

Emily Bailey
Judge McMahon
Charleston County Family Court
June and July 2013

Upon finishing my internship with the Honorable Judy McMahon in the Charleston County Family Court, I knew I'd had chosen the perfect way to spend the summer of 2013. Going into the internship I had wanted to ensure my future career would be in family law by viewing all aspects of the field and making sure the emotional nature was something I could handle. My internship allowed me to view everything family law encompasses. In my two months with Judge McMahon I was able to observe nearly every faction of family law so thoroughly I could put myself in each lawyer's shoes.

Generally the day-in, day-out cases consisted of: uncontested divorces, bench warrants, where citizens had been arrested for not paying child support and had a chance to explain their circumstances, DSS abuse and neglect cases, which could be at any stage in the legal process, adoptions, and juvenile delinquents. More infrequently were trials. Trials that I observed included, contested divorces, custody cases, termination of parental rights by DSS, and DSS abuse and neglect convictions.

Judge McMahon used her resources to allow me to observe other aspects of family court she wasn't personally involved in but knew I would be interested in observing including Juvenile Drug Court and DSS mediations. Both of these were a highlight of my internship because they allowed me to see the backstage scenes of hands on involvement with each case. The most important insight I obtained from my internship is that family court is a therapeutic court. Both the Juvenile Drug Court and DSS mediations are examples of this. In Juvenile Drug

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Court, adolescents are individually evaluated by a team which includes: a probate court judge, solicitor, DJJ officer, addiction councilor, a representative from the drug testing center, a representative from the school board, etc before they are brought before the court. Everything from grades to parental input is looked at before putting in place each structure the adolescent needs to fight their addiction. By monitoring them each week, the close eye of authority puts pressure on these adolescents to stay out of trouble. Even so, trouble arose; I personally witnessed juveniles in drug court who had engaged in a knife fight, gotten into a DUI accident, snuck out of the house with a home-detention device, etc. As a therapeutic program, a two-step forward and one-step backward reaction was anticipated so the juvenile would lose a privilege rather than be released from the program entirely when they got into trouble. I even got to observe the graduation of one of the drug court juveniles. It had taken him 18 months to complete a 6-month program. Upon leaving the graduation I was able to read a letter the boy's parents had written to the Drug court. They thanked the solicitor for the opportunity of a second chance, for the free drug tests, free counseling, in-patient treatment, and ankle-monitoring which all lead to their son's success in the program. They shared, "It takes a very special person to see through a kid's wrong doings to the heart of that kid and believe in him to do the right thing. The drug court is FULL of those kind of people." I believe those kind of people are not just limited to drug court but found throughout the family court.

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Drug court is just one of so many judicial programs that changes lives for the better.

Family court has so many horrors yet it comes with so much reward. Perhaps this is most emphasized in DSS abuse and neglect cases. I mentioned earlier one of the highlights of my observations was DSS mediation. After receiving an allegation DSS proceeds with an investigation into the situation. Often times if there is sufficient evidence of abuse or neglect the children are removed from the home. DSS then creates a treatment plan for the parent or custodian and the case is monitored regularly through the court system. Mediations involve a mediating attorney to help reconcile issues between the defendant/defendants, the DSS social worker-attorney team, and the guardian ad litem (advocate for the child/children). Often times negative drug tests or completion of the DSS treatment plan leads to reuniting the child with the parent. The part of DSS cases which I find to be so rewarding is that the treatment plan is tailored to the specific needs of each family, and much of what it calls for is therapy that will be beneficial for both child and parent for the rest of their lives. So many times a small allegation brings to light much more severe issues which can now be corrected. Often juvenile delinquency cases and DSS cases are linked because of this.

I had a passion for juvenile law going into this internship, it was the reason I steered towards family law as a whole. Over the summer the judge helped me observe as many juvenile cases as I wanted. The good news is my passion for

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juveniles is even stronger after being submersed in so many hearings. With juvenile delinquents so much more is considered than just punishment for their actions. More important is the WHY. School records are pulled, mental health evaluations are conducted and more than not, issues concerning the child's well being are brought to light. Misbehavior at school could reveal a learning disability, a runaway could reveal abuse or neglect at home, an underage possession charge could reveal self medicating for depression, a marijuana charge could lead to intensive rehab, etc. Once these issues are established the court can then mandate the therapy that is needed for juvenile to live a more productive life and potentially keep them out of trouble in the future.

The therapeutic aspect has made me not only love the area of juvenile delinquents but family court as a whole. Yes, family court is emotional but it is also incredibly rewarding. Most of these individuals may be going through the most stressful and uncomfortable time in their life, but with the help of the judicial system and all the programs it implements it can get better. After completing this internship, I was reassured I want to go to law school and I want to become apart of this therapeutic process of our judicial system.