MAINE STATE LEGISLATURE

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117th MAINE LEGISLATURE

FIRST REGULAR SESSION-1995

Legislative Document

No. 1103

H.P. 786

House of Representatives, March 30, 1995

Resolve, Authorizing Glen Greenhalgh to Sue the State of Maine and the Department of Human Services.

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

SEPH W. MAYO, Clerk

Presented by Representative BAILEY of Township 27.

Cosponsored by Representatives: BUNKER of Kossuth Township, DRISCOLL of Calais,

Senator: CASSIDY of Washington.

Sec. 1. Glenn Greenhalgh; authorized to sue the State of Maine and individual past and present employees of the Department of Human Services. Resolved: That notwithstanding any statutes or common laws to the contrary, Glenn Greenhalgh, who claims to have suffered damages as a result of erroneous claims of child abuse by the Department of Human Services and its employees and the separation from his children caused by the Department of Human Services and its employees, is authorized to bring suit against the State, and against individual past and present employees of the Department of Human Services who are covered by a liability.

This action must be brought within one year from the passage of this resolve in the Washington County Superior Court. Liability and damages including punitive damages must be determined according to state law, as in litigation between individuals.

Any judgment costs and interest that may be recovered in this civil action are payable from the State Treasury within 30 days of an execution being issued by the Washington County Superior Court. Recovery may not exceed \$750,000, including costs against the State and may not exceed the amount of liability insurance coverage of individual employees of the Department of Human Services. Hearing must be before a Justice of the Superior Court with or without jury. The action is governed by the Maine Rules of Civil Procedure.

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STATEMENT OF FACT

This resolve authorizes Glenn Greenhalgh to sue the State and individual past and present employees of the Department of Human Services who are covered by a liability insurance policy or policies. The resolve authorizes Glenn Greenhalgh to recover damages up to \$750,000 arising from erroneous claims of child abuse and the separation from his children by the department and its employees.