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Orange County, California - News - \$4.9 million + \$1.6 million attorney's fees awarded to mother against DCFS

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By Laura Lynn, **LA Family Courts Examiner**

June 2010, the Court of Appeals upheld a jury verdict against two DCFS workers and the County of Orange (just South of Los Angeles), in favor of a mother who had her parental rights taken away without just cause.

The opinion in DEANNA FOGARTY-HARDWICK, Plaintiff and Respondent, v. COUNTY OF ORANGE et al., Defendants and Appellants follows:

"The County of Orange, along with two of its social workers, Marcie Vreeken and Helen Dwojak (collectively the County), appeals from a substantial monetary judgment in favor of Deanna Fogarty-Hardwick for damages caused by the County's violation of her federal civil rights. Specifically, the County was found liable based upon improper conduct by the social workers, which caused Fogarty-Hardwick to lose custody of her two daughters in a dependency proceeding.

"Section 1 of the Civil Rights Act of 1871, provides in relevant part: 'Every person who, under color of any statute, ordinance, regulation, custom, or usage, of any State [*2] or Territory or the District of Columbia, subjects, or causes to be subjected, any citizen of the United States or other person within the jurisdiction thereof to the deprivation of any rights, privileges, or immunities secured by the Constitution and laws, shall be liable to the party injured in an action at law, suit in equity, or other proper proceeding for redress' (42 U.S.C. §1983, rev. stat. § 1979)"

In conclusion, the Honorable P.J. Bedsworth wrote "The evidence adduced at trial obviously caused both the jury and the judge to conclude not only that something seriously wrong was done to Fogarty-Hardwick in this case, but also that the wrongful conduct was not an isolated incident. That conclusion is something the County should be taking very seriously."

Scroll down to the comments and tell us if you think wrongful conduct in Los Angeles County DCFS is isolated to a few cases or if it is widespread.

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