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**Sent:** Friday, May 06, 2005 2:28 PM  
**To:** Celene Humphries  
**Cc:** Gyden, Henry G.; Katherine Yanes  
**Subject:** TPR and juvenile appeals

I am writing to encourage each of you to get involved and spread the word regarding the backlog in appeals of Termination of Parental Rights and Juvenile Dependency cases in Hillsborough County. This backlog is due in large part to a shortage of attorneys willing and able to handle the appeals on a pro bono or appointed basis. The result is that kids are being left in limbo and adoptions are being delayed. Judge Altenbernd of the Second District Court of Appeal and Judge Cook of the Thirteenth Judicial Circuit have asked the HCBA and its Appellate Practice Section for help. If you are an experienced appellate or family practice attorney, you may qualify for appointment to handle these appeals under prospective new guidelines that are now under discussion. If you want to help, it's important to get an application in by June 20, 2005, to be considered for the list of attorneys available for appointment to handle appeals in Termination of Parental Rights and Juvenile Dependency cases.

Attached is an article setting for more information regarding handling these appeals. Thank you for taking the time to read this e-mail.

Sincerely,

Celene Humphries

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# HOW YOU CAN HELP

Judge Altenbernd and Judge Cook's call for help presents an important opportunity for appellate and family practice attorneys to be of service to the judicial system and the children of Hillsborough County. No one wants children to wait any longer than necessary to have their futures decided and potential adoptive placements made or finalized. Unfortunately, that is exactly what is happening right now, in part because there are not enough attorneys taking appointments to handle Termination of Parental Rights and Juvenile Dependency appeals.

Part of the problem is that the minimum qualifications presently required for appointment to handle these juvenile appeals are overly restrictive, with the unwanted consequence of preventing attorneys who are willing and able to handle these appeals from doing so. The current requirements limit appointments in juvenile appeals to attorneys who have practiced law for five years, have prior experience as lead trial counsel or trial co-counsel in two Termination of Parental Rights trials and two Juvenile Dependency trials, and have obtained ten CLE hours in juvenile dependency law and five CLE hours in appellate law.

The Indigent Services Committee will meet on June 21, 2005, to consider revising the current requirements to allow experienced family law and appellate attorneys to be appointed to handle these appeals. The committee has requested that attorneys who are interested in taking appointments in juvenile appeals apply now, without waiting for the qualifications to be changed. The committee will consider applications to be placed on the list of attorneys qualified to take appointments in juvenile appeals at the same June 21 meeting.

Anyone who would like to apply can download an application directly from the Thirteenth Judicial Circuit's website. Click on [www.fljud13.org/indweb/casecats.htm](http://www.fljud13.org/indweb/casecats.htm), then "Application" in the box on the left of the screen. The last page of the application contains space to list the Termination of Parental Rights and Juvenile Dependency cases the attorney has participated in, as is required under the current set of minimum qualifications. Attorneys who do not meet the present criteria should use this page to explain the reasons they believe they are qualified to handle Termination of Parental Rights and Juvenile Dependency appeals. For example, an attorney may be board-certified in appellate law, may practice in the area of family law, or may have experience with juvenile or Termination of Parental Rights cases, such as working as a staff attorney with an appellate court. There is no requirement that the attorney applying practice in Hillsborough County.

Attorneys submitting applications should include a cover letter indicating whether they intend for their name to be added to the list of qualified attorneys only for purposes of addressing the present backlog or whether they would like to be placed on the list to take court-appointed cases on a regular basis. Applications should be submitted to the Indigent Services Committee, c/o Rick Melendi, 13th Judicial Circuit, 800 E. Twiggs St., Room 605, Tampa, FL 33602, no later than June 20, 2005. For more information, contact Rick Melendi of the Court Administrator's Office at 272-5371.

Attorneys can take juvenile appeals on a pro bono basis or contract to handle them at the rate set by the Thirteenth Judicial Circuit. At present, attorneys who take court-appointed appeals in Hillsborough County cases are compensated at the rate of \$60 per hour.

You can learn more about handling juvenile appeals at the CLE seminar that the HCBA Appellate Practice Section will be offering this fall. The CLE is tentatively set for the afternoon of the September general membership lunch, which will be held at the Hyatt on either September 13 or September 20.