

By Senator Lawson

6-00155-08

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1 A bill to be entitled

2 An act relating to the Agency for Persons with
3 Disabilities; providing for the relief of Eddie Weekley
4 and Charlotte Williams, individually and as co-personal
5 representatives of the estate of Franklin Weekley,
6 deceased, for the disappearance and death of their son,
7 Franklin Weekley, while he was in the care of the Marianna
8 Sunland Center; providing an appropriation; providing a
9 limitation on the payment of fees and costs; providing an
10 effective date.

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12 WHEREAS, in November of 2001 Franklin Weekley was diagnosed
13 with mental retardation and a seizure disorder and admitted to
14 the Marianna Sunland Center, which at the time was operated by
15 the Department of Children and Family Services, and

16 WHEREAS, on December 6, 2002, Franklin disappeared from the
17 center and, following a search of the premises by employees of
18 the center, Franklin was deemed by the center to have run away
19 and the case was closed, and

20 WHEREAS, on October 28, 2004, a demolition crew found the
21 skeletal remains of Franklin in the basement of a building
22 adjacent to where Franklin resided on the premises of the
23 Marianna Sunland Center, and

24 WHEREAS, legal action was filed on behalf of Franklin's
25 parents against the Department of Children and Family Services
26 and its employees or agents raising negligence, tort, statutory,
27 and civil rights claims concerning the disappearance and death of
28 their son, and

29 WHEREAS, the parties and the Agency for Persons with

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30 Disabilities, which currently operates the Marianna Sunland
31 Center, mediated and reached a settlement of all claims, and

32 WHEREAS, the plaintiffs and the Agency for Persons with
33 Disabilities entered into a Compromise and Settlement Agreement
34 by which all agreed to a claim bill under which the Agency for
35 Persons with Disabilities will pay \$1 million in addition the
36 \$300,000 paid by the agency to settle claims relating to this
37 matter, NOW, THEREFORE,

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

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

43 Section 2. The sum of \$1 million is appropriated from the
44 General Revenue Fund to the Agency for Persons with Disabilities,
45 as successor to the Department of Children and Family Services,
46 to be paid, pursuant to the Compromise and Settlement Agreement,
47 for the relief of Eddie Weekley and Charlotte Williams,
48 individually and as co-personal representatives of the estate of
49 Franklin Weekley, deceased.

50 Section 3. The Chief Financial Officer is directed to draw
51 a warrant in favor of Eddie Weekley and Charlotte Williams,
52 individually and as co-personal representatives of the estate of
53 Franklin Weekley, deceased, in the sum of \$1 million upon funds
54 in the State Treasury, and to pay the same to Eddie Weekley and
55 Charlotte Williams out of such funds in the State Treasury.

56 Section 4. This award is intended to provide the sole
57 compensation for all present and future claims of Eddie Weekley
58 and Charlotte Williams, as individuals and as co-personal

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59 representatives of the estate of their son Franklin Weekley,
60 which arise out of the factual situation described in this act
61 resulting in the disappearance and death of their son Franklin.
62 The total amount paid for attorney's fees, lobbying fees, costs,
63 and other similar expenses relating to this claim may not exceed
64 25 percent of the amount awarded under this act.

65 Section 5. This act shall take effect upon becoming a law.