

# LEGAL AID SOCIETY OF MIDDLE TENNESSEE AND THE CUMBERLANDS

INFORMATION FOR RELEASE

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## **DO CHILDREN HAVE RIGHT TO LEGAL REPRESENTATION? LEGAL AID SAID “YES” – AND OFFICE OF THE COURTS AGREED**

### *Tennessee Administrative Office of the Courts Grants Legal Aid Funding to Represent Minors in Domestic Violence Cases*

NASHVILLE, Tenn. June 26, 2007 – Often, when parents of juveniles wind up in court, no one is focused on the interests of the most vulnerable party: the children.

At least that is how it used to be. The Legal Aid Society came to the rescue several months ago when it began providing legal representation to juveniles and organizing a pro bono effort within the Nashville legal community to help meet children’s large and growing need for legal counsel.

This good work has paid off – literally. The Tennessee Administrative Office of the Courts recently announced that it is awarding a \$10,000 grant to Legal Aid Society, half of which will go toward funding best interest attorney representation for children of unmarried parents when one parent petitions the juvenile court for an Order of Protection against the other. The remaining \$5,000 will go towards providing divorce counsel for victims of domestic violence.

“You used to almost never see a child represented by counsel in an Order of Protection hearing,” said Stacey Smith, an attorney with Legal Aid Society. “As a best interest attorney, it’s my job to investigate how the children live and make recommendations to the juvenile court referee that will provide the most stable and safe environment for the children.”

Smith’s casework can include home visits, recommending drug testing or counseling for parents or further investigation by the Department of Children’s Services.

“One of the big issues for the court is enforcement,” Smith said. “If the court orders a parent to go to rehab or to anger management classes, the resources needed to follow up

and make sure the order is carried out are often not available. We can help ensure that parents comply with court orders.”

Smith, whose position is partially funded by the \$10,000 grant, also takes divorce cases for victims of domestic violence and helps organize training for volunteer lawyers who want to provide best interest attorney services through the Nashville Pro Bono Program.

“Children don’t have money, so they can’t afford a lawyer,” said Jean Crowe, managing attorney for the Family Law Section of Legal Aid Society. “Before we began this program, children rarely had an attorney looking out for their best interests in order of protection cases. We’re just beginning to understand just how important this is for the long-term health of the child.”

Founded in 1968, the Legal Aid Society is a private, not-for-profit organization governed by a local board of directors comprised of attorneys and members of the client population. Legal Aid Society provides free legal assistance in civil matters to people in 48 Middle Tennessee counties with a total eligible population of 382,000. They have offices in Nashville, Gallatin, Clarksville, Murfreesboro, Columbia, Tullahoma, Cookeville and Oak Ridge.

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