

Join us ONLINE for the

43RD NATIONAL CHILD WELFARE LAW *Virtual* CONFERENCE



MON AUG 24 THROUGH FRI AUG 28, 2020
PRE-CONFERENCE: SUN AUG 23



THE SAFETY OF YOUR HOME OR OFFICE

The Conference

Once again, the top leaders in child welfare law are coming together.
This time online!

NACC is committed to providing high-quality continuing legal education programs and networking events to strengthen and support child welfare legal practitioners nationwide. This is a critical time for community, information-sharing, and dialogue as we redefine advocacy and legal representation in the midst of a public health crisis and a movement to end racial disparities.

NACC is excited to offer you a virtual conference that promises to build community through online social networking events, promote excellence through increased learning opportunities, and advance justice through a conference agenda that is dynamic, forward-looking, and innovative. Thank you for the work you do every day to support children and families!

NACC

National Association
of Counsel for Children

Promoting
Excellence

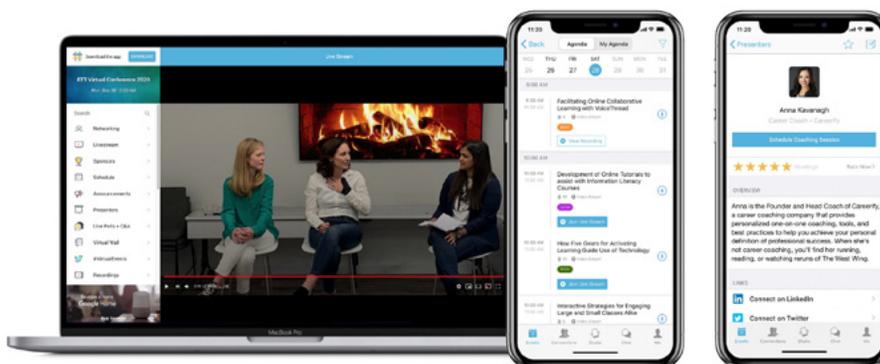
Building
Community

Advancing
Justice

Conference Platform



NACC is excited to share we have selected Socio for our virtual conference platform and app! Registered attendees will be able to watch live streams directly from the platform on their desktop/laptop and on the conference app on tablet/mobile, and then access all recordings after the live stream ends. Registered attendees will have access to all content – plenary and breakout recordings, conference materials, networking contacts, and more – for a full year to watch and review at your leisure. Connect, meet, and engage with other attendees, speakers, sponsors, and exhibitors using social features as well.



Sponsor/Exhibit



Join the conversation and demonstrate your commitment to NACC’s mission and programs by participating as a Conference Sponsor or Exhibitor. See NACC’s Sponsorship and Exhibiting Prospectus on our Conference webpage or contact Conference@NACCchildlaw.org for more information. This year’s virtual conference platform and app offer lasting opportunities to connect and engage.

Schedule at a Glance

| Sun AUG 23 | Mon AUG 24 | Tue AUG 25 | Wed AUG 26 | Thu AUG 27 | Fri AUG 28 |
|--|---|--|-------------------------------------|---|--|
| Time TBD | 11:00 – 11:10am | 11:00 – 12:15pm | 11:00 – 12:15pm | 11:00 – 12:15pm | 11:00 – 12:15pm |
| Preconference: Children's Law Office Convening | Welcome | Breakout 4 | Breakout 8 | Breakout 11 | Breakout 15 |
| | 11:15 – 12:45pm PLENARY 1 | 12:45 – 2:00pm Breakout 5 | 12:45 – 2:00pm Breakout 9 | 12:45 – 2:00pm Breakout 12 | 12:45 – 2:00pm Breakout 16 |
| | 1:15 – 2:30pm Breakout 1 | 2:30 – 3:45pm Breakout 6 | 2:30 – 4:00pm PLENARY 2 | 2:15pm – 3:15pm Social Activity | 2:30 – 4:00pm PLENARY 3 |
| | 3:00 – 4:15pm Breakout 2 | 4:15 – 5:30pm Breakout 7 | 4:30 – 5:45 Breakout 10 | 3:45 – 5:00pm Breakout 13 | 4:30 – 5:45pm Breakout 17 |
| All times are Eastern Daylight | 4:45 – 6:00pm Breakout 3 | 6:00 – 7:00pm CWLS Reception | 6:30 – 8:00pm Movie Night | 5:30 – 6:45pm Breakout 14 | 6:00 – 7:00pm Closing & Awards |
| | 6:15 – 7:30pm Welcome Reception | | | | |

PROGRAM All times are Eastern Daylight**Sunday, Aug 23, 2020**

TIME TBD

PRECONFERENCE**Children's Law Office Convening**

More information coming soon.

Monday, Aug 24, 2020

11:00 – 11:10 AM ET

WELCOME

11:15 AM – 12:45 PM ET

PLENARY 1**“We Are Sending More Foster Kids to Prison Than College” –
A Call to Action to Disrupt Bad Outcomes for Older Youth in Foster Care**

FACULTY : Laura Bauer – Kansas City Star, Olathe, KS
 Sixto Cancel – Think of Us, New York, NY
 Sandra Gasca-Gonzales, MS – Annie E. Casey Foundation, Washington, DC
 Ira Lustbader, JD – Children's Rights, New York, NY

In her extraordinary Kansas City Star reporting, after a year of research and analysis including a confidential survey of 6,000 prison inmates from 12 states, journalist Laura Bauer unflinchingly lifts up the challenges of the shocking 1 in 4 inmates who were in foster care. The lived experience of these inmates shines a light on their strength and survival, their needs, structural foster system failures and “aging out” outcomes. This plenary session will tap Bauer's insights and findings and those on a panel of national legal and policy experts, touching on permanency, family connections, education, housing, employment, mental health care, incarceration, structural racism, and the COVID-19 pandemic. All to support a call to action for the entire NACC membership to aid in the disruption of continued bad outcomes for older foster youth.

1:15 – 2:30 PM ET

BREAKOUT 1**When Attorneys Should Object to the Overuse of Psychiatric Medication
in Foster Children**

FACULTY : Dr. Martin Irwin, MD – New York City Administration for Children's Services, New York, NY
 Dr. Suchet Rao, MD – New York City Administration for Children's Services, New York, NY

Multiple studies have concluded that children in foster care are prescribed psychiatric medication at a rate significantly higher than other populations of children. Compounding the problem, biological parents or legal guardians are frequently pressured to sign consents forms without having ever spoken to the psychiatric provider. When parents refuse to consent, even if their objection is reasonable, the medications are often administered over their objections. Attorneys representing children and parents, and family court itself, can play vital roles in reducing the overuse of medication. The presentation will cover the “red flags” that can help attorneys recognize situations where the child's treatment with psychiatric medications may be problematic, when parents' objections are reasonable, when informed consent is invalid, and the benefits of independent court-ordered psychiatric review.

3:00 – 4:15 PM ET**BREAKOUT 2****FFPSA Passed: The Real Work to Radically Reform our Nation's Child Welfare Systems is just Beginning**

FACULTY : Erin Palacios, MA, JD – Youth Law Center, San Francisco, CA
Jenny Pokempner, JD – Juvenile Law Center, Philadelphia, PA

The Family First Prevention Services Act (FFPSA) is an attempt to radically change foster care systems nationwide to ensure that every child has the best opportunity to grow up in a connected, loving family. The COVID-19 crisis has demonstrated the urgent need to reduce and eliminate the use of group care and to have adequate supports for youth and families in the community. Recent events have also shown the degree to which eliminating the use of group care is work that needs to be done to further racial equity. In this session we will explore strategies for building service and placement continuums under the FFPSA that achieve the goal of keeping and getting youth to family, including how to leverage prevention services for youth, how to incentivize and support family settings, and how to ensure that group care does not grow through the use of exceptions related to special population. We will include strategies related to youth in the juvenile justice system in all areas of discussion.

4:45 – 6:00 PM ET**BREAKOUT 3****Indian Child Welfare Act: Lessons from the Last Frontier**

FACULTY : Rachel Espejo, JD – Alaska Public Defender Agency, Anchorage, AK
Courtney Lewis, JD, CWLS – Alaska Public Defender Agency, Anchorage, AK

Indigenous families are disproportionately affected by the child welfare system. Congress enacted ICWA to protect families, but over 40 years later there is still much inconsistency in ICWA's application. In 2016, the Bureau of Indian Affairs issued federal regulations to standardize implementation. Alaska is home to 40% of federally recognized Tribes; Indian children comprise over half of the state's foster care population. ICWA is a daily consideration for Alaskan child welfare practitioners. This session will review ICWA and its regulations, including identifying a potential Indian child, when ICWA applies, placement preferences, active efforts, Tribal jurisdiction, and qualified expert witnesses.

6:15 – 7:30 PM ET**WELCOME RECEPTION**

More information coming soon.

Tuesday, Aug 25, 2020**11:00 AM – 12:15 PM ET****BREAKOUT 4****Making the Agency's Witness Your Own: Cross-Examining the Case Worker**

FACULTY : Victoria Bleier, JD – Committee for Public Counsel Services, Children and Family Law Division, Pittsfield, MA
Eleanor Wilkinson, JD – Committee for Public Counsel Services, Children and Family Law Division, Pittsfield, MA

There's nothing more satisfying than a good cross-examination. Come learn how to use the agency's witness to make your client's case. This session will provide participants with practical skills to implement during the cross-examination of an agency case worker. Through an interactive BINGO game and live demonstrations, learn techniques to turn the worker's testimony to your advantage. The session will provide information on the need for formal discovery, the importance of preparation, techniques for controlling the witness, and cheat sheets to use in court.

12:45 – 2:00 PM ET**BREAKOUT 5****How Parent and Child Attorneys Can Collaborate to Advocate for Survivors of CSEC**

FACULTY : Brian Atkinson, JD – Wilbanks Child Endangerment and Sexual Exploitation Clinic, University of Georgia School of Law, Athens, GA

Diana Rugh Johnson, MS, JD, CWLS – Diana Rugh Johnson, PC and DeKalb County Juvenile Court, Atlanta, GA

The session will focus on the issues faced by children who are survivors of the commercial and sexual exploitation of children (CSEC) and their families. Session attendees will learn about CSEC, specialized services for children and their families, and trauma-informed practices such as effective communication with survivors of trauma and how to engage the whole family to achieve reunification or other appropriate permanency outcome for the child survivor.

2:30 – 3:45 PM ET**BREAKOUT 6****Termination of Parental Rights and Adoption: Brave Conversations on Parental Loss and Effective Holistic Advocacy**

FACULTY : Heather Wilson, JD – Children's Law Center of Los Angeles, Monterey Bay, CA

This interactive session will have participants recognize parental loss through TPR, understand how adoption finalization is bittersweet, and why it is important to further study and explore how children, from newborns to youth, may express this experience. Attendees will hear about the TPR and adoption journey from the viewpoint of child and adult adoptees. Further, available resources will be shared for attorneys, social workers, and others, to address the mental, emotional, and physiological needs of these children. Finally, participants will craft the brave conversations that advocates should be having with prospective adoptive parents to better equip them to raise and love the children they plan to adopt.

4:15 – 5:30 PM ET**BREAKOUT 7****How Civil Legal Services Can Lift Youth and Young Adults Out of Homelessness**

FACULTY : Chach Duarte White, JD – Legal Counsel for Youth and Children, Seattle, WA

Rhea Yo, JD – Legal Counsel for Youth and Children, Seattle, WA

Providing holistic, youth-centered, community-based civil legal aid services can help address homelessness among young people. Civil legal advocacy can directly impact young people's safety, stability, and access to education, employment, income, and housing. This session will address how civil legal aid helps address homelessness among young people and provide a framework for how to implement legal services for homeless youth in your community. In 2017, the Homeless Youth Legal Network of the American Bar Association named Legal Counsel for Youth and Children one of twelve model programs nationally providing quality legal services to youth struggling with homelessness. LCYC provides legal services to homeless young people, 12 to 24 years in age, in urban, suburban, and rural areas in King and Walla Walla Counties in Washington state.

6:00 – 7:00 PM ET**CWLS RECEPTION**

More information coming soon.

Wednesday, Aug 26, 2020**11:00 AM – 12:15 PM ET****BREAKOUT 8****Making “Least Restrictive” a Reality: Tools to Challenge Congregate Care Placements**

FACULTY : Cristina Freitas, JD, MPH – Freitas & Freitas, LLP, Lowell, MA

Debbie Freitas, JD, MPH – Freitas & Freitas, LLP, Lowell, MA

Catherine Krebs, JD – Children’s Rights Litigation Committee at the American Bar Association, Washington, DC

Federal law has long required child welfare agencies to place children in the least restrictive setting. Research has shown that the effects of even one congregate care placement can have lifelong consequences for children, including increasing their likelihood to be arrested, drop out of school, and have lower levels of achievement overall. Despite good laws on the books and evidence of poor outcomes, states continue to over-rely on congregate care settings. COVID-19 exposed the many inherent dangers and limitations in congregate care settings, which we will review and incorporate into our strategies moving forward. This program will provide audience members with concrete tools, including how to collect and marshal the data regarding these congregate care placements and compare them to your client’s needs, in order to limit state agency reliance on these placements in your own caseload.

12:45 – 2:00 PM ET**BREAKOUT 9****Preparing Communities and Child Welfare Professionals Ahead of a Workplace Raid**

FACULTY : Carlyn Hicks, JD, CWLS – Mission First Legal Aid Office, Jackson, MS

Losmin Jimenez, JD – Advancement Project, National Office, Washington, DC

This session will provide a brief overview of what happens during a workplace raid, what infrastructure is needed after a raid, and lessons learned from a child welfare practitioner in Mississippi that responded and continues to respond to the critical humanitarian needs after a workplace raid. Child welfare professionals can learn what steps they can take proactively so they can be ready to respond if a workplace raid takes place in their community.

2:30 – 4:00 PM ET**PLENARY 2****Litigating Race: A Discussion on Using Legal Tools and Resources to Combat Implicit Racial Bias in Child Welfare and Juvenile Proceedings**

FACULTY : Dawne Mitchell, JD – The Legal Aid Society, New York, NY

Shomari Ward, JD – The Legal Aid Society, New York, NY

It is important for legal practitioners to understanding the role that race and racial bias play in their daily practice, particularly when representing the interests of children from poor Black and brown communities. More important is having the tools necessary to confront the systematic racism stacked against their indigent, Black and brown clients. This session will aim to equip practitioners and their supporting cast with legal tools that combat racism, among other markers in the child welfare and juvenile justice systems. These tools include, but are not limited to, fact-gathering techniques; client counseling tips; review of past and current case law; and a brief history of racism in the systems that directly impact children from poor Black and brown communities.

4:30 – 5:45 PM ET**BREAKOUT 10****A Multidisciplinary Toolbox for Serving Children 0–5**

FACULTY : Dr. Kathryn Orfirer, PhD – Private Practice, Oakland, CA

Tori Porell, JD – East Bay Children’s Law Offices, Oakland, CA

For the youngest children in the child welfare system, attachment, development, mental health, and physical health are all completely enmeshed. Children under five years old require a multidisciplinary

approach to meet their needs both in and out of the courtroom. Participants will take away an understanding of how trauma and attachment disruption can impact development, learning, and health, and how timely access to Early Intervention services can make a lifelong difference. This session will present advocates with a variety of legal, administrative, and collaborative tools for serving this vulnerable and resilient population.

6:30 – 8:00 PM ET

MOVIE NIGHT

***Aged and Confused* : A Documentary Screening and Talk-Back**

FACULTY : **Anakha Arikara, MS** – Columbia University Graduate School of Journalism, New York, NY

Kaira Batiz

Alexander Jimenez – Queensborough Community College

Christina Shaman, MS – Columbia University Graduate School of Journalism, New York, NY

In this session, we will screen our 35-minute documentary film, *Aged and Confused*, about a young man aging out of foster care in New York City. Following the film will be a talk-back with the directors and the film's protagonist, Alex Jimenez, who recently aged out of New York's foster care system. About the film: Alex Jimenez has big dreams. He wants to start his own business, advocate for foster youth and adopt his younger sister. But first, he needs to find a home and manage not to flunk out of community college. With ninety days left before he ages out of foster care, Alex has to get it together, or risk going back to the world he's trying to escape.

Thursday, Aug 27, 2020

11:00 AM – 12:15 PM ET

BREAKOUT 11

Representing Parents with Disabilities and their Families: Strategies and Solutions for Effective Advocacy

FACULTY : **Robyn Powell, MA, JD** – National Research Center for Parents with Disabilities, Waltham, MA

As people with disabilities are increasingly integrated in their communities, growing numbers are becoming parents. At the same time, parents with disabilities, especially parents with intellectual or psychiatric disabilities, and their families are underserved by the child welfare system and often face substantial disparities. This session will provide strategies and solutions for representing parents with disabilities and their families involved with the child welfare system, including how to use the ADA effectively. This session will explore recent research, which examines the perspectives and experiences of parents with disabilities, child welfare professionals, and parent attorneys. It will also describe case law concerning these families, focusing on important trends. This session will conclude with information about state legislative efforts concerning parents with disabilities.

12:45 – 2:00 PM ET

BREAKOUT 12

Brain Essentials: Merging Science with Advocacy to Give Children, Youth and Families “What They Need” instead of “What We’ve Got”

FACULTY : **Judge Robert Lowenbach, CWLS** – J. Robert Lowenbach Consulting, Greeley, CO

When we remove children and youth from their families, they deserve to receive the services they need. We know that toxic stress in children and youth leads to poor outcomes in many children. Further, we know what works to help these children and youth. The evidence is also clear that a strong relational milieu mitigates harm and supports resiliency in abused and neglected children. While this evidence is clear, the “system” has been too slow to respond and to implement “what we know.” Instead of “what they need,” children, youth and families receive interventions from a “checklist” of services contracted by the Department. In other words, the system provides “what we’ve got.” This workshop will review concepts of toxic stress, early neural development, and proven interventions from a psychological perspective but will focus on effective strategies to improve the legal system. Learners will be reminded of tools that are

readily available to child and family advocates. Learners will be guided to share their experiences in system reform. Finally, they will collaboratively create their own toolbox of advocacy strategies in order to positively affect the conduct of legal proceedings touching children, youth, and families.

2:15 – 3:15 PM ET

SOCIAL ACTIVITY

More information coming soon.

3:45 – 5:00 PM ET

BREAKOUT 13

From Our Perspective: Youth & Alumni Priorities on Reforming the Child Welfare System

FACULTY : Angel Petite, BS – FosterClub, Seaside, OR
National Foster Care Youth & Alumni Policy Council members

Members of the National Foster Care Youth & Alumni Policy Council (young adults with lived experience in foster care) are involved from the community to national level in improving policy and practice to lead to better outcomes for children and youth served by the system. Whether you are a judge, attorney, or advocate, learn how you can ensure your work is informed by youth perspective. We believe experience = expertise. Explore the profound impact that including youth expertise can have when working to effectively serve children, youth, and families. Join an interactive dialogue with members of the Council. Discuss opportunities and priorities regarding prevention services, ensuring appropriate placements (including residential placements), post-permanence supports, special populations, and improved supports for older youth, including Chafee and ETV services.

5:30 – 6:45 PM ET

BREAKOUT 14

Confidentiality and Information-Sharing in Child Welfare Cases: The Good, Bad, and Outstanding Questions

FACULTY : Rebecca Gudeman, JD, MPA – National Center for Youth Law, Oakland, CA

This session will use to practical exercises to focus on the laws and best practices surrounding confidentiality and information-sharing in child welfare cases. The presenter will review federal statutes impacting information-sharing of educational, substance abuse, health, and gender identify information in court reports. The session will also cover some promising state statutes that have tried to clarify these issues. Finally, the presenter will discuss confidentiality during remote hearings and services.

Friday, Aug 28, 2020

11:00 AM – 12:15 PM ET

BREAKOUT 15

Advocating for Transgender Youth in Care: A Case Study

FACULTY : Emma Hetherington, JD – Wilbanks Child Endangerment and Sexual Exploitation Clinic, University of Georgia School of Law, Athens, GA
Dr. Sarah Skinner, PhD, MSW – University of Georgia School of Social Work, Athens, GA
Kacey Long, MSW – The Cottage, Sexual Assault Center & Children's Advocacy Center, Athens, GA

Transgender youth are overrepresented in the foster care system. While transgender youth enter the foster care system for many of the same reasons as non-transgender youth in care, such as abuse, neglect, and parental substance abuse, transgender youth have the added layer of trauma that comes with being rejected or mistreated because of their gender identity or gender expression. This session will discuss best practices and trauma-informed strategies in advocating for transgender youth in foster care. Topics will include legal name changes, advocating for hormone therapy, alleviating discriminatory practices in schools, and safe and supportive housing options.

12:45 – 2:00 PM ET

BREAKOUT 16**“A Walk in My Shoes” – A Parent’s Perspective and Engaging Parents when they are in Crisis**

FACULTY : Darice Good, JD – Good Legal Firm, LLC, Roswell, GA
S. Colleen Puckett, JD – Good Legal Firm, LLC, Roswell, GA

A Walk in My Shoes allows attendees to view the system through the eyes of parents; to see how the negative stereotypes affect parents and to learn how to positively change the narrative. The session will help attendees to learn how parents’ brains process when in crisis and how to engage parents when they are in crisis to diffuse the situation.

2:30 – 4:00 PM ET

PLENARY 3**Compassion: The Key Ingredient in all Efforts to Reunify Children with Families in the Child Welfare System**

FACULTY : Jerry Milner, DSW – Children’s Bureau, Administration on Children, Youth & Families, US Dept. of Health & Human Services, Washington, DC
David Kelly, JD – Children’s Bureau, Administration on Children, Youth & Families, US Dept. of Health & Human Services, Washington, DC
Vivek Sankaran, JD – University of Michigan Law School, Ann Arbor, MI
Shrounda Selivanoff, BAS – Washington State Office of Public Defense, Seattle, WA
Amelia Franck Meyer, MSW, EdD – Alia Innovations, Minneapolis, MN

This session will explore the role that compassion must play in all efforts to reunify children with their families in the child welfare system. Attendees will hear about evidence suggesting that the child welfare system has a crisis in compassion that must be addressed. Then they will learn about the strong evidence – primarily from other fields – about the role compassion plays in helping people address the challenges in their lives. Finally, they will gain specific techniques about how to practice compassion in their representation of families.

4:30 – 5:45 PM ET

BREAKOUT 17**You Can’t Pour from an Empty Cup: Helping Yourself to Help Your Clients**

FACULTY : Ayanna Butler, JD, CWLS – Louisiana 5th Circuit Court of Appeals, Gretna, LA
Mary Mustaller McMillan, JD, CWLS – Jefferson Parish Juvenile Court, Harvey, LA
Josephine Vanderhorst, MA, JD – Southeast Louisiana Legal Services, New Orleans, LA

Turnover in the child welfare field is fast and furious. Practitioners face limited resources, high case-loads, and a lack of regard even from members of their own professions and organizations, all of which can cause burnout and lead to attorneys leaving our chosen field. If we are to continue doing the work we love effectively, without losing the institutional knowledge of experienced professionals, we must hold ourselves and our colleagues accountable for self-advocacy and self-care. A panel of three current and former children’s attorneys with a combined 22 years of direct advocacy experience provides practical tips and strategies for avoiding burnout in the face of vicariously-traumatic work, in a field plagued by limited resources and constant turnover. Attendees will learn how to identify the effects of secondary trauma in the early stages, mitigate the effects of working on the front lines of clients’ worst days, and advocate for themselves and their own needs within the context of larger organizations which may see child welfare work as an afterthought.

6:00 – 7:00 PM ET

CLOSING & AWARDS

More information coming soon.

About NACC

Founded in 1977, the National Association of Counsel for Children (NACC) led the evolution of children’s law from a cause to a profession by establishing child welfare law as a specialty practice requiring distinctive training, skill, and support. Fundamental to our mission is the core belief that all parties deserve effective and zealous legal advocates to ensure their voices are heard, to fight for their needs, and to navigate the systems impacting their lives. NACC helps lawyers do this important work, and advances public policies that protect children’s rights, recognize their needs, and give them opportunities.

OUR VISION

Every child and family involved with the court system is well-represented by a lawyer who works to ensure that every child is raised by a nurturing family and has positive life opportunities.

OUR MISSION

To advance the rights, well-being, and opportunities of children impacted by the child welfare system through access to high-quality legal representation.

NACC’s core programs *Promote Excellence, Build Community, and Advance Justice*.



NACC **promotes excellence** in legal representation through attorney training, publishes the seminal *Child Welfare Law and Practice* treatise and is the only national organization accredited by the American Bar Association to certify attorneys as Child Welfare Law Specialists (CWLS).



NACC **builds community** through our membership program, national conference, state coordinator program, and affinity groups, such as the Children’s Law Office Project.



NACC **advances justice** for children through policy advocacy, systemic technical assistance and reform, and amicus curiae briefs.

THANK YOU TO OUR CONFERENCE ABSTRACT WORKGROUP:

Kathryn Banks
Kim Dvorchak
Allison Green
Abigail Hill

Michelle Jenson
Amy Karp
Erica Lemon
Kristen Pisani-Jacques

Cristal Ramirez
Christy Van Gaasbeek



National Association of Counsel for Children

NACC Staff

Kim Dvorchak, JD

Executive Director
Kim.Dvorchak@NACCchildlaw.org

Ginger Burton

Certification Administrator & Technical Writer
Ginger.Burton@NACCchildlaw.org

Ruthann Gonzalez

Membership Outreach Assistant
Ruthann.Gonzalez@NACCchildlaw.org

Allison Green, JD, CWLS

Legal Director
Allison.Green@NACCchildlaw.org

Kristen Pisani-Jacques, JD

Training Director
Kristen.Pisani-Jacques@NACCchildlaw.org

Cristal Ramirez, MS

Youth Coordinator
Cristal.Ramirez@NACCchildlaw.org

Daniel Trujillo

Director of Certification, Sales, and Technology
Daniel.Trujillo@NACCchildlaw.org

Sara Willis, MA

Business and Operations Director
Sara.Willis@NACCchildlaw.org

Departments

Advocate@NACCchildlaw.org

Certification@NACCchildlaw.org

Comms@NACCchildlaw.org

Conference@NACCchildlaw.org

Membership@NACCchildlaw.org

Policy@NACCchildlaw.org

Training@NACCchildlaw.org

The National Association of Counsel for Children is dedicated to advancing the rights, well-being, and opportunities of children impacted by the child welfare system through high-quality legal representation.

National Association of Counsel for Children

1600 Downing Street, Suite 410
Denver, CO 80218

1-888-828-NACC • 303-864-5320

www.NACCchildlaw.org

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Policy and Program Coordinator
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Currey Cook, JD

Director of the Youth in Out-of-Home Care
Project • Lambda Legal • NEW YORK, NY

Sheri Freemont, JD

Senior Director • Casey Family Programs,
Indian Child Welfare Program • DENVER, CO

Amy Harfeld, JD

National Policy Director & Senior Staff
Attorney • Children's Advocacy Institute,
USD School of Law • WASHINGTON, DC

Dawne Mitchell, JD

Attorney in Charge, Juvenile Rights Practice
• Legal Aid Society • NEW YORK, NY

Henry J. Plum, JD

Attorney & Consultant • New Berlin, WI

Robert G. Schwartz

Visiting Scholar, Temple University Beasley
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John H. Stuemky, MD

Section Chief, Pediatric Emergency
Medicine • Children's Hospital at OU
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Sonia C. Velazquez

Executive Director, Literature for All of Us,
and Organizational Consultant • Chicago, IL

Dan Wilde, JD

Director • Wyoming Guardian ad Litem
Program • CHEYENNE, WY

Robert Fellmeth, JD

Executive Director/Professor
• University of San Diego Law School, Children's
Advocacy Institute • SAN DIEGO, CA

David R. Katner, JD

Professor of Clinic Law & Director
• Tulane Law School Juvenile Law
Clinic • NEW ORLEANS, LA

Chris Wu, JD

Principal Court Management Consultant
• National Center for State Courts • ARLINGTON, VA