

Justice For Nubia, Victor and My Children

As I have been able to personally experience, we have a very serious problem with our Family Court system, which as the panel that investigated the death of Nubia Barahona noted (Exhibit B): *“In Florida we talk about a “system,” but we are far from a real “system.” We would be much closer to a genuine system if the operating principle in the case of every child in the child welfare system was this: We will insist that every piece of relevant information to a child’s life and future is available in one, constantly updated place where everyone responsible for that child’s well-being could see that information, discuss it, assess it. And we will apply critical thinking and common sense — always. None of this happened here. For these and other reasons, Nubia died. Horribly.”*

In a “genuine system,” we would learn from our mistakes, but unfortunately this has not been the case. As my personal experience shows, the “system” does not seem to have learned from its mistakes. For instance, the courts continue to rely on and “enthrall” “professionals” such as the one in the Nubia Barahona case, namely psychologist Vanessa Archer, who as the Nubia panel pointed:

“[her] omissions made Dr. Archer’s report, at best, incomplete, and should have brought into serious question the reliability of her recommendation[s],” pointing very clearly as to the validity of her “professional” reports. For instance in my case, the system relied solely on her unprofessional and completely biased opinion to take away shared custody of my children, causing my oldest son to go from being a great student and be thriving in life (Exhibit C), to being diagnosed with Major Depression and Post Traumatic Stress Disorder (Exhibit D) almost a year after our forced separation; all of this based exclusively on the incompetent opinion of Mrs. Archer. To further make my point, the Nubia panel goes on and says: *“it seems to us, case managers and child protective investigators seemed often – and it turns out – wrongly enthralled by the psychological report [Mrs. Archer’s report]. The report, as Dr. Walter Lambert so clearly testified, was patently incorrect. [The] conclusion that change in foster parents would destroy them [was] absurd.”*

“...relying on professionals [Mrs. Archer being on top] who were either unaware of all the research in trauma-sensitive transitions or not making an effective analysis of the information available because, among other things, professionals were not listening to, or taking into account seriously enough, what the children were saying.” In my case, Mrs. Archer went as far as hiding information from the courts. Instead of reporting to the Judge pertinent information, such as the fact that my son had denied what I had been accused of, went ahead and requested to stop phone communication with my children because my son was contradicting what she had written in her report.

As it is apparent by the Nubia panel, it seems to be customary by Mrs. Archer to ignore critical information: *“The court-ordered psychological evaluation of Nubia and Victor performed on Feb. 12, 2008 by Dr. Vanessa Archer recommending adoption of Nubia and Victor by the Barahonas to be “clearly in their best interest” and “to proceed with no further delay” – failed to consider critical information presented by the children’s principal and school professionals about potential signs of abuse and neglect by the Barahonas. That omission made Dr. Archer’s report, at best, incomplete, and should have brought into serious question the reliability of her recommendation of adoption. Several professionals,...[as in my case] the judge, were, or should have been, aware of that significant omission, and yet apparently failed to take any steps to rectify that critical flaw in her report.”*

While in my case, several teachers have noticed the deterioration of my children’s behavior, as exemplified by e-mails from four different of my son’s teachers (Exhibit E), **but Mrs. Archer chose**

to ignore them, and actually provided false information in her reports; in the Nubia case, Mrs. Archer also chose to ignore the evidence, and actually provided false information as well: "In September 2007, a School Multidisciplinary Treatment Team found that Victor was demonstrating poor academic progress and would be repeating first grade; yet, in a report to the court on Feb. 22, 2008, Dr. Archer says, "while both children are in special educational classes, they are excelling academically." Information which was clearly false, and readily available to her, as stated in the panel's report: "Information about the children's academic performance is readily available online from the Miami-Dade Public School System."

Furthermore, as it is apparently customary by Mrs. Archer, her "professional" skills are highly questionable as noted by the same panel: ***"It should be noted that the panel was provided an administrative law judge's opinion in another case in which Dr. Archer's "acquisition of her entire factual basis for her testimony commenced 10 minutes prior to entering the hearing room. At that time, she reviewed medical notes, consulted with [department counsel] and met with the child and the foster mother, briefly." The Administrative Law Judge on that case referred to this as a "drive-by diagnosis."***

The panel goes on to say about Mrs. Archer's professionalism the following: ***"The delay of more than five months to perform the psychological evaluation ordered by Judge Valerie Manno-Schurr appears inexcusable in light of the fact that it was compelled by the very serious concerns raised by the principal and teacher at the children's schools about the safety of Nubia and Victor in their foster home. In total, about 11 months lapsed..."***

As the evidence presented by the Nubia panel clearly shows, Mrs. Archer should have been reprimanded for her lack of professionalism and poor performance protecting the children of our state, but instead, was promoted to hear cases such as mine. Despite my strongest opposition to not have Mrs. Archer for a second psychological evaluation, my petition to have a more competent and unbiased psychologist was denied. The result, as expected from someone I had reported to the board of psychology for incompetence (Exhibit H), was that she retaliated with vengeance in clearly biased and unprofessional statements to belittle my faith, accomplishments, and character (Exhibits F, and G): "Mr. Jimenez has not demonstrated much creativity...[has] rigid thought pattern[s]...[his] perseverative thought processes and dogmatic behavior patterns would also explain his religious obsessions, and his repeated and continued attempts to convince others that he has been falsely accused."

As my case clearly shows, not making Mrs. Archer accountable for her poor professionalism and performance has prevented her from learning the lessons that she should have learned from the Nubia Barahona case. This egregious mistake has caused even more havoc and destruction to innocent lives as seen with my children in my case. However, I am confident that by me bringing these facts to the light, any future mistakes will be prevented.

The Nubia Report

The Investigative Panel's Findings and Recommendations

Panel: David Lawrence Jr., Roberto Martinez, Esq., Dr. James Sewell



Presented to:
David E. Wilkins, Secretary
Department of Children and Families

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Preface

The image of Nubia - golden hair and smile framed by pony tails, sitting up straight and facing the future - is with us forever. Hers is the very picture of life and childhood in bloom - green eyes and good heart eager for what life might bring.

Nubia never had the life she wanted, the life she deserved. Her life was short. Not even 11 years. Full of horror, ending in horror. Her final screams and cries cannot leave us, should not leave us.

We do not want to call her "Nubia Barahona" because she didn't deserve to have that last name. So we will not. Just "Nubia."

All children begin with innocence. No child deserves to have innocence taken. Nubia's was ripped away. That makes us weep. And angry.

When terrible things happen, we are obliged as people to learn lessons - and apply those lessons. Shame on us - all of us in Florida - if we cannot learn from this so other children have a far less chance to have such horrors visited upon them.

The courts will decide the fate of those charged criminally in this case. The rest of us - you, us, all of us -- have much else to do. We three citizens of Florida went through more than 15 hours of testimony and several thousand pages of documents, and see so clearly this:

The red flag of caution and warning was raised many times: By teachers and principals, by a Guardian Ad Litem (GAL) and her attorney, by a nurse, by a psychologist, by Nubia's "family" stonewalling the search for fundamental information.

But nobody seemingly put it all together.

We do not seek to condemn all the people of the Department of Children and Families (DCF) nor all the people of Our Kids (the community-based care oversight group and its subcontractor agencies). We are sure that many of them are good and caring and skillful professionals who work to preserve to keep families together when they should be together, and work hard to do right by each and every child. We also know that some of them are substantially undercompensated for what is frequently the toughest sort of challenges. But none of us should be permitted to use those sorts of things as an "excuse," or say, or think, "mistakes happen." Though surely they do, mistakes must be seen as inexcusable when they involve human life, most especially the lives of the most vulnerable.

In Florida we talk about a "system," but we are far from a real "system." We would be much closer to a genuine system if the operating principle in the case of every child in the child welfare system was this: We will insist that every piece of relevant information to a child's life and future is available in one, constantly updated place where everyone

responsible for that child's well-being could see that information, discuss it, assess it. And we will apply critical thinking and common sense -- always. None of this happened here. For these and other reasons, Nubia died. Horribly.

We do not seek a bigger bureaucracy. Over the years process upon process, bureaucracy upon bureaucracy, have been added to the workload of case managers and child protective investigators and others who work in the field of child welfare. Indeed, steps should be taken to minimize "process" and "bureaucracy," substituting such with making sure we have employed and trained and advanced and compensated fairly the best, most skilled, most caring professionals - and then demanded from each not only those skills, but a great heart and real common sense. Speaking to common sense and effective listening, who within the system worked effectively to hear what Nubia and Victor were trying to say? That sort of listening requires healthy skepticism on everyone's part - the protective investigator, the case manager, the Guardian Ad Litem, Children's Legal Services, the court, the therapists. Remember that so much about the narrative was woven and manipulated by Mrs. Barahona. Moreover, it seems to us, case managers and child protective investigators seemed often - and it turns out - wrongly enthralled by the psychological report. The report, as Dr. Walter Lambert so clearly testified, was patently incorrect. In fact, children have considerable resilience at the age of these children to go through planned and trauma-sensitive transitions. Thus, a conclusion that a change in foster parents would destroy them is absurd.

What we heard makes clear that everyone seemed to be relying on professionals who were either unaware of all the research in trauma-sensitive transitions or not making an effective analysis of the information available because, among other things, professionals were not listening to, or taking into account seriously enough, what the children were saying. In Nubia's case this included well-documented depression and fear that something terrible was going to happen to her. (And it did.) As parents we know if we had heard this about our own children, we would have searched - immediately and relentlessly - for the roots of this fear and depression and wouldn't have accepted a simple referral to a therapist as an answer anywhere near complete.

Unlike previous blue-ribbon panels following the deaths of Rilya Wilson and Gabriel Myers - upon which two of us have served - we have sought, at the direction of the new secretary of DCF, recommendations arrived at more quickly so they can be implemented as immediately as practicable. We give you, then, recommendations along two paths:

- One: Recommendations that can be addressed and applied within the next 90 days.
- Two: Recommendations that will require exploration, take longer and may well involve legislative and gubernatorial action and leadership.

In the name of Nubia, and all the children of our state, we thank you for the privilege of service.

David Lawrence Jr. Roberto Martínez Dr. James Sewell

Report
Prepared
by Vanessa
Archer

Introduction

On Feb. 14, 2011, 10-year-old Victor Barahona and his adoptive father, Jorge Barahona, were discovered next to their family vehicle on the side of Interstate 95 in Palm Beach County. Responding law enforcement personnel determined both Victor and his father were in dire need of emergency medical assistance; officials also detected toxic fumes emanating from the vehicle. Both father and son were suffering from what appeared to be chemical burns to their bodies. After Victor and his father were hospitalized, the body of Victor's twin sister, Nubia, was discovered in the trunk of the vehicle.

On Feb. 15, the Miami-Dade Police Department notified DCF that the father had confessed to causing Nubia's death, reporting that he and the mother allowed the child to starve to death. The father told police he also had planned to kill his adopted son and commit suicide, but had failed to follow through successfully. Both parents have been charged with first degree murder.

The Barahonas' other two adopted children were taken into protective custody and placed in a therapeutic foster home.

At the time of Nubia's death, the department had an open investigation on the family due to allegations of bizarre punishment and physical injury.

Independent Investigative Panel

As a result of the issues in this case, on Feb. 21, DCF Secretary David E. Wilkins established an independent investigative panel to examine this case and other issues involving the Barahona family. Specifically, the charge to the panel was two-fold:

- First, to determine what went "wrong" and what went "right," and make recommendations that can be achieved within the next 90 days;
- Second, to identify other issues and practices that the department and its contract providers must review in depth over the coming months and which ultimately may involve changes in law or policy, as well as in child welfare practices.

Secretary Wilkins asked three individuals to serve as members of this panel:

- David Lawrence, Jr., president of The Early Childhood Initiative Foundation and chair of The Children's Movement of Florida.
- Roberto Martínez, Esq., former U.S. Attorney for the Southern District of Florida and currently a member of the State Board of Education.
- James D. Sewell, Ph. D., retired Assistant Commissioner of the Florida Department of Law Enforcement.

In preparing its findings and developing its recommendations, the panel held five public meetings at the Rohde State Office Building in Miami:

- Feb. 25
- March 1
- March 3
- March 7
- March 10

The panel heard presentations and testimony from 24 individuals who were invited or requested the opportunity to speak; a number of these appeared several times before the panel.

In addition to these presentations, members of the panel reviewed myriad materials, including studies, reports, previous investigations, statutes, operating procedures and model policies related to the Barahona case. At the written request of State Attorney Michael F. McAuliffe, and so as not to jeopardize the active criminal investigation, the panel focused its review on material and information received prior to the onset of the criminal investigation that began Feb. 14. Copies of all material provided and PowerPoint presentations made to the panel are maintained on the website created to ensure the transparency of this process (www.dcf.state.fl.us/).

Findings

- (1) The court-ordered psychological evaluation of Nubia and Victor performed on Feb. 12, 2008 by Dr. Vanessa Archer recommending adoption of Nubia and Victor by the Barahonas to be "clearly in their best interest" and "to proceed with no further delay" --- failed to consider critical information presented by the children's principal and school professionals about potential signs of abuse and neglect by the Barahonas. That omission made Dr. Archer's report, at best, incomplete, and should have brought into serious question the reliability of her recommendation of adoption. Several professionals, including the Our Kids' case manager, the GAL, and the Children's Legal Services attorney, as well as the judge, were, or should have been, aware of that significant omission, and yet apparently failed to take any steps to rectify that critical flaw in her report.
- (2) There appears to have been no centralized system to ensure that critical information (e.g., the schools' concerns, the children's academic troubles, and the reasons for the court-ordered evaluation) was disseminated to and examined by the psychologist, or that participants informed about the particulars of the case (e.g., the case manager, the DCF attorney, the GAL and the GAL attorney) followed through in reviewing the evaluation. In September 2007, a School Multidisciplinary Treatment Team found that Victor was demonstrating poor academic progress and would be repeating first grade; yet, in a report to the court on Feb. 22, 2008, Dr. Archer says, "while both children are in special educational classes, they are excelling academically." Information about the children's academic performance is readily available online from the Miami-Dade Public School System and could

have been accessible by the psychologist if she had been authorized to use the children's parent portal. It should be noted that the panel was provided an administrative law judge's opinion in another case in which Dr. Archer's "acquisition of her entire factual basis for her testimony commenced 10 minutes prior to entering the hearing room. At that time, she reviewed medical notes, consulted with [department counsel] and met with the child and the foster mother, briefly." The Administrative Law Judge on that case referred to this as a "drive-by diagnosis."

- (3) The delay of more than five months to perform the psychological evaluation ordered by Judge Valerie Manno-Schurr appears inexcusable in light of the fact that it was compelled by the very serious concerns raised by the principal and teacher at the children's schools about the safety of Nubia and Victor in their foster home. In total, about 11 months lapsed between the date the GAL attorney and the Abuse Hotline received the concerns from Nubia's school on March 20, 2007 and the date Dr. Archer's report was filed with the court on Feb. 22, 2008.
- (4) While this case was complex there were throughout a number of visible, but neither comprehensively nor effectively handled, red flags that should have resulted in further review. Throughout the life of the case, the GAL, school personnel, and a nurse practitioner raised concerns that should have required intense and coordinated follow-up. The troubling nature of these flags, were largely ignored. Behavioral concerns and difficulties in school performance also should have generated a more integrated response in which the concerns of all parties could have been considered and reconciled.
- (5) This case spanned a number of years and a large number of reports. Significantly, much of the documentation was incomplete or inadequate, and it was difficult for this panel, as well as staff concerned with quality assurance, to reconstruct what actually occurred, who was or should have been involved, and the results of any action taken. This is at best sloppy note-taking.
- (6) Process can give a false sense of complacency to those involved in the system. Simply checking off a box on a standardized form, observing children during a brief visit, or conducting a pro forma evaluation without considering all the issues that impact a child do not eliminate the need for reasoned judgment. Critical thinking, common sense and a sense of urgency were lacking at points throughout the life of this case.
- (7) As we have seen in other cases in the past, no one accepted the role of "system integrator" with responsibility to ensure that each individual involved shared and had access to all pertinent case-related information, including allegations of abuse. That point person needs to be the case manager who ensures that all of the information is blended into a useable format. As in other cases, the Our Kids case manager, GAL, GAL attorney, DCF Children's Legal Services attorney, and psychologist each had specific responsibilities. But no

single person came to the fore and said, "I am responsible." We cannot let that happen again.

- (8) The school system served as an independent barometer of issues occurring in the lives of Nubia and Victor, and both kindergarten and elementary school personnel were willing to be involved in raising the issues in an appropriate forum, including testifying in court hearings. These school personnel deserve to be commended for their diligence as caring professionals. After the end of the 2009-2010 school year, the Barahonas chose to home school the children, taking away most of their visibility to outside eyes and increasing the danger that abuse and neglect would go unrecognized. This was further compounded by the lack of formal requirements relating to the monitoring of students being home schooled.
- (9) DCF and Our Kids discussed with the panel a number of new practices that have been implemented since these children were first put into foster care and that should reduce some of the concerns we saw in this case. The model of Structured Decision Making (SDM), used in Miami-Dade County by both child protective investigators and case managers, appears to offer an organized approach to assessing safety, risks, potential future harm, and the needs of the family but only if correctly and consistently applied and takes into account all known facts and circumstances. Enhanced use of technology could reduce some of the paperwork burden of the investigators and case managers and ensure better and more real-time communication among the elements of the child welfare system. But technology should never substitute for the exercise of critical thinking, sound judgment and common sense. Technology should be used to augment and enhance those skills.
- (10) While Our Kids has discussed expanded post-adoption services now available in Miami-Dade County, the panel cannot emphasize more strongly the necessity to ensure that adoptive parents understand the resources that are available. That alone may not suffice. Appropriate follow-up by the case management agency must support the use of such services to meet the family's unique needs.
- (11) Early in this case, the biological father suggested that a family placement with his sister and brother-in-law was more appropriate than with foster parents. Delays in using the Interstate Compact on Placement of Children to accomplish this and the opinion by Dr. Archer that removal from the Barahona family would be detrimental to the children resulted in this not being considered a viable option.
- (12) Throughout the case, there is evidence that the Barahonas did not ensure the mental and medical health of these children. On several occasions in the file, Victor's dental needs are noted, and, as early as December 2004, a nurse practitioner noted concerns about both Nubia missing appointments and the failure of the foster mother to accompany her to appointments she did keep. On Aug. 8, 2008, the Foster Care Review Panel expressed concerns that

Nubia had not received therapy, noted that this panel had recommended such therapy at a previous meeting, and that an earlier evaluation had found Nubia to be depressed, thinking about killing herself, and afraid that terrible things might happen to her. The case record for Nubia provided to the panel by Our Kids contains scant documentation about health care services received.

- (13) The panel is extremely concerned about the accountability of DCF child protective investigators for their on-the-job performance. Data provided to the panel indicated that of 58 investigators evaluated during the last annual performance appraisal period, five had less than satisfactory performance evaluations (three of whom were supervised by a supervisor on a corrective action plan for poor performance). One of these was placed upon a performance improvement plan; one was transferred to another unit; one demonstrated improvement and is being re-appraised; and two had no action taken. The child protective investigator responding to one of the abuse reports of Feb. 10 was one of the employees who had received a less than satisfactory annual rating. (Currently, three CPI supervisors also are on corrective action plans for job performance.)
- (14) We appreciate the openness of discussions by the majority of those who appeared before the panel. Honesty, candor and transparency are critical to the continued improvement of our child welfare system. However, we must note that the presentation by Delores Dunn, the CEO of the Center for Family and Child Enrichment (CFCE), the case management organization contracted by Our Kids for Nubia and other foster children, was unsatisfactory. In her prepared comments, she repeatedly failed to demonstrate a grasp of the basic facts surrounding the work of her case managers. Her "stage handling" by Fran Allegra, CEO of Our Kids, Inc. and Alan Mishael, Counsel retained by CFCE created suspicions as to what, if anything, they were trying to hide, with both of them answering for her or whispering in her ear while the panel was posing questions. None of this contributed to the candid discussion we expected; instead, it resembled the "circling of the wagons" seen in some past reviews of cases occurring within Florida's child welfare system.
- (15) On June 9, 2010, the Abuse Hotline received a call from Nubia's school detailing comprehensive allegations of explicit neglect, including that Nubia's hunger was "uncontrollable, that she had an unpleasant body odor, and that she was very thin, nervous, and losing hair." The report was assessed as a "special conditions" referral, indicating that it did not constitute an allegation of abuse, abandonment, or neglect, but still required a response by DCF to assess the need for services. That report was closed on June 24 with no services recommended. The parents apparently were offered services, but said they were already receiving what they needed. Based on our review of the entire series of cases involving Nubia, the panel finds that the allegations should have been treated as a case involving abuse or neglect and that Our Kids should have been involved in identifying and providing post-adoption services. This was the last call to the Abuse Hotline from the school system. The children were removed by the Barahonas from the school system for the

2010-2011 school year and presumably "home schooled."

- (16) The response to a Feb. 10, 2011 call and two subsequent calls to the Abuse Hotline concerning abuse of Nubia by the Barahonas was replete with errors and poor practices and stands out as a model of fatal ineptitude. Abuse Hotline personnel initially classified the call as needing a response by investigators within 24 hours, when it should have mandated an immediate response and a referral to law enforcement; another call received on Feb. 12 also was misclassified as needing a response within 24 hours response when it, too, should have required the immediate attention of an investigator. Three calls received within 48 hours about the Barahonas were considered wrongly - - and stupidly -- as three distinct events, and the investigative responses were not coordinated from the onset. The SDM instrument developed after the initial on-site review of the Barahona home was completed incorrectly and did not take into account the absence of Nubia or Victor or their potential danger; consequently, the investigator found no concerns for the safety of the other children in the home. An initial supervisory review completed late on Feb. 12 was conducted by a supervisor, did not take into account all the facts of the case, and failed to identify investigative deficiencies or add a sense of urgency to the activities of the child protective investigator. At no time prior to Feb. 14 was law enforcement advised of these abuse allegations or DCF's inability to locate the children.
- (17) The panel is concerned about efforts to recruit, train, reward and retain child protective investigators. The starting salary for a DCF child protective investigator in Miami-Dade County is \$34,689. Comparable salaries are in the \$40,000 range for Broward CPIs, located under the Broward County Sheriff's Office, and Miami- Dade case managers working for Our Kids. In short, many top performers leave this stressful job and are paid more money in the process. Thirty-nine investigators have been hired since July 2010, with 10 of these still in training and not yet with a caseload. An additional eight vacancies currently exist, and three more are anticipated in the near future.
- (18) Foster Care Review, a not-for-profit organization, supports the Juvenile Court in monitoring the safety, well-being and permanency of children living in the child welfare system in Miami-Dade County. Its volunteers serve on citizen review panels that conduct legally required judicial reviews of 13-15% of foster children in out-of-home care. Nubia's case was presented to a citizen review panel on eight separate occasions over the last three years she was in the foster care system, prior to her adoption by the Barahonas. We were impressed with the Foster Care Review potential and would hope it would be expanded and used in many more cases.
- (19) In 1993, the Legislature authorized the then Department of Health and Rehabilitative Services to enter into agreements with sheriffs' offices or police departments to assume the lead role in conducting criminal investigation of child maltreatment, as well as other aspects of child protective investigations. In 1997, the Manatee County Sheriff's Office was the first to assume

contracted responsibility for child protection investigations. Since then, seven county sheriff's offices have assumed responsibility for child abuse investigations in their jurisdiction. According to a 2010 report by the Office of Program Policy Analysis and Government Accountability (OPPAGA), the costs for a sheriff's office generally exceed DCF costs for child protective investigations. But there are significant benefits, including enhanced resources, additional equipment (including vehicles and technology), enhanced entry-level training, better training consistent with law enforcement needs, standardized uniforms, better office space, better salaries, and greater assistance and cooperation with law enforcement. (This same OPPAGA report found no meaningful differences between sheriffs' offices and DCF in short-term outcomes for children as measured by subsequent maltreatment within three to six months when an investigator did not originally substantiate maltreatment, nor were there significant differences in the rate of substantiation of allegations of maltreatment between the two bodies.)

- (20) Much of the necessary information raising red flags and identifying the service needs of the Barahonas was present in documents contained within the system. A serious deficiency, however, was the failure of individuals involved in the case to talk with each other rather than relying on inadequate information technology. Many of the communications problems that can be identified in this and other cases can be overcome by prompt and coordinated interpersonal interaction among those involved in the care of the child. We emphasize: There is no substitute for critical thinking and common sense.

Short-term Recommendations (Within 60-90 Days)

Quality of Case Managers

Case managers are central to the well-being of the children in the system. It is critically important that they be qualified, well trained, well supervised and fairly compensated. DCF immediately should undertake a comprehensive review of the quality of the work performed by the CFCE and its case managers, including the quality of the oversight of CFCE provided by Our Kids. The defensive presentation by CFCE, with its denial of mistakes, even with the benefit of a hindsight review, throws into question the level of its professional standards and its ability to monitor the quality of its professionals.

Psychologists

1. DCF should commence an immediate review of the work and qualifications of the psychologists used by the court system. This review should be performed by a panel of psychologists independent of the Miami-Dade children welfare system and should include recommendations to improve the quality of the professionals and of the system.
2. Children's Legal Services should work with the chief judge and appropriate dependency judges to enhance information on court orders for psychological

evaluation of foster children, providing greater and better direction to the psychologist.

3. What's needed are clearly articulated expectations for any psychological evaluation as well as clear criteria for reviewing the performance of any contracted psychologist or other expert called on to evaluate children on behalf of the court.
4. Children's Legal Services should work with the chief judge and appropriate dependency judges to explore the need for and use of a "wheel" system to select and assign psychologists for evaluations.

Abuse Hotline

1. DCF should modify the Abuse Hotline procedures to give a greater weight and immediacy to calls from a school district employee.
2. DCF should review the definition and use of "special conditions" referrals.
3. DCF should modify the Abuse Hotline procedures to give greater weight to calls from community-based care agencies and their contracted providers.
4. DCF should take steps through both training and quality control to ensure that intakes from the Abuse Hotline are correctly identified as an immediate response or within-24-hours response.
5. DCF should work with law enforcement to ensure an appropriate joint response when children are not located quickly.
6. Through training, enhanced technology, process improvement and quality control, every effort must be made to insist that all new information is linked to existing cases in a simple and readily accessible fashion.
7. DCF should ensure that "mandatory reporters" in each community are exposed to web-based training available through the DCF to sharpen their awareness and reporting skills for abuse and neglect calls.

Information Sharing and Services Integration

1. DCF should work with the school system and Department of Education to devise an efficient alert system, with appropriate follow-up inspections, for at risk children removed from the school system and placed in "home schooling."
2. DCF, working in partnership with its community-based care lead agencies, should emphasize and mandate the role of the case manager as the "systems integrator" on cases to which he/she is assigned, articulating the leadership role of this position in assembling and supporting the right team to deal effectively with the needs of the child. This includes ensuring the safety, permanency and well-being of each child, providing educational support, full medical and dental services, all needed mental health and therapy services, and necessary child development care and services.
3. Our Kids should work with the Miami-Dade School District to ensure that school personnel are integrated into any team meetings that focus on the needs of a child in foster care.
4. DCF should immediately update its Memorandum of Understanding with law enforcement to ensure an appropriate joint response when children are not located in a timely manner and to ensure that law enforcement is notified

immediately when the statutory requirement for immediate notification of abuse and neglect reports is met.

5. Children's Legal Services should work with Our Kids and the assigned judge to ensure that the citizens' review panel recommendations are fully heard and heeded.
6. DCF should meet with the Chief Justice of the Florida Supreme Court to review the assignment and rotation of dependency judges so that each serves for at least 2-3 years on that bench.

Training

1. DCF, working in partnership with its community-based care partners and child welfare experts, should revise the current approach to professional development of investigators, case managers and licensure staff, including pre-service and in-service training and the use of technology. This should include both much deeper specialty training for CPIs in the science and practice of child protective investigation as well as training of CPI and case management supervisors.
2. DCF should review and strengthen the training provided to child protective investigator supervisors.

Technology

1. Our Kids should work with the Miami-Dade School District to develop an interface between the district's system, integrating school-related indicators with those used within the child welfare system.
2. DCF should develop the capability to technologically link existing adoptees within the Abuse Hotline information system when notifying the community-based care agency that services are needed after an abuse or neglect report.
3. DCF should make sure it has the technology to ensure Guardian ad Litem and courts are automatically notified of abuse reports on children in foster care and to encourage them to use Florida Safe Families Network.
4. DCF and Our Kids should work with the Miami-Dade School District to make sure that the case manager has direct technological access to student records for children in foster care.
5. Our Kids should add abuse reports regardless of findings to the existing Child Facesheet within its information system.
6. Our Kids immediately should begin full use of the department's automated child welfare case record as required by federal and state law. This includes fully completing the educational, medical, mental health and other key components of the automated child welfare case record.
7. When an abuse report is received on a child in foster care, DCF immediately should convene a team of all key agencies and involved professionals.

Long-term Recommendations

Personnel Management

1. DCF should examine the recruitment, selection and retention of CPIs, including classification, pay scale, need for competitive area differential, and career development and develop recommendations by May 1.
2. DCF should examine the salary scales within the community-based care agencies and their contracted providers. There is surely a major disparity in compensation and questions of equity when one sees how much less DCF professionals make vis-à-vis those in the community-based care system.
3. DCF should ensure that performance reviews of child protective investigators, caseworkers and supervisors are completed annually and that most importantly individuals on performance improvement plans are held accountable and dealt with in a consistent, timely manner.

Training

1. DCF, working with its community-based care lead agencies, should ensure ongoing training of child welfare personnel in trauma-informed care, including how to make trauma-sensitive transitions when it might be best to remove children from their birth family homes, or foster or adoptive homes.
2. Our Kids should work with the Miami-Dade School District to provide joint training of child welfare workers and foster/adoptive parents.
3. Children's Legal Services should take the lead in coordinating training in substantive and litigation skills, including cross-training with Guardian ad Litem and the Office of Regional Counsel.

Service Delivery

1. Our Kids, working with the Miami-Dade School District, should ensure that educational plans are developed for all children in care.
2. DCF should take the necessary legislative and/or administrative steps to ensure that foster children who have been adopted and are being home schooled are seen on a regular basis by case management personnel.
3. DCF, working with its community-based care lead agencies, should ensure that adequate post-adoption services are available throughout the state, and consideration should be given to requiring such services for the first two years when families adopt children with special needs.

Technology

1. DCF, working with its community-based care partners, should develop an electronic medical passport for each child in foster care and link this to the FSFN data base.

Other Thoughts

1. The incoming Secretary should undertake a review of the quality of the services performed by Our Kids and its subcontractors. Our Kids of Miami-Dade/Monroe receives about \$100 million per year from DCF to perform contracted services. This investigation has raised concerns about the quality of some services delivered by Our Kids and its subcontractors.
2. Children's Legal Services and the chief judge should review practices in the appointment of private lawyers to represent dependent children to ensure that the Rules of Professional Responsibility are fulfilled.

List of Documents Reviewed

The following documents were reviewed by the panel. The complete set of documents is available on the DCF website:

1. Detailed Timeline of Barahona Case Events
2. Transcript from Evidentiary Court Hearing on November 28, 2007
3. Transcript from Evidentiary Court Hearing on February 22, 2008
4. Department of Administrative Hearing - Recommended Order for Case 20061129, C.S. v. DCF
5. Home Schooling Facts, Laws and Questions
6. Written Statement to the Investigative Review Panel by Delores Dunn, CEO of the Center for Family and Child Enrichment
7. Transcript of Oral Statement to the Investigative Review Panel by Delores Dunn, CEO of the Center for Family and Child Enrichment
8. Recommendations for Children's Legal Services to the Investigative Review Panel by Mary Cagle, Director of Children's Legal Services
9. IRS 990 Form for Our Kids, Inc.
10. IRS 990 Form for the Center for Family and Child Enrichment
11. Our Kids, Inc. Budget
12. Psychological Reports
13. Judicial Review Reports and Court Orders
14. Protective Investigation and Case Management Records

MIAMI-DADE COUNTY PUBLIC SCHOOLS

CERTIFICATE
of
AWARD

This Certifies That

MARIO JIMENEZ-WIZEL

is awarded this Certificate for

STUDENT OF THE MONTH

Given at WINSTON PARK K-8 CENTER, this 28TH day of MARCH, A.D., 2012

J. Blanco
Principal

Eduardo J. J. J.
Assistant Principal

ID: 3005025935

DOB: 8/20/2002

Complete Evaluation: Continued

Alt. Patient ID:

- Athetoid (slow, irregular complex, serpentine)
- Do not include tremor (repetitive, regular, rhythmic)

None

- 6. Lower including legs, knees, ankles, toes
- (lateral knee movement, foot tapping, heel dropping, foot squirming, inversion & eversion of foot)

None

Trunk Movements:

- 7. Neck, shldr, hips (rocking, squirming, pelvic mvmts)

None

Global Judgement:

- 8. Severity of abnormal movements

None

- 9. Incapacitation due to abnormal movements

None

- 10. Patient's awareness of abnormal movements

None

Dental Status:

- 11. Current problems with teeth &/or dentures?

None

- 12. Does patient usually wear dentures?

No

DIAGNOSES: The following Diagnoses are based on currently available information and may change as additional information becomes available.

Axis I: **Post Traumatic Stress Disorder, 309.81 (Active)**
R/O Major Depressive Disorder, Recurrent, Severe w/o Psychotic Features , 296.33 (Active)
R/O Attention Deficit Hyperactivity Disorder, Combined Type, 314.01 (Active)

Axis II: Deferred Diagnosis 799.99

Axis III: MEDICAL HISTORY:

Adverse Drug Reactions:

There is no known history of adverse drug reactions.

Allergies :

There are no known allergies.

Past Surgical History: Past surgical history is entirely negative.

Cardiac: There is no family history of early death due to cardiac arrhythmia or conduction defect or other related cardiac issues.

Axis IV:

FAMILY HISTORY:

- Housing
- Economic
- Educational

Axis V: 55

INSTRUCTIONS / RECOMMENDATIONS / PLAN:

Patient was educated about risks, side effects, adverse reactions, benefits of current psychotropic medications. Alternative treatment options, including no treatment, were discussed.

Exhibit D

Subject: Re: Hi Miss. Cintron

From: Mario Jimenez (marioaj01@yahoo.com)

To: bcintron@charterschoolatwaterstone.com;

Cc: rvaldes@charterschoolatwaterstone.com; smanjarrez@charterschoolatwaterstone.com; jessica@scanziani.com; Denise@scanziani.com;

Date: Thursday, March 7, 2013 8:15 PM

Thank you Mrs. Cintron. That was a great recap of our meeting. I really appreciate your and Ms. Manjarrez' effort to help my son.

Regards,

Mario Jimenez, M.D.

=====

From: Barbara Cintron <bcintron@charterschoolatwaterstone.com>
To: Mario Jimenez <marioaj01@yahoo.com>
Cc: Rebecca Valdes <rvaldes@charterschoolatwaterstone.com>; Sherrie Manjarrez <smanjarrez@charterschoolatwaterstone.com>; "jessica@scanziani.com" <jessica@scanziani.com>; Denise Martinez-scanziani <Denise@scanziani.com>
Sent: Thursday, March 7, 2013 3:09 PM
Subject: RE: Hi Miss. Cintron

Recap of March 7, 2013 meeting with Mr. Jimenez:

- 1.) Printout of Mario's grades were printed and discussed.
- 2.) His behavior, use of inappropriate language, and seat relocation in both classes.
- 3.) Issues with homework has improved with checking of agenda from both teachers and mom.
- 4.) Dad requested counseling from school; however, such services are not provided here. Mr. Jimenez was instructed to go to the main office for a list of local resources in the area.
 - a. Teachers agreed with Mr. Jimenez that given Mario's situation that he may benefit from counseling.
- 5.) Mr. Jimenez voiced his desire of all members of the family involved in the current situation should seek counseling.
- 6.) Mr. Jimenez briefed both Ms. Manjarres and Mrs. Cintron of Mario's strong resentment to the paternal family due to ideas put into Mario's head.
- 7.) Mr. Jimenez also informed the teachers a bit of his battle with mom for shared custody.
- 8.) Mr. Jimenez told the teachers that there was a year which he had Mario. During that year Mario improved academically, behaviorally, and that Mario became student of the month.
- 9.) Mr. Jimenez requested to continue updating him about Mario's academics and behavior.

From: Mario Jimenez [mailto:marioaj01@yahoo.com]
Sent: Thursday, March 07, 2013 1:30 PM
To: Barbara Cintron

Exhibit E

Page 1 of 5

Cc: Rebecca Valdes; Sherrie Manjarrez; jessica@scanziani.com; Denise Martinez-scanziani
Subject: Re: Hi Miss. Cintron

Thank you Ms. Manjarrez and Mrs. Cintron,

It was a pleasure talking to both of you this morning. I totally agree with you that Mario needs counseling. I used to take him to counseling on a weekly basis and his behavior and grades reflected his improvement.

Unfortunately, unless I am able to recover at least shared custody of the kids, I am unable to ensure that this will take place. Not only that, since his anger comes from false ideas he has about me and my side of the family, I believe that it is important that the counseling happens with us included as well.

I would greatly appreciate your comments and suggestions on this matter. Thank you very much for your time and attention.

Regards,

Mario Jimenez, M.D.

From: Mario Jimenez <marioaj01@yahoo.com>
To: Barbara Cintron <bcintron@charterschoolatwaterstone.com>
Cc: Rebecca Valdes <rvaldes@charterschoolatwaterstone.com>; Sherrie Manjarrez <smanjarrez@charterschoolatwaterstone.com>
Sent: Tuesday, February 12, 2013 7:46 PM
Subject: Re: Hi Miss. Cintron

Thank you Ms. Manjarres and Mrs. Cintron,

As you mentioned, Mario scored 75% in his reading winter assessment demonstrating that he is at proficient mastery level and that he should be performing much better on his assignments. This was achieved in great part with the effort of his grandparents, my new wife and me because we believe in the importance of education and that our kids have great potential to serve in this life. After their mother took them from me for two years against a judge's order in Nicaragua, I was finally able to get shared custody of him and his sister for a year, we worked very hard with his teachers and school counselor at his previous school, and he went from failing third grade, to being named student of the month, and an A and B student.

**After my son was separated from his extended family and myself, his academic performance and conduct in all social settings have deteriorated dramatically. My whole family and I fear for his mental well-being and development, especially after it was proven without a shadow of a doubt how well he was doing during the year that he and his sister returned to a shared custody arrangement. As a doctor, I have had the opportunity to speak with psychologists about this topic, and they have manifested their concerns that this might very well be a direct consequence of the parental alienation he has been forced to experience, a manifestation of a syndrome known in the medical field as Parental Alienation Syndrome (PAS). Please, see here for more details:
<http://www.parentalalienation.org/articles/parental-alienation-defined.html>**

My family and I are currently working within the legal system to help bring these facts to light to make

sure we act in the best interest of our children and stop the parental alienation they have been forced to sustain. I would love to have the opportunity to meet with both of you and go over a plan to help my son through this very difficult time. In the mean time, if there is anything within my limits that I can do to assist the children, please do not hesitate to let me know. I would also like to ask if the children can see the school counselor to help them cope with the ordeal they are currently facing.

I would like to thank you in advance for your time and attention to this matter.

Best regards,

Mario Jimenez, M.D.

"Trust in the Lord with all your heart and lean not on your own understanding; in all your ways submit to Him, and He will direct your paths" (Proverbs 3:5-6).

"Rejoice in the Lord always. I will say it again: Rejoice! Let your gentleness be evident to all. The Lord is near. Do not be anxious about anything, but in every situation, by prayer and petition, with thanksgiving, present your requests to God. And the peace of God, which transcends all understanding, will guard your hearts and your minds in Christ Jesus" (Philippians 4:4-7).

From: Barbara Cintron <bcintron@charterschoolatwaterstone.com>
To: M. Jimenez <marioaj01@yahoo.com>
Cc: Rebecca Valdes <rvaldes@charterschoolatwaterstone.com>; Sherrie Manjarrez <smanjarrez@charterschoolatwaterstone.com>
Sent: Monday, February 4, 2013 3:42 PM
Subject: RE: Hi Miss. Cintron

Thank you for contacting us regarding Mario's grades, I can see your concerns. Mario scored a 75% in his reading winter assessment - this demonstrates that he is at proficient mastery level and it also tells me that Mario could be performing much better on his assignments. However, Mario's behavior is not only concerning, but most importantly has negatively impacted his grades. In both classes, Mario needs constant redirection, work is not completed with 100% effort, and he lacks participation. The times Mario does participate it mostly is when he is called on. During that time he is most of the time clueless as to what to say because he was not paying attention. Also, Mario has often been excluded from being part of a group or carrying conversations with other peers because he constantly either uses profane language or inappropriate comments that a child his age should not say.

Again, Mario has great potential and is well rounded in all academic areas; however, what was mentioned above is definitely hindering his academic success.

Thank you again and please feel free to contact us with any further questions,

Ms. Manjarres and Mrs. Cintron

-----Original Message-----

From: M. Jimenez [<mailto:sender@edline.net>]

Concern regarding Mario Jimenez- Wize(2)

Kisha Titus

To Me kwies1@hotmail.com

Sep 16 at 11:35 AM

Ms. Karen Wize,

Good morning Ms. Wize. I hate to contact you for the first time for this. Your son has been a hardworking student. He is completing his work with no problems. However, he is having trouble in class with his behavior. Today in technology class, after was finished with his typing assessments early. I was writing a pass for another student. Instead of waiting a for me to change the assignment for him quietly, he proceeded to open the Paint application and draw a stick figure with a blurb bubble. In the bubble, he wrote, "My name is William and I suck ____". This is the child who sits next to him in class. I saw it when I was walking around the class. I tried to call you earlier from my cellphone. He will serve detention on Tuesday September 2, 2014 from 3:00-4:00pm. I am sending home the behavior notification and the detention notification home with him today.

Thank you for your time and understanding in this matter. If you have any questions, please feel free to call me at the school.

Mrs. Kisha Titus
Technology Teacher
Everglades Preparatory Academy Charter School
Homestead, FL 33033

[Reply](#), **[Reply All](#) or **[Forward](#) | **[More](#)******

Me

To Kisha Titus
CC persistentdisability@gmail.com

Today at 4:33 PM

Dear Mrs. Titus,

This is Mario's dad. I am very sorry to hear about my son's behavior. I am in contact with his therapist, Dr. Gregory Brown, 305-968-5338, to address this issue with my son. I am really sorry for what happened. Please, make sure that I will try to do all in my power to try to correct this situation. I really appreciate your taking the time to write to me. Thanks for all your help.

Regards,

Mario A. Jimenez, M.D.

Dominique Diaz

To Me

Sep 9

Mr. Jimenez.

Mario has great potential and I'm confident that he will be successful in my class.

I have to prompt Mario to initiate a task and redirect him to stay on task or complete the task. Please let me know when you are available to meet so that we may create a plan to help Mario with the transition from 5th grade to 6th.

Thank you,

Dominique Diaz

Everglades Preparatory Academy

6th grade Science

ddiaz@evergladesprep.com

Shoot for the moon. Even if you miss, you'll land among the stars!

To Dominique Diaz

Sep 5

Dear Mrs. Diaz,

This is Mario's dad. I am sorry to hear that Mario is not doing well in your class. I would greatly appreciate details about the problem so I can share it with his therapist. Thank you.

Regards,

Mario A. Jimenez, M.D.

Show message history

Reply, Reply All or Forward | More

May 5, 2014

Dear Sir or Madam:

It is a pleasure to serve as a character reference for Dr. Mario Jimenez. I have known Mario for a little over a year as he joined the small group Bible study which I facilitate. His character and commitment to serve others in his community meet and exceed (in my opinion) any expectations there may be for an exemplary citizen.

My observations of Mario is that generosity and humility are innate traits of his character which he has displayed to the group. Mario has shown great compassion, great listening skills, and understanding of the members of the group. Due to his professional and personal experiences, Mario has a special compassion and understanding of the needs and concerns of the other men in the group. One of the reasons I believe Mario excels in these traits is his understanding of God's love modeled through Jesus and the expectation he has for himself to follow Jesus' example. Even though Mario is a very intelligent and accomplished physician, with great ideas and plans on how to help society and individuals, he shows humility and genuine concern for others above himself.

It is a delight to have Mario participate in the study group. His contributions always bring excellent insight and practical application. He is energetic, has a good sense of humor, and he thoroughly enjoys participating with the group. He expresses loyalty to the group and promotes a sense of unity that is appreciated by all. I see that Mario is a trust worthy individual that has an altruistic interest in his community near and at large.

If you have any questions, or if I can provide you with additional information, please feel free to contact me.

Sincerely,

A handwritten signature in black ink that reads "Hugo Jimenez". The signature is written in a cursive, flowing style.

Hugo Jimenez,
Small Group Bible Study Facilitator
jimenezh@yahoo.com

To whom it may concern:

May 4, 2014

Mario Jimenez, whom I have gotten to know and become good friends with over the past couple of years, has requested that I write a character reference letter for him. During these two years I have spoken with Mario on numerous occasions.

Most of our interactions have taken place through a men's Bible study group which has been meeting weekly and sometimes bi weekly in my home. These meetings, sponsored through the church we both attend, Calvary Chapel Kendall, are designed to help men to better understand the teachings/principles of the Christian faith and hence offer encouragement to others in the group to live those teaching/principles out in our everyday lives. The format of the groups is designed to offer extensive dialog among group participants. It has allowed each of us to get to know each other on a more than superficial level as we share the ups and downs in our lives.

With that being said, I have I have to say that I have been impressed with Mario's Commitment to being an active participant in the community and his desire to be a positive influence on it. He has been involved actively in at least to community organizations that I know of and is a volunteer in the children's ministry at the church. I have also been impressed with Mario as a medical doctor in family practice. On occasion he has shared with me the ins and outs of the medical practice and I have been impressed with his passion for his patients to not only have physical healing but also to live lifestyles that promote good physical and emotional health! With the aforementioned being said, probably the thing I have been most impressive with, since I have come to know Mario, is the love that he expresses for his children. He often speaks of his love for them and his desire for them to grow to be healthy, happy, morally, contributing members of society.

In closing, I can only say that Mario is a man of integrity who lives a life based on a sound commitment to his faith, his family and the community. Values that in my humble opinion are sorely lacking in our society today. If you should have any questions, please feel free to call me anytime at: 305-491-3476.

Sincerely,

James C. Busse



Guidance Counselor, Ret.

South Dade Senior High School

Miami Dade County Public Schools

Danger Alvarez
805 East 19th Street
Hialeah, FL 33013

July 26, 2012

To Whom It May Concern:

It has come to my attention that false and malicious accusations have been made against Mario Alberto Jimenez to the Department of Children and Family (DCF) and that as a consequence of these false reports, Mario has lost time sharing with his kids Mario Simon Jimenez-Wizel and Karen Nicole Jimenez-Wizel. I am writing this letter to serve as a testimony to Mario's character and love for his children. We believe that an injustice has been committed by taking away his children.

I first met Mario in 1992 while attending Florida International University. We studied Electrical Engineering together. Since that time, we have been great friends. Mario is the type of person that I would trust with my kids and I know less than a handful of people like that. Mario has always been a very trustworthy, caring, and naturally exceptional human being with a God-given love for others.

Mario has always been a very loving family man and a wonderful father. A few years ago, when Mario went through a period of 2 years without having seen his kids, the sense of anguish in his spirit was evident. It was a very difficult period for my friend, and one he didn't deserve.

Since Mario gained joint custody of Simon and Karen relatively recent, our families have met on various occasions and our kids have played together. On every occasion, Mario has always been very loving and caring with his son and daughter. The entire family has always been very happy.

Mario is and always will be a role model to his children and a wonderful father. He has brought a degree of stability to their lives that only an exceptional father is able to bring. I believe Karen and Simon are truly blessed to have a father like Mario and one day, when they are older, will look back and say, "Wow! There goes my father, who I love dearly and has shown me love like no other!"

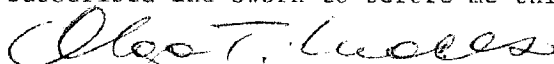
Please feel free to reach me at 786-344-2290.

We can be reached at 786-210-1152.

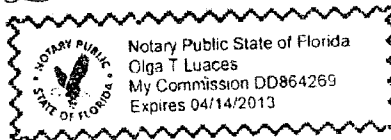
Sincerely,


Danger Alvarez

Subscribed and sworn to before me this 26th day of July, 2012.


Notary Public - State of Florida
Olga T. Luaces

My Commission Expires:



(x) Provided FL driver license #A416-160-71-409 as an I.D.

**Kennesaw, GA
July 27, 2012**

To Whom It May Concern:

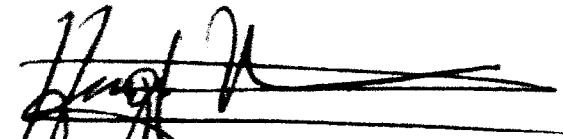
It has come to my attention that my dear friend Mario Jimenez has lost sharing custody of his two children due to accusations levied against him to the Department of Children and Family, centered on his character.

I am writing this letter to serve as a testament to his good character, integrity and upmost respect and love for the family, most of all his children.

I have known Mario since I was a junior in high school, and due to life's circumstances he and his family offered their home when I had not place to go. So I got to know Mario at a very close and personal level and can attest that he is a person of great integrity and character and his family means the world to him, especially his children.

I am saddened that Mario is being put through this ordeal and would be delighted to offer more details as to the true nature of his character.

Sincerely,



**Hugo B. Altamirano
Principal Engineer**

**2581 Marleigh Farm Rd, NW
Kennesaw, GA 30152
678-595-8625**

Carol Eguiguren

July 27, 2012

305-479-4686

D901@bellsouth.net

To whom it may concern,

I was just recently informed that false accusations have been made against my brother Mario Alberto Jimenez to the Department of Children and Family (DCF) and that as consequence of these false reports, Mario has lost the rights to see his children Mario Simon-Wizel and Karen Nicole-Wizel. I strongly believe an injustice has been committed by isolating him from his children.

I am writing this letter to serve as a testimony to Mario's character and the immense love he has for his children. I know Mario as a loving, caring, responsible and kind older brother who was always there for this family. Mario is the first of six children; he is a true definition of what an older brother and first born should be and more. As a young girl, I remember my parents always bragging about how easy going and well-behaved he was compared to all of us. I remember clearly how my brother worked after school at age 15 to help support us when we came to the United States from Nicaragua. He is a responsible, kind individual who always puts everyone else's interest before his own. He would give his whole check to my parents to help with all the expenses of a large family of eight.

His life was committed to his family, school, work and church; I admired that so much, he was my role model and my parents pride and joy. He worked so hard to achieve a degree in engineering leaving behind his dream of becoming a doctor because he didn't have the financial means to put himself through medical school.

He married and had two beautiful kids, a boy and a girl, the loves of his life. His life was complete, until they got taken away by a malicious woman who he once trusted to bare his children. She kept them away in a foreign country for two years under false accusations, protected by her then lover who was well connected with the corrupt government of Nicaragua. Mario suffered tremendously during this time. His life was consumed by sorrow, but he never gave up hope. He was determined to find them, and as a man of strong faith, he was convinced that God would grant him the gift to see his children again. He was overjoyed when he found out that his children were here, and thankfully was able to reunite with them.

This past year Mario has been a loving, caring, committed father to those children, always putting his children's well-being first before his own. He has tried in a very gentle and loving way to rebuild the trust that had been broken with lies and brain washing. Mario is one that always encourages verbal resolution. He is the type of father that prays and tucks his children to bed. He is definitely not an aggressive person and has never been.

I have seen and am aware of the principles on which he lives his life with faith, honesty, courage, integrity and commitment. I am proud to have him as my older brother.

Sincerely,

Carol Eguiguren



STATE OF FLORIDA, COUNTY OF
Sworn to and subscribed before me
this 5th day of August 20 12
by CAROL E GUIGUREN
Person signing document

Signature of Notary Marisol Rosenthal
Name of Notary-printed MARISOL ROSENTHAL
 ID Produced Driver license

AFFIX NOTARY SEAL:



MARISOL ROSENTHAL
Notary Public, State of Florida
Commission #DD983163
My Commission Expires Jul. 31, 2014

July 25, 2012

To Whom It May Concern:

It has come to my attention that false and malicious accusations have been made against Mario Alberto Jimenez to the Department of Children and Family (DCF) and that as a consequence of these false reports, Mario has lost time sharing with his kids Mario Simon Jimenez-Wizel and Karen Nicole Jimenez-Wizel. I am writing this letter to serve as a testimony to Marios character and love for his children. We believe that an injustice has been committed by taking away his children.

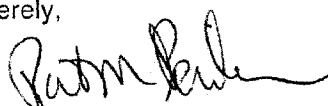
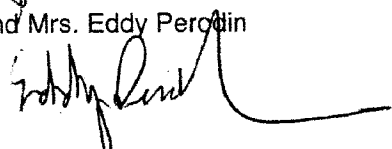
Myself Patricia Perodin and my husband Eddy Perodin have known Mario Jimenez for 3 years. The kind of person we know Mario to be is a loving family man, very spiritual, caring, understanding and above all a Godly man.

At the beginning of our friendship and always all Mario ever did was talk about his children and how much he missed them. He said he had not seen them or had contact with them in 2 years. Literally, tears ran down his face when he talked about the subject, but he also said he would not give up searching for them. Finally, his prayers were answered a year ago, and his kids were returned safely to him.

After he was reunited with his children, Mario spent all his time with them when he was not at work. I know for a fact he read the bible to them every night and did his best to instill Godly principles daily. He brought much needed stability to their lives and he would be an excellent role model to any child.

We can be reached at 786-210-1152.

Sincerely,


Mr. and Mrs. Eddy Perodin




July 26, 2012

To whom it may concern:

The purpose of the present is because of malevolent and false accusations that have come to my attention; Such accusations have been made against Mario Alberto Jimenez, to the Department of Children and Family (DCF) and that as a consequence of these false reports, Mario has lost time sharing with his kids: Mario Simon Jimenez -Wizel, and Karen Nicole Jimenez-Wizel.

I am writing this letter to serve as a testimony of Mario's character and love for his Children. I certainly believe that an injustice has been made by taking away his children. I know Mario as a responsible, calm, family oriented person since he was a child.

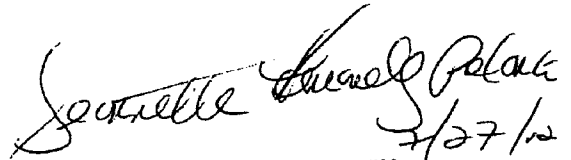
Should you need me to testify or shall you have any questions please feel free to contact me:

Freddy Meza
6706 SW 129th Place
Miami, FL 33183
(786)506-4984 Cellular.

I would be more than glad to testify.

Sincerely,

 7/27/12
Freddy Meza.

 7/27/12



JEANNETTE FERNANDEZ POLANCO
Notary Public, State of Florida
Commission #EE 183887
My Commission Expires Apr. 29, 2016

July 26, 2012

To whom it may concern:

It has come to my attention that false and malicious accusations have been made against Mario Alberto Jimenez, to the Department of Children and Family (DCF) and that as a consequence of such reports, Mario has lost time sharing with his kids: Mario Simon Jimenez-Wizel and Karen Nicole Jimenez-Wizel.

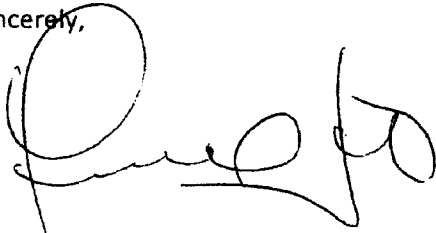
I am writing this letter to serve as a testimony of Mario's character and love for his Children. I believe that an injustice has been committed by taking away his children.

I know Mario as a respectful and calm individual since he was a small boy.

Should you need me to testify or have any questions please feel free to contact me:

Leonel Gracia
6706 SW 129th Place
Miami, FL 33183
(786)234-3815 Cell.

Sincerely,



7/27/12

Leonel Gracia



JEANNETTE FERNANDEZ POLANCO
Notary Public, State of Florida
Commission #EE 193667
My Commission Expires Apr. 29, 2016

7/27/12

July 26, 2012

To Whom It May Concern:

I Luigino Rapizza brother in law and Victorino Rapizza father in law, we believe that an injustice has been committed by taking away his children. We believe that false accusations have been made against Mario Alberto Jimenez to the Department of Children and Family (DCF), because Mario is a very good father and a person. Words cannot describe him, and he is just the best father you can ask for.

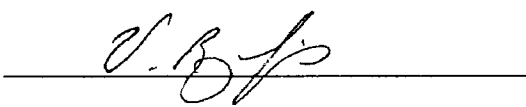
Also every time Mario Alberto Jimenez and his children, Mario Simon Jimenez-Wizel and Karen Nicole Jimenez-Wizel, came to the house, we have witnesses that Mario has treated his kids with love and respect, and that is why we are writing this letter to serve as a statement to Mario's personality, and for all the love for his children.

We have known Mario Jimenez for about 2 years and half and the only thing we can say is that he will be an exceptional father to any child; therefore these allegations are totally false.

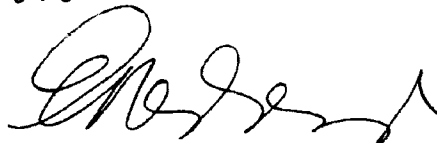
We can be reached at 786-317-2891 or 786-356-7904

Sincerely,

Luigino Rapizza  07/26/12

Victorino Rapizza  07/26/12

*State of Florida
County of Dade
Sworn to and subscribed before me this 26 day of
July 2012*

To Whom It May Concern:

I write this letter to serve as a witness against the accusations have been made against Mario A. Jimenez, my cousin Giorgelina Rapizza and Mario have been responsible for providing to Mario Jimenez Wizel, Karen Jimenez Wizel and Donatella Jimenez Rapizza a stable and loving family.

The children have all they need, not only material, but also the emotional and emotive too, children are never alone there is always someone who shares time with them at home doing homework or when they go to do activities together (beach, pool, fishing, etc)

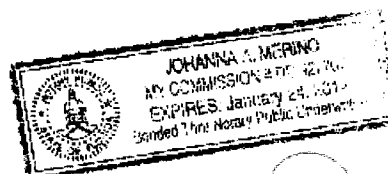
They have always been good to the children and I have always seen as a happy family, children have good relationship with the father.

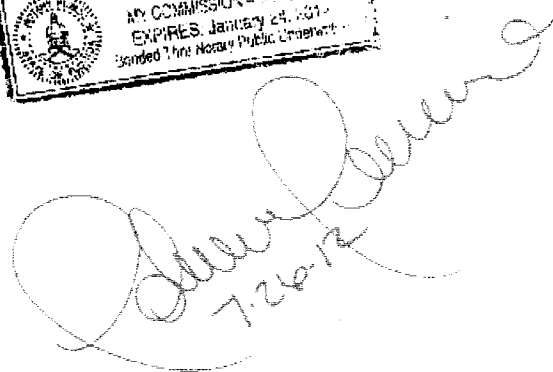
I hope this problem is fixed soon and that Mario and Karen can enjoy being children without much complication with a family such as Mario and Giorgelina always have given them.

Sincerely


Vincenzo Rapizza

305-450-4388




7/26/17

12 ITE Results

Forwarded the message on 2/25/2013 2:46 AM

Inning, Shelley A

Friday, December 21, 2012 10:48 AM

Family Medicine-Residents

Ved, Behnam; Dodard, Michel; Gorvas, Denise Marie; Lawrence, Jovelyn; Poo, Jose; Sants, Andrea; Schwartz, Robert; Tencer, Penny

Program & National Averages:

- Congrats to our PGY3s and PGY1s whose class average beat the national mean for their PGY level!
- PGY2 class almost beat national average with a significant improvement from last year.

Highest scores:

- 1st place @ 570 to Mario Jimenez!
- 2nd place tie @ 510 – Vega, Walton, and Tocco
- 3rd place @ 500 to Rafatjah

We can do all things in Christ who is our strength!

You may view your score by logging in www.theabfm.org, or just call or email me.

Program minimum recommendations:

- PGY3 = 440
- PGY2 = 420
- PGY1 = 350

2012 2011 2010

PGY3	2012	2011	2010
Program Mean	497	470	391
National Mean	454	427	379

PGY2	2012	2011	2010
Program Mean	429	356	
National Mean	432	386	

PGY1	2012	2011	2010
Program Mean	400		

For the Glory of God in Christ Jesus: Best score in Medical Residency Exam, among top in the USA

Some Accomplishments

Florida International University



For the Glory of God in Christ
Jesus:

On recommendation of the Faculty and by virtue of the authority vested in it by the
Florida Board of Regents hereby confers upon

Cum Laude graduate in
Electrical Engineering

Mario Alberto Jimenez

the degree of

Bachelor of Science in Electrical Engineering


College of Engineering and Design

Cum Laude

We can do all things in
Christ who is our strength!

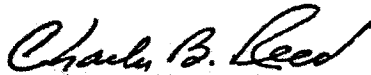
In Testimony Whereof, the signatures of the University's officers are hereto affixed in Miami, Florida,

August 18, 1993


Chairman, Board of Regents

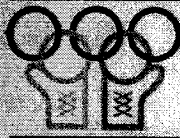

Governor


President of the University


Chancellor, State University System


Dean

For the Glory of God in Christ
Jesus:
Bronze Medal Olympic Trials
Atlanta 1996

PRE-OLIMPICO DE BOXEO
ATLANTA '96

PUERTO RICO

CREDECIAL/CREDENTIAL

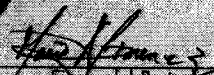
Nombre: MARIO A. JIMENEZ
Name

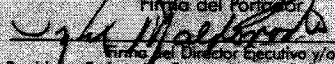
País: NICARAGUA
Country


Función Deportiva: ATLETA
Sport Function

Número de Acreditación: 621
Accreditation Number

AREA: **F**


Firma del Portador


Firma del Director Ejecutivo y/o
Presidente Federación Puertorriqueña de Boxeo Aficionado

ATLANTA '96

Pre-Olympic Box-Off
HALIFAX

We can do all things in Christ
who is our strength!



HEALTHCARE PRACTITIONER COMPLAINT FORM

COMPLAINANT/REPORTER

Your Name: Jimenez Mario A
Last First M.I.

Address: [REDACTED]
Street Address Apartment/Unit #
Miami FL 33183
City State ZIP Code

Home Telephone: [REDACTED] Work Telephone: ([REDACTED]) [REDACTED] Best Time to Call: _____

SUBJECT OF COMPLAINT/REPORT

HEALTHCARE PRACTITIONER INFORMATION

Provider's Name: Vanessa Archer L.
Last First M.I.

Practice Address: 1390 South Dixie Highway 2109
Street Address Apartment/Unit #
Coral Gables FL 33146
City State ZIP Code

Home Telephone: () Work Telephone: (305) 6691113

Profession: Clinical Psychologist (i.e. doctor, dentist, nurse, etc.)

License Number: PY0005597 (if known)

PATIENT INFORMATION

(Complete this section if Patient is not the same as Complainant/Reporter)

Name of Patient: _____
Last First M.I.

Address: _____
Street Address Apartment/Unit #

City State ZIP Code

Home Telephone: () Work Telephone: ()

YOUR RELATIONSHIP TO PATIENT

Self Parent Son/Daughter Spouse Brother/Sister Friend Other Practitioner

*** Legal Guardian/provide court documents Other _____

NATURE OF COMPLAINT/REPORT

(Please check all that apply.)

- Quality of care Inappropriate prescribing Excessive test or treatment
- Misdiagnosis of condition Sexual contact with patient Failure to release patient records
- Substance abuse Insurance fraud Impairment/medical condition
- Advertising violation Misfilled prescription Patient abandonment/neglect
- Unlicensed

X Problem other than listed above: Trampling of my Religious freedom to keep me apart from my kids. Practicing below minimum standards or negligence.

Have you attempted to contact the practitioner concerning your complaint? Yes Date: _____ No

Would you be willing to testify if this matter goes to a formal hearing? Yes No

If the incident involved criminal conduct, you should contact your local law enforcement authority. Have you contacted your local law enforcement authority? Yes No

If yes, state the name of the person or office that you contacted. _____ When did you make this contact? _____ Please give case number if available. _____

***NOTE: If other than patient or parent of a minor patient, please provide documentation indicating appointment of Legal Authority/Guardianship or Personal Representative.

PLEASE LIST ANY PRIOR AND/OR SUBSEQUENT TREATING PRACTITIONERS RELATIVE TO YOUR COMPLAINT.

Full Name:	Address:	Telephone Number:
<u>Michael J. Ditomasso</u>	_____	<u>305-256-4324</u>
		X Prior Treating <input type="checkbox"/> Subsequent Treating
Full Name:	Address:	Telephone Number:
_____	_____	_____
		<input type="checkbox"/> Prior Treating <input type="checkbox"/> Subsequent Treating
Full Name:	Address:	Telephone Number:
_____	_____	_____
		<input type="checkbox"/> Prior Treating <input type="checkbox"/> Subsequent Treating

WITNESSES (PLEASE GIVE FULL NAME, ADDRESS AND TELEPHONE NUMBER)

Full Name:	Address:	Telephone Number:
_____	_____	_____
Full Name:	Address:	Telephone Number:
_____	_____	_____
Full Name:	Address:	Telephone Number:
_____	_____	_____

Please give full details of your complaint/report: include facts, details, dates, locations, etc. Please attach copies of medical records, correspondence, contracts, and any other documents that will help support your complaint. (attach additional sheets if necessary).

X I have attached copies of medical records, correspondence, contracts, and any other documents that will help support your complaint.

Dr. Archer was selected by an attorney friend of hers to perform psychological evaluations for a custody case. She then gave a totally biased opinion in favor of her attorney friend's client, failing to comment in her conclusions on the clearly unresponsive-to-treatment psychiatric issues of the other party, and using misleading and easily falsifiable evidence (such as emails) among a great number of other poor practices, leading to the trampling of my religious freedoms by expressing that my "religious beliefs are excessive and intrusive, and likely do approach a fanatic level," contributing to the lost of my unsupervised contact with my kids. She also failed to contact witnesses such as my church deacon that could have helped in the case. I believe that this report represents "practicing below minimum standards or negligence," and as Bob Martinez, former U.S. attorney for Southern Florida pointed in Nubia and Victor Barahona's case, her report is, "at best, incomplete and should bring into question the reliability of her recommendations."

WHAT WOULD SATISFY YOUR COMPLAINT?

I would like this board to perform a detailed review of Dr. Archer's professional practices in this case, including her failure to mention the psychiatric findings of the other party in her conclusions, and to take appropriate measures to prevent any further mishandling of cases in the future.

Florida Statutes 837.06, False Official Statements: Whoever knowingly makes a false statement in writing with the intent to mislead a public servant in the performance of his official duty shall be guilty of a misdemeanor of the second degree.

Signature: _____ Date: 10/29/12
(Required to file/complaint)



Please mail this form to:
Florida Department of Health
Consumer Services Unit
4052 Bald Cypress Way, Bin C-75
Tallahassee, Florida 32399-3275



November 5, 2012

Mr. Mario Alberto Jimenez



Re:
Respondent: Vanessa Leigh Archer

Dear Mr. Jimenez:

The Consumer Services Unit receives and reviews all complaints against healthcare practitioners to determine if a possible violation of the law has occurred. If it is determined that a possible violation has occurred, the complaint is investigated and referred to our attorneys for review. This letter acknowledges review of your complaint by the Consumer Services Unit.

Section 61.122, Florida Statutes, states that prior to filing a legal action against a court-appointed psychologist who has acted in good faith in conducting a child custody evaluation, a parent must first petition the judge who presided over the child custody proceeding to appoint another psychologist. You must comply with this statute before the Department can investigate the complaint you have filed against this psychologist. This review has determined that this complaint is premature. Thus, no further action can be taken unless you can provide documentation that the requirements of Section 61.122, F.S. have been met.

Thank you for bringing this matter to our attention. Please be assured protecting the safety and well being of our citizens is a top priority.

The mission of the Department of Health is to protect, promote and improve the health of all people in Florida through integrated state, county, and community efforts. If you have any questions, please call the Consumer Services Unit at (850) 245-4339. In addition, if you have any concerns or suggestions about our complaint process, please fill out our *Customer Concerns or Suggestions* form at www.floridashealth.com/mqa/survey.html.

Sincerely,

A handwritten signature in black ink, appearing to read "Antoinette F. Carter".

Antoinette F. Carter
Investigation Specialist II

/lw

Repeated Emails requesting Mediation

On Thursday, July 31, 2014 10:50 PM, Mario Jimenez <marioaj01@yahoo.com> wrote:

Dear Karen,

I am sorry to hear what happened with Mario. I believe that Mario needs good male role models, and that his behavior probably speaks of deep seated anger that he is only able to express with this type of negative behavior.

I believe that before we make a decision about changing Mr. Gregorio, we should speak with Mario and explain that his continued bad behavior may cause us to look for another therapist, and that we should not place the blame on Mr. Gregorio. Mario's bad behavior has been on going now, much before Mr. Gregorio came into the picture.

At the same time, I believe that Mario has established a good report with Mr. Gregorio and that it would be detrimental to his psychological development to just separate him from the relationship that he has established with him over something that Mario did wrong. In other words, if we change therapist at this time, we may actually end up hurting Mario.

Again, Mario needs good male role models, and from what I have been able to see from Mr. Gregorio, he is certainly a good one. Let me reiterate also that I am ready to step in and help the kids any time you and the kids want. I have decided not to see them under supervision any more because I believe the court is wrong in requiring to see them under supervision when I pose no danger to them. But believe me, the fact that Mario and Nicole have not been able to see his dad is actually hurting them both psychologically. Mario is the one that is expressing it more outwardly, but Nicole may follow if we do not take drastic steps at this time.

I hope that we can put our differences aside and take the necessary steps so that the kids can start having a healthy relationship with his dad. You had a great dad, and they deserve the opportunity to have one as well. I hope you can see that, and open the door to restoring their relationship with me. I bet you that when you do that, Mario's defiant behavior will begin to change. If you decide not to do so, I believe that Mario's defiant behavior may continue to deteriorate especially now that he is becoming a teenager, and hormones are raging. The little boy is disappearing, and a man is forming; it's our duty as parents to look that he and his sister get the best chance possible to succeed in this transition.

As ordered by the judge Bernstein, I have requested your attorney to set a meeting for mediation, at that time, I hope we can get to an agreement to start a reunification plan with the kids. From what I see with Mario, time is running out. We have no time to continue fighting. We need to put our differences apart and put our kid's needs first. As a first step to ease a transition to a healthier father-children relationship, I propose to have a small gathering with the Mario, Mr. Gregorio, and myself for Mario's birthday. Perhaps, we can go canoeing or something like that for Mario's birthday. After that, perhaps we can do something similar for Nicole's birthday. This might be a good time also for the kids to meet their little brother, Max, whom they have not been able to even meet and whom is about to turn one year on 8/17/14.

Well Karen, from the bottom of my heart I wish happiness and success to you and our kids, and I hope we can put our ugly past behind, and look forward to a happier and brighter future. The unselfish decisions we make today, will have a great positive effect in our kids' lives. May God's grace be with you and our kids.

Regards,

Mario A. Jimenez

On Thursday, July 31, 2014 9:16 PM, karen wizek <mariosnicolek@hotmail.com> wrote:
Buenas noches Mario;

El motivo de este email es para informarte que hoy 7/31/2014 paso un incidente en el centro de la escuela de verano con Mario Simon; paso que le Rocio spray bucal en los ojos a un companero de su salon, como esto es algo que no puede pasar Nunca, me mando a llamar la Directora del centro junto con la mama del nino y la maestra: despues de ver las versiones de lo sucedido le pregunte a Mario porque el hizo eso a lo cual me respondio "porque quise".

Este comportamiento negativo me deja pensar que el no esta teniendo ningun progreso positivo con las nuevas terapias psicologicas ya que veo que esta retrocediendo en lo que habia avanzado.

Asimismo me entere hoy por la maestra que el terapeuta Gregorio en las terapias lo que hace es darle; no sabe la maestra si es una tablet o un celular para que Mario juegue y lo ve por 20 min aproximadamente , cuando el esta supuesto de ver al nino 1hra, (esto ya lo habia discutido en varias ocasiones con Gregorio ya que mi mama tambien me dijo que las pocas veces que el le dio la terapia a Mario en mi casa tambien lo veia por muy pocos minutos) a lo cual Gregorio me respondio que el no podia obligor a su cliente a estar una hora exacta de terapia si el nino no queria) cosa que me tiene molesta ya que el nino nesecita tener una terapia completa y consistente; tambien hace como un mes me

Exhibit I

Page 1 of 5

comento Gregorio que ya no iba a poder ver al nino ya que estaban teniendo problemas con el seguro, lo cual se me hizo raro porque la terapeuta de Nicole (Florybeth) siempre le ha dado la terapia a la nina sin interrupcion, estoy pensando pedir un cambio de terapeuta para bienestar de el nino ya que no ha habido ningun avance positivo y siento que esto no lo esta ayudando, antes de hacerlo me gustaria saber si tenes alguna objesion o estas de acuerdo .
te agradezco tu pronta respuesta, gracias.

From: Mario Jimenez [mailto:marioaj01@yahoo.com]

Sent: Wednesday, July 02, 2014 9:55 AM

To: Scott A. Glazier, Esq.

Cc: Attorney Alexander Alfano; LawAlfano Compliance Alexander Broatch; aalfano@lawalfano.com

Subject: Re: JIMENEZ, MARIO VS. WIZEL - Case Information

Hi Mr. Gazier,

Any word on mediation date?

Regards,

Mario A. Jimenez

Scott A. Glazier, Esq.

To Me

CC 'Attorney Alexander Alfano' 'LawAlfano Compliance Alexander Broatch' aalfano@lawalfano.com

Jul 2

Not yet. I called over to her office, but could not get a live person. So, I sent another follow-up e-mail. I will keep you posted as soon as I get something back from them.

Scott A. Glazier, Esq.

Florida Supreme Court Certified Family,
Circuit-Civil & County Mediator

Glazier Mediation Group, LLC
2385 NW Executive Center Dr., Suite 100
Boca Raton, FL 33431
(561) 981-2633
(888) 981-3292 FAX
GlazierMediation.com

On Tuesday, June 17, 2014 5:42 PM, "Scott A. Glazier, Esq." <scott.glazier@glaziermediation.com> wrote:

Dr. Jimenez,

I just got off the phone with Yvette Reyes (partner at your wife's law firm). I explained that you were interested in attempting to resolve the outstanding divorce issues through mediation and had contacted me about possibly serving as mediator.

Ms. Reyes shared her thoughts with me and concluded that they would participate in mediation, but told me her client has no funds available to pay for mediation (so she would need you to pay the entire mediation fee). Additionally, Ms. Reyes expressed concern that given the specific history of this case, she was openly doubtful that mediation would be productive to reaching settlement. However, she and her client would participate if you thought it would be productive and wished to try mediation.

So, let me know what your thoughts are at this point. If you want to have a quick 5-10 minute phone conference, we can do that too (you can include Mr. Alfano, if you wish). The decision to mediate is yours--- I am not going to push you one way or the other. I told Ms. Reyes, either way, I would get back with her.

Thanks.

Scott A. Glazier, Esq.

Florida Supreme Court Certified
Family, Circuit-Civil & County Mediator

On Monday, June 16, 2014 4:07 PM, "Scott A. Glazier, Esq." <scott.glazier@glaziermediation.com> wrote:

Quick Update ob Contact with Wife's Attorney:

I left a voicemail on Friday & got no call back. I called today & she was out of the office. I will call again tomorrow, as I would like to speak to her live (i.e., too easy to say no via email). If I can't speak with her live in the next day or two, then I will resort to email.

I just wanted to keep you posted.

Scott A. Glazier, Esq.

Florida Supreme Court Certified
Family, Circuit-Civil & County Mediator

Ana Morales

To
Me
CC
Yvette Reyes

Jun 10

Good Morning Mr. Jimenez,

I have not received a call back from the County Mediation Department in order to coordinate mediation. As soon, as I receive the new mediation date, you will be contacted.

Sincerely,

Ana C. Morales, Esq.

[Hide message history](#)

From: Mario Jimenez <marioaj01@yahoo.com>

Sent: Friday, June 06, 2014 9:49 PM

To: Ana Morales

Subject: Dear Mrs. Morales,

Dear Mrs. Morales,

Please provide me with the name of mediator, date and time for our upcoming mediation as soon as you can.
Thanks.

Regards,

Mario A. Jimenez, M.D.

Exhibit I

Page 3 of 5

Ana Morales

To

Me mariosnicolek@hotmail.com

CC

Yvette Reyes

Jun 3

Mr. Jimenez,

I contacted the mediation department today to reschedule and the instructions I was given was to fax over the Order of referral to Mediation and await a call from the case manager to coordinate the date with you.

I am faxing over the Order of Referral to Mediation that was signed by Judge Bernstein on October 18, 2013. I will forward you a copy of the fax that I send to them.

[Hide message history](#)

-----Original Message-----

From: Mario Jimenez [mailto:marioaj01@yahoo.com]

Sent: Tuesday, June 03, 2014 10:08 AM

To: Ana Morales; mariosnicolek@hotmail.com

Cc: Yvette Reyes

Subject: Re: WIZEL v. JIMENEZ

Thanks. I would like to set up mediation for a Friday, as soon as available.

On Mon, Jun 2, 2014 6:16 PM EDT Ana Morales wrote:

>Dear Mr. Jimenez,

>

>The reason you had not heard back from us, was because we needed to confirm that you were in fact no longer represented by an attorney, so that we could communicate directly. I will be contacting you tomorrow, along with the mediation department to reschedule the mediation, that with your previous attorney we had agreed to cancel.

>

>Best Regards,

>

>Ana C. Morales, Esq.

>

>

>[cid:image001.png@01CE903C.568D4760]

>Creative Solutions for the Modern Family

>

>In Coral Gables:

>901 Ponce de Leon Boulevard

>Penthouse Suite

>Coral Gables, Florida 33134

>Telephone: 305.663.6565

>

>In Boca Raton:

>The Greenhouse Building

>5301 N. Federal Highway, Suite 350

>Boca Raton, Florida 33487

>Telephone: 561.227.9150

>

>Facsimile: 305.513.5876

>Website: www.reyesmiller.com<<http://www.reyesmiller.com/>>

>

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>

>

>

>

>

>From: Mario Jimenez [mailto:marioaj01@yahoo.com]

>Sent: Wednesday, May 28, 2014 12:40 PM

>To: karen wizel

>Cc: Ana Morales; Yvette Reyes; persistentdisability@gmail.com

>Subject: Re: analisis de Marito

Exhibit I

Page 4 of 5

>
>Thanks for the information Karen. I have not heard from your attorneys about the mediation they were requesting to complete. I have been waiting for it since last year. Please, have them contact me as soon as possible.
>
>Regards,
>
>Mario
>
>On Tuesday, May 27, 2014 1:16 PM, karen wizel <mariosnicolek@hotmail.com<<mailto:mariosnicolek@hotmail.com>>>
wrote:
>
>Buenas tardes mario; te informo que hoy llame de nuevo a la oficina del dr Cullen; para ver si ya tenian los resultados de los analisis que el habia recetado, ya los tienen! y gracias a Dios todo salio bien, entonces ...sigue el mismo plan de que en el verano se le quite la pastilla de concerta, tambien Te cuento que el tic ya casi no lo esta haciendo, toavia lo tiene pero se lo noto menos frecuente.
>
>Date: Thu, 22 May 2014 09:48:30 -0700
>From: marioaj01@yahoo.com<<mailto:marioaj01@yahoo.com>>
>Subject: Pro se representation for mediation
>To: mariosnicolek@hotmail.com<<mailto:mariosnicolek@hotmail.com>>; amorales@reyesmillier.com<<mailto:amorales@reyesmillier.com>>; yreyes@reyesmillier.com<<mailto:yreyes@reyesmillier.com>>
>CC: persistentdisability@gmail.com<<mailto:persistentdisability@gmail.com>>
>Mrs. Morales and Mrs. Reyes,
>
>As per your communication with my previous attorney, I would like to set up a mediation date for Friday 30th, or June 6th of this year. As attested by Mario's new medical condition, involuntary neck and shoulder movements, I believe that it is imperative that he and his sister have unrestricted access to his father as soon as possible.
>
>Karen: I have been in contact with Mario's neurologist, Dr. Muller, and he explained that you are supposed to take him for blood work to find out what's wrong with him. Please, as soon as you have taken him for the blood work, let me know. Thanks.
>
>I hope to hear back from you soon.
>
>Regards,
>
>Mario A. Jimenez, M.D.
>
>CC. Mario's therapist: Dr. Gregorio Brown
>