

EDITOR'S NOTE

It is with pleasure that I introduce the second issue of the fifteenth volume of the *UC Davis Journal of Juvenile Law & Policy*. This issue highlights four outstanding scholarly notes written by current law students. The issue also includes practitioner's briefs composed by speakers at the Journal's February 2011 Symposium, "Hidden Injustice: LGBTQ Youth and the Juvenile Justice System," which we held in conjunction with the UC Davis LAMBDA Law Students Association. If I were to give the issue a title, it would simply be "Restructuring Juvenile Justice" – each author deftly analyzes a concrete problem in current juvenile law and policy, and with keen intelligence and hope toward the future, he or she lights the path toward positive change.

Our first article is written by Mr. Errol Daus, a 3L at UC Davis School of Law and editor-in-chief of the UC Davis Law Review. His article, *Police Trickery and Juvenile Suspects: People v. Mays*, discusses a 2009 decision by the California Court of Appeal to uphold a first-degree murder conviction and sentence of life in prison without the possibility of parole for a seventeen-year-old suspect. The court upheld the conviction and sentence despite police administration of a fake polygraph exam during his interrogation, and police presentation of fabricated results of that polygraph to Mays. Mays was without legal counsel during the interrogation. Daus argues that the court inadequately applied the totality of the circumstances test required by the Supreme Court of California, that fabricated polygraph results are a violation of due process to juvenile suspects, and that the sentence offends traditional notions of juvenile justice.

Our second article, *The Children Are Crying: The Need for Change in Florida's Management of Psychotropic Medication to Foster Children*, addresses the little-talked-about practice of court-ordered prescription of psychotropic medication to children in foster care. Written by Ms. Kimber E. Strawbridge, a December 2011 J.D. Candidate at Florida Coastal School of Law, the article notes the high rate of

psychotropic drug prescriptions, such as Adderall and Abilify, to foster care kids to manage mental health issues and behavioral problems. Strawbridge finds that consent for the prescriptions most often comes not from family or anyone closely connected with the child, but instead from a somewhat distanced judicial bench. Strawbridge argues that the judge-only decision making process should be changed to include medical advocate groups and guardians *ad litem*, who can more closely and accurately monitor a foster child's mental health needs.

Third, Ms. Anne Rosenbaum, a second-year student at the University at Buffalo Law School, writes about the growing presence of child protective mediation (CPM) as a tool in juvenile and family courts in her article, *Embracing the Strengths and Overcoming the Weaknesses of Child Protection Mediation*. By moving family conflicts out of the courtroom, Rosenbaum writes, CPM can empower families by including more parties in the process (for instance, grandparents and a wider service community), and by involving the children directly in more inclusive discussions. However, Rosenbaum warns that CPM may be discouraging for victims of violence, and she further cautions that the power balance between the state and parents must be strongly considered to achieve useful CPM sessions.

Finally, Ms. Lauren Kaplin, a third-year student at Harvard Law School, addresses the challenges of childhood obesity in her article, *A National Strategy to Combat the Childhood Obesity Epidemic*. Kaplin writes that the Healthy, Hunger Free Kids Act, signed into law by President Obama in 2010, effectively mandated a national obesity intervention in public schools. Kaplin writes that the Act is an important step; however, measures are needed to address the market failures leading to childhood obesity. She argues for the implementation of fiscal policies encouraging healthy food purchase, and for marketing regulations preventing the food industry from skewing youth consumptive choice toward unhealthy food purchase.

This issue, along with the Journal's Symposium, aims to explore areas of injustice and rebalance the scales toward a better tomorrow for youth. The *UC Davis Journal of Juvenile Law & Policy* continues to serve as a venue in which legal scholars, practitioners, and children's rights advocates can engage in a discourse about legal reform with children's interest at the forefront.

I would like to thank the 2010-2011 staff of the *UC Davis Journal of Juvenile Law & Policy* for their dedication and hard work, the members of UC Davis LAMBDA Law Students Association, our Symposium presenters, as well as the faculty and staff of the UC Davis School of Law.

Warm regards,

Kim N. Wade
Editor-in-Chief