

TRIAL LAWYERS ASSOCIATION OF WAYNE COUNTY JUVENILE COURT

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ABUSED AND NEGLECTED CHILDREN OF WAYNE COUNTY SUE CHIEF JUDGE OVER LOSS OF THEIR LAWYERS

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THURSDAY, APRIL 12, 2007, 12:30 p.m.

**Wayne County Juvenile Court – (front steps) [packets will be available]
1025 E. Forest , Detroit, Michigan**

April 10, 2007, Detroit, Michigan. Children under the supervision of the Wayne County Juvenile Court and The Trial Lawyers Association of Wayne County Juvenile Court filed a lawsuit today against Wayne County Circuit Court Chief Judge Mary Beth Kelly in the Michigan Supreme Court. The lawsuit alleges a violation of the children's due process right to counsel and effective representation. The lawsuit asks the Michigan Supreme Court to exercise superintending control over the Third Circuit Court Juvenile Section.

The lawsuit alleges that Chief Judge Mary Beth Kelly and the Third Judicial Circuit Court have violated Michigan and federal law by severing attorney-client relationships with thousands of children protected by the court.

Chief Judge Kelly has removed hundreds of individual attorneys who had been appointed to represent the children, and replaced them with "attorney groups," many of whom lack experience in Juvenile Court. Attempts by the Trial Lawyers Association of Wayne County Juvenile Court to point out this denial of rights and violation of Michigan law were ignored by Court, necessitating this lawsuit.

"The Chief Judge has diverted approximately \$6,000,000.00 in Wayne County funds through flat-fee contracts to handpicked attorney 'groups,' creating a 'fixed fee' system of representation, with far fewer attorneys available to represent a growing number of children, all of which undermines their constitutional rights and violates Michigan law," says TLAWCJC President John Owdziej.

"The Supreme Court has previously found "fixed fees" unreasonable. The American Bar Association has found that flat-fee systems and excessive caseloads compromise the effectiveness of legal representation for children," says Julie Hurwitz, attorney for the plaintiffs.

A further consequence is the loss of role models for the children, a vast majority of whom are African-American, due to the fact that most of the African-American attorneys have been removed as attorneys for the children.

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