

Pinellas foster kids needn't fly solo

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It's just past 10 a.m. and Courtroom 12 is filling up.

Pinellas-Pasco Circuit Judge Ray Ulmer waits to hear cases of juveniles facing charges from shoplifting to drug possession.

Lanky teenagers with peach fuzz slump down in wooden benches. Some have dressed for the occasion in roomy button-downs, while others preferred baggy jeans and dingy high-tops.

Most have an adult by their side. Some are with grandmas, others are sandwiched between mom and dad.

But for the countless foster children who cycle through, it's often a solo endeavor.

Pinellas-Pasco public defender Bob Dillinger has set out to change that with the Crossover, a pilot program that pairs foster children with public defenders who handle not only their criminal cases, but also matters involving their family situation.

Last week, Crossover attorney Steve Nelson handled the case of a 16-year-old who has been on probation since April for drug possession. In the last few months the teen, who was removed from his parent's home months ago, has stayed out of trouble.

He hoped the judge would remove him from his probation.

"I've told you over and over, you've had a lot of people try to help you and it looks like the most important person who can help you is — that's you," the judge tells the teen before agreeing to release him from probation.

Having a Crossover attorney can often mean the difference between a foster child getting a second chance or not.

Between 80 and 90 percent of the offenses foster kids commit are related to their troubled home life, Dillinger said.

"They push somebody in a foster care home, they act out because they feel they're being abused or not being treated right," he said. "And they end up with delinquency charges."

Before Crossover, public defenders, like Nelson, didn't have access to the foster care records of the children they represented in the criminal system. As a result, it was hard for judges to connect the dots when determining a youth's punishment. Foster children

were often charged as adults, which meant more severe sentencing for charges that stayed on their records permanently.

Before becoming a Crossover attorney, Nelson represented youths charged as adults.

"It's very sad when you see someone in that situation," Nelson said. "This was an opportunity to stop that from happening."

Circuit Judge Irene Sullivan, who hears both juvenile crime and foster-care-status cases for Pinellas and Pasco, noted the program's benefits.

"It's been great because you see them going into foster care, being removed from their homes and the abuse they suffer," she said. "And then when you see them in delinquency court you have a clear understanding of how they got there and why they're so angry."

"It doesn't make it right what they do," Sullivan said. "But you have a more global understanding of them."

More than one-third of children who enter the program have been in foster care for more than five years.

The majority age out of the system, rather than get adopted.

Currently, three Crossover attorneys operate in Pinellas and one in Pasco. Each has about 40 cases apiece. Assistant public defenders are paid their normal salary to defend Crossover cases, which are funded from the public defender office's \$13-million budget.

Dillinger anticipates the program will save money in the long run.

"When people age out of foster care, traditionally about 25 percent end up homeless, and a large percent end up in jail or prison," he said. "We're trying to break that cycle by intervening now."

When a foster child is taken out of their home, they are assigned caseworkers and a Guardian ad Litem to represent the child's "best interest" when it comes to where they will live.

But their opinions may not match what the child wants. Crossover attorneys step in to make those desires known. For older foster children, it can be empowering.

Crossover attorneys also can provide the encouragement the teens need to do better.

"You're taking debate," beams Nelson as he looks at the report card of the teenager released from probation last week.

The teen tells Nelson he has a job at a grocery store and is focused on his plans for after high school.

Nelson often finds himself melding the roles of legal representation, cheerleader and friend. "I think anybody, if they feel like somebody cares about them, is going to think before they mess up," he said.

And when they do mess up?

"I am right there telling them how I'm ticked off," he said. "But I also tell them, 'I'm still going to be there — just like a parent would be.'"

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AT A GLANCE

The mission

The Crossover Children's Program provides representation to juveniles whose cases "crossover" into both the dependency and delinquency divisions within the Unified Family Court of the 6th Judicial Circuit. Crossover child clients are provided comprehensive representation by the same attorney before the same judge on both their delinquency and dependency cases.

By the numbers

2006

Program founded

126

Currently in the program

15 to 18

Average age

34

Pending felony cases represented by Crossover attorneys

29

Pending misdemeanor cases represented by Crossover attorneys