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TODAY • April 27, 2000

Father files to represent Elian in immigration appeal

Bill Rankin - Staff

Thursday, April 27, 2000

Juan Miguel Gonzalez asserted Wednesday that he --- and not Elian's Miami relatives --- should speak on his son's behalf when the federal appeals court in Atlanta hears arguments over the contentious international immigration dispute.

In motions filed before the 11th U.S. Circuit Court of Appeals, Gonzalez's lawyers asked the court to reject any notion that Lazaro Gonzalez, Elian's great-uncle and former temporary guardian, speak on behalf the 6-year-old boy.

On May 11, the court is scheduled to hear arguments on Elian's appeal that he should get an immigration hearing on his asylum claims. Lawyers for the Justice Department and Lazaro Gonzalez are set to argue the case.

But Washington lawyer Gregory Craig, who represents Juan Miguel Gonzalez, told the court Wednesday that the posture of the case has changed now that his client has physical custody of Elian. Juan Miguel should be allowed to intervene "to speak for himself and to assert his rights as a father, and to speak on behalf of Elian, who has no other suitable representative in these proceedings," Craig wrote.

"Lawyers for Lazaro Gonzalez --- and they are Lazaro's lawyers, not Elian's --- seek to use machination and legal sleight of hand to turn this court into the arbiter of an intra-family dispute in which the primary antagonist is too distant a relative to Elian to be considered even 'extended family' under Florida law," Craig added.

Atlanta immigration lawyer Socheat Chea said he believes Craig's legal bid is a good tactical move.

"It seems there is validity to this," Chea said. "After all, Juan Miguel, the natural father, has custody of Elian now."

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