

Claim Submission Requirement

According to a recent California Supreme Court decision in DiCampi-Mintz v. County of Santa Clara (2012) 55 Cal.4th 983, a document fails to comply with the Government Claims Act if it was never presented to or received by a statutorily designated recipient as required by Government Code section 915.

915. (a) A claim, any amendment thereto, or an application to the public entity for leave to present a late claim shall be presented to a local public entity by either of the following means:

- (1) Delivering it to the clerk, secretary or auditor thereof.
- (2) Mailing it to the clerk, secretary, auditor, or to the governing body at its principal office.

~~I have been advised that "delivering" has been interpreted to mean hand delivering it. The CAO is not the clerk, secretary or auditor in San Benito County.~~