

With support of lawyers, foster children bloom into successful adults

By: Jessica Brown, Florida Bar Foundation Director of Communications



Nikki S. Weisburd, left, a senior attorney with Dade Legal Aid, spent years advocating for Michelle Charles, a foster child who had been subjected to physical, sexual and emotional abuse by family members. Michelle is now a college student and hopes one day to open a group home for foster children like herself.

Ping-ponging between relatives' homes as a child, Michelle Charles struggled to understand why she and her two sisters moved so often. When she was five, her mother died, and her father began constantly shuffling the girls' living arrangements.

When Michelle was eight, she moved from Miami into a home in Gainesville with her grandmother and her grandmother's boyfriend, where she would endure physical, sexual and emotional abuse for the next six years.

"We kind of grew up a lot on fear," Michelle said. "We used to get beat with leather belts, spiked belts, extension cords. It was rough. I used to be depressed a lot."

Her grandmother's boyfriend began molesting Michelle at age nine. When she found the courage to tell her grandmother, her grandmother accused her of lying and threatened to beat her if she told anyone outside of the family.

"She was a mean person," said Michelle, now 20. "I used to pray, waiting for things to change, waiting for something to happen."

By the time she was 14, Michelle had attended 10 different schools. But, school was one of the few places where she felt safe.

"I used to look at school as my safe haven," she said. "I tried to be as good as possible because I did not want to get suspended. I didn't want to risk being at home an extra day."

According to a 2015 report from Lauren's Kids, between 9 and 15% of Florida's children have been or will become victims of sexual abuse. Survivors are more than twice as likely to spend their working lives sick or disabled, resulting in a loss of income.

For Michelle, help came after her grandmother kicked her out of the house, and she ended up at a youth shelter. There, she told a counselor about the abuse. The police were called, and Michelle and one of her sisters were sent back to Miami to await a court date.

On any given day, there are more than 437,000 children in foster care in the U.S. At 14, Michelle became part of the system.

"I was very nervous, very scared," Michelle said. "I knew the seriousness."

After a few hectic weeks, Michelle met Nikki Weisburd, a senior attorney with Dade Legal Aid's Child Advocacy Project. The project is funded by the Foundation's Children's Legal Services program and will receive a \$75,000 grant in 2019-20.

As a best interest attorney, Weisburd was assigned to advocate for what was best for Michelle's safety and success. Weisburd handles many similar cases at a time and mentors volunteer lawyers who want to help kids in the dependency system.

"One thing that was important for Michelle, that we always prioritized, was normalcy," Weisburd said. "There were experiences that were critical to Michelle, and ways she wanted her life to be. I think other people would have just said no because it was often very challenging to put those things in place. We knew how important it was for Michelle to have a normal life, to visit an uncle, go to a wedding or a funeral of a family member. And we always petitioned the court for that along with all of the critical services she needed to progress through her childhood safely and productively."

For Michelle, having Weisburd representing her best interests meant that she finally felt like someone was on her side.

"Ms. Nikki was the sun in the room," Michelle said. "Her smile is contagious. I may have felt alone a lot of the time, but Ms. Nikki was reassuring. [She told me,] Michelle, we're working for you, we're fighting for you."

Michelle benefitted from Weisburd's support in multiple ways. Weisburd worked to get a DNA test for the man Michelle believed was her biological father. Michelle, then 17, was pregnant and wanted to find out who her own father was for the baby's sake. Weisburd was concerned about where Michelle was living while she was pregnant and ensured that she remained safely at a group home for pregnant girls. And, Weisburd advocated to keep Michelle close to her sisters, the most important thing to Michelle once the girls came into the system.

"Michelle knew exactly what she needed and was able to articulate it, which is very rare," Weisburd said. "Especially being a child, and a child who suffered trauma. I've always admired her as a person."

Michelle also wanted to participate in the court process seeking justice for her mother's death, and Weisburd made sure Michelle had the support and protections to be able to access such proceedings safely.

"Ms. Nikki advocated a lot for me in court," Michelle said. "Ms. Nikki would settle every problem I had."

Michelle, now a mother of two, attends Miami Dade College and hopes one day to run a foster home for abused children like herself.

"If I can teach one child to smile, to help another, that's a chain reaction. This person will help one person and it will continue," Michelle said. "If you show a person that you have their back and they don't have to worry, they'll push themselves. They have to understand no one's going to hurt them. That was something, growing up, I always wanted."