



National Center for Youth Law – Six Month Report

A summary of the general direction/progress of the case.

The National Center for Youth Law (NCYL) and co-counsel filed *D.P. et al v. School Board of Palm Beach County et al.* in June 2021. The lawsuit seeks to stop the School District of Palm Beach County (SDPBC) from handcuffing students, especially students with disabilities, who need mental health supports and transporting them for involuntary psychiatric examinations without their parents' consent. The lawsuit seeks implementation and monitoring of more effective mental health supports, as well as modifications to District policy and improved training for District staff. We are also pursuing damages claims for individual families who have brought the case. The case holds significant implications for other jurisdictions where law enforcement is being inappropriately and illegally used when students experience mental health crises.

Since our last report that was submitted in December 2022, our team has concluded fact and expert discovery, including defending our expert depositions. We engaged in an in-person mediation in January 2023. In February 2023, one day before summary judgment briefings were due, Judge Cannon adopted Magistrate Judge Reinhart's report and recommendation on the motion to dismiss. As a result, we filed a second amended complaint to confirm with the opinion. Defendants responded with a second motion to dismiss. The court has stayed all pretrial deadlines pending a new schedule.

Significant decisions in the case, including attachments.

As mentioned above, Judge Cannon adopted Judge Reinhart's report and recommendation on the Defendants' first motion to dismiss.

Progress anticipated in the next six months.

We are currently preparing to oppose the Defendants' second motion to dismiss; we have requested a consolidated briefing with summary judgment, but the Court has not yet ruled on that motion. If the Court does not consolidate briefing, we will file our Opposition on April 13, and intend to file our summary judgment motion before the end of April.

Other progress in the next six months will depend significantly on the case schedule entered by the Court. We expect to request a late Fall trial date. If that is granted, we expect that we will complete summary judgment and pre-trial motions in the next six months as well as prepare our clients for trial. We expect that there will be other opportunities for settlement discussions in the next six months but that is also somewhat difficult to predict precisely at this moment.

Links to media coverage, if any, of the case.

<https://www.washingtonpost.com/education/2023/03/16/florida-law-child-mental-health/>

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