

Pro Bono Program Provides DCF Children With Lawyers

A new pro bono effort is making sure DCF cases are represented

By KAREN ALI

Children who need special educational services may have slipped through the cracks in the past.

But a new program — called the Connecticut Child Justice Foundation — aims to help keep children who are under the supervision of the Department of Children and Families in the best possible learning environments.

The goal of the new foundation, which relies on pro-bono efforts of several experienced lawyers throughout the state, is to make sure that each child under DCF supervision is provided with legal representation during expulsions, suspensions, and administrative actions, including requests for special education tutors and programs.

Most of the children have experienced troubled home-lives because of abuse or neglect. Their backgrounds and lack of family support can make such children vulnerable to being denied needed services. The new program makes sure every such child has a lawyer in his or her corner.

Joette Katz, the Commissioner of the Connecticut Department of Children and Families, came up with the idea shortly after she became commissioner. “We saw a lot of kids whose legal needs weren’t being met.”

Katz said that in a random 4 hours, she was able to pull up 40 cases where DCF children needed legal services.

One of the first things Katz did, was get together with the two co-founders of the program, lawyers **Ernie Teitell** and Richard Bieder.

“I go to Ernie and I asked if he’d please do this,” Katz said, adding that she and Teitell are old friends. “When I took this position, I didn’t sever my ties to the legal community,” said Katz, a former state Supreme Court justice.

Teitell, of **Silver Golub & Teitell**, said as part of the new program, he is representing a special



Ernie Teitell, of Silver Golub & Teitell, is a co-founder of the new program that provides pro bono legal representation in DCF cases that involve access to special education programs in schools.

education student in the Thompson school district who is being deprived of special education services. Just knowing that he has someone who cares is itself a positive thing, Teitell said.

“We have had a number of cases with successes,” he said.

Teitell said often children in need of special ed services don’t get the help because there is “no resistance from the parents. We’re hoping to change that by representing them for free.”

Teitell said that many DCF children live in poorer school districts like Bridgeport, Hartford and New Haven.

“Some cases are expulsion cases where we felt that a child is unfairly being expelled or not getting services during an expulsion,” Teitell said.

Teitell estimates they have helped about 50 students in the last several months since launching the program.

“What we are trying to do is represent these kids who have no other voice, get the same services that other kids with resources get,” Teitell said. “A lot of the kids under DCF [supervision] don’t have resources, don’t have the advocate.”

“Obviously, without somebody speaking up for them, their educational needs might not be met. Hence the need to do this,” Teitell said.

“Here you are representing kids on a very important right, education.”

Teitell said that once need was identified, “it was easy to get involved and put together a program.”

So far about 30 experienced lawyers throughout the state are helping out.

Teitell said the lawyers who are participating in the effort run the gamut from defense lawyers, plaintiffs’ lawyers, arbitrators and judges. “It’s across the board,” Teitell said. “The exciting part is the diversity of the lawyers.”

Teitell said that they aren’t allowing “novices to do this.”

“These are experienced trial lawyers,” Teitell said.

Katz said she was proud of the profession for providing such seasoned litigators for so good a cause.

Since many of the volunteer attorneys don’t have education experience, they are being trained in education law.

Katz said that she hopes to get the word out to more lawyers when she goes to CBA and CTLA meetings.

Teitell said that there are a lot of dedicated teachers but there are instances where children are being deprived of resources.

The program is not done elsewhere in the country, as far as the organizers know.

For more information about the program contact Ernie Teitell at (203) 325-4491 or Joette Katz at (860) 550-6354. ■