DESCRIPTION

This course analyzes the evolution of legal “rights” of children and adolescents in America and how these “rights” are defined, protected and enforced through the legal process. These rights are examined in the context of the developmental needs of children and youth and competing societal interests. Examples of specific topics include: origins and definitions of children’s rights; the juvenile justice system (abused, neglected, and dependent children, foster care, guardianships, and minors accused of crimes); adoption; rights to due process; education; protection from harm and child welfare; education; and privacy, freedom of expression and exercise of First Amendment rights. Analysis of these topics incorporates: examination of how the legal process works; recognition and balancing of competing societal interests; using the legal system to make policy; legal advocacy groups; and how “rights” are determined and enforced. Course materials include: court opinions, particularly from the Supreme Court; texts and articles concerning issues confronting children and youth; secondary materials concerning the welfare of children in America today; and contemporary reporting of breaking news. The class will be interactive and use hypotheticals as a basis for discussion and analysis. Materials on breaking news events that relate to course topics will be posted to Coursework and incorporated into class discussions.

OBJECTIVES

1. To introduce and analyze areas in which the rights and developmental needs of children and youth are recognized, protected and processed in the legal system.

2. To promote and further an understanding of how American society, through the legal system, attempts to balance competing policy considerations in determining and enforcing rights asserted by affected groups against other public interests (free speech, education, non-discrimination, public safety, parental rights, etc.).

3. To encourage an appreciation of the difficulty of balancing different social needs and policy considerations, and to develop analytical abilities for examining and understanding various (and sometimes competing) views of an issue.

4. To examine the means of advocacy for the protection and welfare of children.
5. To encourage and develop probative, original, comprehensive, and critical thinking concerning the issues covered in the course.

**REQUIREMENTS**

1. Students are expected to have read the assigned reading(s) for each session.

2. Students are expected to be prepared for and participate in discussion of the required readings in class and in sections.

3. A written paper, approximately 15 pages long, is due Friday, May 27, 2016. The paper should be an original analysis of a topic related to children, youth and the law, and include thorough consideration of the competing considerations on various sides of the issues. The paper topic can relate to any subject that concerns children, youth and the law, whether or not covered in the course. The paper should show original, creative and clear thinking and direct research by the student. These requirements will be described in more detail in a separate memorandum.

4. A group research project and presentation on Monday, May 9, 2016. The presentations will be approximately 15 minutes in length. The project will analyze a topic related to children, youth and the law, and involve direct research with criteria similar to the paper described above. The goal is for the group to work together and achieve a dynamic level of participation and learning, and to present new and stimulating ideas to the class.

5. Two prompts for brief written responses are due on April 20 and May 18. The purpose of the prompts and your responses are to confirm your thoughts on the subject matter and materials that we have considered at that point in the course. The responses are to be approximately two pages and 500 words.

6. An open-book take home final examination that will be distributed and posted on Coursework after the class review session on Wednesday, June 1, 2016, and due on Tuesday, June 7 at 10:00 PM.

7. Grading: Paper, 35%; final, 35%; group project, 15%; responses to prompts, 10% (total for both prompts); class participation, 5-10%. I know that the math does not add up – class participation is expected, and active participation can provide extra credit.

8. Sections: One section a week of one hour. Purpose is to discuss and follow-up on class material, answer questions, and prepare for group projects and final exam. Times/locations TBD, beginning week of April 4.
9. Class Scheduling: Some classes during the quarter may need to be rescheduled for Sunday evenings. I will serve pizza and dessert for all make-up sessions.

REQUIRED READING

March 28:
Introduction to the legal system and overview of the legal process; overview of course requirements and expectations; how to read and analyze legal opinions; begin discussion of status, rights and obligations of children and youth. (US Constitution; Amazing Grace Parts 1 & 2; Stanley v. Illinois; Meyer v. Nebraska; Pierce v. Society of Sisters)

April 4:

April 11:

April 18:

April 25:
Abuse, neglect, intervention; role of public agencies and law enforcement; who protects children; termination of parental rights; foster care (DeShaney v. Winnebago County Department of Social Services; Santosky v. Kramer; Ginsberg v. New York; Parham v. J.R.; Maryland v. Craig; In re Phillip B.; Maryland v. Craig)

May 2:
Abuse, neglect, intervention, foster care – continued. (Smith v. Organization of Foster Families for Equality and Reform; Further readings TBA)

May 9:

May 16:

May 23:
Bullying, social media and Internet issues affecting children. Catch-up session, if needed, on May 25.

May 30:
May 30 is Memorial Day, no class. Review session for final exam is June 1.

OFFICE HOURS AND CONTACT INFORMATION

William F. Abrams
wabrams@stanford.edu
Office: Bldg. 20, Room 22J
650-725-9546 (Stanford office)
Office Hours: Sunday, 4:00 – 5:30
Monday and Wednesday, 5:15 – 6:15
And by appointment

Teaching Assistant:

Jimmy Threatt, Stanford Law School Class of 2016
jimmythreatt@gmail.com