

By Senator Diaz de la Portilla

36-16-03

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A bill to be entitled

An act relating to Miami-Dade County; providing for the relief of Jonathan Snell and Erika Dorsey; requiring the county to compensate them for injuries and damages caused by the negligence of a Miami-Dade County bus driver; providing an effective date.

WHEREAS, on May 26, 1998, 20-month-old Jonathan Snell and his sister, Erika Dorsey, age 3, were both run over by a Miami-Dade County bus, causing severe injuries to their lower extremities, and

WHEREAS, while the children were positioned on a grassy median off the roadway, the bus, when making a too-sharp right-hand turn, jumped the curb with its rear wheels and ran over the children, and

WHEREAS, the incident which, happened at the intersection of Northwest 14th Avenue and 183rd Street, Miami-Dade County, Florida, was witnessed by several independent persons and responsibility for the negligence of the bus operator was not contested, and

WHEREAS, multiple surgical procedures were performed on both children at Jackson Memorial Hospital by a skilled orthopedic surgeon, Steven Stricker, M.D., and each child has been left with permanent impairment and scarring, and

WHEREAS, a lawsuit for damages was brought against Miami-Dade County by and through the children's mother and guardian, Latisha Snell and, after extensive discovery, just prior to trial, the case was settled during a second mediation for a deeply discounted amount in exchange for Miami-Dade County's support of a claim bill, and

1           WHEREAS, the county agreed to the entry of a final  
2 judgment for Jonathan Snell in the amount of \$400,000 and for  
3 Erika Dorsey in the amount of \$137,000, and the county has  
4 partially satisfied the final judgment by paying \$100,000 to  
5 each child, NOW, THEREFORE,

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7 Be It Enacted by the Legislature of the State of Florida:

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9           Section 1. The facts stated in the preamble to this  
10 act are found and declared to be true.

11           Section 2. The Miami-Dade County Commission is  
12 authorized and directed to appropriate from funds not  
13 otherwise appropriated and to draw a warrant payable to  
14 Latisha Snell for the total amount of \$300,000 for injuries  
15 and damages received by her son, Jonathan Snell, due to the  
16 negligence of the Miami-Dade County bus driver.

17           Section 3. The Miami-Dade County Commission is  
18 authorized and directed to appropriate from funds not  
19 otherwise appropriated and to draw a warrant payable to  
20 Latisha Snell for the total amount of \$37,000 for injuries and  
21 damages received by her daughter, Erika Dorsey, due to the  
22 negligence of the Miami-Dade County bus driver.

23           Section 4. This act shall take effect upon becoming a  
24 law.