

# **Bond Case Briefs**

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## **IMMUNITY - MISSOURI**

### **A.R.K. v. Storz**

**United States District Court, E.D. Missouri, Eastern Division - December 17, 2013 - Slip Copy - 2013 WL 6636128**

Plaintiff alleged that while she was a student in the defendant school districts, she reported to school counselors that she was being sexually abused by her parents. Plaintiff alleged that the counselors failed to report the abuse to the Missouri Division of Social Services as required by state law.

The District Court found that the doctrine of sovereign immunity barred plaintiff's negligence claim as to the school districts and the individual defendants in their official capacity. The doctrine of official immunity barred plaintiff's negligence claims against the individual defendants in their individual capacity.

Plaintiff's § 1983 claims against the individual defendants also failed. The defendants' alleged failure to report the suspected abuse, as required by the Missouri state statute, did not amount to "unconstitutional misconduct" because violations of state law do not state a claim under 42 U.S.C. § 1983.