

Committee Name:
Senate Committee –
Judiciary, Corrections and Privacy
(SC–JCP)

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August 21, 2003

To: Judiciary Committee
Re: AB 423

From: Charles E. Stern
Legal Counsel, Wisconsin Mutual

I appear today in support of AB 423.

I believe this act will continue a long tradition in the development of the law regarding regulation of what damages can be recovered from the owners of dogs.

I have attached to this memo photocopies of various web sites run by plaintiff attorneys. Three are from Wisconsin. Please note the emphasis on how large a settlement or verdict most of these sites claim to be able to recover, if only the viewer will contact them. Dog bite litigation is an important profit center for many firms.

The legal history of damages caused by dogs goes way back in history. These legal concepts developed concurrently with changing agriculture practices. Oliver Wendell Holmes Jr., in his lectures on the common law, stated that in England as early as 1333 it was the law that, "if my dog kills your sheep, and I, freshly after the fact, tender you the dog, you are without recovery against me."

Even earlier, Greek law provided that if a dog bit a person, the dog was to be delivered up to the victim bound to a log four cubits long. Basically both Greek and English law provided for an eye-for-an-eye approach.

English common law evolved slowly with the urbanization of the country. By the early industrial revolution the courts were holding dog owners liable only if the owner had knowledge of the dog's vice. As stated by Lord Chief Justice Sir John Holt in 1699, an owner of a dog could be liable for damages "if the defendant had known before that this dog was of such fierce nature he ought to have kept him at his peril." Mason v Keeling, 1 Ld. Raym. 606. Shortly after that case the rule was stated to be that a dog was entitled to "one bite" before its owner could be held to know of its nature.

Location of the incident also became important. An early Wisconsin case, Chunot v Larson, 43 Wis. 536 (1878), pointed out the differing liability rule depending on where the offending act occurred. "The owner of the dog is not in general liable for an injury committed by such animals, unless it be alleged and shown that such owner had knowledge of the vicious propensity of the dog." However, if the dog was in "the close" of another person, then "the defendant was bound to make full compensation . . . whether he had previous knowledge of the vicious propensity of the dog or not."

The dissent in Chunot pointed out that this holding was a change from the common law "and it

may prove troublesome.”

Sometime shortly after the Chunot decision, the Wisconsin legislature passed the statute that has evolved into current 174.02. Our supreme court pointed to this statute in the case of Schaller v. Connors, 57 Wis. 321 (1883). There the court referenced then section 1620 as follows:

The owner or keeper of any dog, which shall have injured or caused the injury of any person or property, or killed, wounded, or worried any horses, cattle, sheep, or lambs, shall be liable to the person so injured, and the owner of such animals, for all damages so done, without proving notice to the owner or keeper of such dog, or knowledge by him that his dog was mischievous or disposed to kill, wound or worry horses, cattle, sheep or lambs.

So here the legislature is acting to abolish the common law requirement of notice of the nature of his/her dog. (As an aside, the judgment appealed from in this case amounted to “1.50 damages and costs.”)

A reference as to the purpose for the existence of section 1620 appears in the case of Nelson v. Nugent, 106 Wis. 477 (1900). Our court explained, “. . . the statute has changed the common-law liability of the owners of dogs for injuries done by them. The object of the statute seems to have been to encourage the raising of sheep and to discourage the raising of dogs.”

Probably the purpose of current Section 174.02 is not the same as the purpose of Section 1620 was in 1900. The purpose of any law of damages should be to make the plaintiff whole. It should not result in creating a small class of favored plaintiffs who obtain jackpots for themselves and their attorney that do not exist for all other plaintiffs with similar injuries. “Compensatory damages are those given in an attempt to ‘make whole’ the parties sustaining the loss and are not to be awarded to punish the wrongdoer.” *The Law of Damages in Wisconsin*, Chapter 1, Page 3. The present law does not fulfill this purpose.

What this statute creates, in its present form doubling damages for any prior “injury to a person, domestic animal or property,” is a mad scramble by plaintiff attorneys to find any prior scratch on the cabinet or torn drape or anyone who may have been scratched or nipped while playing with the dog. Way too much time and money is spent on the attempted discovery of any prior “injury” to the old basement chair. Plaintiff attorneys also use the threat of finding some neighbor or friend of the plaintiff who “remembers” an incident five or six years ago. It is almost impossible to defend against that type of “evidence.”

As this brief memo has shown, the law of damage caused by dogs has been anything but constant through the years. It is time to make it rational for the 21st century by passing AB 423.

Charles E. Stern
Wisconsin Mutual Insurance Company
(608) 836-4663 X106



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SUPREME COURT INCREASES PROTECTIONS FOR DOG BITE VICTIMS

The Wisconsin Supreme Court recently made the negligent handling of a dangerous dog a felony if that dog bites someone. In State v. Bodoh, the Court ruled that the owner of two Rottweilers that attacked a 14 year old boy could be charged with negligent handling of a dangerous weapon.

The defendant's two dogs chased and pulled a 14 year old boy from his bike. The dogs bit the boy several times. The boy received severe injuries that resulted in three hundred stitches. The dog's owner was charged with and convicted of negligently handling a dangerous weapon.

The Supreme Court held that a dog can be a weapon if used or intended to be used in a manner likely to result in severe injury. There was evidence that the defendant considered his dogs watchdogs and that they had acted aggressively on several occasions. Under these circumstances, the dog could be considered a weapon. The court then concluded that the owner had negligently handled the dogs because he had permitted them to run loose.

This landmark decision offers further protection for victims of dog bites. Currently in Wisconsin, the law provides that a dog owner is strictly liable if his dog bites someone. This means that the dog owner or his insurer must pay for the damages caused by the dog regardless of whether the owner was negligent in his handling of the dog. The Supreme Court has now added an additional remedy that the state may pursue on a victim's behalf.

If you or someone you know has been injured by a dog, contact an attorney. The attorneys at Bye, Goff & Rohde can advise you as to your rights and help you to recover the damages that you are entitled to.

Jastroch & LaBarge, S.C.

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Dog Bite Law

Did you know that there are over 800,000 victims of dog bites that need medical attention each year in the United States?

Did you know that over 300,000 of those victims have injuries so severe that they need to be taken to hospital emergency rooms?

Did you know that children are the most likely victims of dog bites?

There are over 50 million dogs in the United States. Most of these dogs are well-trained and lovable pets. However, the above-statistics show that badly trained and poorly kept dogs have caused widespread damage. Over 30 million dollars are spent each year for medical care alone.

Insurance company officials say dog bites cost them about \$250 million dollars a year in claims payments. As a result, insurance companies are seeking to limit their losses on dog bite claims by eliminating coverage on certain types of breeds. The breeds most likely to be involved in dog bite cases are Pit Bulls, Rottweilers, German Shepherds, Huskies, Alaskan Malamutes, Doberman Pinschers, Chow Chows, Great Danes, Saint Bernards and Akitas.

It is estimated that 65% of the reported bites take place while the animal is being played with, fed, teased, abused or separated from another dog. Only 35% of the bites are classified as being unprovoked by the victim.

Parents should be aware that children less than 10 years of age are usually the most severely injured. Of those children, facial injuries occur frequently. Those types of injuries, unfortunately, can result in severe disfigurement and the need for future surgeries to remedy the injuries. Not to be minimized is the psychological trauma to the child with the potential of a lifetime fear of dogs.

How are victims compensated? Dog bite victims are compensated similar to other injury victims. The dog owner and their insurance



company may be responsible for the following:

1. Personal property loss, such as clothing, glasses, etc.;
2. Medical expenses for such things as emergency room, hospital stay, doctor visits, psychological counseling, past and future;
3. Medical expenses for corrective surgery, past and future;
4. Wage loss of a parent caring for an injured child and potential lost earning capacity of the child;
5. Pain and suffering;
6. Other damages incurred as a result of the dog bite, such as permanent scarring, disfigurement, or loss of function; and
7. Loss of society and companionship.

Dog bite cases vary from state to state. In Wisconsin, any contributory negligence of the victim will lessen the final award or settlement. **We not only work hard to minimize any contributory negligence of our clients, but under certain circumstances, damages for our client can be doubled. This is the legislature's way of stressing to dog owners that they are responsible for the actions of their animals.**

If you or someone you know has been a victim of a dog bite, you should review the details of the injury with an attorney experienced in handling dog bite claims to learn of your rights.

Please call us for a **no cost – no obligation** review of your specifics at **1-262-547-2611**.

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Wisconsin Dog Bites & Dog Bite Injuries

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Wisconsin Dog Bites & Dog Bite Injuries and V

Wisconsin dog bites and dog bite injuries are governed by Wisconsin law, w of dogs to be responsible for dog bites that cause injury. Dog bites are preven makes such owners and keepers of dogs strictly liable for the injuries and bi best friend bites more than 4,700,000 people a year causing someone in the attention for a dog bite–related injury every 40 seconds.

- During 1979–1998, dog attacks killed more than 300 Americans.
- Nearly 800,000 people sought medical care for dog bites in 1994.

In Wisconsin and elsewhere, Children are at greater risk of injury and death primarily because children do not know how to fend off an attack.

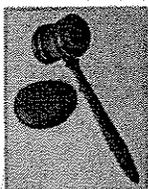
- In 1994, approximately 2.5% of U.S. children under 14 years old were adults over 18 years old.
- In 1997–1998, 27 people died from dog bites; 19 of them were children
- Children, especially boys ages 5 to 9, have the highest incidence rate fo resulting from dog bites.

Pit bull-type dogs and Rottweilers are involved in more than half of the deat known. Of the 227 fatal attacks for which data were available, more than tw single dog, and more than half involved dogs that were unrestrained on thei

These dog bites require plastic surgeons to repair devastating wounds from year. As a result, substantial medical expenses are often incurred and disfig on the person for the remainder of their life.

According to experts, most dog-bites can be prevented when dog owners tak and socialize their dogs. Dog owners need to keep their dogs healthy and fo dog owners should socialize their dogs to feel at ease around people and oth a largely preventable public health problem, Wisconsin law makes the owne liable for the injuries and bites caused by their dogs.

In Wisconsin, dog bite incidents are primarily governed by Wisconsin Statu Section 174.02, which states (Updated through November 30, 2002):



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**Welcome to the Dog Bite Victims
Information Matrix**

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Here is everything you need to know
about dog bite attacks. **PRESS**





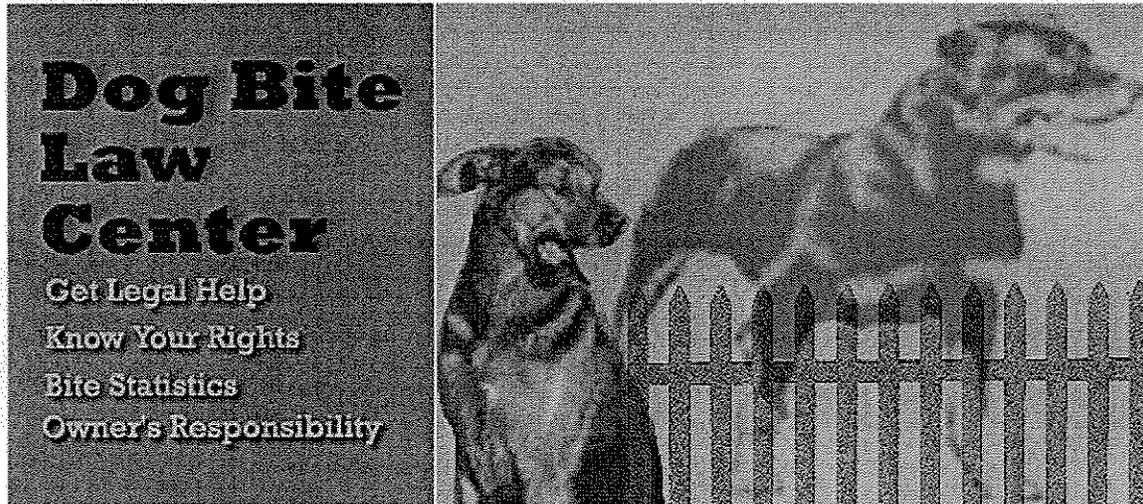
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Kathrine Leet Pfeffer vs Robert Price (State Farm - Virginia)
Alysa Pizziferro vs Jason Halstead (State Farm - California)
Timothy Crow vs Richard Colston (State Farm - Texas)

Dog Bite Law Center

There are approximately 800,000 bites per year in the United States that require medical treatment

If You Have Bitten By a Dog You May Be Entitled to Compensation



Every 40 seconds, someone in the United States seeks medical attention for a dog bite. There are approximately 800,000 bites per year in the United States that require medical treatment. If you or someone you know has been bitten by a dog, you may be entitled to compensation. Contact us to get legal help.

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Think You Have a Dog Bite Case?

FREE LEGAL CONSULTATION

At Edgar Snyder & Associates, we offer a free initial legal consultation. If we don't think you need attorney, we will tell you so. If you believe that you, or someone close to you, may have a claim, contact us in one of two ways:

- Complete and submit the online form below or
- call us toll free at 1-800-9-4EDGAR. Our phones are answered 24 hours a day, 7 days a w

Remember: There is *no charge* for this consultation and *no obligation* to use our services. And, always, at Edgar Snyder & Associates, "there's never a fee unless we get money for you!"

* Questions marked in red are required

YOUR CONTACT INFORMATION

First Name:

Last Name:

Street Address:

City and State: state

Zip/Postal Code:

Phone Number: - -

Work Number: - -

E-mail Address:

INJURED PERSON INFORMATION

For whom are you inquiring?

Name of injured person (if different than above):

Age of injured person:

Does the injured person currently have an attorney? yes no

ACCIDENT DETAILS

City and state of attack: state

Date of attack: 2003

Please briefly describe the incident.

What is the dog owner's first and last name?

- Has the dog bitten other people before? yes no
- Were there any witnesses to the attack? yes no
- Were photos taken? (if not, we strongly recommend that you take photos now) yes no
- Was the dog running loose? yes no
- Was Animal Control contacted following the attack? yes no
- Was a police report taken? yes no

Please describe your injuries. Did you lose consciousness following the attack?

- Have you received medical treatment for your injuries? yes no
- Were you admitted as an inpatient at a hospital? yes no
- Do you require physical therapy for your injuries? yes no
- Have you lost pay as a result of your injuries? yes no

Please describe any pre-existing injuries that you have, if any.

INSURANCE ISSUES

- Has the defendant's insurance company contacted you? yes no
- Has an offer been made to you by an insurance company? yes no

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Dog Bites and Dog Attacks

Approximately 4.7 million people are attacked and bitten by dogs in the United States each year. Of these, approximately 800,000 victims require medical care for the injuries sustained from the attack, and between 10-20 victims die. Roughly 30% of attacks involve unrestrained dogs off the owner's property, 22% involve a restrained dog on the owner's property, and 48% involve an unrestrained dog on the owners property.



A frequent target of dog attacks is the face, accounting for approximately injuries in US hospitals each year. Injuries to the face include abrasions, lacerations, and avulsion, lacerations, crushing wounds, punctures, and fractured bones. Frequent targets include hands, arms, and lower extremities. These injuries result in permanently disfiguring scars. Further, injuries from a dog bite result in wounds are likely to become infected.

Over half of those attacked are children. Indeed, it is estimated that a child has a nearly 50% chance of having a serious dog bite by the time they reach the age of 10. One in ten dog attacks involve sleeping infants.

Dog attacks are so common that almost one in three claims against a home insurance involve a dog bite. In 1994 alone, insurance companies paid approximately \$1 Billion for injuries resulting from dog attacks.

Typically, victims of a dog attack have a limited period of time (determined by the Statutes of Limitations) in which to file his or her claim in court, or they are barred from succeeding on their claim and from recovering. In Massachusetts, the time period is generally three (3) years from the date of the accident or the date the injury resulted in the injury. In some states the statute of limitations may require the claim in court in less time, such as within one (1) year. Further, some cases have notice requirements that may be as short as 30 days. If you have been bitten by or otherwise injured by a dog, it is important to obtain immediate help.

Our law firm, together with the network of other law firms throughout the United States with which we work, helps victims of dog attacks nationally.



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LAST NAME:

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MOBILE:

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ADDRESS:

CITY:

STATE:

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ZIP:

DATE OF DOG BITE:

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Arizona Dog Bite Law

by [Richard Keyt](#)

March 30, 2002

Americans love their dogs. Most dogs are wonderful companions to their masters and give a lot of love and pleasure. There are approximately 53 million dogs in the United States. There is a dark side to man's best friend, however, that causes a large number of injuries, hospitalizations, reconstructive surgeries and deaths.

Every year in the United States, approximately 4.5 million people are victims of dog bites. More than 300,000 people are admitted to hospitals annually for treatment for dog-bite wounds. Almost one half of all dog-bite victims are children under age 12. The insurance industry estimates that homeowner's insurance policy claims for dog bites result in insurance payments of more than \$1 billion a year. See [A Community Approach to Dog Bite Prevention](#).

In Arizona, when a dog bite causes injuries, the owner and/or person responsible for the dog may be legally obligated to pay the victim's damages unless the victim provoked the attack. Dog bite victims are frequently compensated for their injuries by the owner's home owners' insurance policy.

Many states have a dog bite law that gives a dog "one free bite." In a one free bite state, the owner of the dog is not liable for damages caused the first time the dog bites a victim unless the owner knew or should have known that the dog had a propensity for violence.

Arizona Dog Bite Statutory Liability

Arizona, however, is not a one free bite state. In fact, Arizona Revised Statutes Sections [11-1020](#) and [11-1025.A](#) impose strict liability on the owner of a dog that bites a victim. In addition to the owner of a biter, the person or persons who are responsible for the biter at the time it bites are also liable for damages to the victim. For example, if I take my friend's dog for a walk and during the walk the dog bites and injures a child, both the owner and I may be jointly liable for the child's damages.

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The only defenses to a dog bite claim brought under Sections 11-1020 and 11-1025.A are: (i) that the victim provoked the attack, or (ii) the owner is a governmental agency using a dog in military or police work and the bite occurred while the dog was defending itself from a harassing or provoking act, or assisting an employee of the agency in connection with certain specified tasks. See [A.R.S. § 11-1025.B](#).

Arizona Dog Bite Nonstatutory Liability

In addition to claims brought for damages under Arizona Revised Statutes Sections [11-1020](#) and [11-1025.A](#), dog bite victims may have a claim arising under local city or county ordinances and under common law negligence. Victims should determine if the city or county where the bite occurred have any ordinances or regulations that might impose liability on the dog owner or person responsible for the dog. For example, if the locality has a leash law and the law was violated, that may be the basis for a negligence claim.

Dog bite claims may also be brought under Arizona common law and for negligence. These claims are more difficult to prove, but they may be made concurrently with a claim based on Sections 11-1020 and 11-1025.A. The statute of limitations for claims based on negligence and Arizona common law is two years from the date the claim arose.

Arizona Dog Bite Criminal Liability

In certain situations, Arizona law imposes criminal liability on a dog owner whose dog injures another person. A person commits a class 6 felony in Arizona if:

1. the person owns a dog that the owner knows or has reason to know has a propensity to attack, to cause injury or otherwise endanger the safety of human beings without provocation or which has been found to be a vicious animal by a court of competent authority, and
2. the dog bites, inflicts physical injury on or attacks a human being while at large.

See for example, the *People of the State of California v. Marjorie Knoller & Robert Noel*. In this California criminal case, the owners of two Presa Canario dogs, Marjorie Knoller and her husband Robert Noel were convicted of second degree murder (only Marjorie) and involuntary manslaughter and owning a "mischievous" animal (only Robert). For a complete history of this case and more information than you probably want to know, see the [Diane Whipple Case](#).

Damages for Dog Bites

If a dog bite victim proves liability, the victim is entitled to be

compensated for the following damages:

1. the costs of all medical care, including, ambulance charges, medication costs, doctors' fees, emergency room and hospital costs
2. the estimated costs for future medical care to treat wounds and reduce or eliminate wounds, scars and disfigurement
3. counseling costs
4. loss of earnings
5. cost to replace damaged or destroyed personal property
6. compensation for injuries to or loss of life of pets attacked by the dog

The above list illustrates the types of damages for which a victim may be compensated, but it is not a complete list. The facts and circumstances of each dog attack and its victim may result in additional types of damages for which the victim may be compensated.

The Source for Paying Damages

Usually, but not always, the person liable for a dog bite has insurance that will pay the victim's damages. Dog bite insurance may be provided by homeowner's insurance, renter's insurance, landlord's insurance, dog owner's insurance or business insurance if the dog is owned by or under the control of a business such as a breeder or pet shop. Even if the person liable for a dog bite is a friend or member of the family of a victim, if there is sufficient insurance coverage, the friend or family member may not have to pay the damages out of his or her pocket because the damages will be paid by the insurance company.

Collect the Information Needed to Prove Your Case

People who are bitten by dogs and the parents of children bitten by dogs should immediately take the following actions to preserve evidence that may be needed to maximize damage recovery:

1. Get medical attention.
2. Call the police and the local animal control office (the dog catcher) and report the attack. Police and animal control reports can be very useful in pursuing legal claims for damages. In Maricopa County, report bites to Animal Control Services at 602-506-7387. If possible, confine the animal (without endangering yourself) first, and then call.
3. Take still color photos and video photos of all bruises and wounds, before and after treatment. Also take photos of clothing worn during the attack.
4. Take still color photos and video of the attack scene and the dog if

- you have access to it. Make a written note that the dog in the picture(s) is the dog that attacked. If you did not witness the attack, ask all witnesses to state in writing that the dog in your pictures is the dog that attacked the victim.
5. Write a narrative that describes the look and features of the dog, its breed, color, size and any distinctive markings..
 6. Make a written diary that recounts the attack from beginning to end and that contains a history of all important events related to the attack such as the dates of all medical treatments, the names of the treating personnel, the procedures performed and medications taken, and all communications with the dog owner and/or responsible person(s).
 7. Take appropriate steps to identify the dog.
 8. Ask to examine the license tag of the dog and make a written record (a picture would be better) of any information on all dog tags. Arizona law requires licenses on all dogs at least four months old kept in Arizona at least thirty consecutive days in a calendar year.
 9. Identify the dog's owner and his or her home address and telephone number.
 10. Identify any responsible person(s) and his or her home address and telephone number.
 11. Ask the owner and any responsible person(s) if they have any homeowner's or rental insurance or any type of insurance that might cover the attack. If they have insurance, ask for the name of the insurer(s).
 12. Identify all witnesses to the attack and obtain their name(s), addresses and phone numbers. You may have to knock on doors in the vicinity of the attack to determine if any neighbors saw or heard the attack. Return to the scene of the attack at the same time the next few days or perhaps a week later and question all passersby to determine if perhaps they saw or heard the accident.
 13. Ask to see a driver's license of the owner, responsible person(s) and witnesses to confirm their name and address information.

Caveats

Dog bite victims or the parents of victims who are children should act immediately to protect their rights. Victims (or their parents) should not sign any document offered by an insurance company, the dog's owner or a person who is responsible for a dog attack without first consulting an experienced dog bite attorney. It is common for an insurance company to attempt to settle a dog bite claim for substantially less than its actual value. Beware of signing anything that might eliminate or reduce your right (or your child's right) to be compensated for damages arising from a dog attack.

Statute of Limitations

There are statute of limitations that prevent the bringing of dog bite claims that are not filed in court within certain periods of time after an attack. The period of limitations depends on the type of claim. For example, claims based on negligence have a two year statute of limitations while claims brought under Arizona Revised Statutes Sections 11-1020 and 11-1025.A have a one year period. See A.R.S. § 12-541. I recommend that you bring all possible claims arising from a dog bite within one year of the incident just to be safe and prevent the running of any applicable statute of limitations.

Victims Need Legal Representation

All victims of dog bites (and the parents of victims who are children) should consult with an experienced Arizona dog bite attorney as soon as possible after an attack. The legal rights of dog bite victims depend on the law of the state, county and city where the attack occurred. Claims may be brought under one or more legal theories. The calculation of possible damages of each dog bite case is necessary to determine its settlement value. Because the Arizona statutes of limitations involve complex legal issues and are dependent on the facts and circumstances of each case, it is best to contact an attorney immediately after the attack to prevent the loss of the right to sue for damages.

By contacting an attorney immediately after an attack, the attorney can assist in preserving and compiling evidence and in maximizing the victim's damage recovery. Most attorneys who accept dog bite cases will take the case on a contingency, which means that no attorneys' fees are payable unless there is a recovery of money. Contingency fees commonly are one third of money recovered before trial, but if the case goes to trial, the contingency fee becomes forty percent.

Related Information

[Arizona Dog Bite Law Statutes](#)

[Arizona Dog Bite Law Resources](#)

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About the Author

Richard Keyt is a business, transactions, contracts, real estate, estate planning and internet law attorney licensed to practice law in Arizona. He has provided legal services to businesses and people in Arizona since 1980. Rick can be reached by telephone at 602-906-4953, email at



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Making The World A Safer Place...

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Dog Bite Statistics show that nearly 2% of the Population is bitten by a dog each year.

BISNAR & CHASE

California Dog Bite Lawyers - Orange County Dog Bite Attorneys Riverside Dog Bite Lawyers - San Bernardino Dog Bite Attorneys

This website on California dog bites is presented to provide resources to assist victims of dog attacks and to assist in preventing future attacks by dogs and other animals. This site is an information source, offered to educate you on protecting yourself, your family and your pets from attacks by dogs and providing assistance on what to do in the unfortunate circumstance that you, or someone you love, become a victim of a dog bite or animal attack in California.



The statistics on Dog Attacks in America are alarming. Each year the number of innocent children and adults seriously injured or killed by dogs in the United States increases dramatically. If a foreign government were to cause as many injuries and deaths, we would be at war. If a disease caused as much suffering and financial loss, we would be spending millions to conquer it.

This website is made available by BISNAR & CHASE, a personal injury law firm with a proven track record of success in representing the victims of dog bites and animal attacks in California. The firm handles dog bite cases in all counties in Southern California, including Los Angeles, Orange County, San Diego, Riverside and San Bernardino.

If you have been the victim of a dog bite or animal attack, call now for a free legal consultation or **click here** to fill out our convenient on-line evaluation form.

**For Immediate Legal Assistance
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Dog Bite Law

The non-commercial, educational website of attorney Kenneth Phillips, nationally recognized as the nation's leading authority in dog bite law, "the dog bite king" and "the nation's best-known practitioner of terrier torts."

The most extensive resource for dog bite victims, dog owners, parents, journalists and others needing to learn about the legal rights of victims, how to protect children, and other aspects of the dog bite epidemic.

Dog Bite Law has been reviewed as "the most effective lawyer website on the internet ... has everything anybody ever wanted to know about the violent side of man's best friend and the legal consequences thereof."

Go to the articles written for:

- Dog bite victims
- Dog owners
- Owners of injured animals
- Parents
- Journalists
- Lawyers
- Dog experts
- Soldiers

Read about:

- The dog bite epidemic: a primer
- Cases in the news

Special Features-

- **FAQ ("Frequently Asked Questions")**. Answers to the most common questions.
- **The Dog Bite Law Adviser**. Legal concepts and practical information.
- **Contact Mr. Phillips** by E-mail, and get answers for free.
- **Links to related sites** including law, medicine, dog behavior and more.



Attorney Kenneth Phillips in a People Magazine article entitled "Biting Back." It was about his unique law practice, devoted to representing dog bite victims throughout the USA.

New visitors should read the disclaimer before going further!

Dog Bite Victims

- What to do immediately after the attack
- Legal rights of a dog bite victim
- Legal rights of a rescuer
- Should parents get a lawyer for their injured child?
- The "one bite rule"

Meet your host:

Attorney Kenneth Phillips is available by e-mail for **no charge**. He represents dog bite victims throughout the United States, and has been recognized as the leading national



- o Bodily and emotional injuries
- o Free surgery for children disfigured by dogs
- o How injuries are given dollar values
- o Structured settlements
- o Injuries in dog parks
- o Electric fences
- o Landlords' rights and liabilities
- o Homeowner Associations' liability for dog bites
- o Humane society as a defendant
- o Police dogs and civil rights
- o Beware of the "statute of limitations"
- o Dangerous and vicious dogs
- o Criminal penalties for a dog bite
- o Bankruptcy and dog bite claims
- o Meet Mr. Phillips

Dog Owners and Owners of Injured Animals

- o Liability of dog owners
- o The "one bite rule"
- o Protect you and your dog
- o Insurance for the dog owner
- o If your dog bites someone
- o Dog parks
- o Electric fences
- o Compensation for injury to or death of a dog
- o Leaving your dog with a "foster parent"
- o Buying, selling and adopting-out dogs
- o Breed specific laws, regulations and bans
- o Veterinary malpractice
- o Dog or burglar alarm: which is better?
- o Special message for people whose dogs or cats have been killed
- o Legal rights of a rescuer
- o Beware of the "statute of limitations"
- o Leashes and tags
- o Legal rights of the blind and others to use special dogs
- o Police dogs and civil rights

authority on dog bite law:

- The *Today Show* and *National Enquirer TV* have called him "the dog bite king."
- *Time Magazine* has called him "California's leading dog-bite lawyer."
- *Good Housekeeping* has referred to him as "a leading expert in dog-bite law."
- The *Los Angeles Times* has said he is "the nation's best-known practitioner of terrier torts."
- Mr. Phillips has been profiled in *People Magazine* and has appeared nationally on CNN, NBC, CBS, ABC, MS-NBC, Court TV, Inside Edition, National Enquirer TV and Fox News Channel, and locally on TV and radio stations throughout the country.

He will answer your questions about dog bites for free. To send him an E-mail message, click here.

- You can find out more about Mr. Phillips by going to Meet Kenneth Phillips.
- Read the in-depth articles about him that appeared on the website of CNN, in *The Recorder* and the *Los Angeles Times*.
- Please note that this is an educational web site and as such does not contain Mr. Phillips' address or phone number.

Who this site is for:

www.dogbitelaw.com is accessed by 1,000 new users each day. They spend an average of 9 minutes reading its timely information about dog bites. Users include dog bite victims, dog owners, parents, journalists, lawyers and dog experts.

- **Dog bite victims** may use this site to contact Mr. Phillips and to qualify for free surgery for children disfigured by dogs.
- **Attorneys** outside California who are qualified to handle dog bite cases should contact Mr. Phillips.
- **Students** of law use this site, which has been honored as the "most creative legal website" and has received the Lightspan Academic Excellence Award.



The dog bite epidemic:

- Landlords' rights and liabilities
- Dangerous and vicious dogs
- Criminal penalties for a dog bite
- Cruelty toward dogs
- Bankruptcy and dog bite claims
- Web sites about dogs
- Legal research for non-lawyers

Parents

If your child was bitten by a dog, see these articles and the section above entitled Dog Bite Victims.

- What to do immediately after the attack
- Should parents get a lawyer for their injured child?
- Bodily and emotional injuries
- Free surgery for children disfigured by dogs
- Advice for parents about getting a dog
- Dog or burglar alarm: which is better?
- Teach your children how to avoid dog bites
- Free surgery for children disfigured by dogs
- Structured settlements
- Meet Mr. Phillips

Journalists

- Dog bite statistics
- How your readers can avoid dog bites
- Preventing dog bites
- Dangerous and vicious dogs
- Breed specific laws, regulations and bans
- Criminal penalties for a dog bite
- Web sites about dogs
- Research articles about dog bites

Lawyers

Attorneys in need of pleadings and forms of discovery, and those outside California who are qualified to accept dog bite cases, are requested to contact Kenneth Phillips

Dog bites are a significant national health problem. Recently dog attacks have been making the news, but the problem has been growing for more than a decade. Here are the startling USA basics:

KinderStart.com™



- **The numbers.** There are almost 5 million dog bites per year. About 800,000 victims per year require medical treatment. 1,000 dog bite victims per day are seen in hospital emergency rooms. Dog bites cause losses that exceed \$1 billion per year, with \$310 million paid by insurance.
- **Kids are the main victims.** More than half of the victims who receive medical attention are children -- most of whom are bitten in the face. The attacking dog usually is owned by the victim's family, a friend or a neighbor. For children, dog bites now cause more emergency room visits than any other activity except playing baseball and softball, exceeding injuries brought about by playground accidents, ATV's, inline skates, skateboards and volleyball.
- **The problem is growing.** A 10-year study showed that the number of dog bites rose 37%, while the number of dogs kept as pets increased by only 2%. For example, there were 4.3 million dog bites reported to authorities in 1996, and 4.7 million in 1999, according to the Insurance Information Institute. The insurance industry paid \$310 million on dog bite claims in 2001. Five years ago, the industry paid only \$250 million.

⚠ Disclaimer: *It is important that you understand the limitations of this Web site and any other that provides legal information.*

- This Web site provides general information about dog bites and dog bite law. Materials within the Dog Bite Law web site are for informational purposes only. They are not legal advice and should not be used as such. They may or may not reflect the most current legal and other developments.
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- Transmission of information and questions to Mr. Phillips, and receipt of his replies thereto, does not constitute an attorney-

- Civil liability for dog bites in California
- Civil liability for dog bites in states other than California
- The "one bite rule"
- Legal rights of a rescuer
- Bodily and emotional injuries
- How injuries are given dollar values
- Compensation for injury to or death of a dog
- Veterinary malpractice
- Dangerous and vicious dogs
- Breed specific laws, regulations and bans
- The Akron, Ohio, ordinance pertaining to pit bulls and Presa Canarios
- Criminal penalties for a dog bite
- Cruelty toward dogs
- Buying, selling and adopting-out dogs
- Landlords' rights and liabilities
- Police dogs and civil rights
- Homeowner Associations' liability for dog bites
- Humane society as a defendant
- Dog parks
- Electric fences
- Insurance for the dog owner
- Bankruptcy and dog bite claims
- Structured settlements
- Leashes and tags
- Legal research for lawyers
- Other legal resources for lawyers
- Research articles about dog bites

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- Some links within the Dog Bite Law Web site may lead to other sites. Mr. Phillips does not necessarily sponsor, endorse, or otherwise approve of the materials appearing in such sites.

Dog Experts

- Research articles about dog bites
- Who the dog bite experts are
- Dog bite statistics

Soldiers

- Temporary care of pets owned by soldiers

In the News

- o **The Diane Whipple case:** The infamous San Francisco dog mauling case. Kenneth Phillips' commentaries were on **CNN, Court TV, NBC, CBS, ABC** and elsewhere.
- o **The mauling of Shawn Jones:** The horrifying mauling of 10-year-old Shawn Jones. Kenneth Phillips is his attorney.
- o **Today's Bulletins**



www.dogbitelaw.com welcomes your feedback

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Mr. Phillips' background ↻

Kenneth Phillips received a Bachelor of Arts degree in English and a Juris Doctor degree from the University of California at Los Angeles (UCLA). He clerked for a Supreme Court Justice of the California Supreme Court, and is admitted to practice law throughout the State of California and the Ninth Circuit Federal Court. He has served as a consultant to attorneys, legislators and animal control personnel throughout the United States and around the world.



Kenneth Phillips lecturing at the International Association of Canine Professionals, March '03

He has been an attorney since 1976 and has practiced personal injury law since 1979. He started representing accident victims when his young cousin's hand was crushed in a high school printing press which had no safety devices. That case led him to realize the need to represent people who became disfigured or disabled. He began specializing in serious dog bite claims in 1993, representing victims both inside and outside the State of California, and today his law practice is dedicated to representing dog-bite victims.

The Today Show called him "the dog-bite king of the legal universe." A feature article about him in Lawyers Weekly was entitled "Meet the Dog Bite King." Time Magazine called him "California's leading dog-bite lawyer." The Los Angeles Times said he is "the nation's best-known practitioner of terrier torts." He has been profiled in People Magazine and has appeared on television and radio, and in numerous newspapers and magazines throughout the United States. Phillips wrote the on-line legal treatise "Dog Bite Law" - www.dogbitelaw.com - the most extensive research site for dog bite victims, dog owners, parents, journalists and others needing to learn about the legal rights of victims, how to protect children, and other aspects of the dog bite epidemic. Visitors to his website can E-mail questions to him, which he will answer for free.

Phillips was born in New York and lives in Los Angeles. The Law Offices of Kenneth Morgan Phillips are in Century City. He is 50 years old.

Cases handled ↻

Here are three actual cases Kenneth Phillips handled. *If you are squeamish, do not read about these cases.*

The Pit Bull Attack

The victim lived in a house at the front of a lot; the dog owner lived in a smaller house at the back. The dog owner had two pit bulls. One day, the victim was in the back yard, between the two houses. The dog owner opened her front door, and the pit bulls ran out and attacked the victim. They knocked her down and spent several minutes biting her right leg. Although the victim

Frequently asked questions:

Q. "I noticed that many of the cases on your web site settled for \$300,000.00. Does every dog bite victim get that much money?"

was screaming, neither the owner nor anyone else helped her. She managed to crawl into her own house and shut the door.

The victim lived but her right leg was severely injured. She is partially disabled because she cannot walk or stand normally. Her right leg is very disfigured.

The dog owner had homeowner's insurance. The insurance company refused to pay more than the medical bills at first. After Mr. Phillips filed a lawsuit and took the owner's deposition, the insurance company paid \$200,000.00 for the victim's injuries.

One of the pit bulls was destroyed because of this attack. The other still lives with the owner in the same house.



The Christmas Party Case

The victim went to the home of her mother's friend. It was Christmas Day and there was a small dinner party for 8 people. The dog was with the guests the entire time. After dinner, the victim was standing near the dog; when the victim bent over to pet it, it leaped at her face and bit the end of her nose.

The victim needed several surgeries to repair her nose. The dog owner had homeowner's insurance with a \$300,000.00 limit (which is the usual limit). The insurance company offered to pay only \$20,000.00 because the owner testified that the dog was very friendly and never bit anyone.

At the deposition of the dog's veterinarian, Mr. Phillips noticed scars around her nose and asked how she received them. She testified that this same dog had leaped at her face and bit her nose one month before Christmas. When Mr. Phillips asked if anyone saw this happen, the veterinarian testified that the dog owner was holding the dog's leash at the time, and saw the entire thing.

A. The answer is no. There is no formula or set amount of money. Every case is different. In fact, the average dog bite claim results in only a \$5,000.00 settlement or court judgment.

Q. "How much money did each victim on your web site actually end up with?"

A. That depended on how much medical treatment was received. In one case, the victim received \$60,000.00 in medical treatment. In another, the victim received about \$5,000.00 in treatment. Obviously, the one who incurred the lowest treatment cost ended up with the most money.

Q. "How long did it take for these victims to receive their money?"

A. The longest case settled less than two years after it was filed in court. The quickest settled 93 days after it was filed.

Q. "How much tax did the victims have to pay on their settlements?"

A. None. Personal injury recoveries based on bodily injuries are not taxed. None of these victims had a loss of income, which would have been taxable.

Shortly after the veterinarian's deposition, the insurance company settled the case for \$295,000.00. The dog continues to live with its owner.



The Going Away Party Case

The victim went to a friend's house for a going away party. The friend had a dog that appeared very tame. The victim pet the dog for several minutes. Then the dog suddenly bit the woman on her mouth and above her eye.

The woman needed over 120 stitches to close the wounds. Her friend had homeowner's insurance, which paid \$300,000.00 to settle the claim.

Remember that the foregoing cases are just examples of dog bite claims. Do not attempt to evaluate your possible claim or defense by using these examples!



If you have a question about dog bite law, Kenneth Phillips will answer it for free. Click [here](#).

See the FAQ section of this website for the answers to more frequently asked questions!

How Mr. Phillips handles cases across the USA

Kenneth Phillips accepts serious cases from all over the country. He then retains a local attorney who has experience in dog bite cases. Mr. Phillips strategizes, collects the evidence, and negotiates possible settlement of the case, while the other lawyer does the things that require a local presence.

There are no additional charges or additional fees. The cost to the client is exactly the same as retaining just a local attorney, but the benefits are (a) Mr. Phillips' experience and expertise, as well as reputation, and (b) the client has two attorneys for the price of one.

The client, Mr. Phillips and the local attorney enter into a three-way agreement that describes the rights and obligations of each of them. It specifies how Mr. Phillips and the local attorney will divide the work and share the responsibilities of representing the client. The agreement is not binding on the client until he or she signs it.



"My mission"

Kenneth Phillips tells people:

In addition to representing my clients, my mission is to educate the public about the dog bite epidemic, with the hope of lessening it. I want people to know about the extent of the dog bite problem, the civil and criminal



Dog Bite Law

Dog Bite Statistics

There is a dog bite epidemic in the United States and the civilized world. In a 10-year period, the number of dogs in the USA rose by 2% while the number of bites increased by 37%. There are almost 5 million victims in the USA annually -- about 2% of the entire population. 800,000 need medical attention. 1,000 per day need treatment in hospital emergency rooms. Between 15 and 20 die per year. Most of the victims are children, almost always bitten in the face by the family dog or a friend's dog.

- o The dog bite epidemic: a primer
- o The dogs most likely to bite
- o Children are the most frequent victims
- o The face is the most frequent target

This is a section of the web site *Dog Bite Law* (www.dogbitelaw.com)-- the most comprehensive educational web site for dog bite victims, dog owners, parents, journalists and others interested in the dog bite epidemic. Click here to go to the *Dog Bite Law* home page.

The dog bite epidemic: a primer ↕

The number of dogs. There are approximately 68 million owned dogs in the United States. 40% of US households own a dog. 24% of owners own two dogs, and 13% own three or more dogs. (All figures in this paragraph derived from American Pet Products Manufacturers Association (APPMA) 2001-2002 National Pet Owners Survey.)

- **The number of victims.** Dogs bite nearly 2% of the U.S. population -- more than 4.7 million people annually. (Sacks JJ, Kresnow M, Houston B. Dog bites: how big a problem? *Injury Prev* 1996;2:52-4.) Almost 800,000 bites per year -- one out of every 6 -- are serious enough to require medical attention. Dog bites send nearly 334,000 victims to hospital emergency departments per year (914 per day). (National Center for Health Statistics National Hospital Ambulatory Medical Care Survey for 1992-1994.) Bites to children represent more than 50 percent of the total number cases. 26% of child-victims -- compared with 12% of the adults -- require medical care. (ibid.) Every year 2,851 letter carriers are bitten. (US Postal Service.) An American has a one in 50 chance of being bitten by a dog each year. (CDC.)
- **The number of fatalities.** In the U.S. from 1979 to 1996, 304 people in the U.S died from dog attacks, including 30 in California. The average number of deaths per year was 17. Most of the deceased were children. (Centers for Disease Control, "Dog-Bite-Related Fatalities -- United States, 1995-1996," *MMWR* 46(21):463-467, 1997.) The chances that the victim of a *fatal* dog attack will be a burglar are one in 177; the odds that it will be a child are 7 out of 10. However, fatalities are highly unusual. For every

fatal dog bite in the United States, there are 230,000 bites that are not treated by a physician.

- **The financial impact of dog bites.** Dog attack victims in the U.S. suffer over \$1 billion in monetary losses every year. ("Take the bite out of man's best friend." *State Farm Times*, 1998;3(5):2.) That \$1 billion estimate might be low -- an article in the *Journal of the American Medical Association* reported that, in 1995, State Farm paid \$70 million on 11,000 claims and estimated that the total annual insurance cost for dog bites was about \$2 billion. (Voelker R. "Dog bites recognized as public health problem." *JAMA* 1997;277:278,280.) One in three homeowner insurance claims pertains to a dog bite. ("Take the bite out of man's best friend." *State Farm Times*, 1998;3(5):2.) The average insurance payout is \$12,000. (Ibid.) According to the Insurance Information Institute: *"In 2001 the property/casualty insurance industry paid out \$310 million in dog bite liability claims, up from \$250 million five years earlier. These numbers only account for liability claims from homeowners or renters policies. They do not include uninsured losses or other medical costs that are not part of a liability claim."*

Dog bites are on the rise: Although the number of dogs in the United States increased by only 2% between 1986 and 1996, the number of dog bite injuries requiring medical treatment rose by 37%. (Weiss HB, Friedman DI, Coben JH. "Incidence of dog bite injuries treated in emergency departments." *JAMA* 1998;279:51-53.) A review of dog attacks throughout the world led researchers to conclude *"the problem clearly reveals an epidemiologic quality comparable in percentage to all civilized countries."* (Bertani and Bracchi, *Dog's Aggressiveness Towards Man: Diagnostic Methods and Preventive Suggestions.*)

- **The scene of attack is home or a familiar place.** The majority of dog attacks (61%) happen at home or in a familiar place.
- **Dogs bite family and friends.** The vast majority of biting dogs (77%) belong to the victim's family or a friend.

For more information:

- Medscape periodically publishes medical research about dog bites.
- Interested in extraordinary detail about the who, what, when and where of dog bites? Very informative and detailed injury data are available from the database of the Canadian Hospitals Injury Reporting and Prevention Program (CHIRPP), Health Canada.

The dogs most likely to bite ↕

The Centers for Disease Control study dog bite incidents, including the types of dogs most likely to bite. The breeds that the CDC considers highest risk are pit bulls, Rottweilers, German shepherds, huskies, Alaskan malamutes, Doberman pinschers, chows, Great Danes, St. Bernards and Akitas.

Owners of such dogs should be aware that if their dogs attack a person, the attacks may be scrutinized by law enforcement. The reason is that irresponsible behavior with or toward a dog whose breed is known to bite has caused a rising and unacceptable injury and death toll, which authorities are determined to stem.

"Irresponsible behavior" is defined differently from place to place. In California, for example, it can be a felony for a person to possess a dog **trained to fight, attack or kill** that, because of the owner's **lack of ordinary care**, bites two people or seriously injures one person. (See Felony prosecution of attack dog owners.)

In different parts of the United States at the current time, there are a number of parents who are on trial for manslaughter because their dogs have killed their children. In these cases, the prosecutors have taken the position that the parents behaved irresponsibly because they left their children in the company of dogs most likely to bite.

There is an 8 out of 10 chance that a biting dog is male. (Humane Society of the United States.)

Although pit bull mixes and Rottweillers are most likely to kill and seriously maim, fatal attacks since 1975 have been attributed to dogs from at least 30 breeds.

The most horrifying example of the lack of breed predictability is the October 2000 death of a 6-week-old baby, which was killed by her family's Pomeranian dog. The average weight of a Pomeranian is about 4 pounds, and they are not thought of as a dangerous breed. Note, however, that they were bred to be watchdogs! The baby's uncle left the infant and the dog on a bed while the uncle prepared her bottle in the kitchen. Upon his return, the dog was mauling the baby, who died shortly afterwards. ("*Baby Girl Killed by Family Dog*," Los Angeles Times, Monday, October 9, 2000, Home Edition, Metro Section, Page B-5.)

In all fairness, therefore, it must be noted that:

- **Any** dog, treated harshly or trained to attack, may bite a person. **Any** dog can be turned into a dangerous dog. The owner most often is responsible -- not the breed, and not the dog.
- An irresponsible owner or dog handler might create a situation that places another person in danger by a dog, *without the dog itself being dangerous*, as in the case of the Pomeranian that killed the infant (see above).
- Any **individual** dog may be a good, loving pet, even though its breed is considered to be likely to bite. A responsible owner can win the love and respect of a dog, no matter its breed. One cannot look at an individual dog, recognize its breed, and then state whether or not it is going to attack.

Children are the most frequent targets 📍

Studies of dog bite injuries have reported that:

- The median age of patients bitten was 15 years, with children, especially boys aged 5 to 9 years, having the highest incidence rate
- The odds that a bite victim will be a child are 3.2 to 1. (CDC.)
- Children seen in emergency departments were more likely than older persons to be

bitten on the face, neck, and head. 77% of injuries to children under 10 years old are facial.

- Severe injuries occur almost exclusively in children less than 10 years of age.
- The majority of dog attacks (61%) happen at home or in a familiar place.
- The vast majority of biting dogs (77%) belong to the victim's family or a friend.
- When a child less than 4 years old is the victim, the family dog was the attacker half the time (47%), and the attack almost always happened in the family home (90%).

Here's how dog bites rank among other common causes of childhood emergency-room injuries:

Cause of injury	Emergency room incidents annually
Baseball/softball	404,364
Dog bites	333,687
Playground accidents	268,810
All-terrain vehicles, mopeds, etc	125,136
Volleyball	97,523
Inline skating	75,994
Horseback riding	71,162
Baby walkers	28,000
Skateboards	25,486

Source: Journal of the American Medical Association
See also When, where and why kids get bit.

The face is the most frequent target

Studies also have shown that:

- Dog bites result in approximately 44,000 facial injuries in US hospitals each year. This represents between 0.5% and 1.5% of all emergency room visits
- The face is the most frequent target (77% of all injuries). Mail carriers are an exception where 97% involve the lower extremities.
- The central target area for the face includes the lips, nose, and cheeks.

[Click here](#) or on the dog's face to return to the Index Page

www.dogbitelaw.com welcomes your feedback

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Welcome

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- » Dogs Most Likely to Bite
- » Tips for Keeping Kids Safe
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SEARCH



Welcome

A dog bite can be a traumatic event resulting in serious injury. Multiple deaths are reported each year as a result of the most vicious attacks. Often a bite will result in permanent scarring, nerve damage and a significant risk of infection. Many times there is psychological harm that lasts well beyond the physical injury.



The facts regarding dog bite injuries illustrate the frequency and seriousness of these events:

- Every 40 seconds, someone in the United States seeks medical attention for a dog bite related injury.
- It is estimated for every dog bite that is reported, three go unreported.
- Nationwide, as many as one million people annually require medical treatment for dog bites.
- More than 334,000 victims end up in the emergency room.
- More than 4.7 million people, or 2% of the U.S. population, are bitten by dogs each year.
- More than half of all the dog bite victims are children.
- National figures estimate that 60% of dog-bite attacks happen in the home, either by the family or a friend's dog.

This site is intended to serve as a comprehensive resource center for dog bite related legal issues.



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Free Consultation



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Dog Bite.. what to know

Dog Bite Cases Handled Throughout the United States

Our office aggressively handles dog bite cases throughout the United States. Distance is ever a concern, with current technology we can easily obtain necessary information through phone, postal mail, email or by fax.

We also work with a network of attorneys around the country. Depending on the particular circumstances of any given case, we can work with these attorneys where necessary, if the case requires on-site litigation support.

Dog Bite...what to know

- **Should I report the attack?**
- **Does it matter if whose property I was on?**
- **What if the dog has no history of viciousness?**
- **Can I bring a claim if I was petting the dog before it attacked?**
- **Should I seek medical attention after being attacked by a dog?**
- **Should I take photographs of my injuries?**
- **Is there any type of insurance that would be responsible for injuries?**
- **How long do I have to pursue a claim for injuries sustained by a dog bite?**
- **How much are my injuries worth?**
- **Should I make a statement to the homeowner's insurance company if they call?**
- **The Law in Michigan**

• **Should I report the attack?**

Yes. As soon as possible, report the incident to the local animal control and police department or any other proper legal authority.

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• **Does it matter if whose property I was on?**

No. As long as you are on either public property or legally on private property, the dog owner could be held responsible.

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• **What if the dog has no history of viciousness?**

It does not matter whether the dog has former vicious incidents. If you were bitten, and you were the first person ever bitten by the dog, you can still proceed with a claim.

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- **Can I bring a claim if I was petting the dog before it attacked?**
Generally, yes. As long as you did not provoke the dog, then you would possibly be entitled to damages.

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- **Should I seek medical attention after being attacked by a dog?**
If you or someone that you know was injured, you should immediately seek proper medical attention. Often injuries can be minimized by seeking the proper medical attention. It is important that you give a thorough history regarding the accident to your doctor.

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- **Should I take photographs of my injuries?**
Yes. Even if you initially do not wish to pursue a claim, at least you will have documentation in the event that you later elect to proceed with a claim.



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- **Is there any type of insurance that would be responsible for my injuries?**
Generally, yes. If the dog's owner has a homeowners insurance policy or renters policy, those types of insurance would normally protect against loss.

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- **How long do I have to pursue a claim for injuries sustained in a dog bite?**
In Michigan, for adults, there is a three year statute of limitations. This means that you have 3 years from being bitten to resolve the claim or file a lawsuit. Minors have until one year after their 18th birthday to either resolve the claim or file a lawsuit.

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- **How much are my injuries worth?**
Every case is different. There are several factors that go into establishing the value of the claim. As such, you should call our office as shortly after the attack as possible to make sure that the claim is properly handled from the beginning.

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- **Should I make a statement to the homeowner's insurance company they call?**
Although every case is different, you should likely not make a statement to any insurance representative without at least making a call to an attorney first. This would likely be the first contact that you have with the insurance company and it must be handled properly.



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