

TUESDAY, DECEMBER 5, 2023

---

# Sonoma jury awards \$25M to 3 foster kids for abuse, negligence

By Wisdom Howell

Daily Journal Staff Writer

---

**A** Sonoma County jury awarded \$25 million to three foster children last in a lawsuit against their former foster parents and the foster home company, Alternative Family Services Inc., for sexual abuse and negligence.

“We are going to appeal. The net verdict was \$14.8 million,” defense attorney Daniel R. Friedenthal of Friedenthal, Heffernan & Brown LLP said in an email Monday.

The jury verdict on Friday found Alternative Family Services 60% responsible for the damages, ruling that the company’s negligence was “a substantial factor in causing the plaintiffs’ harm.”

Mark Martinez, the foster father accused of sexually assaulting the plaintiffs, is serving 25 years to life for the abuse, according to the plaintiffs’ co-lead trial counsel, Scott R. Montgomery, shareholder at Abbey, Weitzenberg, Warren & Emery PC.

Montgomery said in a phone interview Monday, “I think the real question here is, is this going to lead them, them being AFS, to make meaningful changes to what their process is,” he said. “To me, it felt like the company didn’t do any type of investigation. They didn’t look into anything. They said they made no changes. My hope would be that ... they reevaluate how they do this.”

Montgomery’s co-counsel was Johann A. Hall of the Law Office of Johann Hall APC in Santa Rosa.

Friedenthal, lead trial counsel for Alternative Family Services, wrote in his trial brief that the company had visited the home 11 times between April and June 2018 and found no evidence of sexual abuse. *C.F. et al. v. Alternative Family Services Inc. et al.*, SCV-264540 (Sonoma Sup. Ct. filed May 31, 2019).

Additionally, Friedenthal wrote, the County of Sonoma made at least 10 home visits during this same period, “in addition to supervising visits outside of the Martinez’s home twice per week between plaintiffs and their biological father. No issues or concerns were raised to AFS case workers or County of Sonoma social workers until the very last supervised visit on June 25, 2018.”

---

wisdom\_howell@dailyjournal.com