

Bond Case Briefs

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Burney v. Snohomish County

Court of Appeals of Washington, Division 2 - July 28, 2026 - P.3d - 2026 WL 2167698

Assault victim filed complaint against county, city, and emergency dispatch center for negligence and negligent infliction of emotional distress, alleging defendants failed to properly respond to emergency calls about assailant's mental health crisis prior to assault.

The trial court granted center's motion for summary judgment, denied victim's request to continue summary judgment motion, and granted county and city's motions for judgment on the pleadings. Victim appealed.

The Court of Appeals held that:

- Center did not owe victim duty of care, thus, victim's claims against center for negligence and negligent infliction of emotional distress were barred by public duty doctrine;
- Victim's desire to obtain evidence did not justify continuance of center's motion for summary judgment;
- Victim failed to plead facts proving county and city violated common law duty of reasonable care owed to victim, thus, victim's claims against county and city were barred by public duty doctrine;
- Victim failed to plead facts proving that county created particularized relationship with assailant that gave rise to common law duty of reasonable care;
- Victim failed to plead facts proving that county owed victim duty of care by having definite, established relationship with victim or assailant;
- Victim failed to plead facts proving that city created particularized relationship with assailant that gave rise to common law duty of reasonable care; and
- Victim failed to plead facts proving that city owed victim duty of care by having definite, established relationship with victim or assailant.