

MAINE STATE LEGISLATURE

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(After Deadline)
FIRST REGULAR SESSION

ONE HUNDRED AND THIRTEENTH LEGISLATURE

Legislative Document

NO. 519

H.P. 385 House of Representatives, February 24, 1987
Approved for introduction by a majority of the
Legislative Council pursuant to Joint Rule 27.

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

EDWIN H. PERT, Clerk

Presented by Representative CARTER of Winslow.

Cosponsored by Senators KANY of Kennebec, BRANNIGAN of
Cumberland, and Representative PRIEST of Brunswick.

STATE OF MAINE

IN THE YEAR OF OUR LORD
NINETEEN HUNDRED AND EIGHTY-SEVEN

1 Resolve, to Permit Reginald and Alice
2 Huard to Sue the State for
3 Compensation for Losses Suffered as a
4 Result of False Claims of Child
5 Abuse Instituted by the State.
6

7 Reginald and Alice Huard; authorized to sue the
8 State. Resolved: That, notwithstanding any statute
9 to the contrary, Reginald and Alice Huard, who lost
10 their livelihood as nursery school and
11 prekindergarten teachers as a result of false claims
12 of child abuse, are authorized to bring suit against
13 the State.

14 As a result of these allegations, Reginald and
15 Alice Huard closed their school which they had oper-
16 ated for 14 years. They were out of work for one

1 year and spent a large sum for counsel fees. They
2 incurred medical expenses for extreme anxiety during
3 the investigation and trial.

4 This action shall be brought within one year from
5 the passage of this resolve in the Kennebec County
6 Superior Court. Liability and damages shall be de-
7 termined according to state law, just as in litiga-
8 tion between individuals.

9 Any judgment that may be recovered in this civil
10 action shall be payable from the State Treasury on
11 file process issued by the Superior Court or, if ap-
12 plicable, the Supreme Judicial Court and costs may be
13 taxed for Reginald and Alice Huard if they recover in
14 the action. Recovery shall not exceed \$150,000, in-
15 cluding costs. Hearing thereon shall be before a
16 Justice of the Superior Court with or without jury.
17 The action shall be governed by the Maine Rules of
18 Civil Procedure.

19 STATEMENT OF FACT

20 Reginald and Alice Huard were preschool teachers
21 for 14 years. Their home was adjacent to their
22 school. The school has been closed since the begin-
23 ning of the investigation. They incurred legal ex-
24 penses to defend the claims and medical expenses for
25 emotional trauma. Their lives were seriously and
26 permanently altered as a result of charges.

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