



Board Agenda Item 40

DATE: July 8, 2024

TO: Board of Supervisors

SUBMITTED BY: Hollis Magill, Director of Human Resources

SUBJECT: Request to Defend Public Officers or Employees

RECOMMENDED ACTION(S):

Approve and authorize the Chairman to execute “Agreements to Defend Public Officers or Employees, Reservation of Rights, and Non-Waiver Agreement” for the employees listed below:

Kari Gilbert, Director of Child Support Services

Lisa Sprague, Deputy Director of Child Support Services

Title of Action: Prince Paul Raymond Williams v. California Department of Child Support Services, et al.

Description:

The Plaintiff alleges negligence and fraud in the debt collection efforts on his child support judgement, which was the proximate cause of the plaintiff's injuries. Kari Gilbert and Lisa Sprague were both employees with the Department of Child Support Services at the times relevant to the allegations in the lawsuit.

Fresno County Claim No: 11452
Fresno County Superior Court: 25CECG01299
Plaintiff: Prince Paul Raymond Williams

ALTERNATIVE ACTION(S):

No alternative action is available because Article 4 (commencing with section 825), Chapter 1, Part 2, Division 3.6 of Title 1 of the Government Code requires the County to indemnify its public employees who timely request such defense.

FISCAL IMPACT:

There is no increase in Net County Cost associated with the recommended action. Funds to finance the cost of defense are contained in the Department's Org 8925, Risk Management Internal Services Fund. Defense costs are supported by annual budgetary contributions based on actual projections.

DISCUSSION:

The California Government Code requires the County to defend its officers and employees who are sued because of their actions while in the course and scope of employment, if they timely request such defense. The County may require officers and employees to agree that the County's rights under the law are

protected.

In the above-mentioned action, the employees named in the suit have requested the County to provide legal defense. The necessary agreement to protect the County's rights have been signed by said employees and is on file with the Clerk of the Board.

ATTACHMENTS INCLUDED AND/OR ON FILE:

On file with Clerk - Agreement to Defend Public Officer or Employee, Reservation of Rights and Non-Waiver Agreement for Kari Gilbert

On file with Clerk - Agreement to Defend Public Officer of Employee, Reservation of Rights and Non-Waiver Agreement for Lisa Sprague

On file with Clerk - Exhibit "A" Article 4. Indemnification of Public Employees

CAO ANALYST:

Sevag Tateosian