

A Profile of John E. B. Myers, BS, JD

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Despite the critical importance of the law in child welfare practice, only a small number of experts at the national level have devoted their professional lives to researching, teaching, and writing about these issues. One of them is John E. B. Myers, Distinguished Professor and Scholar and Professor at Law at the McGeorge School of Law, University of the Pacific, in Sacramento, California. John has been a long-time contributor to APSAC's development, including, first, Associate Editor of the *APSAC Advisor* and, subsequently, as the lead Editor of the *APSAC Handbook on Child Maltreatment, Second Edition*, in 2002. He continues his support as Editor of the upcoming edition of the *APSAC Handbook* and through his informative and always well-received legal workshops at APSAC conferences.

As one of the country's leading authorities on legal aspects of child abuse, domestic violence, and elder abuse, John has authored or edited eight books, written many book chapters and more than 100 articles, and presented over 400 seminars and trainings in the United States, Canada, Europe, and South America to judges, attorneys, police, physicians, mental health, and child welfare professionals. His writings have been cited in 140 Appellate Court and Supreme Court decisions, all related to evidentiary issues in child maltreatment. His groundbreaking publication, *Evidence in Child Abuse and Neglect Cases*, published in three successive editions, was recently replaced by *Myers on Evidence in Child, Domestic, and Elder Abuse Cases* in 2005. His recent book, *Child Protection in America: Past, Present, and Future* (2006), presents a broad view of the historical and social contexts of child protection, presents a vision for child protection in the future, and grapples with the challenges we will have to face if we are to achieve it.

John's decision to professionally integrate child welfare and the law appears to have come naturally. Born and raised in Salt Lake City, he started college as a preschool education major and graduated in 1973 with a degree in sociology. At that point, he debated whether to attend law school or graduate school in social work and contends that he chose law school because the application process was easier. Yet, his early work in the Navy and as a young practicing attorney strengthened his long-standing interests in the human services. As a Navy tech at Oakland Naval Hospital, his interest in psychology was piqued by his work with patients who had schizophrenia. He worked his way through college driving an ambulance. He did a stint as a legal aid attorney, and later worked as Director of the Legal Center for the Handicapped in Salt Lake City, serving children with handicapping conditions and advocating for their equal right to education.

John's first direct exposure to child protection issues came while employed at Utah Legal Services. He was assigned to represent a teenager with mental retardation who had become pregnant. The local child welfare agency had requested that the court take custody of the unborn baby to allow the agency to place the child for adoption as soon as it was born. John argued that the mother had the right to try to parent before her rights were permanently terminated. He subsequently published an article based on the case in the *Duquesne Law Review*, entitled "Abuse and Neglect of the Unborn: Can the State Intervene?" (1984, Vol. 23, pp. 1-76).

John's experience as an attorney with Utah Legal Services also helped

him get his first academic appointment as Associate Professor of Law at the University of Wyoming in 1983. In addition to teaching classes, he operated the university's law clinic. Looking for something in which to specialize, he determined that the topic of legal issues in child abuse was a calling in need of an advocate. At the time, there were no academic lawyers researching and writing about child abuse issues full time, and he saw it as an important niche waiting to be filled. The rest is history. He accepted a position as Professor of Law at the McGeorge School of Law in 1984, and by 1987, the first issue of his book *Evidence in Child Abuse and Neglect Litigation* was published. John describes the motivation for this publication: "If you're going to prove a child is maltreated in court, how do you do it? It involves issues of children as competent witnesses; children's suggestibility; hearsay evidence in children; cross-examination of children; medical evidence; psychological evidence; expert testimony..." (personal communication), which represents only a small listing of the topics covered in several successive editions of *Evidence*. Written clearly and concisely in easily understandable language for a large and diverse audience, the book also reproduces statutory language and legal citations that fully support the content. It is a one-of-a-kind resource, unprecedented in scope, and invaluable to the field.



John E. B. Myers

John's view of current trends in the field is mixed. He contends we have largely figured out issues around suggestibility and interviewing in children—there is a broad consensus that we have greatly improved the quality of interviewing child victims. But, he also contends that this represents a very narrow advance, one that is limited to one legal aspect of child maltreatment intervention. In the broader sense, we've had little impact because we haven't done anything to eliminate poverty, one of the primary causes of child maltreatment.

John also believes that in contrast to the high status attributed to constitutional, business, international, and environmental law, the low status attributed by the legal system to family law in general, and child protection and juvenile justice law in particular, is undermining our effectiveness in protecting vulnerable children. Almost 30 years after John began his work integrating child maltreatment and law, there are still very few full-time professionals or academicians working on these issues. Further, most law schools don't even address issues of child maltreatment in their curricula. Whether students are exposed to this content depends entirely on whether their professor has a personal interest in it. Even more troubling—attorneys who choose to represent children can't get good-paying jobs. John contends that many make even less money than newly hired social workers—widely acknowledged as one of the most underpaid professions on the planet.

John's personal pursuits are as interesting and energetic as his professional ones. He teaches karate, drives fast cars, and was recently engaged and is soon to be married. He apparently is actively involved in all these pursuits, but he mostly talks about his love of cars and racing. The proud owner of a new Porsche, he says his racing skills are steadily improving, and he looks forward to driving in the 25 hours of the Thunder Hill endurance race, the longest sports car race in the world. I can't tell from my scribbled notes whether John says he always finishes "last" or always finishes "fast." Next time you see him at an APSAC event, you'll have to ask him.