
SERVICE OF NOTICE OF CLAIM ON COUNTY WAS NOT EFFECTIVE AS TO THE STATE

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Slaughter v. Maricopa County
Ct. Appeals, Div. One, May 5, 2011

Authored by the [JSH Appellate Team](#)

Plaintiff served a notice of claim on her employer, Maricopa County, alleging sex and age discrimination and hostile work environment. Later, when Plaintiff amended her complaint to name the State of Arizona as a defendant, the State moved to dismiss on the basis that Plaintiff had failed to serve it with a notice of claim. Dismissal was granted and affirmed. Arizona law requires service upon the State through the attorney general, and Plaintiff had not served the notice on the attorney general. Further, the court rejected Plaintiff's argument that the County was the State's agent so that service of the notice of claim on the County was effective service on the State. Plaintiff failed to present any evidence of such agency. In addition Plaintiff had done nothing to prosecute her claims beyond filing the complaint, and thus the lower court properly dismissed for failure to prosecute.