

Chair's Column

The creation of the Child Protection Law Section within the State Bar of Texas (SBOT) became a reality last Friday, January 26, when the Board of the SBOT voted unanimously to form the new section. This significant accomplishment represents decades of hard work on the part of many legal professionals throughout the state who are committed to improving the welfare of children.

The history of child-welfare protection law is relatively brief. Traditionally, children had few rights, with full authority over their lives being vested in their parents. A paradigm shift began in the 1960s with the help of several Supreme Court decisions extending certain constitutional rights to children. During the 1960s, the Department of Public Welfare began to deal head-on with abuse and neglect in Texas. In 1962, the U.S. Congress defined abuse and neglect in the Child Welfare Provisions of the Public Welfare Amendments to the Social Security Act. And in 1974, the federal movement to prevent child abuse and neglect began in earnest with the creation of the Child Abuse Prevention and Treatment Act (CAPTA). This Act created the National Center for Child Abuse and Neglect (NCCAN) and provided federal funding to state child-protection agencies.

Thankfully, the historical treatment of children as chattel has given way to our current recognition that children are individuals worthy of protection. Today society realizes that children are frequently innocent participants in events over which they have no control and from which they must be protected. And they should be respected in the process.

As a jurist who has devoted much of my professional career to helping children, I am proud beyond words of this meaningful action taken by the SBOT. The willingness of the Bar to create and support this section reflects society's move towards recognition of children as autonomous beings with individual needs, desires, feelings, and concerns. I admire the SBOT for rising to the challenge—our children deserve it.

Sincerely,

Debra H. Lehrmann
Justice, Supreme Court of Texas
Inaugural Chair of CPL Section