

# SPEAKING OF JUSTICE

News From The Florida Bar Foundation

volume 5

issue no. 2

## INSIDE

2

President's Message

3

You can make a difference

4

Florida Bar Foundation  
Children's Legal Services  
Grantees



JUDY WATSON TRACY

Michelle Gonska, left, is grateful for the help she and her son Austin got from legal aid attorney Valerie Dominique, right, in advocating for Austin's educational rights.

## Children's legal services projects in dire need of funding

A single mother waiting tables in Daytona Beach, Michelle Gonska rarely saw two days go by without getting a call from her first-grader's school about his behavior.

"I was trying to work, and the school was calling me every other day because they could not handle him," she

said. "I was losing so much time from work because I would have to go either intervene or mostly take him home."

Gonska's son Austin had been diagnosed with Asperger's, attention deficit disorder, and oppositional defiant disorder and identified by the school district as having an emotional and behavioral disorder (EBD). Administrators had shuffled Austin around to three different schools but had failed to provide

see GONSKA, p. 2



Leadership and Funding for Justice in Florida

Leadership and Funding for Justice in Florida

# President's Message

Think about what your life would be like if you had not had access to education, health care, and a safe living environment as a child. Now imagine having a serious illness or a disability and being denied health-care services. Perhaps you would have fared poorly in school because no one addressed your learning disabilities and you were presumed to be a disruptive child. Maybe your mother quit her job to help care for you, leaving your family impoverished, and yet you still did not get the health-care services you needed to thrive.

Every day, through its Children's Legal Services Grant Program, The Florida Bar Foundation is using your gifts and its other funding to help the most vulnerable

among us — children — secure the services to which they are legally entitled. A low-income parent juggling jobs and childrearing may not have the time or understanding to navigate the labyrinthine systems to get appropriate education tools, health care, or other support for his or her child. Through our Children's Legal Services programs thousands of Florida children are helped, children just like Austin, whose story is in this issue.

Remember that Austin's story is one of many that you have made possible through your contributions and pro bono service. Thank you for that support, and I encourage you to continue it by making another contribution this year on your Florida Bar Fee Statement or by visiting us online at [www.floridabarfoundation.org](http://www.floridabarfoundation.org).



Maria E. Henderson

A stylized, handwritten signature in black ink, appearing to read 'Maria E. Henderson'.

Maria E. Henderson  
President 2012-13

---

## GONSKA, from p. 1

the evaluations and services to which the law entitled him. Instead of having the school system's experts address his behavioral and academic needs, school personnel were relying on his mother to be on call whenever they were unable to redirect his behaviors.

As a result, Gonska paid a heavy toll both emotionally and through lost wages.

"My employer was very understanding, but not FP&L," Gonska said in reference to her struggle to pay utility bills.

Worse still, Austin was not learning as he should have been.

Fortunately for both of them, a friend referred Gonska to Community Legal Services of Mid-Florida, where attorney Valerie Dominique represents children with support from a Children's Legal Services grant from The Florida Bar Foundation.

At that point, Gonska had already done all she could to get the schools to act.

"I had done so much to get my son the best services I could," Gonska said. "It was always just a piece of paper on someone's desk. And I said, 'It may be just

a piece of paper to you, but that's my son.' Valerie was my voice."

Dominique knew that based on Austin's behaviors and language difficulties, the schools should have completed updated comprehensive psychoeducational, occupational therapy, and speech and language evaluations, as well as a functional behavior assessment. She stepped in to make sure all the assessments were conducted so that Austin could be provided the appropriate supports and services to give him the best chance to succeed academically and behaviorally. Through this testing, Austin was identified as also having a language impairment that contributed to his academic and behavioral issues. With Dominique's continued involvement, school staff revised Austin's Individualized Education Plan and Behavior Intervention Plan. A behavior tutor was provided to help Austin learn appropriate positive behaviors. Austin spent a few unsuccessful months in a general education classroom and then an exceptional student education (ESE) classroom, until staff determined that he would do better in a smaller

class setting for children with emotional and behavioral disorders. He also began receiving language therapy twice a week.

In a second-grade class with just four students, where the teacher and paraprofessional had special training for working with kids with emotional and behavioral issues, Austin fared much better. The teacher and behavior analyst worked with him on his social skills through role playing and other techniques and taught him how to interact better with his peers and with adults. Dominique arranged for him to help some of the school personnel one-on-one with small tasks, something he considered a reward for good behavior. Now in third grade, Austin has shown enough progress to be placed in ESE classes, outside of the EBD classroom, where he gets to interact with a larger group of kids while learning social studies and science.

Gonska said Austin still has good days and bad days, but overall he is doing much better.

"I can't give enough thank-you's, enough anything to the staff and teachers," Gonska said of the personnel at Austin's two most recent schools.

"Valerie brought me this far," she added. "I wanted to give up. I couldn't have done it without her."

Gonska fears that school budget cuts end up driving more teachers into positions for which they don't have the proper training and would like to see more efforts to raise parents' awareness of services such as legal aid.

Meanwhile, Dominique is busy crisscrossing more than a half dozen Central Florida counties trying to keep up with the demand for her services. Community Legal Services of Mid-Florida, which serves 12 counties in all, used to have five full-time attorneys in its Child Advocacy Project. Florida Bar Foundation funding for the project has decreased due to the impact of low interest rates on revenue from Florida's Interest on Trust Accounts Program. The Foundation's 2011-12 grant for the Child Advocacy Project was \$113,381, down from \$175,100 in 2008-09.

Having also suffered cuts from its other funding sources, Community Legal Services of Mid-Florida has lost attorney

positions. Dominique is now the only full-time children's attorney, although there are still two part-time attorneys. Often the Children's Advocacy Project has to turn clients away.

"We prioritize for emergencies and whatever cases we feel require full representation. We provide limited representation and advice to other clients we are unfortunately not able to represent," Dominique said.

The project at Community Legal Services of Mid-Florida is one of 23 Foundation-funded Children's Legal Services projects around Florida suffering similar cutbacks.

Eugene K. Pettis, president-elect of The Florida Bar, urged Bar members to be part of the solution by contributing to Children's Legal Services on their Bar Fee Statement or on the Foundation's website.

"This year I challenge Bar members to increase their donations," Pettis said. "The Foundation does not deduct any administrative expenses from these grants, with 100 percent of your donation going to help children who need legal assistance."



*"I had done so much to get my son the best services I could. It was always just a piece of paper on someone's desk... Valerie was my voice."*

– Michelle Gonska

## Please consider a charitable donation to help provide legal assistance to Florida's most vulnerable children.

Florida Bar Foundation Children's Legal Services grants support legal assistance to poor children in critical areas that affect their safety, well-being and future development. Children's Legal Services include help for foster children and children in need of health benefits or special educational assistance.

Bar members can support Children's Legal Services by adding a donation to their Bar Fee Statement total. Last year lawyers contributed \$206,000, enough to serve roughly 286 low-income children. This year's goal is to raise \$350,000, making it possible for Bar members to fund legal assistance to 486 children, or 200 more than last year. Because of the significant drop in IOTA revenue, which has reduced funds available for Children's Legal Services, your contribution is more important than ever.

Your donation of \$100 – or any amount – will help support children in need in your community and in communities across the state. The Foundation does not deduct any administrative expenses from the funds raised through the Bar Fee Statement, so 100 percent of your donation will go to help children in need of legal assistance.

Your generosity will make a difference.

**For more information or to give online, visit [www.floridabarfoundation.org/children](http://www.floridabarfoundation.org/children).**



# FLORIDA BAR FOUNDATION CHILDREN'S LEGAL SERVICES GRANTEES

## Region 1

Florida Legal Services  
Florida State University College of Law  
Public Interest Law Center  
Legal Services of North Florida

## Region 2

Florida Legal Services (FILS Project)  
Jacksonville Area Legal Aid  
Southern Legal Counsel

## Region 3

Brevard County Legal Aid  
Community Legal Services of Mid-Florida  
Legal Aid Society of the Orange County Bar  
Association

## Region 4

Bay Area Legal Services  
Community Law Program  
Gulfcoast Legal Services

## Region 5

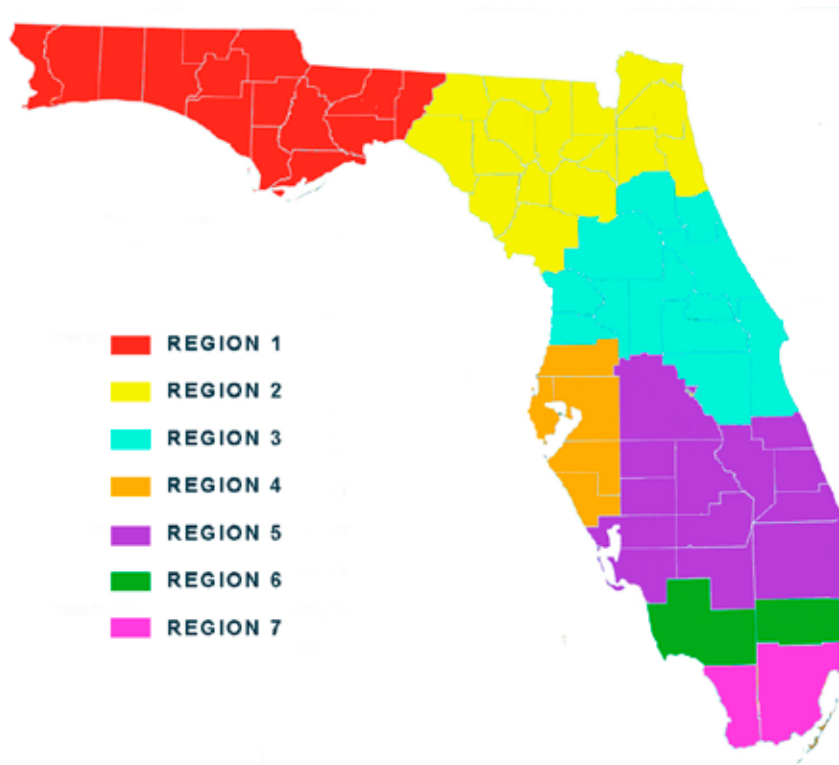
Florida Equal Justice Center  
Legal Aid Society of Palm Beach County

## Region 6

Florida's Children First  
Legal Aid Service of Broward County

## Region 7

Americans for Immigrant Justice  
Dade County Bar Association Legal Aid Society  
Florida International University College of Law  
Education Advocacy Clinic  
Lawyers for Children America  
Legal Services of Greater Miami  
University of Miami School of Law  
Children & Youth Law Clinic



## CONTACT THE FOUNDATION

(407) 843-0045

(800) 541-2195 (Toll free in Florida)

### EXECUTIVE

**Jane Elizabeth Curran**, Executive Director &  
Director, Improvements in the Administration of Justice  
Grant Program  
jcurran@flabarfndn.org

### COMMUNICATIONS

**Nancy Kinnally**, Director of Communications  
nkinnally@flabarfndn.org

### FINANCE & IOTA OPERATIONS

**Lou Ann Powell**, Director of Finance & IOTA Operations  
lapowell@flabarfndn.org

**Lushawn Phillips**, IOTA Operations Manager  
lphillips@flabarfndn.org

### GRANTS

**Paul Doyle**, Director, Legal Assistance for the Poor &  
Law Student Assistance Grant Programs  
pdoyle@flabarfndn.org



## OFFICERS

**Maria E. Henderson**, President

**John Patterson**, President-elect

**Hon. Emerson R. Thompson, Jr.**, First Vice President

**Julio C. Jaramillo**, Second Vice President

**Michele Kane Cummings**, Immediate Past President



[www.facebook.com/TheFloridaBarFoundation](http://www.facebook.com/TheFloridaBarFoundation)

**For more information about Children's Legal Services grants,  
or to give online,  
visit [www.floridabarfoundation.org/children](http://www.floridabarfoundation.org/children).**