



County of Los Angeles

September 30, 2025

Dawyn R. Harrison
County Counsel

Board of Supervisors

Hilda L. Solis
Supervisor, First District

Holly Mitchell
Supervisor, Second District

Lindsey P. Horvath
Supervisor, Third District

Janice Hahn
Supervisor, Fourth District

Kathryn Barger
Supervisor, Fifth District

TO: EDWARD YEN
Executive Officer
Board of Supervisors

Attention: Agenda Preparation

FROM: ADRIENNE M. BYERS
Litigation Cost Manager

A handwritten signature in blue ink, appearing to read 'AMB', is placed next to the name 'ADRIENNE M. BYERS'.

RE: **Item for the Board of Supervisors' Agenda**
County Claims Board Recommendation
Evangeline Hernandez, et al. v. County of Los Angeles, et al.
Los Angeles Superior Court Case No. 20STCV24771



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 Summary Corrective Action Plan to be made available to the public.

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

AMB:lzs

Attachments

Board Agenda

MISCELLANEOUS COMMUNICATIONS

Los Angeles County Claims Board's recommendation: Authorize settlement of the matter entitled Evangelina Hernandez, et al. v. County of Los Angeles, et al., Los Angeles Superior Court Case No. 20STCV24771, in the amount of \$20,000,000, and instruct the Auditor-Controller to draw a warrant to implement this settlement from the Department of Children and Family Services' budget.

This lawsuit alleges that the Department of Children and Family Services and its employees are liable for the death of a child and the abuse of the child's surviving siblings.

CASE SUMMARY

INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

CASE NAME	Hernandez, Evangelina, et al. v. County of Los Angeles, et al.
CASE NUMBER	20STCV24771
COURT	Los Angeles County Superior Court
DATE FILED	July 1, 2020
COUNTY DEPARTMENT	Department of Children and Family Services
PROPOSED SETTLEMENT AMOUNT	\$ 20,000,000
ATTORNEY FOR PLAINTIFF	DAVID RING, ESQ. Taylor and Ring, LLP BRIAN CLAYPOOL, ESQ. Law Office of Brian Claypool ROBERT REESE, ESQ. Law Office of Robert Reese
COUNTY COUNSEL ATTORNEY	THOMAS FAGAN Principal Deputy County Counsel Social Services Division DAVID J. WEISS David Weiss Law
NATURE OF CASE	Plaintiffs allege the Department of Children and Family Services and its employees are liable for the death of a child and the abuse of the child's surviving siblings. Due to the high risks and uncertainties of litigation, a reasonable settlement at this time will avoid further litigation costs.
PAID ATTORNEY FEES, TO DATE	\$ 291,406
PAID COSTS, TO DATE	\$ 15,872



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:	April 17, 2019 to July 6, 2019
Briefly provide a description of the incident/event:	In May 2019, the Department of Children and Family Services (DCFS) sought a removal order from the Juvenile Dependency Court authorizing the detention of N.C. from his mother and father. Although the order was authorized, the Department did not execute the order and chose to continue its investigation concerning allegations of abuse/neglect that were reported to the DCFS Child Protection Hotline. On July 6, 2019, N.C. died of abuse at the hands of his parents.

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

<p>A. At the Continuing Services (CS) Supervising Children's Social Worker's (SCSW's) instruction, the CS Children's Social Worker (CSW) submitted a removal order request to the Juvenile Dependency Court without first consulting the Emergency Response (ER) CSW or SCSW investigating an open, active ER referral involving child N.C.</p> <p>B. A removal order request was submitted and authorized by the Juvenile Dependency Court on May 15, 2019, but was never served or executed.</p> <p>C. The medical and/or sexual abuse examination the Court ordered pursuant to WIC §324.5 and/or Penal Code §13823.11 via the same removal order was not pursued or completed.</p> <p>D. The notes and entries concerning child/family contacts and visits were not always clear or detailed.</p>

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

<p>1. Internal Case/Referral Review</p> <p>DCFS management conducted an internal review of how the cases and referrals involving the family were handled and determined there were no proximal policy violations or practice concerns.</p> <p>Notwithstanding, DCFS management conducted a briefing with the servicing regional office, presented a summary of its review, provided refreshers on pertinent best practice areas (including case documentation), and facilitated a Lessons Learned module on the topic of warrants and removal orders.</p> <p>2. Documentation Practices</p> <p>County Counsel and Department trainers, managers, and supervisors continue to emphasize</p>
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the importance of case documentation during consultations and other meetings. DCFS management and supervisors will continue to emphasize how critical it is to keep clear, accurate, and comprehensive case notes and files.

3. Obtaining Warrants and/or Removal Orders Policy Revisions

The Department revised its Obtaining Warrants and/or Removal Orders policy (0070-570.10) on July 19, 2019; January 3, 2020; and June 11, 2020, to provide clarification and proffer further guidance/instruction. The revisions included language on how to address unserved/unexecuted removal orders; who must be notified if/when a child or youth will not be taken for a court-authorized medical/sexual examination; what documents SCSWs need to review prior to the submission of a removal order package; and what actions are necessary if/when more than one service component or program is servicing a family.

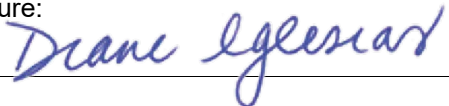
4. Warrants/Removal Order Trainings and Refreshers


The Office of the County Counsel updated the Warrant/Removal Order and Warrant/Removal Order Refresher trainings to ensure that their training content and other materials were congruent with the Department's revised Obtaining Warrants and/or Removal Orders policy (0070-570.10).

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

☒ Yes – The corrective actions address department-wide system issues.

☐ No – The corrective actions are only applicable to the affected parties.

Name: (Risk Management Coordinator)	
Diane Iglesias, Senior Deputy Director	
Signature: 	Date: 8/7/25


Name: (Department Head)	
Brandon T. Nichols, Director	
Signature: 	Date: 08/07/25

Chief Executive Office Risk Management Inspector General USE ONLY

Are the corrective actions applicable to other departments within the County?

☐ Yes, the corrective actions potentially have County-wide applicability.

☒ No, the corrective actions are applicable only to this department.

Name: (Risk Management Inspector General)	
Betty Karmirlian	
Signature: 	Date: 8/8/2025