

Office of Superintendent of Schools
Board Meeting of June 21, 2000

June 8, 2000

Office of School Board Attorney
Johnny Brown, Board Attorney

SUBJECT: PROVISION OF DEFENSE COUNSEL TO JOY LEANELL SWINTON IN THE CASE OF GLORIA PINEDA v. JOY LEANELL SWINTON, COUNTY COURT CASE NO. 00-4294 SP 25

The above styled lawsuit was filed in the County Court of the Eleventh Judicial Circuit in and for Miami-Dade County, Florida and served on Joy Leanell Swinton, school bus driver with the Miami-Dade County Public Schools. The lawsuit was filed against the Defendant in her individual capacity, and alleges that Defendant negligently operated a school bus, that it collided with Plaintiff's motor vehicle, and that it damaged said motor vehicle. At the time of the accident, which is the basis of Plaintiff's Complaint, Ms. Swinton was serving in her capacity as a school bus driver. The Plaintiff seeks \$850.00 along with court costs.

Pursuant to School Board Rule 6Gx13-1C-1.02, the employee has requested that the School Board provide her with a legal defense. We do not believe that the lawsuit has merit and are requesting that the School Board, pursuant to the authority vested in it under § 230.234, Florida Statutes (1999), authorize the Board Attorney's office to provide a legal defense for Ms. Swinton.

RECOMMENDED: That The School Board of Miami-Dade County, Florida, authorize the Office of the School Board Attorney to provide for the defense of Joy Leanell Swinton in the case of Gloria Pineda v. Joy Leanell Swinton, County Court Case No. 00-4294-SP25.

LMG/mg

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