

Bond Case Briefs

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LIABILITY - CALIFORNIA

B.H. v. County of San Bernardino

Supreme Court of California - November 30, 2015 - P.3d - 2015 WL 7708297

Child, through guardian ad litem, brought action against county, deputy sheriff, and others for failing to cross-report initial child abuse allegations to child welfare agency, in violation of the Child Abuse and Neglect Reporting Act (CANRA).

The Superior Court granted county's and deputy sheriff's motion for summary judgment based on immunity. Child appealed, and the Court of Appeal affirmed. The Supreme Court granted review, superseding the opinion of the Court of Appeal.

The Supreme Court of California held that:

- County sheriff's department had a duty under CANRA to inform child welfare agency of initial 911 emergency phone call in which nonmandated reporter noted possible abuse of child, and
- Deputy sheriff investigating initial report of potential child abuse did not have a duty as a mandated reporter under CANRA to make additional reports about the same incident, disapproving *Alejo v. City of Alhambra*, 75 Cal.App.4th 1180, 89 Cal.Rptr.2d 768.