demanding Accountability in International Adoption, 18 Cardozo J.L. & Gender 827 (2012) (describing the standards imposed under the Hague Adoption Convention on the Protection of Children and Co-operation in Respect of Inter-Country Adoption in terms of child background information, psychological evaluations of parents, and educational and other requirements).

Elena Schwieger, Getting to Stay: Clarifying Legal Treatment of Improper Adoptions, 55 N.Y.L. Sch. L. Rev. 733 (2010-11) (noting that procedural irregularities in international adoption processes can affect children’s legal status in ways that may require return of children to their countries of origin under the U.N. Convention on the Rights of the Child, but not under the Intercountry Adoption Convention or the U.S. enabling statute, the Intercountry Adoption Act; and sorting the provisions of various statutes regarding remedies for procedural irregularities).
Irene Steffas, *The Hague Adoption Convention and Its Impact on All Adoptions*, 57 Fed. Law. 34 (Dec. 2010) (explaining the three routes for adopted children to gain immigration status: the “E route” with a family petition under INA § 101(b)(1)(E), the Orphan route under INA § 101(b)(1)(F), and the Intercountry Adoption Act or Hague route under INA § 101(b)(1)(G)).


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538  Journal of the American Academy of Matrimonial Lawyers


Native American Adoption

Megan Scanlon, Comment, From Theory to Practice: Incorporating the “Active Efforts” Requirement in Indian Child Welfare Act Proceedings, 43 ARIZ. ST. L.J. 629 (2011) (noting that states vary on the extent to which they require active remedial efforts to prevent Indian family break-ups before allowing termination of parental rights and urging a “wraparound” model based on North Dakota’s practice of providing community services tailored to the individual child’s and family’s needs).

Jill E. Tompkins, Finding the Indian Child Welfare Act in Unexpected Places: Applicability in Private Non-Parent Custody Actions, 81 U. COLO. L. REV. 1119 (2010) (exploring the applicability of the ICWA to private (for example, grandparent initiated) child custody actions, as opposed to state-driven foster care or guardian placements).


Same-Sex Couple Adoption

Joyce Kauffman, Protecting Parentage with Legal Connections, 32 FAM. ADVOC. 24 (Winter 2010) (addressing co-parent adoption and the portability of parentage across state lines).

Jennifer B. Mertus, Barriers, Hurdles, and Discrimination: The Current Status of LGBT Intercountry Adoption and Why Changes Must Be Made to Effectuate the Best Interests of the Child, 39 CAP. U. L. REV. 271 (2011) (identifying barriers to intercountry LGBT adoption at the levels of the sending country (under the Intercountry Adoption Act of 2000), U.S. federal, and U.S. states, with specific attention to the five primary sending countries: China, Ethiopia, Russia, South Korea, and Ukraine).

Nadia Stewart, Note, Adoption by Same-Sex Couples and the Use of the Representation Reinforcement Theory to Protect the Rights of Children, 17 TEX. WESLEYAN L. REV. 347 (2011) (covering statistics on the number of children waiting to be adopted, various state approaches to adoption by same-sex couples, and the theory that the children who are awaiting adoption are a discrete and insular minority deserving constitutional equal protection to adoption rights).

Pamela K. Terry, Note, E Pluribus Unum? The Full Faith and Credit Clause and Meaningful Recognition of Out-of-State Adoptions, 80 FORDHAM L. REV. 3093 (2012) (arguing that the Full Faith and Credit Clause imposes the obligation on States to recognize the adoption decrees of other States).

Tanya Washington, Suffer Not the Little Children: Prioritizing Children’s Rights in Constitutional Challenges to “Same-Sex
Adoption Bans," 39 CAP. U. L. REV. 231 (2011) (noting that since courts do not recognize LGBT rights or a constitutional right to adopt, a better strategy might be to argue from a children’s rights perspective that an “orphan placement ban” is unconstitutional).

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Nellie Herchenbach, Giving Back the Other Mommy: Addressing Missouri’s Failure to Recognize Legal Parent Status Following Same-Sex Relationship Dissolution, 44 FAM. L.Q. 429 (2010) (Missouri).

Cassandra R. Hewlings, Recent Developments, With Adar v. Smith, the Fifth Circuit Opens a Hole in Full Faith and Credit Clause, 86 TUL. L. REV. 1359 (2012).


**Child Abuse and Neglect**


Barbara A. Atwood, *Representing Children Who Can’t or Won’t Direct Counsel: Best Interests Lawyering or No Lawyer at All?*, 53 Ariz. L. Rev. 381 (2011) (drawing on the Arizona practice of best interests attorneys to question the American Academy of Matrimonial Lawyers’ standards that oppose appointment of lawyers for children who do not have the ability to direct counsel).


Shirley Darby Howell, *Religious Treatment Exemption Statutes: Betrayest Thou Me with a Statute?*, 14 Scholar 945 (2012) (discussing the statutes allowing parents exemptions from prosecu-
tion for trying faith healing with their children in lieu of necessary medical treatment).


Adam Pié, Note, *The Monster Under the Bed: The Imaginary Circuit Split and the Nightmares Created in the Special Needs Doctrine’s Application to Child Abuse*, 65 Vand. L. Rev. 563 (2012) (addressing whether child welfare workers who are investigating neglect and abuse complaints must have probable cause and a warrant to enter and search a home).

Laurie Shanks, *Evaluating Children’s Competency to Testify: Developing a Rational Method to Assess a Young Child’s Capacity to Offer Reliable Testimony in Cases Alleging Child Sex Abuse*, 58 Clev. St. L. Rev. 575 (2010) (discussing methods for evaluating whether children understand the concept of truth and also for ascertaining whether children have been taught a narrative or story as the truth).

Andrew Smith, *Child Abuse and Neglect Registries: Protecting Due Process Rights*, 29 Child L. Prac. 45 (May 2010) (considering the problem of false abuse or neglect allegations that can place people on a registry and what steps attorneys can take to make a due process argument to challenge placement on the registry).

Jennifer Lynn Thompson, *Criminal Child Abuse*, 33 Fam. Advoc. 20 (Spring 2011) (addressing the matter of child abuse allegations during a divorce and issues such as mandatory reporting and the time within which to report evidence of abuse, as well as practical considerations in representing someone accused of abuse).


**Child Custody and Visitation**

Marcia M. Boumil et al., Waiver of the Psychotherapist-Patient Privilege: Implications for Child Custody Litigation, 22 HEALTH MATRIX 1 (2012) (addressing factual circumstances that create patient waivers of the privilege as well as exceptions to the privilege crafted to allow courts to obtain information to make important decisions about child welfare).


Linda D. Elrod, A Child’s Perspective of Defining a Parent: The Case for Intended Parenthood, 25 BYU J. PUB. L. 245 (2011) (reviewing the psychological literature on attachment to argue that who is awarded parental rights should be largely influenced by who the child perceives as a parent).

Anat S. Geva, Judicial Determination of Child Custody When a Parent Is Mentally Ill: A Little Bit of Law, a Little Bit of Pop Psychology, and a Little Bit of Common Sense, 16 U.C. DAVIS J. JUV. L. & POL’Y 1 (2012) (reporting interviews with seventeen Illinois judges about the factors they consider regarding custody when parents suffer from depression, bipolar disorder, or Munchausen by proxy, or threaten suicide).
Janet R. Jeske, *Issues in Joint Custody & Shared Parenting*, 68 Bench & B. Minn. 20 (Dec. 2011) (discussing the results of an Australian study which concludes that even in a country where the law presumes equal or near-equal shared care, most parents revert to a pattern of single parent primary care).


Custody Evaluators

Marc J. Ackerman & Tracy Brey Pritzl, Child Custody Evaluation Practices: A 20-Year Follow-Up, 49 FAM. CT. REV. 618 (2011) (reporting the results of a survey of 213 court appointed evaluators regarding the specific tests they used (such as MMPI, Rorschach, and intelligence tests) for children and parents, the average amount of time expended in various evaluation activities (such as interviewing and investigation), average hourly fees, and the variables (such as child preferences or primary caretaking ac-


Rachel Birnbaum et al., *Children’s Experiences with Family Justice Professionals in Ontario and Ohio*, 25 Int’l J. Pol’y & Fam. 398 (2011) (relating experiences of children who spoke with a guardian ad litem, mediator, judge, or mental health professional during the pendency of a custody case and noting that children appreciated the opportunity to speak to an independent third party).

James N. Bow, *Partners in the Process: How Attorneys Prepare Their Clients for Custody Evaluations and Litigation*, 49 Fam. Ct. Rev. 750 (2011) (providing the results of a survey of more than one hundred attorneys about the things those attorneys thought were proper, improper, and important to do when helping their clients get ready for a custody evaluation).


Mary Main et al., *Attachment Theory and Research: Overview with Suggested Applications to Child Custody*, 49 Fam. Ct. Rev. 426 (2011) (explaining what attachment theory means in psychol-
ogy and how children’s behaviors either fit with close attachments or not).

Noel Semple, *The “Eye of the Beholder”: Professional Opinions About the Best Interests of a Child*, 49 Fam. Ct. Rev. 760 (2011) (reporting the results of a study in Ontario which concluded that judges agreed with the recommendations of child custody evaluators about fifty percent of the time).


Carol George et al., Incorporating Attachment Assessment into Custody Evaluations: The Case of a 2-Year-Old and Her Parents, 49 Fam. Ct. REV. 483 (2011).


International Child Custody

550 *Journal of the American Academy of Matrimonial Lawyers*

how to evaluate children’s affiliations in international custody cases).

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**Parental Alienation**


### Relocation

Linda D. Elrod, *National and International Momentum Builds for More Child Focus in Relocation Disputes*, 44 Fam. L.Q. 341 (2010) (noting that outcome-prediction in relocation cases is difficult, but that the emphasis has shifted away from presumptions regarding parental rights to relocate and toward what is best for children).


552 Journal of the American Academy of Matrimonial Lawyers


Same-Sex and Transgender Child Custody Issues

Matthew J. Hulstein, Commentary, Recognizing and Respecting the Rights of LGBT Youth in Child Custody Proceedings, 27 Berkeley J. Gender L. & Just. 171 (2012) (arguing that LGBT children have substantive due process rights under Lawrence v. Texas to have courts consider in custody disputes ways to protect the expression of their sexual orientation).

Caroline L. Kinsey, Revisiting the Role of the Psychological Parent in the Dissolution of the Homosexual Relationship, 19 Buff. J. Gender, L. & Soc. Pol’y 75 (2011) (explaining why the de facto or psychological parent concept should apply to LGBT parents just as it does to heterosexual parents).


Erika Skougard, Note, The Best Interests of Transgender Children, 2011 Utah L. Rev. 1161 (addressing the outcomes of several custody battles when one parent understands the needs of a transgendered child and the other does not).


Toni S. Boettcher, Same-Sex Couples and Custody and Visitation, 45 Md. B. J. 48 (Feb. 2012) (Maryland).


Nellie Herchenbach, Giving Back the Other Mommy: Addressing Missouri’s Failure to Recognize Legal Parent Status Following the Same-Sex Relationship Dissolution, 44 Fam. L.Q. 429 (2010) (Missouri).


Nancy Levit, Theorizing and Litigating the Rights of Sexual Minorities, 19 Colum. J. Gender & L. 21 (2010).


**Third Party Custody and Visitation**

Cynthia Grant Bowman, *The Legal Relationship Between Cohabitants and Their Partners’ Children*, 13 Theoretical Inquiries L. 127 (2012) (drawing on social science evidence regarding relationships between stepparents and stepchildren to argue for
standing for cohabiting stepparents to seek custody and visitation and to be obligated to pay child support).

Pamela Laufer-Ukeles & Ayelet Blecher-Prigat, *Between Function and Form: Towards a Differentiated Model of Functional Parenthood*, 20 GEO. MASON L. REV. 419 (2013) (noting the breakdown of exclusivity in the prevailing models of parenthood and addressing the considerations that courts examine when they make determinations that a variety of relationships are tantamount to functional parenthood).


Robin Fretwell Wilson, *Trusting Mothers: A Critique of the American Law Institute’s Treatment of De Facto Parents*, 38 HOFSTRA L. REV. 1103 (2010) (criticizing the ALI test of time doing parenting chores as the litmus for de facto parenthood and urging instead a more searching examination of relationships and the exercise of parental judgment).


## Child Support


Douglas W. Allen & Margaret F. Brinig, *Child Support Guidelines and Divorce Incentives*, 32 INT’L REV. L. & ECON. 309 (Sep. 2012) (presenting empirical evidence that when child support guidelines are based on the percent of obligor income, instead of income shares (the relative income of the parents), child support
can make a difference in high income divorces and the custodial parent may have an incentive to divorce to effectuate a transfer of wealth).


Anna Stępień-Sporek & Margaret Ryznar, *Child Support for Adult Children*, 30 Quinnipiac L. Rev. 359 (2012) (comparing approaches in Poland and the United States to post-majority support for children, other than those who are disabled or in college).


Josh Smolow, Note, *Can Equitable Estoppel Be Used as an Effective Way for a Legal Parent to Obtain Child Support for the Children of a Separated Same-Sex Couple?*, 18 Cardozo J.L. & Gender 481 (2012).


### Domestic Violence


Leslie Joan Harris, *Failure to Protect from Exposure to Domestic Violence in Private Custody Contests*, 44 Fam. L.Q. 169 (2010) (exploring statutes and cases addressing when exposure to domestic violence and a failure to protect children from its impact should matter in custody decisions—and the standards that vary from proof of an impact on a child of witnessing the violence to proof that the child is actually in danger).


Journal of the American Academy of Matrimonial Lawyers


Education

Gabriela Brizuela, Note, Making an “IDEA” a Reality: Providing a Free and Appropriate Public Education for Children with Disabilities Under the Individuals with Disabilities Education Act, 45 VAL. U. L. REV. 595 (2011) (addressing the federal circuit split regarding the test of whether a school has failed to implement significant portions of an IEP).

Robert A. Garda, Jr., Culture Clash: Special Education in Charter Schools, 90 N.C. L. REV. 655 (2012) (noting that special educa-
tion law is highly regulatory, while charter schools operate with limited regulatory oversight, and observing that charter schools under enroll special needs students and have difficulty meeting the least restrictive alternative requirement for students with disabilities).

Zenobia V. Harris, *Breaking the Dress Code: Protecting Transgender Students, Their Identities, and Their Rights*, 13 Scholar 149 (2010) (discussing legal arguments, such as First Amendment claims, disability law arguments, and state human rights act claims, that lawyers can make to assist transgender students dress and present themselves as they wish at school without discrimination).


T. Daris Isbell, Note, *Distinguishing Between Compensatory Education and Additional Services as Remedies Under the IDEA*, 76 Brook. L. Rev. 1717 (2011) (noting that courts tend to conflate the remedies of “compensatory education,” which requires compensation for services to students beyond the age of twenty-one, and “additional services,” and explaining that this confusion is unfortunate because some circuits require proof of a “gross violation” for a compensatory education award).

Salma A. Khaleq, *The Sanctioning Authority of Hearing Officers in Special Education Cases*, 32 J. Nat’l Ass’n Admin. L. Judiciary 1 (2012) (describing the sanctions—ranging from economic penalties to contempt—that an administrative law judge can impose on parties or their counsel during a hearing under the Individuals with Disabilities Education Act).

Mark C. Weber, *A New Look at Section 504 and the ADA in Special Education Cases*, 16 Tex. J. on C.L. & C.R. 1 (2010) (exploring the obligations that schools have to children who are protected by the Rehabilitation Act and the Americans with Disabilities Act, but who are not entitled to services under the IDEA).

Mark C. Weber, *Settling Individuals with Disabilities Education Act Cases: Making Up Is Hard to Do*, 43 Loy. L.A. L. Rev. 641 (2010) (discussing the specific IDEA settlement procedure, the resolution session, and evaluating court jurisdiction to enforce the outcome of resolutions sessions, the administrative exhaustion defense, and whether attorneys’ fees are available to parties who settle IDEA cases).


**Foster Care**


**Guardianship**

568 Journal of the American Academy of Matrimonial Lawyers

(covering a range of ethical dilemmas guardians face, such as non-confidentiality warnings, dual appointments, the use of psychological tests, hearsay in the guardian’s report, and discoverability of that report).

Alyssa A. Dirusso & S. Kristen Peters, Parental Testamentary Appointments of Guardians for Children, 25 QUINNIPIAC PROB. L.J. 369 (2012) (describing the split among jurisdictions regarding courts’ willingness to honor parental appointments of guardians for their children in the parents’ wills and the factors courts consider, such as the child’s wishes, potential conflicts of interests, and other people who may be better suited for the role).


Emily Gleiss, Note, The Due Process Rights of Parents to Cross Examine Guardians ad Litem in Custody Disputes: The Reality and the Ideal, 94 MINN. L. REV. 2103 (2012) (noting that because guardians ad litem are often treated as quasi-judicial actors, depending on state statutes they may be immune from cross-examination in custody litigation, and maintaining that this inability of parents to cross-examine guardians may impair the parents’ due process rights).


**Health Care (See also Reproductive Rights)**


B. Jessie Hill, *Medical Decision Making by and on Behalf of Adolescents: Reconsidering First Principles*, 15 J. Health Care L. & Pol’y 35 (2012) (discussing contradictions among medical decision-making rights granted to teenagers (such as end of life decisions) and those given to their parents (such as drug treatment)).
Ireh Iyioha & Yusuff A. O. Akorede, *You Give Me Welfare But Take My Freedom: Understanding the Mature Minor’s Autonomy in the Face of the Court’s Parens Patriae Jurisdiction*, 13 QUINNIPIAC HEALTH L.J. 279 (2010) (noting that at times courts over-ride minors’ decisions to refuse medical treatment, the authors propose that courts try to refrain from such interventions except when minors seem to be incapable of protecting their own bodily integrity or self-preservation).

Alice Ouellette, *Shaping Parental Authority over Children’s Bodies*, 85 IND. L.J. 955 (2010) (addressing cases in which parents consent to nonessential medical interventions for their children, such as liposuction, human growth hormones, and cosmetic surgery).

Lauren Slive & Ryan Cramer, *Health Reform and the Preservation of Confidential Health Care for Young Adults*, 40 J.L. MED. & ETHICS 383 (2012) (evaluating the impact of the Affordable Care Act on the conveyance of mature teenagers’ health information to their parents and assessing the situation in which parents pay for health insurance but teens have private health information).


Sana Loue, *Faith Based Mental Health Treatment of Minors: A Call for Legislative Reform*, 31 J. LEGAL MED. 171 (June 2010).

Vol. 25, 2013  Annotated Bibliography  571


Samantha Schad, Comment, Adolescent Decision Making: Reduced Culpability in the Criminal Justice System and Recognition of Capability in Other Legal Contexts, 14 J. Health Care L. & Pol’y 375 (2011).


**Immigrant Children**

Jennifer Baum et al., Most in Need But Least Served: Legal and Practical Barriers to Special Immigrant Juvenile Status for Federally Detained Minors, 50 Fam. Ct. Rev. 621 (2012) (identifying barriers facing unaccompanied immigrant children—among other things, they lack court access and representation, cannot be released on their own recognizance, and do not have child welfare workers who are trained regarding their particular needs).

Sara V.C. Goldberg, A Place to Call Home: Protecting the Rights of Unaccompanied Immigrant Children, 48 Hous. Law. 22 (Dec. 2010) (explaining that the Trafficking Victims Protection Reauthorization Act creates Special Immigrant Juvenile Status for abused, neglected, or abandoned immigrant children and discussing the requirements to prove that status).

Theo Liebmann, Ethical Advocacy for Immigrant Survivors of Family Crisis, 50 Fam. Ct. Rev. 650 (2012) (addressing types of immigration relief where family court findings can be important, including VAWA petitions, U visas, and Special Immigrant Juvenile Status).

Randi Mandelbaum & Elissa Steglich, Disparate Outcomes: The Quest for Uniform Treatment of Immigrant Children, 50 Fam. Ct. Rev. 606 (2012) (offering an overview of Special Immigrant Juvenile Status and discussing several scenarios, such as when a child welfare agency is involved or when a family is homeless).

Sarah Rogerson, Unintended and Unavoidable: The Failure to Protect Rule and Its Consequences for Undocumented Parents and Their Children, 50 FAM. CT. REV. 580 (2012) (addressing the situation of undocumented immigrant parents charged with failure to protect their children from neglect or abuse).


**Miscellaneous**


Jonathan Todres, *Maturity*, 48 Hous. L. Rev. 1107 (2012) (addressing differing concepts of maturity across varying areas of law, from criminal law to health care to voting rights, and drawing on cultural and psycho-social literature to move toward a more consistent understanding of maturity).


### Parental Rights

addressing considerations courts should give to adolescent parents in fitness and custodial rights cases).

Andrew Smith & Kristin Ware, *Helping Pregnant and Parenting Teens Find Housing*, 19 CHILD L. PRAC. 65 (July 2010) (explaining Section 8 Housing and the Family Unification Program).


### Representing Children

Barbara A. Atwood, *Representing Children Who Can’t or Won’t Direct Counsel: Best Interests Lawyering or No Lawyer at All?*, 53 ARIZ. L. REV. 381 (2011) (questioning the American Academy of Matrimonial Lawyers’ standards that oppose appointment of counsel for children who cannot competently direct them, and arguing that lawyers for non-directive child clients can promote their clients’ best interests and that the benefits of attorney representation of children far outweigh the risks).


Barbara Glesner Fines, *Challenges of Representing Adolescent Parents in Child Welfare Proceedings*, 36 U. DAYTON L. REV. 307 (2011) (observing variations among state statutes and practices regarding the scope of attorney representation of teen parents and touching on several ethical issues, such as the attorney’s role as a guardian ad litem or when a separate GAL is involved, the adolescent client’s capacity to direct the representation, and difficulties with understanding the perspectives of the client).
Carl W. Gilmore, The Child’s Attorney, 35 Fam. Advoc. 28 (Summer 2012) (classifying types of children’s representatives (e.g., attorneys or guardians ad litem or best interests attorneys) and offering advice to parents who plan to meet with one of these representatives).


Andrea Khoury, Why a Lawyer?—The Importance of Client-Directed Legal Representation for Youth, 48 Fam. Ct. Rev. 277 (2010) (discussing the shift from the practice of appointing guardians ad litem for children to the idea of client-directed representation and the appointment of lawyers for children; noting the particular need for lawyers to serve as counsel for children in foster care).


Judith Waksberg, Note, Representing Children on Appeal: Changed Circumstances, Changed Minds, 12 J. App. Prac. & Process 313 (Fall 2011) (discussing ethical issues that lawyers face when child clients’ circumstances and wishes change between the time of trial and appeal).

Sarah J. Campbell & Robin L. Rosenberg, The Use of Next Friends to Seek Appointment of Counsel for Dependent Children Who Are Incapable or Unable to Request Appointment of Counsel, 86 Fla. B.J. 46 (May 2012) (Florida).

Tanya Asim Cooper, Sacrificing the Child to Convict the Defendant: Secondary Traumatization of Child Witnesses by Prosecutors, Their Inherent Conflict of Interest, and the Need for Child


Andrea Khoury, ABA Adopts Model Act on Child Representation in Abuse and Neglect Cases, 30 CHILD L. PRAC. 106 (Sept. 2011).


Liisa R. Speaker, Communicating with Children in Custody Disputes, 33 FAM. ADVOC. 44 (Fall 2010).

Reproductive Rights (See also Health Care)

Caitlin E. Borgmann, Abortion, the Undue Burden Standard, and the Evisceration of Women’s Privacy, 16 WM. & MARY J. WOMEN & L. 291 (2010) (explaining that the undue burden standard is an anemic method of protecting women’s reproductive rights and offering examples from states’ informed consent, ultrasound, and parental involvement laws).
Vol. 25, 2013 Annotated Bibliography


580 *Journal of the American Academy of Matrimonial Lawyers*


