

December 13, 2023

Family wins \$13.5M settlement in adoption case tried in Duval County

Jewish Family and Community Services did not disclose a child's Baker Act, safety plan and full diagnoses prior to adoption, lawsuit says.



Credit: Micha Chodyra

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Published: 3:54 PM EST December 13, 2023

Updated: 5:04 PM EST December 13, 2023

JACKSONVILLE, Fla. — The adoptive parents of a Jacksonville boy with special needs have been awarded \$13.5 million in damages against Jewish Family and Community Services for negligence. They say an adoption agency failed to disclose facts related to the boy's history during the adoption process, according to a release from a law firm representing the adoptive parents.

Despite knowledge that the adoptive parents had three daughters younger than five, the lawsuit alleged the Jewish Family and Community Services disclosed the minor's only diagnoses had been Autism and ADHD, and that JFCS failed to disclose his full diagnoses, a Baker Act commitment, and a safety plan from a previous foster placement requiring that he never be placed in a room with younger children.

Jewish Family and Community Services says they are limited in what they can say as the legal case is ongoing, but their focus is on the child involved and the adoptive family.**

The minor had been removed from the care of his biological mother in January 2016, when he was 6 years old, following a DCF abuse hotline report of prolonged neglect and substance abuse.

Upon entering foster care, he was initially placed in a specialized therapeutic foster home with a trained parent but was quickly removed from the home when it became apparent that he needed one-on-one supervision, the lawsuit said. Within three months, he was psychiatrically hospitalized.

During his hospitalization, he was diagnosed with several conditions including Reactive Attachment Disorder and Fetal Alcohol Syndrome. In 2016, the minor also began to exhibit sexually reactive behaviors toward other children in foster care, which led to the creation of the safety plan, the lawsuit continued.

"Following the adoption, the minor's behaviors escalated, including self-harm, threats to harm the adoptive father, fire-starting, and the sexual abuse of one of the daughters, requiring treatment at a residential facility specializing in reactive disorders, where his treaters have determined it is no longer safe for him to live with his sisters or adoptive parents, and that he will need constant supervision to ensure his safety and the safety of those around him," the release said.

Justin Grosz, a partner with Justice for Kids, a division of Kelley Kronenberg PA, represented the family in the case. The trial began in Duval County Circuit Court Dec. 4, 2023, and ended on Dec. 12.

"(The adoptive parents) are an inspiring testament to the meaning of family and commitment in the face of extreme adversity. Their ability to navigate such conflicting waters — protecting their daughters and themselves from their son while relentlessly pursuing care and treatment and endeavoring to maintain a sense of family unity in the hope of healing — has been remarkable," Grosz said. "An adoption agency must never needlessly endanger the lives and safety of children and families by failing to fully disclose information it is legally required to disclose."

**The full statement from Jewish Family and Community Services is as follows:

“Unfortunately, we’re very limited now in what we can say about this lawsuit as the legal case is far from over. Our focus is on the child involved and his adoptive family. Florida’s child welfare system has been working with this family for years to help heal the impacts of the trauma from abuse that happened before we helped with the adoption in 2017. For more than 60 years, we have been helping children and families with every stage of the adoption process – from aiding birth mothers to matching adoptive parents with children. We look forward to continuing that vital mission in this community.”