

**CHILD, PARENT, AND THE STATE**  
**UNIVERSITY OF FLORIDA LEVIN COLLEGE OF LAW**  
**FALL, 2023 SYLLABUS – LAW 6714 – 3 CREDITS**

Professor Stacey Steinberg  
Virgil Hawkins Civil Clinics, Bruton Geer Hall  
Office Phone: 352.273.0800  
Email: [steinberg@law.ufl.edu](mailto:steinberg@law.ufl.edu) (*This is the best way to reach me! Since the clinic area is locked, please email me to schedule/access appointments.*)  
Office Hours: Mondays and Wednesdays 9-10 AM or by appointment

**MEETING TIME:** Mondays and Wednesdays 10:30 AM – 11:55 AM

**LOCATION:** HOL 382

**COURSE DESCRIPTION AND OBJECTIVES:**

My goal in teaching this course is to help you think critically about the law governing children. In this course, we will explore broad themes that run throughout the law, distill cases, interpret statutes, and identify assumptions that underlie this body of law. I hope to make this class interesting for everyone, including those students who do not intend to practice law in this area.

It is important to remember that we come to this class from various backgrounds, with many different beliefs about how the world should work, and what the law should be. My goal is not to change any fundamental beliefs that you hold. Instead, when you leave this course, my hope is that you not only have a good working knowledge of the subjects that we have covered, and can apply law from cases and statutes to real life situations, but that you understand that there are assumptions that underlie the law in this area, what these assumptions are, and can think critically about cases, statutes and the body of law that governs children.

**STUDENT LEARNING OUTCOMES:**

At the end of this course, students should be able to:

- understand concepts of the law related to children,
- be aware of lawyer's roles and ethical problems in representing children, and
- appreciate the difficulty of developing and applying rules related to child, government and parent interaction and conflict.

**REQUIRED READING MATERIALS:**

*Children and the Law: Doctrine, Policy, and Practice (Abrams, Mangold, and Ramsey) 7<sup>th</sup> Edition*

Please be sure to register for the Canvas course and have any required materials with you in print or easily accessible electronic form in class. You are responsible for checking your Canvas page and the e-mail connected to the page on a regular basis for any class announcements or adjustments.

**COURSE EXPECTATIONS AND GRADING EVALUATION:**

Your course grade will be based on primarily on your final examination. I will give you detailed information about your exam, as well as practice exam questions, later in the semester.

I may boost borderline grades based on active and thoughtful class-participation. I may also lower borderline grades based on excessive absences, tardiness, or disruptive behavior.

**CLASS ATTENDANCE POLICY:**

Attendance in class is required by both the ABA and the Law School. Attendance will be taken at each class meeting. Students are allowed four unexcused absences during the course of the semester. Students are responsible for ensuring that they are not recorded as absent if they come in late. A student who fails to meet the attendance requirement will be dropped from the course. The law school's policy on attendance can be found [here](#).

**UF LEVIN COLLEGE OF LAW STANDARD SYLLABUS POLICIES:**

Other information about UF Levin College of Law policies, including compliance with the UF Honor Code, Grading, Accommodations, Class Recordings, and Course Evaluations can be found at this link: <https://ufl.instructure.com/courses/427635/files/74674656?wrap=1>.

**ABA OUT-OF-CLASS HOURS REQUIREMENTS:** ABA Standard 310 requires that students devote 120 minutes to out-of-class preparation for every "classroom hour" of in-class instruction. Each weekly class is approximately 3 hours in length, requiring at least **6 hours of preparation**.

**COURSE SCHEDULE OF TOPICS AND ASSIGNMENTS**

Please expect our outline and assigned readings to change during the semester. I also did my best to indicate the main cases covered in the assigned readings to help you as you prepare, but this is not an exhaustive list. I will send out an email in Canvas to let you know of changes as they arise.

If not otherwise indicated, pages are from your assigned textbook, *Children and the Law* ("Text")

**Chapter 1: The Status, Rights, and Obligations of Children**

Monday, August 21<sup>st</sup>: Syllabus; Text pages 18-31 (Meyer, Pierce)

Wednesday, August 23<sup>rd</sup>: Text, pages 31-35, 39-60 (Prince, Tinker, Morse)

Monday, August 28<sup>th</sup>: Text, pages 66-80 (Troxel, Yoder)

Wednesday, August 30<sup>th</sup>: Text, pages 80-103 (Bellotti, Andrew F.)

**A View from the Bench – Overview of Florida's Dependency Court System, Unified Family Court, and Mental Health Court**

Wednesday, September 6<sup>th</sup>: Guest Speaker, The Honorable Denise Ferrero  
<https://circuit8.org/courts-judges/judge-denise-r-ferrero/>

*These videos may help you prepare for Judge Ferrero's visit as they explain what happens in dependency court and mental health court, two of the courts she presides over:*

Overview of the dependency system (from perspective of a former foster child – created for current foster kids): <https://www.flcourts.gov/Resources-Services/Education-Outreach/Court-System-Videos/Dependency-Court-Make-Your-Voice-Heard>

Overview of specialized court systems: <https://www.flcourts.gov/Resources-Services/Office-of-Problem-Solving-Courts/Mental-Health-Courts>

## **Chapter 2: Defining the Child-Parent Relationship**

Monday, September 11<sup>th</sup>: VIA ZOOM starting at 11 AM; Text pages 142-159 (Michael H., In re C.K.G.)

Wednesday, September 13<sup>th</sup>: Text, pages 159 – 171 and 193 – 198 (SoHoo, Wendy G-M, In re Thomas C.) Florida Statute 743.015 Disabilities of nonage; removal

## **Chapter 3: Representing Children**

Monday, September 18<sup>th</sup>: Model Act Governing the Representation of Children in Abuse, Neglect, and Dependency Proceedings; Dependency Flowchart #1: [https://www.flcourts.gov/content/download/215991/file/Floridas\\_Dependency\\_Flow\\_Chart\\_page1.pdf](https://www.flcourts.gov/content/download/215991/file/Floridas_Dependency_Flow_Chart_page1.pdf); Dependency Flowchart #2: [https://www.flcourts.gov/content/download/215992/file/Floridas\\_Dependency\\_Flow\\_Chart\\_page2.pdf](https://www.flcourts.gov/content/download/215992/file/Floridas_Dependency_Flow_Chart_page2.pdf),

Wednesday, September 20<sup>th</sup>: Text, pages 225-228, 240-255; (Kingsley, Kenny A., In re A.D.) Florida Statute 39.01305 Appointment of an attorney for a dependent child with certain special needs; 39.822 Appointment of guardian ad litem for abused, abandoned, or neglected child

Monday, September 25<sup>th</sup>: NO CLASS

## **Chapter 10: Regulating Children's Conduct**

Wednesday, September 27<sup>th</sup>: Text, 913-924, 926-935 (City of Rochester, In the Matter of Leif Z.)

## **Chapter 4: Abuse and Neglect**

Monday, October 2<sup>nd</sup>: Text page 305 (starting with the chart) - 321 (In re Juvenile Appeal, In re S.T.); Florida Statute 39.301- Initiation of protective investigations; Florida Statute 39.401- Taking a child alleged to be dependent into custody; law enforcement officers and authorized agents of the department; Florida Statute 39.501 - Petition for dependency

Wednesday, October 4<sup>th</sup>: Text pages 344-347, 358-366 (In re T.G., DeShaney); Florida Statute 39.01- Definitions; Florida Statute 39.001 - Purposes and intent; personnel standards and screening; 39.621 - Permanency determination by the court

Monday, October 9<sup>th</sup>: Text pages 366-372, 375-387 (In re N.M.W., Alma S.); Florida Statute 39.806 - Grounds for termination of parental rights; Florida Statute 39.810 - Manifest best interests of the child

Wednesday, October 11<sup>th</sup>: Guest Speaker, Jay McCarthy, Esq. ICWA. Class will meet via Zoom

### **-Spring Break-**

## **Chapter 5: Foster Care**

Monday, October 16<sup>th</sup>: Text 438-44; 480-490 (In the interest of T.G, M.D.) Florida Statute 39.701 - Judicial review.

Wednesday, October 18<sup>th</sup>: Text 514-525 (P.P)

## **Chapter 6: Criminal Abuse and Neglect**

Monday, October 23<sup>rd</sup>: Text 527 – 534, 540-545 (Ogin, Crawford)

Wednesday, October 25<sup>th</sup>: Text 573-596 (Craig, J.C.); Florida Statute 90.803 (23) - Hearsay exceptions; Statement of Child Victim

## **Chapter 7: Adoption**

Monday, October 30<sup>th</sup>: Guest Speaker, Mary K. Wimsett, Esq.

Please read Heart of Adoptions v. JA, 983 So. 2d 189 (pull from Westlaw, Lexis, etc.)

## **Chapter 8: Medical Decision-Making and Trauma-Informed Care**

Wednesday, November 1<sup>st</sup>: Guest Speaker, Teresa Drake

Text pages 689-706, 714-720 (Parham, Newmark)

## **Chapter 11: Delinquency**

Monday, November 6<sup>th</sup>: Text pages 982-1002 (TLO, Safford); Delinquency Flowchart: <https://www.flcourts.gov/content/download/402738/file/Delinquency-Flowchart-2018.pdf>

Wednesday, November 8<sup>th</sup>: Text pages 1009 – 1038 (Joseph H. x 2, Schall)

Monday, November 13<sup>th</sup>: Text pages 1040-1055; 1070-1075 (Gault, McKeiver)

## **Review**

Wednesday, November 15<sup>th</sup>: Review

Monday, November 27<sup>th</sup>: Asynchronous class on interviewing children. Please watch the follow video. Additional videos may be provided to supplement this lesson:  
<https://www.youtube.com/watch?v=OYLWkVHvgOM>