



FLORIDA DOG BITE INJURY GUIDE

*What To Do If You're
Bitten Or Attacked By A Dog*



If you have been injured by a dog, you may be feeling angry. It's a difficult situation to deal with; being injured from an incident that should have been prevented can leave you with a lot of frustration. We want to help you pursue the compensation that you deserve for your injuries. It's a tricky situation to deal with and it is so much

simpler when you have a strong, experienced Tampa Bay dog bite attorney to guide you through the legal process. Let us talk you through what you need to know during a free consultation.

TYPES OF DOG BITE INJURIES

There are many scenarios in which your dog bite may have occurred. We see a lot of people come to us who have pretty awful injuries from a particularly vicious animals. Of course, if you get tripped up on the animal while it is attacking, you could have injuries that are similar to victims of trip and fall cases. Dog bite injuries include but are not limited to:

- » Broken bones
- » Rabies infection
- » Nerve damage
- » Scarring
- » Joint displacement
- » Bruising and cuts
- » Fear of dogs in the future

The last injury mentioned is quite common if the victim of the attack was a child. After having been seriously injured by a dog, that person could go the rest of their lives being afraid of dogs. When deciding upon an amount of compensation to ask the insurance company for, we take all of your injuries (both physical and psychological) into account. We want to make sure you are prepared for what the future will hold for you after this attack.

HOW DOG BITE COMPENSATION WORKS



Florida follows the rules of comparative negligence, which means that, if you played a part in causing your dog bite, even accidentally, your compensation may be reduced. Suppose you were walking your dog and out comes another dog barreling from someone's unlocked gate. You would have been a complete innocent bystander in that situation and that would not warrant any reduction in compensation. However, if you were walking into a friend's home and accidentally stepped on the dog's paw and it attacked you, that might cause you to be deemed partially at fault. If you were deemed 20% at fault while being awarded \$1,000 for your injuries, your award would be reduced to \$800. Luckily, the laws in Florida allow you to receive compensation even if you are 99% at fault. We work hard to keep you from bearing any fault at all, but it is nice to know that you won't be barred from receiving an award unless you were the sole cause of the attack which almost never happens.

ENSURING SUCCESS

There are several very important steps that need to happen in order to protect your case and ensure that it is going to be successful.

Seek Medical Attention – This might seem obvious, but it's easy for people to try to logic with themselves about not seeking medical attention. With a dog bite, there is a particularly heightened danger with not seeing a doctor. You need to ask the owner of the dog if it's up to date on rabies vaccinations. If you don't find that out or get to the doctor and treat it preemptively, you run the risk of infection. It's also common for there to be scarring, so if you leave your wounds untreated, you could be risking having really serious scarring that could be a disfigurement.

Collect Evidence – At the scene of the incident, you want to collect as much information as possible. You can take photos and videos of the scene and your injuries. You will want to talk to the owner and ask about rabies vaccinations, and if the dog has ever done this before. There may also be witnesses that you'll want to get information from. When you're there, you should call the police to file a report of the incident so they can collect information as well. You will be able to use all of this evidence and information to strengthen your case.

Avoid the Insurance Company – There is going to be someone assigned to your case from the insurance company and their job is going to be to call you and get a recorded statement from you. What you need to know is that you have absolutely no legal obligation to speak to them. They might sound pleasant and helpful, but they're trained to get answers from you that would make you sound at fault for the incident. To avoid getting yourself into a sticky situation, tell them that they can talk to your attorney if they have any questions

Hire an Attorney – Hiring an attorney, as you may have gathered, is especially important to do if you want to have a successful case. They will protect you from the insurance company, fight for your right to compensation, and make sure everything stays on track to get you the best possible result.



FREQUENTLY ASKED DOG BITE QUESTIONS

What Do I Do After a Dog Bite?

You may be asking yourself, "What do I do after I've been injured by a dog?" You need to let the dog owner know that you've been injured. Tell them and any other witnesses that you've been injured. If you have your cell phone handy, take photographs of the

dog and of the person who is with the dog whether it's the owner of the dog or just the person who's walking the dog. We have to preserve evidence.

Sadly, in dog bite cases, we often see that the injuries are so severe that the person can't even do those basic things. The most important thing that you can do is to get medical treatment quickly. Hopefully, there's a witness who can help us establish exactly what has happened to help us identify the dog and the dog's owner.

Does a Beware of Dog Sign Affect Liability?

You may be wondering is a sign saying beware of dog insulated the owner of the dog from liability. Florida law doesn't say that. No sign, beware of dog or anything like that, can insulate the owner that they can't be subject of a claim for injury because of a dog bite or animal attack.

Florida law is very detailed on this. There are very limited circumstances in which an owner of a dog can be absolved of responsibility when there is a dog attack. Don't let anybody tell you that you getting bitten by the dog is your own fault because they had a sign up that said beware of dog. That's not the law in the state of Florida.

Do I Have a Dog Bite Case?

If you or your child has been seriously injured by a dog, you may be wondering if you have a dog bite case that is worth pursuing.

We have to look at this case to determine if we can prove that the owner of that dog had a duty to use reasonable care, meaning the person owned that animal and had the ability to control that dog and there was a breach of that duty because that dog attacked you or a loved one.

Those are the things that we would be looking at to determine if there is truly a case. We're going to be looking to see if there's insurance that we can recover or if the person has the financial ability to withstand a judgment that would pay such a claim. We have been successful in both ways. It's important for us to do that because we want this community to be safer. We want to do everything that we can to make sure that you do receive your rightful and just compensation in such a case.

What Types of Dog Bite Cases Are There?

Dog bite injury cases against children are some of the saddest cases because children are so innocent. Usually, they simply want to pet a dog. Sometimes the injuries can involve very terrible scarring. When it involves a child, it's especially heartbreaking, especially for the parents.

We also see dog bite injury cases where a dog jumps in front of a vehicle and the vehicle has to take evasive action. That might be a viable dog injury case against the owner of that dog that didn't maintain control over them. We see cases where a dog will run out from a yard and attack a bicyclist who's traveling by the owner's house. We see all kinds of dog bite injury cases. Let us help you through that process because we have experience in dog bite injury cases. We're going to put that experience to use for you to make sure that there's documentation, and that the proper authorities have been put on notice.

Florida has a law that states that the owner of a "dangerous dog" is strictly liable for the injuries that the dog causes. The law in Florida allows for strict liability to apply to the owner of that dog that is not properly controlling that animal whether or not that owner knows if that dog has the propensity to be dangerous, or to bite, or attack somebody else.

Who Pays for My Damages?

In general, most homeowners' insurance coverage that a dog bite owner would have has an exclusion that says dog bite injuries are not covered. There's a rider on many homeowners' policies that specifically provides coverage for dog bite injury cases. A person can buy homeowners' insurance that has an exclusion of dog bite injuries and they can buy homeowners' insurance that covers dog bite injuries.



When you're injured by a dog bite, make sure you know who owns the dog, and make sure the authorities are contacted. They can contact animal control to do its investigation to document who the owner of that dog is. You should then

contact experienced lawyers who handle dog bite injury cases that have experience in these types of cases so that we can do our investigation to find out if there is available homeowners' insurance that will allow for a recovery on behalf of the dog bite owner.

Who is Liable for the Attack?

You may be wondering if the owner of the dog who caused injury was ultimately responsible. The answer is yes, but not always just them; other people can share in that liability. Florida law prescribes the responsibility for animal injuries to the owner of the animal.

That means that the owner, either through their own means, homeowners' insurance, or sometimes the premises of where they take their dog will have a source of recovery because of the owner's duty to safeguard injury committed by their animal to others. We hold those owners accountable if their dogs have caused injury to others.

What is Dog Bite Third Party Liability?

Anybody who allows a dog on their premises is taking on the responsibility of that dog potentially injuring somebody. Florida law makes the owner responsible for injuries that an animal or dog may cause to others, but anybody who knowingly allows that animal or dog onto their premises also has responsibility. They owe a duty to provide a safe environment for anyone that comes onto their premises. If they've allowed a dangerous dog or a dog that's potentially dangerous to also be on this premises, they have that responsibility also.

What if the Dog Owner Doesn't Have Insurance?

If you were seriously injured in a dog attack and you have reason to believe that the owner of that animal doesn't have insurance coverage that would pay your claim, the question is, do you still have a claim that you can present and that we can recover on your behalf? The short answer to that question is yes, you do. However, one thing that you have to keep in mind is the financial availability to pay a judgment for that claim.

We're going to do an asset search and check on the owner of that dog. Do not be deterred from pursuing a dog bite or an animal attack claim merely because you suspect that the owner of that animal may not have liability coverage. Let us look at that to make a determination if we can still pursue a claim and recover for you.

What Questions Should I Ask After the Dog Bite?

You may be wondering, "What are the important questions that I can ask the dog owner if I've been attacked by a dog?" First of all, if you retain our firm, we're going to undertake all of that for you, but if you are physically able to have a discussion with the person who's with the dog, ask him or her who owns the dog. Don't assume that this person is the owner just because they're the one who's walking the dog at this particular moment.

If you can reach your cell phone, take a photograph of the dog and take a photograph of the person who is with the dog. Ask for the name of the dog owner and whether the dog has had all his or her rabies shots. If an ambulance shows up, the EMTs are going to ask those same questions anyway.

Is There a One Bite Rule?

Every dog bite case qualifies as a viable claim here in Florida. The reason is, a dog owner is strictly liable for injury to a person as a result of a dog bite. There's a big misconception among the public that every dog gets one bite free here in Florida. Every owner has a duty to make sure that his dog is restrained and that he doesn't pose imminent harm to any other person.

CALL OUR OFFICE TODAY

If you are looking for compensation for your injuries, please call our Tampa Bay dog bite attorney today to set up a free consultation. We will make sure that you have the best chance possible to get the award you deserve.



CREATED BY PERENICH THE LAW FIRM

Brothers and founding partners of PERENICH The Law Firm, Greg, Tim, and Terence maintain their mission to continue the legacy their father, Guy Perenich,

began decades before. Together, the brothers reaffirm their connection to the community they've always called home, through the vocation of legal advocacy, in service to righting the wrongs of injustice.

PERENICH The Law Firm was built upon a foundation of values and principles Guy Perenich taught his sons. Today Greg, Tim and Terence carry on their father's legacy to bring justice to all members of our Tampa Bay community.

We are a family of trial lawyers at PERENICH The Law Firm with deep ties to Clearwater and communities throughout Tampa Bay. For decades, we have built strong bonds and formed lasting relationships with our clients, continuing a multi-generational commitment to helping those seeking recovery and justice.

Our family is dedicated to protecting your family, just as we would our own. Whether an experienced personal injury attorney is needed to enforce your rights after an auto accident, or you need expert legal representation to protect your home in foreclosure or bankruptcy, the attorneys of PERENICH The Law Firm are committed, experienced, effective, reliable Tampa Bay area bankruptcy and accident injury lawyers.

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