

California Dog Bite and California Child Injury Lawyer

Abstract. *Over 4.7 million cases of Dog bite get recorded annually in the US and California is in the top 5 states that reports dog bite incidences, a majority to children in the age group 9 to 15. A qualified California child injury lawyer and California dog bite can be of great assistance to you in such a situation.*

There are a presently 74.8 million dogs in the US as per the American Pet Products Manufacturers Association based on a survey done 3 years ago. A corresponding study also claims that approx 2% of the US population or close to 4.7 million people suffer a dog bite annually and are required to be treated every year. Insurance claim data indicate the same. They however do not indicate that all the payments are done using the insurance money. Child injury claims due to dog bite often cannot be claimed as parents are not aware of the statutes.

One in every six bites is a serious one and requires major medical attention. Getting bitten by a dog is a fifth most common cause for children to be rushed to an emergency treatment facility in the US every year. Most are reported in children between 9 and 15 years – an age where they tend to act mischievous with dogs. There were 30 fatal cases of Dog Bites in US in the year 2009 where a person in spite of being rushed to the hospital could not be saved. This figure was 23 in 2009 and estimates till date indicate that this is one figure that will rise.

These are all alarming figures and if you are a parent with your children in the age group where they could be susceptible to a dog bite, you must read on. The laws are elaborate on the subject of dog bite and injury, but you require a qualified and experienced lawyer to represent you and get you the dues when you or your family member is an unfortunate victim of a dog bite.

California Laws on Dog Bite are clear and unambiguous. They contain a dog bite statute, meaning that they are a law that repudiates in whole or part the common law's requirement of "scienter" (i.e., knowledge that the animal had previously injured a person in the same manner, such as by a bite). California Civil Code section 3342 provides the details of the Dog Bite Dispute. By this statute,

“The owner of any dog is liable for the damages suffered by any person who is bitten by the dog while in a public place or lawfully in a private place, including the property of the owner of the dog, regardless of the former viciousness of the dog or the owner's knowledge of such viciousness. A person is lawfully upon the private property of such owner within the meaning of this section when he is on such property in the performance of any duty imposed upon him by the laws of this state or by the laws or postal regulations of the United States, or when he is on such property upon the invitation, express or implied, of the owner.”

The statute is aimed at benefiting the public by reducing the conflict that otherwise could follow a dog bite/attack. As the liability is automatic, the dog owner and the victim can maintain their personal relationship unharmed by the threat of litigation, accusations of wrongdoing, or a drawn out claims process.

This is especially important as recent estimates indicate that 75% of the time, the victim is a family member, neighbor or friend of the dog owner.

However, in the event of a dog bite, urgent medical attention is warranted and the payment can lighten your pocket quite a bit. More often than not, the insurance agencies are well versed with the ways to deny you your logical claim. At these times, you need to approach a lawyer who can stand up to these insurance agencies and also fight for your rights as a victim or as a parent of a victim.

The Keane Law Firm has the experience and resources to handle a variety of childhood injury cases. While Attorney Christopher Keane and The Keane Law Firm specialize in cases from San Francisco and the State of California, they may also accept worthy cases from other states. If your child or the child of somebody you know has been the victim of a serious injury, we can work with you hold the responsible parties accountable for their negligence. No matter where your child's injury occurred, please don't hesitate to contact us for a no-cost evaluation of your case.