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Editorial Notes: April 2017

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APRIL 2017

This issue of *Family Court Review* (*FCR*) begins by honoring the life and memory of Ruth Stern, former Managing Editor of *Family Court Review*, who passed away in October, 2016. Her husband, Professor Herbie DiFonzo, offers glimpses into Ruth's life and their life together. Coming from a baseball family myself, I am particularly moved by Ruth's and Herbie's mutual passion for the New York Mets. It is obvious from the details Herbie graciously shares that theirs was a love and a life of unique tenderness and togetherness. I am deeply grateful to Herbie for allowing us the privilege to publish this tribute to Ruth.

The April 2017 issue consists of six articles and two law student notes. In this volume, we have initiated a practice discussed during the 2016 Editorial Board meeting at the AFCC Annual Conference in Seattle. From time to time, *FCR* editors and staff plans to publish articles longer than the standard twenty-five pages. By doing so, we hope to encourage the submission of additional scholarly articles from academics who, in lieu of submitting their articles to *FCR*, choose other professional publications that allow for documents of longer length. Thus, this is a call to our readers to encourage authors to submit articles to *FCR* that they heretofore may have submitted to other journals.

The first article, "Mainstreaming Therapeutic Jurisprudence in Family Law: The Israeli Child Protection Law as a Case Study," by Tali Gal and Dahlia Schilli-Jerichower, is one with a theme near and dear to my heart. All of my scholarship, advocacy, lawyering, and teaching is grounded in therapeutic jurisprudence (TJ). The Gal/Schilli-Jerichower article analyzes the role of TJ in the development and reforms in child welfare law in Israel. The authors suggest practices and law reform to enhance the child protection system that can apply beyond Israel.

Robert Kaufman and Daniel Pickar have contributed "Understanding Parental Gatekeeping in Families with a Special Needs Child." The authors build upon their prior work identifying co-parenting as a key to create appropriate parenting plans for a special needs child. They discuss parental gatekeeping as a useful concept to understand co-parenting relationships. They describe particular gatekeeping dynamics that occur with a special needs child and the implications for these behaviors.

Solangel Maldonado's article, "Bias in the Family: Race, Ethnicity, and Culture in Custody Disputes," represents *FCR's* inclusion of a longer scholarly work, as described above. This article discusses both explicit and implicit racial, ethnic, or cultural bias in custody decision-making as well as in custody evaluations and lawyering. The article includes suggestions to combat the impact of bias in custody cases.

"Predictors of Initial Court Agreement and One-Year Relitigation in Title IV-D Contested Paternity Cases," by Ani Poladian, Brittany Rudd, Amy Holzworth-Munroe, Amy Applegate, and Brian D'Onofrio, summarizes their empirical study of 182 contested cases involving unmarried parents' attempts to establish paternity and child support in Marion County, Indiana. The authors suggest that certain characteristics predict which parents are more likely to reach agreement and less likely to return to court, as well as which demographics predict less likelihood of reaching agreement and more relitigation.

A second article in this issue focuses on parental gatekeeping. "Adaptive and Maladaptive Gatekeeping Behaviors and Attitudes: Implications for Child Outcomes After Separation and Divorce," by Michael Saini, Leslie Drozd, and Nancy Olesen, details gatekeeping behaviors and their impact on the other parent's relationship with the child, including issues of safety, well-being, and positive parent-child relationships.

The final article, "The Nature and Determinants of Child Representation Practice in Child Welfare Cases," by Andrew Zinn and Britany Orlebeke, reports on an empirical study of 168 child representatives in Georgia and Washington. Based on their research findings, the authors suggest ways to improve legal representation of children in child abuse and neglect cases.

Scott Migden contributes the first of two student notes. In "The Injustice of a Felony Conviction for Offenders Under Twenty-One: A New Option for the Courts to Save Our Youths' Futures," Scott argues to extend juvenile delinquency, juvenile offender, or youthful offender protections for individuals up to the age of twenty-one. He ties his argument to the science of adolescent brain development and suggests a new type of hearing for offenders under the age of twenty-one.

In the second student note, "Who's Your Daddy?: The Marital Presumption of Legitimacy in the Modern World and its Application to Same-Sex Couples," Angela Ruffini explores families and children of same-sex couples. Angela argues that the presumption of legitimacy of a child born during a marriage should apply to all legally married couples, regardless of sexual orientation and biology.

I remain incredibly grateful for the extraordinary work of the Hofstra law student staff, particularly Mishal Pahrand, the Managing Editor. The *FCR* student staff members work tirelessly to compile each issue, and the extent of their contributions likely is something about which our readers are unaware. In addition, I continue to have the privilege to work closely with Bob Emery and Matt Kiernan, who, along with Peter Salem, have been bedrocks of support for *FCR* and for me. I am honored and humbled to serve in my editorial capacity for *FCR*.

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