

## **SUMMARY STATEMENT**

*D.A.F. v. Lieteau*

Docket No. 46026

This case involved the question of whether a person bringing a tort claim against a governmental entity for alleged child abuse must comply with the notice requirements of the Idaho Tort Claims Act. In this case, seven individuals (who will collectively be referred to as the Juveniles) filed suit in district court alleging that they had been sexually abused while they were minors in the custody of the Idaho Department of Juvenile Corrections. In its ruling on summary judgment, the district court found that the Juveniles' claims based on Idaho Code section 6-1701 were not barred by the notice requirements of the Idaho Tort Claims Act thus allowing the claims based on that section to proceed. The Idaho Department of Juvenile Corrections and its employees moved for permission to appeal, which was granted. The Idaho Supreme Court held that because of the plain language of the ITCA, the notice requirement applies to claims based on tort actions in child abuse cases. Accordingly, the Court reversed the district court's decision and remanded the case for further proceedings consistent with the opinion.