

ORIGINAL

**Claim Against the
County of Sierra
State of California
(Government Code Section 910, et Seq.)**


FILED

TO: Sierra County Department of Social Services

DEC 22 2010

A. Name and Post Office Address of the Claimant:

Jean Newfarmer-Fletcher
c/o Sandra Stanley, Attorney at Law
2059 Nevada City Highway, Suite 106
Grass Valley, CA 95945

HEATHER FOSTER, COUNTY CLERK
By: 

B. Post Office Address to Which the Person Presenting the Claim Desires Notices to Be Sent:

Law Offices of Sandra Stanley
2059 Nevada City Highway, Suite 106
Grass Valley, CA 95945

C. The Date, Place, and Circumstances of the Occurrence or Transaction Which Gave Rise to the Claim Asserted:

During the past several years of Claimant's employment as a Social Worker 3, employed by Sierra County Social Services (hereinafter "the Agency"), Claimant has been harassed, intimidated, humiliated, and deprived of her Civil Rights by the Agency, including without limitation being removed from her office in front of other personnel, falsely accused, without probable cause, of drinking on the job, and forcibly subjected to a knowingly unnecessary drug and alcohol test, the results of which proved to be negative. The causes of this incident and the incidents subsequently described herein are primarily due to the negligent hiring practices and disregard of civil rights protections of employees by Sierra County, among other things.

Commencing on or about May 17, 2010, to and including the present, Claimant was assigned to a Child Protective Services case although her expertise was in Adult Protective Services. Another County social worker, Jodi Benson (hereinafter "Benson"), had been removed from the case for good cause and Claimant was prevailed upon by County employee and Claimant's supervisor, James Marks (hereinafter "Marks"), to take the case.

Thereafter, on or about July 28, 2010, Claimant determined that Benson's management of the case was faulty and incompetent, and that Benson had allegedly broken confidentiality and fabricated allegations against the family involved in said CPS case.

Claimant subsequently learned, on or about August 5, 2010, that the Court had checked a box on a prior Findings and Order After Hearing dismissing the case. Claimant informed Marks of the dismissal and Marks impliedly accused Claimant of forging the form although it came from the Court's official files. Marks further accused Claimant of breaching confidentiality in the CPS case, and obtained orders from Carol Roberts, Social Services' Director, impliedly ordering Marks to always be in the office where Claimant was, presumably in order to constantly supervise her. This supervision order was never put into effect. Claimant has been employed by the Agency for many years and consistently receives outstanding reviews from Northern Regional, the State Agency overseeing County Social Services offices, while Benson and Marks have only been recently employed by Sierra County.

On or about August 20, 2010, Marks requested Claimant to prepare a progress report on the CPS case, which Claimant wrote up in her standard fashion, i.e. straight and to the point, but which upset Marks for unclear reasons. Marks then rewrote Claimant's report and submitted it to James Curtis, County Counsel. Claimant was extremely upset by Marks' actions because claimant did not feel the rewritten report was honest or accurate and on or about August 23, 2010, she informed Curtis of the chain of events. Curtis assured Claimant that the case would not be "railroaded," as Marks desired.

Thereafter, on or about September 22, 2010, Marks prepared a CPS Court report on the case. Because it contained numerous untruths and harsh, unjustified recommendations, Claimant would not sign off on it, whereupon Marks abruptly and viciously removed her from the case, causing Claimant to suffer an extreme attack of violent shaking, with chest and arm pain. She was life-flighted to Reno Renown Hospital and was on stress leave from September 23 to October 17, 2010.

Claimant as well as other Health & Human Service Department employees had been subpoena'd by the defense attorney for said CPS case for the October 27, 2010 Court hearing. Carol Roberts, Social Services Director, falsely informed County Counsel Curtis that the Office Assistant was unable to attend. Claimant believes and thereon alleges that Roberts' purpose in making such false representations to Curtis was to exclude any evidence in favor of the defense.

Claimant is informed and believes and thereon alleges that Jodi Benson and James Marks have an inappropriate personal relationship outside of the office setting creating additional hostility in an already hostile work environment. Slanderous accusations have been fabricated against claimant as well as other staff members interfering with the ability of claimant and other staff members to perform their duties effectively. A climate of fear and distrust has been created which affects the ability of staff members to properly meet their obligations to the clients of the Agency.

Management, including other County agencies, are aware of the untenable situation created by Roberts, Benson, and Marks, yet have chosen to ignore their actions (perhaps in self-defense), despite the physical, emotional, and legal assaults on Claimant and the other staff members.

D. GENERAL DESCRIPTION OF THE INDEBTEDNESS, OBLIGATION, INJURY, DAMAGE, OR LOSS INCURRED SO FAR AS IT MAY BE KNOWN AT THE TIME OF PRESENTATION OF THE CLAIM:

Claimant has suffered severe physical, emotional, economic, and career damages as a result of the County's negligent hiring practices, and its failure to cure known violations of Claimant's personal, employment, and Civil Rights, in a sum within the jurisdiction of the Court.

E. GENERAL DESCRIPTION OF THE LEGAL BASIS FOR COUNTY LIABILITY, AND THE DATE OF DISCOVERY THEREOF:

Libel, Slander, Intentional and Negligent Infliction of Emotional Distress, Intentional and Negligent Misrepresentation of Facts, Fraud by Concealment, and other bases of liability to be determined subsequent to discovery in this action.

F. THE NAME OR NAMES OF THE PUBLIC EMPLOYEE OR EMPLOYEES CAUSING THE INJURY, DAMAGE, OR LOSS, IF KNOWN:

- Carol Roberts
- Jodi Benson
- James Marks

G. THE AMOUNT CLAIMED AS OF THE DATE OF PRESENTATION OF THE CLAIM, INCLUDING THE ESTIMATED AMOUNT OF ANY PROSPECTIVE INJURY, DAMAGE, OR LOSS, INSOFAR AS IT MAY BE KNOWN AT THE TIME OF THE PRESENTATION OF THE CLAIM, TOGETHER WITH THE BASIS OF COMPUTATION OF THE AMOUNT CLAIMED:

Damages exceed \$10,000 Yes XX No

Punitive/exemplary damages Yes XX No

Jurisdiction of the Claim: XX Superior Court
 Limited Civil Action
XX U.S. District Court
 Other

Dated: December 19, 2010

LAW OFFICES OF SANDRA STANLEY

By


Sandra Stanley, Attorney for Claimant,
JEAN NEWFARMER FLETCHER