

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF MONTANA,
GREAT FALLS DIVISION

Janelle Rodgers v. Valley County, Luke Strommen, & John Does 1-3

Rodgers · No. CV-20-105-GF-BMM · Decided April 2, 2026

SUMMARY

The United States District Court for the District of Montana denied Janelle Rodgers’s motion for partial summary judgment seeking to impose liability on Valley County under Restatement (Second) of Agency § 214 and Montana’s mandatory child-abuse reporting statute. The court held that Rodgers had not shown a significant and continuing relationship with Valley County or that the county owed her a non-delegable duty under Mont. Code Ann. § 41-3-201. The court did not decide whether Strommen’s alleged sexual abuse occurred within the scope of his employment.

CASE DETAILS

COURT	United States District Court for the District of Montana, Great Falls Division
WRITING FOR THE COURT	Brian Morris
JURISDICTION	United States District Court for the District of Montana, Great Falls Division
DECIDED	April 2, 2026
DOCKET	CV-20-105-GF-BMM
DISPOSITION	other
PROCEDURAL POSTURE	Plaintiff moved for partial summary judgment seeking application of Restatement (Second) of Agency § 214 to extend Valley County's liability for alleged sexual abuse committed by its employee. Valley County and Luke Strommen opposed the motion.
STANDARD OF REVIEW	Summary judgment is appropriate when the movant shows that no genuine dispute of material fact exists and the movant is entitled to judgment as a matter of law. A genuine dispute exists when sufficient evidence would permit a reasonable jury to return a verdict for the nonmoving party.
PRECEDENTIAL VALUE	Unknown

TOPICS

summary judgment

civil procedure

municipal liability

statutory interpretation

vicarious liability

PRACTICE AREAS

civil procedure

torts

municipal liability

statutory interpretation

QUESTIONS PRESENTED

1. Whether Restatement (Second) of Agency § 214 imposed a nondelegable duty on Valley County based on its employment of Strommen and Montana's mandatory-reporting statute.
2. Whether Rodgers established a sufficient significant and continuing relationship with Valley County to invoke the § 214 exception to the general scope-of-employment rule.
3. Whether Rodgers was entitled to partial summary judgment on Valley County's alleged liability under § 214.

HOLDINGS

1. Rodgers failed to establish that Valley County owed her a nondelegable duty under Mont. Code Ann. § 41-3-201. The statute plainly requires law-enforcement officers themselves to report suspected child abuse and does not appear to extend the same duty to a county that employs the officers.
2. Rodgers did not establish the significant and continuing relationship with Valley County necessary to support application of § 214.
3. Rodgers was not entitled to partial summary judgment because, even assuming the most recent version of Montana's reporting statute applied, she failed to establish a nondelegable duty, a qualifying relationship with Valley County, or when Valley County was placed on notice of Strommen's conduct.

KEY QUOTATIONS

“[a] master or other principal who is under a duty to provide protection for or to have care used to protect others or their property and who confides the performance of such duty to a servant or other person is subject to liability to such others from harm caused to them by the failure of such agent to perform the duty.” (4)

“Accordingly, IT IS ORDERED that Rodgers’s Motion for Partial Summary Judgment (Doc. 83) is DENIED.” (8)

FACTUAL BACKGROUND

Rodgers alleged that Luke Strommen sexually abused her between September 2009 and January 2011, beginning while she was babysitting his children and including alleged encounters at locations such as his residence, a hotel room, a patrol car, and a family cabin. Some encounters allegedly occurred while Strommen was on duty as a Valley County law-enforcement officer. Rodgers reported the abuse to law enforcement in November 2018, after Valley County had terminated Strommen's employment, and Strommen later pleaded guilty to one count of sexual intercourse without consent. Rodgers argued that Valley County had a nondelegable duty to protect her and to report suspected child abuse.

PROCEDURAL HISTORY

Rodgers filed suit against Strommen and Valley County in November 2020, asserting claims including negligent hiring, negligent supervision, negligent retention, negligent infliction of emotional distress, vicarious liability, and punitive damages. She moved for partial summary judgment on whether Valley County owed a nondelegable duty under Restatement (Second) of Agency § 214 and Montana's mandatory-reporting statute. The district court denied the motion, concluding that Rodgers had not established the required relationship or statutory duty between herself and Valley County, and had not shown when Valley County received notice of the alleged abuse.

DISPOSITION

other

CASES CITED

- Anderson v. Liberty Lobby, Inc., 477 U.S. 242, 248 (1986)
- Paull v. Park County, 218 P.3d 1198, 1205 (Mont. 2009)
- Smith v. Ripley, 446 F. Supp. 3d 683, 688, 690-92 (D. Mont. 2020)
- Shepherd v. Amtrack, CV 17-40-GF-BMM, 2018 U.S. Dist. LEXIS 226726, at *4-5 (D. Mont. Aug. 15, 2018)
- Bilbruck v. Valley County, cv-21-40-GF-BMM, 2024 U.S. Dist. LEXIS 116821, at *5-6 (D. Mont. 2024)
- L.B. v. United States, 807 F. Supp. 3d 1199, *1212-20 (D. Mont. 2025)