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PLANTATION

Lawyers go to bat for children in state care

Plantation lawyers hope to improve legal representation of kids in state care.



Two Plantation lawyers have taken prominent positions with the Florida Bar to help provide more legal representation for Florida's dependent kids. Here, Jesse Diner, the President of the Florida Bar and Howard Talenfeld, South Florida children's rights trial attorney.

JULIE LEVIN / FOR THE MIAMI HERALD

BY JULIE LEVIN

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Two Broward lawyers are hoping to work toward a major change for kids who have been taken from troubled homes.

Howard Talenfeld and **Jesse Diner**, both of Plantation, say they want to make sure every child in state care has a voice when moving through the court system. Both have taken on lead roles in recent months with the Florida Bar Association and one of their main priorities will be to improve the legal representation of children in foster care.

"I realized the single greatest improvement we can make in the child welfare system is to give every child a voice when they are taken away from their parents," said Talenfeld, a longtime foster care and child advocate attorney.

He will tackle the issue through his new role as the chairman of the Florida Bar Association's Legal Needs of Children Committee.

According to Talenfeld, of the estimated 20,000 children in state care, only 60 to 70 percent of them are represented in court by Florida's Guardian Ad Litem, community advocates who represent children in state care, but may or may not be attorneys. A smaller number are represented by lawyers qualified to help with their legal rights, and some have no representation at all.

While the children are looked after by the courts and caseworkers from the Department of Children & Families for their basic needs, Talenfeld said that often doesn't go far enough.

“There's no one whose main focus is the entire child,” he said.

To do that, he is going to try to build on the results of a 2002 bar association task force recommendation calling for the formation of a Child Advocacy Office that would ensure representation of all children in the dependency courts. Since its passage seven years ago, little progress has been made in making it a reality.

“I am going to try to work with this committee, which consists of lawyers who are child advocates from throughout the state, to take the recommendations of the earlier committee, and work toward legislation. That is the most important thing,” Talenfeld said.

He has seen the system from all sides, including a personal one that includes growing up with a developmentally disabled sister.

For many years, he served as counsel for the Florida Department of Health and Rehabilitative Services. He is also the founder and president of Florida's Children First, a not-for-profit organization that works to recruit and train hundreds of Florida lawyers who can serve as advocates for kids in care.

“For years representing HRS, I saw the dysfunctional system. I later became president of Florida's Children First, so I know the dysfunctional system,” said Talenfeld.

Talenfeld was appointed to the Legal Needs of Children Committee by Diner, president-elect of the Florida Bar.

Diner said one of his priorities as president-elect will be to take the recommendations formed by Talenfeld's committee and try to put the power of the bar behind it to generate legislation. While he recognizes the uphill budgetary battle this year, he remains hopeful legislators will be able to make a difference.

For more information, visit Talenfeld's website at www.floridachildadvocate.com.