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Mistreated disabled adoptees get \$9.7 million NYC settlement

Ten severely disabled adults, including four who are homeless, will get help under a \$9.7 million settlement with New York City for abuse they suffered as children or young adults in an adoption scam.

Two South Florida law firms negotiated the settlement in a [lawsuit](#) filed in New York federal court in 2009 in collaboration with Children's Rights Inc., a New York-based nonprofit law firm.



Fort Lauderdale attorney Howard Talenfeld said the settlement comes just in time because four of the victims are homeless.

Ted Babbitt of Babbitt, Johnson, Osbourne & Le Clainche in West Palm Beach said \$3 million each would go to two adoptees placed with foster mother Judith Leekin through a city-run adoption office. The city's liability was higher in those cases because of its direct involvement.

The other eight were placed by private agencies affiliated with the Diocese of Brooklyn, which had contracts with the city. Those plaintiffs are to share the remaining \$3.7 million.

Fort Lauderdale attorney Howard Talenfeld of Colodny, Fass, Talenfeld, Karlinsky, Abate & Webb said claims by the adoptees against the adoption agencies are pending. However, any settlement hinges on the cooperation of the diocese and its insurer, Talenfeld said.

"The three named defendants are adoption agencies, but two of them have gone out of business," Talenfeld said.

"The partial settlement could not have come at a better time because four of these young adults are homeless and need the settlement immediately just to survive," Talenfeld said. "We've come too close to losing one or two former Leekin children, and we had to act."

When the settlement was announced Friday, Talenfeld said one of the adoptees was a woman living in her car.

The settlement was approved by the St. Lucie guardianship court of Circuit Judge Dwight L. Geiger. It also must be approved by a federal judge, Talenfeld said.

Stunted Growth

Of the pending litigation, Talenfeld said he is hopeful the diocesan-affiliated agencies will recognize their legal responsibility. "We're hopeful now that they see the writing on the wall and that it only makes sense to resolve it," he said.

The Leekin adoption scam was among the worst in New York City history. An immigrant from Trinidad, Leekin lived in Queens and took in foster children and disabled young adults from the 1980s to 1996.

She collected higher than normal fees totaling \$1.68 million because of their special needs but was accused of using the money to buy houses in Florida and live lavishly while she starved the children and kept them imprisoned in a single room.

"Their growth was stunted. They all have rickets. They never went to a doctor or dentist, never went to school. Two of them are nonverbal," Babbitt said.

One boy, known by his nickname Moo, was autistic and essentially lived in a bucket of his own waste. The children said Leekin took him away one day, allegedly to a doctor. He never returned and is presumed dead.

Her scheme unraveled in 2007 when she abandoned a girl who made her way to Florida authorities. In 2008, a New York federal judge sentenced Leekin, now 67, to 11 years in prison for fraud. In 2009, she was sentenced to 20 years in prison by a St. Lucie circuit judge for aggravated child abuse and remains in state prison.

The civil lawsuit filed in 2009 alleged she was able to perpetuate her fraud for so long because of lax oversight. In their defense, the city and the adoption agencies claimed Leekin's scheme was extraordinary and unprecedented, and they followed the law. The city never admitted liability.

However, Babbitt noted Leekin was not able to adopt children under her own identity because she was on record for abusing two foster children. She used four aliases with fake Social Security numbers, but the city and adoption agencies never took steps to confirm her true identity.

"It was harder to get a dog from the pound than it was to get special needs children from these agencies," Talenfeld said.

All of the former Leekin children live in Central Florida.

