


2017 ANNUAL MEETING

Committee on Children and the Law

2017 Robert J. Schack Memorial Program

The Voice of the Children

Friday, January 27, 2017 | New York Hilton Midtown | NYC



3.5 MCLE Credits: 1.5 Ethics; 2.0 Areas of Professional Practice

The Voice of the Children

9:00 a.m. – 12:10 p.m. | Beekman Suite, 2nd Floor

Committee Chair

Betsy R. Ruslander, Esq., Director, Office of Attorneys for Children, Appellate Division, Third Department, Albany

Program Chair

George E. Reed, Jr., Esq., White Plains

The voice of the child has been dramatically strengthened in the past ten years. The law guardian has been reinvented as the attorney for the child in all cases, and involvement of children in their foster care cases has now been legislated. Judges and lawyers alike have had to adapt to a more active approach to the role of the child in Family Court and family law proceedings. This program will go beyond the recognized right of children to be represented effectively, and to be heard, to consider what wisdom the children can bring to the proceedings, from their unique knowledge and understanding of their circumstances to the developmental limitations of their age, in both child custody and child welfare cases. The means of input, from in camera interviews and forensic reports to presentation of their cases by their attorneys, will be critically examined.

8:30 a.m. – 9:00 a.m.

Registration

9:00 a.m. – 9:05 a.m.

Welcome and Opening Remarks

George E. Reed, Jr., Esq., Program Chair, White Plains

9:05 a.m. – 10:20 a.m.

Ethical Considerations for the Attorney for the Child under Rule 7.2

- Introduction and Overview of Rule 7.2
- Requirements for Substituting Judgment: Knowing, Voluntary and Considered Judgment, Risk, and Procedure
- The Role of the AFC in Cases of Alleged Parental Alienation and Children's Loyalty Conflicts
- Impropriety of Subzealous Advocacy
- Need for Continued Contact with the Child
- Benefits and Limitations of In Camera Interviews
- The Manhattan Experience: Protocols to Encourage and Facilitate the Child's Participation

Speakers:

Glenn Metsch-Ampel, Esq., General Counsel and Deputy Executive Director, Lawyers for Children, New York City

Gary S. Solomon, Esq., The Legal Aid Society, New York City

(1.5 Credits in Ethics)

10:20 a.m. – 10:30 a.m.

Coffee Break

10:30 a.m. – 11:20 a.m.

A Psychologist's View of Children in the Courts

- The Developmental Capabilities and Limitations of Children
- Children's Unique Knowledge and Perspectives on the Emotional Dimension and Family Relationships

Speakers:

Elizabeth C. Schockmel, Psy. D., Albany

Glenn Metsch-Ampel, Esq., General Counsel and Deputy Executive Director, Lawyers for Children, New York City

(1.0 Credit in Areas of Professional Practice)

11:20 a.m. – 11:45 a.m.

A Judge's View of Children in the Courts

- Complying with Mandates Governing Appearances in Permanency Hearings
- Pros and Cons of Having Children Appear in the Courtroom
- Usefulness and Reliability of Forensic Evaluator's Reports on Interviews of Children
- The Child's Negative Preference: Is the Parent Properly Strict or Emotionally Unsupportive?

Speaker:

Hon. Michelle I. Schauer, Family Court, Westchester County, Yonkers

(0.5 Credit in Areas of Professional Practice)

11:45 a.m. – 12:10 p.m.

Panel Discussion: Making the Child's Voice Heard

Speakers:

Glenn Metsch-Ampel, Esq., General Counsel and Deputy Executive Director, Lawyers for Children, New York City

George E. Reed, Jr., Esq., Program Chair, White Plains

Hon. Michelle I. Schauer, Family Court, Westchester County, Yonkers

Elizabeth C. Schockmel, Psy. D., Albany

Gary Solomon, Esq., The Legal Aid Society, New York City

(0.5 Credit in Areas of Professional Practice)

12:10 p.m.

Adjournment

Program Faculty

Glenn Metsch-Ampel, Esq., General Counsel and Deputy Executive Director, Lawyers for Children, New York City

Hon. Michelle I. Schauer, Family Court, Westchester County, Yonkers

Elizabeth C. Schockmel, Psy. D., Albany

Gary Solomon, Esq., The Legal Aid Society, New York City

About Robert J. Schack

Robert J. Schack was a founding member of the New York State Bar Association Committee on Children and the Law and, for many years, Chair of the Legislative Subcommittee. A supervising attorney at the New York State Attorney General's Office, Mr. Schack represented the State in several landmark juvenile justice and child welfare cases. He was a tireless advocate for children's rights and interests, and contributed enormously to the Committee's and Bar Association's achievements.

Register Online www.nysba.org/AM2017Children | **Get Social: #nysba17**

Learn More About the Committee on Children and the Law

www.nysba.org/childrenandthelaw

IMPORTANT INFORMATION

Under New York's MCLE rule, this program has been approved for a total of 3.5 credit hours (1.5 Ethics and 2.0 Areas of Professional Practice). This program is transitional and is suitable for MCLE credit for both newly-admitted attorney and experienced attorneys.

Discounts and Scholarships: New York State Bar Association members and non-members may apply for a discount or scholarship to attend this program, based on financial hardship. This discount applies to the educational portion of the program only. Under this policy, any member of our Association or non-member who has a genuine basis for their hardship, if approved, can receive a discount or scholarship, depending on the circumstances. Request for discounts or scholarships must be received prior to January 13th, 2017. For more details, please contact Michella Weiss in writing at New York State Bar Association, One Elk Street, Albany, New York 12207 or mweiss@nysba.org.

Special Note for Attorneys Representing Children and Family Court Assigned Counsel Panel Members: Attorneys for Children and Family Court (and Family Court appeals) Assigned Counsel panel members who are members of the New York State Bar Association are eligible to apply for a fee waiver for this program. If you qualify, you cannot register online. You must download the waiver form at <http://www.nysba.org/ChildrenandtheLaw>, attach it to the completed Annual Meeting Registration Form, and fax or mail back the completed forms to the number/address listed. To inquire about these waivers, please contact Michella Weiss at (518) 487-5591. All waivers must be received by **Friday, January 13, 2017**. No waivers can be issued after the cutoff date. Please note that if you are not a member of the New York State Bar Association, the \$200 nonmember surcharge cannot be waived.



Accommodations for Persons with Disabilities: NYSBA welcomes participation by individuals with disabilities. NYSBA is committed to complying with all applicable laws that prohibit discrimination against individuals on the basis of disability in the full and equal enjoyment of its goods, services, programs, activities, facilities, privileges, advantages, or accommodations. To request auxiliary aids or services or if you have any questions regarding accessibility, please contact Michella Weiss at 518-487-5591.



For overnight room accommodations, please call the New York Hilton Midtown at 1-800-445-8667 and identify yourself as a member of the New York State Bar Association. Room rates are \$260.00 per night plus taxes for single and double occupancy. Reservations must be made by Friday, December 16, 2016. You also can reserve your overnight room on the web at **www.nysba.org/am17accomm**.



For questions about this specific program, please contact Michella Weiss at 518-487-5591. **For registration questions only, please call the Member Resource Center at 800-582-2452. Fax registration form to 518-463-5993.**