

MAINE STATE LEGISLATURE

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121st MAINE LEGISLATURE

FIRST REGULAR SESSION-2003

Legislative Document

No. 730

H.P. 536

House of Representatives, February 14, 2003

**Resolve, Allowing Christy Reposa and Michaela Corbin-Bumford to
Sue the State**

Reference to the Committee on Legal and Veterans Affairs suggested and ordered printed.

Millicent M. MacFarland

MILLICENT M. MacFARLAND

Clerk

Presented by Representative JOY of Crystal. (BY REQUEST)
Cosponsored by Representatives: ANDREWS of York, ANNIS of Dover-Foxcroft,
CROSTHWAITE of Ellsworth, DUPREY of Hampden, TOBIN of Windham, TREADWELL
of Carmel.

2 **Sec. 1. Authorization to sue State. Resolved:** That,
notwithstanding any statute or common law to the contrary,
Christy Reposa and Michaela Corbin-Bumford, or their legal
4 representatives, who claim to have suffered damages as a result
of the State's wrongfully removing a child from their respective
6 homes, are authorized to bring civil actions against the State,
but not against a past or present employee of the State.

8
 These actions may be brought in the Aroostook County
10 Superior Court within one year from the date this resolve is
approved. Liability and damages, including punitive damages,
12 must be determined according to state law as in litigation
between individuals. The actions may be heard by a Justice of
14 the Superior Court or by a jury. The Maine Rules of Civil
Procedure govern the conduct of the actions. The Attorney
16 General shall appear, answer and defend the actions.

18 The Treasurer of State shall pay any judgments, including
costs and interest, on final process issued by the Superior Court
20 or, if applicable, the Supreme Judicial Court.

22
SUMMARY

24
 This resolve authorizes Christy Reposa and Michaela
26 Corbin-Bumford to sue the State for damages resulting from
alleged wrongful removal of a child from their respective homes.