



Los Angeles County Settles Civil Rights Case Arising From Alleged Misconduct of its Social Workers for \$220,000

The County of Los Angeles settled a civil rights action brought by the grandparents of two minors for the warrantless removal of the children from their home in violation of the family's constitutional rights to familial association free from unwarranted government interference. The County of Los Angeles, while denying the allegations of the complaint, agreed to pay \$220,000 to settle the case. Approval of the settlement by the Los Angeles County Board of Supervisors is pending.

San Diego, CA (PRWEB) March 19, 2009 -- Frank and Ola Marshall, the maternal grandparents of the two minors who were removed from their home and detained in foster care for forty-four days in 2006, alleged that social workers removed the children in the absence of probable cause and without first obtaining a warrant to do so. The Marshalls also alleged that once the children were removed from the home, social workers intentionally fabricated evidence and suppressed material exculpatory evidence, among other things, as part of their effort to continue to detain the children.

RE: Marshall v. County of Los Angeles, et al.

Superior Court of California, County of Los Angeles

Case No. BC 377071

Judge: Hon. Kenneth R. Freeman, Dept. 64

The suit also alleged that the policies, practices, or procedures employed by Los Angeles County Social Services in the removal of Plaintiffs' grandchildren from their care violated the family's constitutional rights, under the Fourth and Fourteenth Amendments to the United States Constitution. The alleged unlawful policies, practices or procedures pertained to the removal of children without first obtaining a warrant to do so; the removal of children absent evidence to support a suspicion of imminent danger or serious physical injury; continuing detention of children after learning there was no basis to do so; and, failing to adequately train employees regarding the Constitutional rights of parents and grandparents who have a long standing custodial relationship with their grandchildren.

Los Angeles County and the individual social worker defendants deny any wrongdoing.

Lead counsel Shawn A. McMillan states "Our clients are hopeful this case will cause the County and its Department of Social Services to implement procedures to prevent future similar conduct by County social workers and protect other families."

San Diego area attorneys Shawn A. McMillan, of the Law Offices of Shawn A. McMillan, APC., Donnie R. Cox and Dennis Atchley of the Law Offices of Donnie E. Cox (Oceanside), and Paul Leehey along with Los Angeles area attorney Robert Howell, of the Law Offices of Howell & Howell were Plaintiffs' counsel in the case.

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