



COUNTY OF LOS ANGELES  
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County Counsel

July 23, 2020

TO: CELIA ZAVALA  
Executive Officer  
Board of Supervisors

Attention: Agenda Preparation

FROM: ADRIENNE M. BYERS  
Litigation Cost Manager  
Executive Office

RE: **Item for the Board of Supervisors' Agenda**  
**County Claims Board Recommendation**  
**Barbara Hickman, et al. v. County of Los Angeles, et al.**  
**Los Angeles Superior Court Case No. 19STCV37450**

Attached is the Agenda entry for the Los Angeles County Claims Board's recommendation regarding the above-referenced matter. Also attached are the Case Summary and the Summary Corrective Action Plan to be made available to the public.

It is requested that this recommendation, the Case Summary, and the Summary Corrective Action Plan be placed on the Board of Supervisors' agenda.

AMB:vc

Attachments

## Board Agenda

### MISCELLANEOUS COMMUNICATIONS

Los Angeles County Claims Board's recommendation: Authorize settlement of the matter entitled Barbara Hickman, et al. v. County of Los Angeles, et al., Los Angeles Superior Court Case No. 19STCV37450 in the amount of \$1,500,000 and instruct the Auditor-Controller to draw a warrant to implement this settlement from the Department of Children and Family Services' budget.

This wrongful death lawsuit alleges that the Department of Children and Family Services failed to investigate three calls of suspected child abuse and neglect, leading to the death of two young girls.

**CASE SUMMARY**

**INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION**

CASE NAME	Barbara Hickman, et al. v. County of Los Angeles, et al.
CASE NUMBER	19STCV37450
COURT	Los Angeles Superior Court
DATE FILED	October 18, 2019
COUNTY DEPARTMENT	Department of Children and Family Services
PROPOSED SETTLEMENT AMOUNT	\$ 1,500,000
ATTORNEY FOR PLAINTIFF	Brian Kabateck Sanjiv Singh
COUNTY COUNSEL ATTORNEY	Katherine Bowser
NATURE OF CASE	Plaintiffs allege that DCFS failed to investigate calls made to the child protection hotline, leading to the death of two minors.  Due to the high risk of and uncertainties of litigation, a reasonable settlement at this time will avoid further litigation costs. The full and final settlement of the case in the amount of \$1,500,000 is recommended.
PAID ATTORNEY FEES, TO DATE	\$ 28,507
PAID COSTS, TO DATE	\$ 131

Case Name: Hickman, Barbara, et. al. vs. COLA, et al..



## Summary Corrective Action Plan

The intent of this form is to assist departments in writing a corrective action plan summary for attachment to the settlement documents developed for the Board of Supervisors and/or the County of Los Angeles Claims Board. The summary should be a specific overview of the claims/lawsuits' identified root causes and corrective actions (status, time frame, and responsible party). This summary does not replace the Corrective Action Plan form. If there is a question related to confidentiality, please consult County Counsel.

Date of incident/event:	October 19, 2017
Briefly provide a description of the incident/event:	Plaintiffs allege wrongful death of their grandchildren due to failure of the Department to protect the children, despite calls made to the Department Child Protection Hotline (CPH).

1. Briefly describe the root cause(s) of the claim/lawsuit:

- A. There was a delay in approving Automated Referral Entry System (ARES) entries.
- B. There was a discrepancy between the referral date and time and when the information was received.
- C. There is a need for mental health collaboration at the CPH.
- D. Additional training is needed for CPH staff regarding phone interviews and screenings in an effort to improve assessments of child safety.

2. Briefly describe recommended corrective actions:  
(Include each corrective action, due date, responsible party, and any disciplinary actions if appropriate)


- A. A memo was issued to CPH staff in December, 2017, requiring Supervisors to review and approve ARES entries prior to end of their shift.
- B. A reminder was issued to CPH staff in December, 2017, that the referral date and time should be consistent with the date and time the information was received and/or call taken.


- C. The Department of Mental Health issued co-located staff to CPH starting January, 2019, to provide consultation with mental health concerns.
- D. CPH social workers complete a mandatory six week CPH training.

3. Are the corrective actions addressing department-wide system issues?

The corrective actions address department-wide system issues.

The corrective actions are only applicable to the affected parties.

Name: (Risk Management Coordinator)	
Diane Iglesias, Senior Deputy Director	
Signature: 	Date: 7/10/2020

Name: (Department Head)	
BOBBY D. CAGLE, DIRECTOR	
Signature: 	Date: 7/10/2020

<b>Chief Executive Office Risk Management Inspector General USE ONLY</b>	
Are the corrective actions applicable to other departments within the County?	
<input type="checkbox"/> Yes, the corrective actions potentially have County-wide applicability.	
<input type="checkbox"/> No, the corrective actions are applicable only to this department.	
Name: (Risk Management Inspector General)	
Signature:	Date: