



FLORIDA CHILD ADVOCATE

"Your Foster Care & Disability Resource"

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What is FCA?



Florida Child Advocate.com -- The Florida Foster Care Survival Guide -- is the one-stop resource for protecting the rights of children under the state's care. We created this site for children, the families who love them, the caregivers who serve them, guardians who advocate for them, and the attorneys who counsel them in how to access resources and agencies, understand their rights, and address dependency, damages or disability claims.

This site is sponsored by my law firm **Colodny, Fass, Talenfeld, Karlinsky & Abate, P.A.** Attorneys involved with this site include **Maria Abate** and **Joel S. Fass**.

Every foster child needs attention. Let Florida Child Advocate.com be your legal resource.

Thank you for visiting. If you have any questions at all, or if you'd like to submit a Guest Column with helpful news or information for child advocates, please contact me directly.

Howard Talenfeld

HTalenfeld@CFTLaw.com

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Child Advocacy Blog

« Brutal Child Deaths, Task Force Investigations Nothing New to Florida Department of Children and Families
Medicaid Reform Would Limit Families of Child Abuse, Injury, Death Right to Sue »

North Florida Couple Sues Community Based Care Foster Agency After Child Abuse to Adopted Kids

MARCH 30TH, 2011 | NO COMMENTS | ABUSE, ADOPTION, COURT CASES

All Andrew Dolan and Suzanne Tyler wanted was a "forever family" when in 2009 they adopted foster children as their son and daughter via Family Support Services of North Florida. The couple soon discovered the boy and girl, now 6 and 8 respectively, had been in four foster homes and a failed adoption and suffered physical, emotional and sexual abuse — none of which was ever disclosed (as required by law) by the community based agency.

The boy punches his nanny. The girl threatens to kill her adoptive mother. Their savings have been depleted seeking care for the children.

The couple were in Jacksonville, Florida, Tuesday, filing a lawsuit that seeks money to care for the children, plus damages for pain and suffering. It says the agency failed to keep track of JD and WD, as they are named in the lawsuit, or advise the new parents of abuse in the foster homes, at least one of which later was closed, said the parents' Jacksonville attorney, **Brian Cabrey**.

"My clients were told the reasons why that home was closed were unknown," Cabrey said. "Records reflect that home was closed due to physical abuse on our clients' children and/or other foster children."

Read the entire story here.

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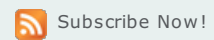
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DCF Foster NewsFeed

- Miami Herald - December 16, 2010 - **Ruling on Benefits for Cuban Migrants Reversed** Washington did an about-face on a ruling that would have stopped an array of public aid for Cuban migrants. "This is terrific news for thousands of Cuban families and for communities across Florida," said Hiram Ruiz,

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services

Miami-Dade director of
refugee services at the
Department of Children and
Families (DCF).

- Miami Herald /
Tallahassee, Florida –
October 13, 2010 - **DCF
Won't Appeal Ruling
Against Florida's Gay-
Adoption Law** Florida child
welfare administrators will
not appeal last month's
ruling that tossed out
Florida's controversial gay-
adoption law. A ruling by
the Third District Court of
Appeal that declared the
33-year-old law
unconstitutional in the case
of two former foster
children adopted by Frank
Martin Gill, an openly gay
North Miami man who took
custody of the boys under
DCF's authorization. "It's
clear that the District Court
of Appeal decision is of
statewide application, and
it will be binding on all trial
courts across the state,"
said George Sheldon,
secretary of the
Department of Children &
Families.

- Top Stories Jacksonville /
Jacksonville, Florida –
October 9, 2010 - **Regional
Department of Children &
Families Head Wins
Adoption Award** The top
manager of Jacksonville's
Florida Department of
Children and Families office
has been honored as an
"Angel in Adoption" by the
Congressional Coalition on
Adoption Institute.

- The Miami Herald /
Tallahassee, Florida – May
11, 2010 - **Governor Signs
Bill to Lift Limits on Sex
Cases** Florida's governor
has signed a bill eliminating
all time limits for filing
criminal or civil action
alleging sexual abuse of
children. Gov. Charlie Crist
signed the bill (HB 525) on
Tuesday. It lifts statutes of
limitations for pursuing
criminal or civil sexual
abuse cases in which
victims are younger than
16 at the time of the
abuse.

- The Miami Herald / Miami,
Florida – April 18, 2010 -
**Red Flags Overlooked in
Prescription Drug Death of
12-Year-Old** The
prescription-drug death of
12-year-old Denis Maltez
raises troubling questions
about the state's safety
net for disabled kids. The
Miami-Dade Medical
Examiner's Office attributed
the death to a life-
threatening side effect of
over-medication. Attorney
Howard Talenfeld urged
healthcare and disability
administrators in a letter to
better protect disabled
children, "who are
powerless to protect
themselves from being
unnecessarily drugged for
the convenience of staff. .
. . Without proper oversight
and action by your
respective state agencies,

these individuals will continue to be in harm's way."

- The Miami Herald / Miami, Florida - April 17, 2010 - **Amendment to Bill**

Targeting Foster Kids' Medication Draws Fire
Critics are questioning an amendment to a bill designed to protect foster children from being inappropriately medicated with mental-health drugs. One of the largest providers of inpatient psychiatric care for Florida foster kids successfully pushed for the amendment that will make it easier for group homes and treatment centers to begin medicating foster children without the consent of a parent or judge. The original legislation was prompted by the 2009 death of a 7-year-old Margate foster child, Gabriel Myers.

- Miami Herald / Miami, Florida - April 8, 2010 - **Incest Case Raises**

Questions About Child Welfare Policy A case of a man accused of sexually abusing his daughter raises questions about keeping families under one roof. When child welfare investigator Simon Roberts went to the home of a 39-year-old Miami man accused of having sex with his own teenage daughter, he found the man locked in a bedroom with the girl -- both of them undressed.

- Cape Coral Daily Breeze / Cape Coral, Florida - April 3, 2010 - **Child Welfare Agency Seeks Additional Funding** Officials from the Children's Network of Southwest Florida are lobbying to increase funding for foster children living in the five counties of District 8. Children served by the Children's Network receive the lowest funding out of all 20 districts, an amount that is 32 percent below the state average of per child allocations.

- CBS News / Fort Lauderdale, Florida - March 17, 2010 - **After 7-Year-Old Gabriel Myers' Suicide, Fla. Bill Looks to Tighten**

Access to Psychiatric DrugsFORT LAUDERDALE, Fla. (CBS/WFOR) The apparent suicide of 7-year-old boy Gabriel Myers, who was taking several psychiatric medications, has led to the introduction of a bill in the Florida legislature, which would assure that powerful mental health drugs dispensed to Florida foster care children would be more closely monitored..

- St. Petersburg Times / Tampa Bay, FL - February 27, 2010 - **Lawsuit Alleges DCF and YMCA Sent Girl into Sexually Abusive Situation** The first time the Florida woman took her

adoptive daughter to the dentist, an assistant asked if the girl had been sexually assaulted. "She just asked that because of how she reacted toward him," the girl's mother said. The abuse, which occurred when the girl was 7 years old and in foster care, could have been prevented and should have been recognized sooner, according to a suit filed in Pinellas-Pasco Circuit Court that accuses the Department of Children and Families and the Sarasota YMCA of negligence and oversight failures — allegations that the DCF flatly denies. Attorney Howard Talenfeld says the girl should have never been in the Oldsmar home of Brian and Antonia Starmer, who are also named in the suit.

- The Miami Herald / Miami, FL – February 21, 2010 - **Our Kids: Florida Foster Care System Has Improved**
The incredible story of how Rachele Louis-Jeune managed to rescue her family in Haiti was heartwarming and inspirational. Sadly, her story of bouncing and drifting through 23 foster homes in four years was unacceptably common during that era (1998-2002). It is important for readers to know that Florida's foster-care system was transformed after the transition to foster care and adoption services provided by private not-for-profits in a system called community-based care. Florida ranks third in the nation in the rate of children killed by child abuse and negligence, according to a report released Tuesday by non-profit child advocacy and lobbying group Every Child Matters.

- The Miami Herald / Miami, FL – February 21, 2010 - **Give Florida Kids a Voice in the System by Howard Talenfeld**
The most significant way Florida can improve the lives of at-risk children is to provide each of them with legal representation, something currently missing from our judicial system. This spring, Florida lawmakers are expected to take up consensus legislation crafted by the Florida Bar and Florida's Children First that provides attorneys to children with critical needs and to protect the rights of all children in dependency proceedings.

- Sun-Sentinel / Fort Lauderdale, FL – February 21, 2010 - **Florida DCF Employee Sentenced for Theft from 'Vulnerable Citizens'**
A former Florida Department of Children & Families employee who stole nearly \$35,000 by creating dummy accounts for cash and food stamp

benefits will spend five years in prison, a Broward County judge has ordered. In a prepared statement, a circuit administrator for DCF condemned Charles for stealing from "Florida's most vulnerable citizens."

- The Daily News / Philadelphia, PA - February 16, 2010 - **Ronnie**

Polaneczky: Florida High-Tech System Shows Promise in Tracking Children Over the past two years, Florida's Department of Children and Families has been phasing in a child-tracking program so brilliant, you gotta wonder why no one came up with it sooner: Caseworkers document each visit to a kid in DCF care by snapping a cell-phone photo of the child. The technology in these special phones not only stamps the picture with the visit's time and date but also uses GPS technology to pinpoint the place where the picture was taken.

- The News-Press / Fort Myers, FL - February 16, 2010 - **'Night on the Town' in Fort Myers to Benefit Foster Children** Florida Repertory Theatre, Foster Care Advisory Services, and Vino de Notte restaurant are presenting "Night on the Town" Tuesday, Feb. 23 to benefit abused and neglected children in Southwest Florida. Foster Care Advisory Services has worked to fill the needs of those children since 1984.

- The Tampa Tribune / New Port Richie, FL - February 10, 2010 - **DCF to Pay \$250000 in Case of Slain Pasco Child** The Florida Department of Children & Families has agreed to pay settlements totaling \$250,000 in the case of a 2-month-old girl who died after she was improperly placed in her biological father's care. Pasco Circuit Judge Walter Schafer approved the settlements during a hearing today.

- Palm Beach Post / Palm Beach, FL - February 10, 2010 - **Broward Nurse a Lifesaver for Haiti Victims Sent to South Florida** DELRAY BEACH — Miraine Lamour was pulled from the ruins of what had been a third-floor classroom at Institut Louis Pasteur in Port-au-Prince five hours after the Haiti earthquake. Her leg was broken; her pelvis crushed. She couldn't move her legs. Lamour doesn't recall seeing a doctor for days until she wound up on the Navy medical ship Comfort.

- ABC Action News / Tampa, FL - February 9, 2010 - **Does Your Child's Day Care Stack Up?** AMPA, FL -- We trust them to care for our children, but

how do you know if the daycare center you or someone in your family sends their kids to has a history of potentially dangerous violations and fines? An ABC Action News investigation has discovered that scores of daycare centers have been cited just in the last year.

- First Coast News / Clearwater, FL - February 8, 2010 - **Crist Touts State's Adoption Record**
More children are moving from foster care into adoptive homes than ever before, and today the governor praised the efforts that have made that possible. In 2009, there were a record 3,777 adoptions statewide, breaking the previous record set the year before. At the same time, Florida's foster care system is responsible for a third fewer children than just two years ago, totaling 19,797 as of July.

- The Independent Florida Alligator / Gainesville, FL - February 2, 2010 - **Haitian Orphans Get Help in Florida**
In response to Haiti's earthquake, Florida is preparing foster homes to take in Haitian orphans by waiving homes' occupancy limitations. In the aftermath of Port-au-Prince's collapse, various organizations are working to get orphaned children out of Haiti and into a more stable environment. "Everyone here is sleeping in the dirt," said Kyle Shropshire, an aid worker at an orphanage in Bon Repos, Haiti. "This is no place for a child."

- Florida Times-Union / Jacksonville, FL - January 22, 2010 - **Jacksonville Foster Care Advocates Honored Nationally**
A 27-year-old man who spent his boyhood in Jacksonville's foster-care system and a child-abuse investigator who spent her career serving it have been nationally recognized for their dedication to making improvements to how it works. Former foster child Mike Dunlavy and foster parent and Florida Department of Children and Families child abuse investigator Joyce Andrews received Ruth Massinga Awards from the Casey Family Programs. Nancy Dreicer, DCF director for Northeast Florida, said the recognition is a "significant national recognition of the positive changes that we've made in foster care in Jacksonville."

- NewsJournal Online / Volusia County, FL, January 19, 2010 - **Locals, DCF Reach Out to Help Victims of Haiti Earthquake**
Local workers for the state Department of Children & Families are assisting in the

Haiti earthquake relief effort, including receiving American citizens, many Haitian-Americans, who are arriving at Sanford and Orlando International airports from Haiti. Reggie Williams, DCF administrator in Daytona Beach, said staff members were at the airports Sunday and Monday. Workers are taking shifts, along with DCF staff from the Orlando area, to provide assistance to families, including mental health, temporary cash assistance and housing.

- Capital News Service / Tallahassee, FL, January 19, 2010 - **State Helps Haitian Orphans, Doesn't Expect Refugees** Florida is opening its ports to expatriates and orphans and is prepared to send refugees back to Haiti. More than 5,000 U.S. citizens caught in last Tuesday's earthquake have returned to the States. "They haven't slept in days. They are hungry, so the food banks have stepped up. The Red Cross is offering meals as they arrive," said Florida Department of Children and Families Secretary George Sheldon.

- The Miami Herald / Miami, FL - January 18, 2010 - **Schools, Shelters Get Ready - Just in Case** With the devastation in Haiti, South Florida is preparing once again to play a role assisting a troubled country. Though there is no sign of an exodus of Haitians heading to U.S. shores, governments and social service agencies are preparing for the possibility.

- The Miami Herald / Miami, FL - January 17, 2010 - **How a South Florida Foster Care Tragedy Led to Reform** Florida child welfare administrators had seen children in their care get raped, tortured, strangled, starved. But never before Rilya Wilson had a foster child simply vanished. Social workers across the nation still study the case as a cautionary tale for what not to do in child protection. But if Rilya's name has become synonymous with scandal, children's advocates and Department of Children & Families leaders say, it also has become a touchstone of reform.

- E! Online - January 12, 2010 - **Tiger Woods has one person sticking up for him.** A Florida lawmaker is demanding the state's Department of Children and Families investigate whether someone filed a false report alleging child abuse against the disgraced golfing great and his wife, Elin Nordegren, after news broke about his sex scandal.

- The Florida Times Union / Jacksonville, FL - January 12, 2010 - **Four Cheers: Foster Care Leaders** One of the proudest achievements in Northeast Florida is the fact that this area leads the state in adoptions from foster care. The success in the Jacksonville area has been a major reason why Florida leads the nation in this statistic.

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South Florida Office
One Financial Plaza, 23rd Floor
100 Southeast Third Avenue
Fort Lauderdale, Florida 33394
Broward: (954) 492-4010
Miami-Dade: (305) 893-2224
Facsimile: (954) 492-1144

Tallahassee Office
215 S. Monroe Street, Suite 701
Tallahassee, Florida 32301
Tallahassee: (850) 577-0398
Facsimile: (850) 577-0385

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