

# **Bond Case Briefs**

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## **IMMUNITY - ALASKA**

### **State, Dept. of Health and Social Services v. Mullins**

**Supreme Court of Alaska - June 27, 2014 - P.3d - 2014 WL 2917478**

Two sisters, who alleged they were abused by their grandparents while under the legal custody of Office of Children's Services (OCS), filed a suit against OCS for damages. The Superior Court entered judgment on jury verdict in favor of the sisters. The OCS appealed.

The Supreme Court of Alaska held that:

- The jury's allocation of 95% of the fault for the harm suffered by sisters to the OCS, and no fault to grandparents, was irrational and against the weight of the evidence, and
- The trial court was required to review sisters' allegations of negligence against the OCS to determine if the OCS's actions were protected by discretionary function immunity.