

FLCA Legal Network

Helping families navigate the child welfare and family court systems as drug policy reform gains momentum.



Dear Colleague,

Thank you for your interest in working with the Family Law & Cannabis Alliance. Launched in 2013, FLCA is a clearinghouse for reliable local, state, and national information related to marijuana policy, Child Protective Services (CPS), and family court. For more information about our mission and background, visit fcalliance.org.

We are currently seeking technical support and assistance from licensed attorneys around the country. An [October 2013 Gallup poll](#) revealed that 58 percent of Americans now support legalizing marijuana, and states have steadily been amending cannabis laws since the 1990s, often through ballot initiative. At last count, 23 states and D.C. have approved marijuana for medical use, 18 have decriminalized possession of small amounts of the plant for personal use, and two are developing regulatory schemes allowing marijuana to be taxed and sold legally to adult consumers.

Each state's framework delineating the bounds of permissible marijuana use is unique, and the extent to which these reforms are reflected in the practices of state and local child welfare agencies only adds to the complexity. The questions of federalism implicated by marijuana policy will be decided in the years to come, but in the meantime, children with guardians caught up in the political confusion are the ones who suffer from unwarranted CPS intervention. FLCA is engaged in the Fifty State Profiles Project, an ongoing effort to produce "profiles" of each state's distinct policies and practices for handling reports of child abuse and neglect based on a parent or guardian's cannabis use. The [profiles](#), as well as our [national overview](#), are intended as educational resources for families and advocates. We have also compiled what peer-reviewed [research](#) exists on cannabis as relates to prenatal exposure, breastfeeding, medicinal value, and other topics.

We regularly receive requests from families involved with CPS and family courts around the country. The cases come to us at various stages in proceedings, and in jurisdictions with distinct rules regarding representation of parents and legal guardians in administrative and family court matters. Apart from these considerable nuances in state

law, FLCA currently has no licensed attorney on staff, and therefore cannot provide legal advice on any particular case.

Because of these issues, support from practicing family law attorneys all over the United States is of fundamental value to FLCA and its operations, and can take several forms.

1. **Become part of FLCA's no-cost internal referral network.** If you represent parents and guardians in child protection or custody actions in your jurisdiction's family court, [join](#) our national network of practitioners. When we receive a request for assistance from a parent, we screen them as potential clients to gather basic information and refer appropriately to local licensed attorneys using this internal list. We offer direct counsel up-to-date, expert consultation on rapidly-evolving marijuana laws and their intersection with child welfare policy. In addition, we assist lawyers in obtaining expert affidavits and locating relevant scientific and public health evidence to supplement briefs.
2. **Build your state's profile.** Contribute to the Fifty State Profiles Project by keeping us apprised of new laws, changes to existing CPS or marijuana laws and policies, and case law.
3. **Link your website via FLCA's.** Send us your information to be included on our public [Links](#) page under "Attorneys." We can supply our logo or web banner should you like to link back to ours.
4. **Use our model legislation and regulations.** We have drafted language protective of parental rights to be included in proposed marijuana reform laws.

I hope you will consider one or more of these ways to lend your expertise in support of FLCA. Please do not hesitate to contact us with any questions or other feedback. We truly appreciate your consideration and are looking forward to working with you.

Sincerely,

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