

1                               A bill to be entitled  
2       An act for the relief of L.P., a minor, by the  
3       Department of Children and Families; providing an  
4       appropriation to compensate L.P. for injuries and  
5       damages sustained due to the negligence of employees  
6       and caseworkers of the department; providing a  
7       limitation on compensation and the payment of fees and  
8       costs; providing an effective date.

9  
10       WHEREAS, on June 25, 2015, a family member of then-6-year-  
11       old L.P. called the Sarasota Police Department to request a  
12       wellness check of the mother of L.P. due to a suicide video the  
13       mother sent to relatives, along with other bizarre behaviors  
14       that called her mental fitness into question, and

15       WHEREAS, in response to this call, the Sarasota Police  
16       Department complied with its statutory duty to report known or  
17       possible child abuse by notifying the Department of Children and  
18       Families (DCF), which, through its employees and caseworkers,  
19       responded to the home late on June 25, 2015, but failed to  
20       identify the mother of L.P., much less identify several  
21       forewarnings as to the mother's mental health status, and

22       WHEREAS, because of the inadequate wellness check by DCF  
23       employees, including failure to implement a readily available  
24       safety plan, L.P. was left in the custody of her mother, rather  
25       than her grandmother, who is now her adopted mother and who

26 | lived just a few houses away, and

27 |       WHEREAS, because of the negligence of the DCF caseworkers  
28 | in failing to recognize the danger to L.P., she was left in her  
29 | mother's custody, and

30 |       WHEREAS, the mother of L.P. attempted to murder L.P. within  
31 | hours after DCF's negligent decision, resulting in L.P. being  
32 | stabbed no fewer than 14 times, including an attempted  
33 | disembowelment, which required lifesaving emergency surgery and  
34 | multiple follow-up surgeries and treatments, and

35 |       WHEREAS, as a further consequence of the negligence of DCF  
36 | through its employees, L.P. will incur a lifetime of significant  
37 | pain, suffering, disability, disfigurement, mental anguish,  
38 | inconvenience, loss of capacity for the enjoyment of life,  
39 | medical costs, future surgeries, and psychological costs over a  
40 | potential duration of more than 65 years, and

41 |       WHEREAS, following a 2-week trial from February 28 through  
42 | March 11, 2022, the jury found DCF negligent and awarded L.P.  
43 | damages resulting in a final judgment in the amount of \$28  
44 | million, and

45 |       WHEREAS, an appeal to the Second District Court of Appeal  
46 | affirmed the factual findings and the judgment of the jury and  
47 | trial court in the case, and

48 |       WHEREAS, in the 9 years since her mother attempted to  
49 | murder her, L.P. has incurred the costs of multiple lifesaving  
50 | surgeries, psychological counseling, and related expenses which

51 remain unpaid or will be incurred at over \$14 million along with  
52 a loss of earning capacity at \$1.5 million, and

53 WHEREAS, the costs incurred in the prosecution of the  
54 claims on behalf of L.P. exceeded \$208,000, with over \$8,000  
55 remaining to be paid, and

56 WHEREAS, in accordance with the statutory cap of liability  
57 set forth in s. 768.28, Florida Statutes, DCF has paid \$200,000  
58 toward the total amount of this claim, NOW, THEREFORE,

59  
60 Be It Enacted by the Legislature of the State of Florida:

61  
62 **Section 1.** The facts stated in the preamble to this act  
63 are found and declared to be true.

64 **Section 2.** The sum of \$28 million is appropriated from the  
65 General Revenue Fund to the Department of Children and Families  
66 for the relief of L.P. for injuries and damages sustained.

67 **Section 3.** The Chief Financial Officer is directed to draw  
68 a warrant in the sum of \$28 million payable to a special needs  
69 trust created for the exclusive use and benefit of L.P. for  
70 injuries and damages sustained.

71 **Section 4.** The amount paid by the Department of Children  
72 and Families pursuant to s. 768.28, Florida Statutes, and the  
73 amount awarded under this act are intended to provide the sole  
74 compensation for all present and future claims arising out of  
75 the factual situation described in this act which resulted in

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injuries and damages to L.P. The total amount paid for attorney fees, lobbying fees, and other similar expenses relating to this claim may not exceed 25 percent of the total amount awarded under this act.

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