



Garden State CLE
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Video Course Evaluation Form

Attorney Name _____

Atty ID number for Pennsylvania: _____

Name of Course You Just Watched _____

Please Circle the Appropriate Answer

Instructors: Poor Satisfactory Good Excellent

Materials: Poor Satisfactory Good Excellent

CLE Rating: Poor Satisfactory Good Excellent

Required: When you hear the bell sound, write down the secret word that appears on your screen on this form.

Word #1 was: _____ Word #2 was: _____

Word #3 was: _____ Word #4 was: _____

What did you like most about the seminar?

What criticisms, if any, do you have?

I Certify that I watched, in its entirety, the above-listed CLE Course

Signature _____ Date _____

GARDEN STATE CLE LESSON PLAN

A 1.0 CLE CREDIT COURSE

FREE DOWNLOAD LESSON PLAN AND EVALUATION

DOG BITES

WITH

**ROBERT BRATMAN, ESQ.,
STARK & STARK**

AND FEATURING

**ROBERT RAMSEY, ESQ.
SENIOR INSTRUCTOR**

Program Description

Few things are more traumatizing to a child than a dog bite. New Jersey law protects children and adults from dogs that bite and provides strict liability for the dogs' owners. Find out all about this serious type of personal injury case in this one-credit CLE simply entitled, "Dog Bites."

A. NJ STATUTORY LAW: STRICT LIABILITY **N.J.S.A. 4:19-16**

B. INSURANCE COVERAGE

i. Homeowner's Policies

- ii. Home Renter's Policies
- iii. Disclosure of Dog Ownership to Insurer
- iv. Limits of Insurance as to amount
- v. Who is covered as insured and as beneficiary
 - a. invitees
 - b. licensees, guests
 - c. residents and immediate family
 - d. remote family

C. Interplay of workers' compensation and liability coverage

D. Damages and Punitive Damages For Recklessness and an Animal's Vicious Propensity

E. Bites off Premises: Homeowner's coverage for others

F. Working Dogs: K-9 Law Enforcement Dogs

- i. Tort Claims Act Immunity of N.J.S.A 59:1-1
- ii. Research for statute exempting law enforcement

G. Characteristics adding value to a Dog Bite case

- i. Face, especially in Children
- ii. Gravity of the Bite
- iii. Gender
- iv. Healing
- v. Plastic surgeries

H. Photographic records

I. Prior History and Health Care Providers Animal Bite Report Form Requirement Per N.J.S.A 26:4-82 et seq. and the New Jersey Department of Health and Senior Services

- i. Local Municipal Health Officer and Animal Control Records of Prior Bites
- ii. Police Records
- iii. Licensing Records

J. Criminal Liability to the Homeowner and Destruction of the Animal

M. Rabies and animal destruction: rabies and treatment of the Plaintiff; Videotaping of therapy and Videotaping of surgery to play to the jury

N. Admissibility of videotape

- O. Other than strict liability: injures not from a bite**
 - i. Falldowns caused by the dog
 - ii. Scratches
 - iii. supervision by an adult
- P. Factors in accepting a case**
 - i. Age of plaintiff
 - ii. Body part injured
 - iii. Extent of the bite
 - iv. Insurance
 - v. Value
- Q. Psychological trauma**
 - Counseling and documentation of plaintiff's fear
 - PTSD, fear of dogs
- R. Value**
- S. Trial and the decision to try the case**
 - i. Rova Farms and policy limit demands
 - ii. Verdicts in excess of policy limits
- T. Market Research on Value of the Case**
 - i. talk to colleagues and non attorneys
 - ii. the duty to educate your client on realistic value

U. Minor's Cases

- i. Reduced fees
- ii. Surrogate involvement
- iii. Structured settlements and college plans

V. Plaintiffs Generally Get a Fair Shake in New Jersey

- i. Strict liability for all but trespassers
- ii. Value can be had