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## Making a Difference: The Attorney's Role as Child Advocate

*Justice Anne M. Burke\**

An exciting current focus of many in the legal profession is the shaping of a critical discipline surrounding the advocacy of children. This process involves defining the boundaries of juvenile law and examining the role of children within those boundaries. But juvenile law is more than merely the latest craze in our profession. Rather, it is a genre of legal study which has emerged to address the prevalent, problematic anomalies and traumas that often cripple the mental and physical health of children of this age. Society has reached an impasse in its approach toward solving the problems of children, necessitating a search for resources in legal thought to address ever increasing levels of child maltreatment, poverty, and violence.

For many years, child welfare professionals have indicated the necessity for the legal profession to catch up with the realities of our times. The high statistics verifying the hazardous conditions in which children in our nation currently find themselves stretch the boundaries of legal thought. Unique circumstances demand the search for a legal vocabulary and understanding that can adequately respond to the nature of today's complex challenges. Juvenile issues have reached epidemic proportions in contemporary society. As the complexities of juvenile law are examined and debated, legal professionals have an extraordinary opportunity to increase societal awareness of these issues and better the lives of children who are often damaged by their home environment and ignored by the politics of the times.

Juvenile law emerges from a broad human rights perspective, its roots stemming from a need to represent children who cannot defend

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themselves. It is alive with an imagery that has become all too familiar to the American public who have witnessed detailed media coverage of the shocking realities of child abuse, neglect, and abandonment. These are not issues hidden from the experience of ordinary Americans. All too frequently, they contribute to a macabre portrait of an America plagued by continuous discoveries of piteous epidemic child abuse. Juvenile law encompasses a "bill of rights" for our nation's most fragile citizens. Child advocates attempt to reclaim the basic rights of children by providing them with protection and a voice with which to gain the attention of the legal system and society.

As the number of legal professionals and academics focusing their efforts on juvenile law increases, one can see the myriad opportunities for study and practice in this area. The second ChildLaw Symposium issue of this law journal provides an excellent example of this diverse emergent body of research and law. The articles in this issue cover a wide spectrum of legal viewpoints on the issues facing our children and families. Practitioners, academics, and students explore issues as varied as the need for provisions dealing with adolescents in HIV-AIDS policies to the emerging trend among states to establish community notification laws for child sex offenders. The viewpoints of the authors featured in this issue range from the practical to the philosophical, exploring and challenging legislative trends, jurisprudential approaches, and society's frenetic attitude toward our children.

But beyond the theoretical and philosophical debates that formulate the contours of juvenile law, there is a critical need for legal professionals to widen their own personal experience of the human elements out of which this genre arises. While we are grateful to our colleagues for helping to shape a body of juvenile law through their research and analysis, all legal professionals can have their worlds and their hearts expanded by becoming involved with the most tender and vulnerable of our citizens. In addition to the clinical or casebook analysis, it is possible for legal professionals to alter the current geography of juvenile law by choosing a hands-on approach which has few rivals—a human strategy focusing on a human approach.

I believe that in the refined traditions of our profession the law itself encourages that we become advocates for the welfare and life of children. In the tradition of *amicus curiae*, the courts have consistently relied on the personal experience of individuals in helping the courts gather as much pertinent information regarding the disposition of a juvenile case as is possible. The process through which the courts seek substantive reporting of this information would be highly

enhanced were legal professionals ardent about the task and committed to child advocacy.

We all can make a difference in the lives of children through our supportive care for them. All across our country fragile children are eager and ready for the sustaining and vigilant friendship of a caring adult. In foster care programs, literacy programs, Big Brother and Big Sister programs, inner city tutoring classes and suburban park districts, children who have been marginalized, abandoned, or abused seek a caring friend to restore their self-worth or deepen their awareness of their own goodness. Volunteer programs throughout the nation are eager to connect children to loving and supportive adults.

As a tired and often overworked professional, you might be reluctant to assume more responsibilities. But such obligations from the heart have the ironic capacity of invigorating rather than depleting our spirits. As a legal professional, your refined awareness of life's painful realities, perhaps experienced firsthand in the courts, might also make you reluctant to become involved in the complicated and disheveled lives of children in pain. But these children are not to blame for the misfortunes inflicted upon them by their families and society. You might just be the single experience of grace that alters the mayhem running through the lives of abused children. Mentoring a child has the often surprising effect of changing everyone's life.

Becoming a volunteer advocate for children provides something that cannot be compared with monetary gain: the personal satisfaction of having made a difference in alleviating the pain and increasing the hopes of our children. Whether you work in a government agency, a university, a private practice or on the bench, what you choose to do for children can make a difference in their lives and in yours. It can widen the windows out of which you see the world. It can soften the attitude which all too often in our profession falls into the defensive mode of cynicism or the self-protection of an arm's length approach.

If you become a friend of children, you can make yourself an *amicus curiae* of the highest order. Just as the contributors who created this symposium issue have furthered juvenile law through their legal analysis, research, and commitment to these issues, so can you improve the lives of children through your attributes as a legal professional and concerned citizen. The opportunities to make an impact in this field are boundless, and the rewards are truly profound. Your goodwill and commitment to a child can alter the regressive pattern of society's general indifference to children, perpetrated not only by neglectful parents but by individuals and legal professionals too busy

with their careers and personal lives to reach out to those most desperately in need of love, support, and mentoring.