



YOUR FAMILY'S
GUIDE TO
**DOG BITE
INJURIES**

*A Simple Guide to Prevention,
Injuries, Claims, and Understanding
the Legal Process*

ROBERT E. MAZOW ESQ. & KEVIN J. MCCULLOUGH ESQ.

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KEVIN J. MCCULLOUGH, ESQ.

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From the Desk of Robert E. Mazow & Kevin J. McCullough

Dogs are man's best friend, but are also very unpredictable — they are animals, after all. You never know how safe a dog is or how an animal will react in a certain situation.

If a dog bit or attacked you or a family member, you may feel frightened. Medical bills, temporary or permanent disability, and long-term health issues could be on the horizon.

At Mazow | McCullough, PC, we're dedicated to helping our clients who suffered from a dog attack. We have a comprehensive understanding of the remedies available for victims of a dog bite attack. We are experts in dog bite law and working with insurance companies, and we strive to help our clients recover physically, emotionally, and financially after an attack.

Thank you for the opportunity to share our knowledge with you.

Sincerely,

Robert E. Mazow
& *Kevin J. McCullough*

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Foreword

My name is Don Famico, the Animal Control Officer for the City of Salem, Massachusetts, and the animal inspector for the Commonwealth of Massachusetts in Salem for over 50 years. I handle stray dogs in the area, respond to calls about nuisance animals, help injured animals, and deal with rabies concerns in the city.

Although I am proactive in protecting the community from wild-life threats, my primary job is working with domesticated animals. While working with the Salem Police Department, I have seen many frightening dogs, and unfortunately, I have seen dogs in extremely unpleasant circumstances. I know that lack of food, being tied up all day, and similar mistreatment can encourage a dog to act out violently.

After a dog attack, these attorneys represent victims to help them get the justice and compensation they deserve.

Although they are called man's best friend, dogs have incredibly sharp teeth and a strong bite force, and when they attack someone, the results can be disastrous. Dog bites can lead to deep cuts, infections, disfigurement, missing limbs, fractures, and other issues, and in a worst-case scenario, a dog attack can lead to death. Dealing with injuries and the emotional aftermath of an attack can be costly, and the attorneys at Mazow | McCullough, PC help their clients get fair compensation to cover not only their bills but also ameliorate the pain and suffering associated with a serious attack.

Robert Mazow, Kevin McCullough, and the rest of their legal team also work tirelessly at educating the community about the risk of dog bites. They've spent thousands of hours researching dog bite statistics, dog behavior, and the results of dog injuries to humans. This information helps drive success in their legal pursuits, and they've decided to

share their research in ways that will benefit communities across the nation. While they have published a great deal of research on their firm's website, they have decided to also share some of that information in this book.

If you or anyone you know wants to learn more about dogs and how to be safe around these animals, this book is a must read. Before you dive in, let me just share a few of the most important safety tips I've learned during my time working as an animal control officer. If you own a dog, you should make sure that guests, contractors, delivery drivers, and anyone who enters your property knows that you have a dog. Post a sign on the gates to your yard as well as on your front door, and if you're setting up a delivery, make sure that the delivery person knows what to expect.

If you're worried that your dog may attack a guest on your property, take precautions to protect your guests from the dog, such as kenneling it while you have guests in the house. Also, consider enrolling your dog in obedience classes or working with a trainer to curb aggressive behavior.

Dog owners also need to comply with canine ownership laws in their area. Typically, this includes getting a registration license tag, which requires proof that your dog has had a rabies vaccination. You should also take your dog in for regular veterinarian care and vaccination boosters.

In most cases, you are not liable if your dog attacks a trespasser on your property, but this exception typically doesn't apply to children under age seven. To reduce your liability, make sure that your property is not accessible to young children. Ensure that your property is fenced, and if possible, try to make sure that latches on fences are too high for children to reach. Also, eliminate gaps or holes that could allow children unauthorized entry.

Tragically, children are the most likely to be affected by a dog attack. This is due to their small stature and often because they don't know how to behave around dogs.

If you have children, take some time to educate them about dog safety. Remind them never to pull a dog's tail or push their fingers into their ears or noses. Tell children never to interrupt a dog when it is eating, nursing its young, or fighting with another animal. Most importantly, kids need to know that they should never approach a dog without permission from its owner. You should always ask before petting a dog.

If you have a dog and young children are around, don't assume that their parents have educated them about dog safety. To protect yourself from liability concerns, review dog safety rules with children and never leave a child unattended with a dog. Many serious dog attacks occur when a child is playing with a dog unsupervised.

Adults also need to exercise caution around dogs. If you're walking down the street and a stray dog approaches you, move to the side and allow the dog to pass. Don't try to get between the dog and anything it's pursuing and try not to back yourself up against anything. If the dog is not accompanied by an owner, you should not try to pet it or get close to it, and if the owner is present, you should always ask before reaching out toward the dog.

As an animal professional, I can't say enough about the positive ways that Robert Mazow and Kevin McCullough have contributed to the community in their proactive commitment to dog safety education. Whether you are a dog owner, a dog attack victim, or just a curious citizen, I believe that you will truly enjoy this book and find it informative.

Introduction

Dogs — no matter what breed — have the potential to be dangerous. Many people, especially children, are bitten or attacked by dogs each year. Their owners or keepers must be held accountable when their dog attacks.

Many dog bite cases don't go to court. Instead, they are resolved through settlement negotiations or insurance claims. During negotiations, you will meet with your lawyer who will work with a representative for the dog owner to reach a settlement agreement without going to trial. Typically, cases that cannot be resolved via an insurance settlement or through mediation or dispute resolution do proceed to litigation.

When filing a dog bite lawsuit, the goal is to obtain financial restitution for the damages the victim has incurred. Compensation in a dog bite lawsuit can cover medical expenses, long-term care, permanent or temporary disability, and pain and suffering.

Keep reading to find out more about your rights as a dog attack victim, what to do in a dog attack, how to deal with your injuries, how to educate children on proper behavior around dogs, what your next step should be, and more.

CHAPTER 1

Understand Dog Ownership & Dog Bite Laws

Why Do Dogs Bite?

Each year, 4.7 million dog bites¹ occur in the United States. It's important to remember that many of these incidents are preventable; while the best weapon against dog bites is education, it's also essential to understand the laws and, ultimately, your rights as a victim to protect your and your family's future.

It's impossible to tell which breed of dog will bite. Although some dogs may be more likely to bite than others, dogs of all shapes, sizes, and demeanors can attack.

Dogs are generally friendly creatures that don't plan to bite anybody. Their decision to bite is a feral, reactionary one. If a dog finds itself stressed, frightened, or surprised, it may react by biting. A dog may also bite if it is hurt or sick, and simply wants to be left alone.

¹ Canine Journal. (2019, May 1). *Dog Bite Statistics (How Likely Are You To Get Bit?)*. Retrieved from <https://www.caninejournal.com/dog-bite-statistics/>

Some dogs may bite because they are protecting their owners, their property, or themselves. Or, they may attack because of past threatening or abusive situations where the dog was the victim.

It is important to remember that dogs are territorial creatures. When they are in their own space, they may feel the need to defend it against any perceived threats. They're also quite protective of their possessions, which usually include treats or toys.

Dogs of either sex can show aggression, however, male dogs have a great deal more testosterone than female dogs do, which naturally causes an increase in aggressive behavior. This doesn't mean male dogs are inherently more dangerous than females; it simply means that they're more inclined toward aggressive behavior.

Usually, this aggression appears during mating; male dogs mate by showing dominance. Neutering a male dog reduces testosterone and takes away much of his desire to assert dominance.

It's important to keep in mind, however, that female dogs can be aggressive also, and that neutering may not resolve these issues in dogs who are already prone to it.

Territorial Issues

Over half of dog bites occur on the dog owner's property.² In fact, most people bitten know the dog that attacked them.

This makes being cautious even more important no matter where you are. For example, if you're visiting at a friend's house and their dog is in the home, make sure not to unintentionally upset or threaten the dog. This is true even if you've been around the dog before. The dog may take this as a threat to its territory and act out in defense.

² Insurance Information Institute. (2019, March 29). *Spotlight on: Dog bite liability*. Retrieved from <https://www.iii.org/article/spotlight-on-dog-bite-liability>.

Chained Dogs

Statistics show that chained dogs are 2.8 times as likely to bite somebody than unchained dogs are³. This is because a chained dog feels cornered and threatened more easily, since it cannot retreat or move around freely.

The simplest solution is to keep your dog in your home, and when it needs activity, walk it on a leash or allow it to roam free only in a fully fenced-in yard. This ensures your dog not only remains safely on your property but gives it the freedom necessary to feel less threatened.

An Overview of Dog Bite Laws

Now that you understand more about why a dog is compelled to bite or attack, let's look at dog bite law. This area of the law tends to be extraordinarily complex, because there are few laws that specifically govern dog bites and legal remedies for dog attack victims. Much must be gleaned from the details of previous cases, and in some instances, pursuing a dog bite lawsuit may land the victim in unknown legal territory. Here's what you need to know about established dog bite laws.

Dog Bite Laws in Different States

Some states are considered "strict liability" states, meaning that dog owners are almost always held liable for the actions of their pet. This is true even if the dog owner had no knowledge that the dog was vicious or had no reason to believe the dog would attack another person. This type of law makes it easier to pursue a dog bite lawsuit in these states, because there is not a requirement to show negligence on the part of the owner. In other states, the victim often must prove that the owner knew the dog was violent or had reason to suspect that the dog would attack.

³ CDC. *The TRUTH About Chained Dogs*. Retrieved from <https://pacc911.org/chained-dogs>.

The Statute of Limitations on Dog Bite Lawsuits

Some states have an ample statute of limitations, and others do not. Be aware of your state's statute of limitations for dog bite lawsuits in order to ensure you file it within the designated time frame. Otherwise, you risk forfeiting your right entirely to bring forward a lawsuit for compensation.

Leash Laws

Leash laws are intended to protect the public from roaming dogs, and they vary by state. Usually, municipalities and other governments make laws related to dog restraint, control, and leashing.

Different towns usually have different leash laws. For instance, some laws require that dogs need to be on a leash of an appropriate length, but the exact length is left to the discretion of the owner. In contrast, other municipalities say that dogs must be firmly held on a leash that is six feet or less in length. On the owner's property, the dog must be under the owner's control, but it doesn't necessarily need to be on a leash.

Tethering Laws

Some states have strict guidelines on tethering dogs. If you tether your dog, you need to make sure that it can't leave the property while on the tether. For example, some states say that you cannot tether a dog for more than five hours in a row in any 24-hour period. That includes tethering a dog to any stationary object including poles, dog houses, and trees. In some states, you may not be allowed to tether dogs outside for longer than 15 minutes between 10 pm and 6 am, or dogs under six months old may not ever be tethered outside.

Some states also regulate the weight of an appropriate tether. For instance, in a small dog who weighs 16 pounds may not be able to have a tether that weighs more than two pounds. Additionally, the tether must usually be designed for dogs; makeshift tethers are often considered inappropriate.

Trespassing Laws

If you were trespassing on another person's property, you may not be eligible to bring forward a lawsuit for compensation. However, because the law tends to favor dog bite victims, compensation can sometimes still be awarded in cases where the victim was trespassing, but the owner's property did not have clear markers or signs warning of trespassing.

Breed-Specific Laws

Breed-specific laws are an incredibly sensitive subject for people who own the types of dogs that are involved and for animal rights activists. As noted below, even some major organizations are against breed-specific laws. Additionally, in some states, it is illegal to make breed-specific laws or to label a dog as dangerous solely based on its breed. But throughout much of the country, many states and cities have laws banning certain breeds of dogs.

Typically, these laws target pit bulls, rottweilers, bull mastiffs, akitas, doberman pinschers, and other large dogs — but are these laws helpful? Do they reduce dog attacks? According to many legal experts and animal advocates, the short answer is “no,” but others, including some animal advocates, claim that these laws work.

The Experts on Breed-Specific Legislation

Nearly every animal advocacy group¹ and the American Bar Association are against breed-specific laws. These groups claim that communities should focus on identifying reckless owners and dangerous dog behaviors. They also note that breed-specific laws put too much pressure on law enforcement to identify dogs by their breed. Beyond that, it's not always possible to identify a dog's breed just by looking at it.

The groups against breed-specific laws include the following:

- The American Kennel Club
- The American Veterinary Medical Association
- American Veterinary Society of Animal Behavior

- National Animal Control Association
- National Canine Research Council
- Centers for Disease Control and Prevention

On the other side of the coin, many people are in support of breed-specific legislation in general. That includes the City of Denver, Miami-Dade County, and several other local governments throughout the United States. It also includes PETA president Ingrid Newkirk, who has encouraged all animal shelters to euthanize pit bulls and all dogs that look like pit bulls because a pit bull once attacked her⁴.

Targeting Large Dogs

According to people against this type of legislation, breed-specific dog bans aren't based on science. On paper, large dogs are responsible for more attacks. However, the reality is that small dogs also attack, but the damage is less likely to cause severe damage. As a result, attacks from small dogs are less likely to be reported. In both cases, however, the true culprits tend to be irresponsible owners, and these owners need to be held liable for their dogs.

How Breed-Specific Laws Work

To get a sense of whether these laws work, you may want to look at places that have experimented with this type of legislation. Ireland⁵, for example, banned 11 breeds of dog in 1998. But over the next 17 years, dog bites increased by 51%. Even when adjustments are made for population increases, that's still a 21% increase.

Similarly, when the province of Ontario banned pit bulls, the number of bites stayed the same. Although pit bulls were no longer the culprit, other dogs took on the role. In 2010, the Toronto Humane Society looked at

⁴ Winograd, Nathan J. (2017, October 18). *Killing Animals: PETA's Open 'Secret.'* Retrieved from <https://www.nathanwinograd.com/peta-joins-forces-with-group-working-to-kill-all-pit-bulls-nationwide/>

⁵ Binkowski, Brooke. (2016, October 25). *Breed-Specific Legislation and Dog Bites.* Retrieved from <https://www.snopes.com/news/2016/10/25/bsl-and-dog-bites/>.

dog attack rates in 36 Canadian towns, and they found no difference between the towns with breed-specific legislation and those without it.

Unfortunately, there are no comprehensive studies on the effectiveness of breed-specific laws in the United States, but cases in Denver⁶ underscore the trouble cities can get into for misclassifying dogs. Owners in this city have had their pets labeled as pit bulls, and they have been instructed to get rid of them or take other actions.

However, professional analysis has proven that these dogs are not pit bulls. If a city required an owner to act based on the breed of the dog, and then, the owner came forward with proof that the dog was not that breed, the city could face legal damages. In fact, the argument against breed-specific legislation was so persuasive that as of February 2020, Denver reversed its 30-year old breed specific legislation.

Useful Alternatives to Breed-Specific Legislation

Rather than banning certain breeds of dogs, communities may want to take another approach. They may want to implement strong licensing laws. When dogs must be licensed, this requires their owners to be more responsible for them, and if a dog is ever out of its yard, it's easier to identify its owner. Additionally, communities should be strict about enforcing safety rules and leash laws.

When Calgary tried these tactics, the province saw a huge reduction in dog bites. Over a 20-year period, the rate of dog attacks dropped by 80% from 10 of every 1,000 people to two. In addition to taking the above actions, the province also initiated several dog safety public education campaigns.

Post-Dog Attack Legal Matters in Strict Liability States

If a dog hurts someone in a strict liability state, the dog may be labeled as dangerous. In those cases, both the dog and its owner may face

⁶ Steffen, Jordan. (2009, October 10). *Ruling on "Pit Bull" Revives Debate on Denver Ban*. Retrieved from <https://www.denverpost.com/2009/10/10/ruling-on-pit-bull-revives-debate-on-denvers-ban/>.

strict penalties. However, a dog can only be labeled as dangerous if it hurts someone. It can't get these labels due to its breed or just from growling or looking mean. If it does bite or attack, however, here's what may happen:

Due Process for Dogs Who Bite

If someone is attacked by a dog, they must bring the complaint forward before the expiration of the statute of limitations. If you choose to report the attack, the case goes to a public hearing. This gives the victim as well as the dog owner the chance to present evidence and testimony related to the dog's attack.

Based on that information, a hearing authority can choose one of the following three options:

- Dismiss the complaint
- Label the dog as a nuisance
- Label the dog as dangerous

Note that this is essentially a criminal hearing. If someone has been attacked by a dog, they should file an insurance claim or bring forward a civil suit to recover damages associated with the dog attack.

If a dog is determined to be a nuisance, the owner usually must take action to reduce aggressive behavior. For instance, a court may require the dog to go to obedience classes.

Penalties for Dangerous Dogs

When a dog bites someone, the dog typically is going to be labeled as dangerous, and in that situation, the owner may be required to do one or several of the following:

- Keep the dog restrained
- Confine the dog to secure premises, such as a locked pen or dog run with a roof

- Put a muzzle or a short leash on the dog for outings
- Insure the dog for at least as a safeguard against future injuries or property damage
- Create a permanent and reliable way for the state to identify that dog in the future, such as a microchip, photographs, veterinary records, etc.
- Neuter or spay the animal
- Euthanize the dog

If the owner doesn't follow all the requirements for their dangerous dog, the city may be able to take the dog and impound it. If the dog is ordered to be euthanized after being impounded, the owner usually must pay all the fees related to the impoundment and the euthanasia. If the owner fails to pay, the city may be able to place a lien on their property or increase the amount of their vehicle excise tax. Additionally, the dog owner will be banned from owning another dog for at least five years.

Civil and Criminal Penalties for Dog Owners

After biting someone, the dog can face any or all the penalties listed above, but the owner may face additional civil penalties. The owner may have to pay for the victim's injuries as well as other costs related to their recovery or disability. Additionally, the owner may have to pay for pain and suffering, loss of companionship, or wrongful death if applicable.

In some cases, the owner may also face criminal penalties. For instance, if an owner sets their dog loose and tells it to attack, this is akin to assaulting someone with a deadly weapon, and that dog owner may face assault charges.

If you have been bitten by a dog, you have a right to justice. If you wish to obtain compensation, you may have to file a lawsuit, but that's not the only reason you should come forward. If you don't act, the dog may continue its behavior and other people could get hurt.

CHAPTER 2

Protect Yourself and Others from Dog Attacks

Dogs are arguably the most popular pet, so the opportunity to be bitten or attacked by a dog is ever-present. To combat this issue, organizations like the Humane Society are working to bring awareness and educate the general public on dog bite prevention. Here's how you can protect yourself and others from dog attacks.

Avoiding Unfamiliar Dogs

If a dog is approaching you on the street, do not make eye contact. Move over as much as you can on the sidewalk or stop walking and allow the dog and its owner to pass.

Proper timing when approaching a dog is critical. You should not approach a strange dog or one that is tired or has been confined. You should also allow a dog to see and smell you before you pet it. It is also not a good idea to turn your back and run from a dog, because their instinct is to chase you. You should not try to interact with a dog

when it is sleeping, eating, caring for puppies, or playing with a toy. A good mindset is to assume that a dog does not know who you are automatically thinks you are a threat.

If you want to pet a pup you meet in public, always ask the owner's permission before approaching. Owners should let you know if the dog is uncomfortable around children or simply does not like contact from a stranger.

Handling Loose Dogs

Most dog bites come from familiar dogs. While this can be scary, it doesn't match the fear that comes from being attacked by a loose, owner-less dog. There is no way to tell whether such a dog is naturally aggressive or sick, and a violent dog can put you and your family in jeopardy.

If you see a dog that doesn't appear to have an owner, looks unkempt or dirty, or is displaying strange behavior, do not approach it under any circumstances⁷. Stay as far away from it as you can. If you are near your home, you and your family should calmly and quietly go inside and secure the doors. It is recommended that you call your local animal control department to have the dog safely and humanely removed. Consider alerting your neighbors to the dog so they can also take precautions.

If you have nowhere safe to go and the loose dog approaches you, remain as calm as possible. The next steps you take can either increase or decrease the chances that the dog will attack you.

Do not directly face a loose dog while standing still — the dog may consider this an act of aggression and attack. Keep yourself turned to the side. Additionally, dogs use eye contact as a way of asserting dominance over one another, so avoid making eye contact with the animal.

If the dog doesn't seem to be aggressive when it approaches you, you could try telling it “No” or “Go Home” in a deep, authoritative voice.

⁷ CDC. (2019, April 8). *Preventing Dog Bites*. Retrieved from <https://www.cdc.gov/features/dog-bite-prevention/>.

The dog may respond to this and leave you alone. The dog will probably lose interest in you over time and will begin to wander off. Once you are out of sight, quickly seek safety and call local animal control.

Unfortunately, even if you do everything correctly, a loose dog may still attack you. If you can, try to use an item that you have on you — your coat, purse, backpack — to put in between yourself and the dog.

If the dog knocks you down, quickly curl up into the fetal position and cover your ears with your hands. Even more importantly, use your arms to cover your neck. Dogs will instinctually aim for the jugular vein — if this is punctured, it can result in significant injury and potentially death. Covering your neck with your arms will protect this area. Your arms may be injured during the attack, but it is much less likely that these injuries will be life threatening.

Aggressive Dog Behaviors to Watch Out For

Dogs have no real desire to attack but will if they feel threatened. If a dog feels as though its personal space is being invaded or it is uncomfortable, it will give warning signs before attacking. If the situation continues, the dog is likely to attack.

Following are some behaviors dogs are known to exhibit before they bite. By learning these behaviors, you can help defuse a tense situation as quickly as possible before the attack happens.

1 Flattened Ears

A happy dog usually has its ears perked up. An aggressive dog, however, may flatten its ears against its head when it feels threatened or frightened.

2 Tail Tucked Between Legs

A dog that is afraid will often tuck its tail in between its legs and attempt to retreat from the situation. A tucked tail may be accompanied by other aggressive dog behaviors, or it may be the only sign that suggests the dog is uncomfortable.

3 Crouching or Shifting Weight

A dog that is about to attack may crouch low to the ground, and it may shift its weight from leg to leg as though it is about to jump or run.

4 Fixed Gaze

When a dog is ready to lunge, it will fix its gaze on its intended target. The fixed gaze will usually accompany other behaviors, such as flattened ears or crouching.

5 Snarling or Baring of Teeth

A dog that is upset or angry will often bare its teeth or snarl in warning. This warning is the one that people most often associate with a dog that is about to attack, however, not all dogs snarl or bare their teeth before they bite.

A Warning About Dogs That “Play Rough”

Dog attacks don't always happen from strange dogs in unpredictable situations. In fact, some bites happen when a human and dog are enjoying some playtime together. Most dogs like to wrestle, but these activities can go too far and nice dogs who play rough can become dangerous dogs. To protect yourself from a dog attack, it's important to understand the transition from play to defense and some of the signs that indicate when a dog might attack.

Be sure that you're not creating bad habits when roughhousing with your dog. If you do a lot of wrestling with your body, that can make a dog think it's okay to bite or nip body parts. When dogs play with each other, they often give gentle bites; while that may be safe for a dog, human skin is much easier to injure.

Prevent overstimulation by taking breaks during play. When emotions run high, dogs become more likely to attack. Send your dog to its crate for some quiet time or tell it to lie down. This can help your dog to decompress and avoid undesirable behavior.

Now that you know what an aggressive dog looks like, note that dogs may playfully demonstrate these behaviors when interacting with other dogs as well. Keep in mind that a lot of playing can look rough. Naturally, dogs will chase and tackle each other. They may slam other dogs to the ground and even hold down other dogs by the neck. A lot of this behavior overlaps with aggressive behavior, and it can be hard to know when to be concerned.

If you watch carefully, though, there are signs that indicate it's all just in fun. Dogs often rotate submissive behavior with aggressive behavior when they're playing. They may do all the things listed above, but then they may also roll onto their backs to give the other dog a competitive advantage. According to a study⁸ from the University of Colorado, dogs will often "bow" slightly to their playmate before engaging in a very aggressive behavior, but when it's not play, a dog is more likely to simply lunge angrily.

Get Help Before It's Too Late

If you believe that a dog you interact with is too aggressive, set firm boundaries. Don't spend time with that dog or insist that it be crated when you are around. For instance, if you clean a house where there's an aggressive dog, you have a right not to be exposed to that dog. If you think that your own dog is too aggressive, you should be proactive. Enroll your dog in obedience training or contact a dog behavioral specialist for help.

Reporting a Dangerous Dog

Reporting a dangerous dog is important for the safety of your community. If the dog has already attacked somebody and that person is severely injured, call 911. If you want to report a dog with aggressive

⁸ Bekoff, Marc. *Play Signals as Punctuation: The Structure of Social Play in Canines*. Retrieved from <https://www.semanticscholar.org/paper/Play-Signals-as-Punctuation-%3A-The-Structure-of-Play-Bekoff/9a0ee701a7a02d5bc0ab9861e823faa5a3863f34>

behavior that has not yet attacked anybody, you can contact your local animal shelter. Some communities may have an animal control department and if so, it may be best to contact them first, again only if the dog has not yet attacked anyone. They may be able to get to the scene quicker before the dog wanders away to another location. If you are in a rural area, you may need to get in contact with your local sheriff.

When you call to make the report, be prepared to describe the dog's physical characteristics and location. It is a good idea to report the aggressive dog as soon as possible so that the authorities can locate it before it wanders too far from its initial area and becomes more difficult to find. After you have contacted the authorities and reported the situation, they should tell you what to do next. The authorities may even ask you to stay on the line and keep an eye on the dog, while remaining a safe distance away.

Keeping Children Safe from Vicious Dogs

Now that you know what to do to keep yourself — an adult — safe, it's equally important to teach the children in your life about dog safety. Preparing your children to play safely with dogs is crucial to keep both animals and children safe.

Most kids don't understand the concept of personal space; your space is their space, and everyone else's space is theirs as well. However, dogs are no different than humans when it comes to the aspect of needing personal space. If their space is invaded, they may feel threatened and uncomfortable and lash out. A good way to prevent this from happening may be to perhaps not introduce a dog to the family until the youngest child is of at least school age.

When children are at least of school age, they can better understand boundaries and how their new soon-to-be best friend doesn't really prefer hugs, tail pulling, or nose-squishing as a form of affection. If you choose to introduce a dog before this time, make sure that all interaction is monitored, since neither the child nor the dog is in control of the situation.

Misunderstandings occur frequently with adults, but we can verbally communicate with each other to resolve them. Now imagine all the misunderstandings that can occur between a dog and a child daily and then, remove the ability to communicate; it's a recipe for disaster! These tips can help you reduce the risk of a dog bite happening at home.

Checklist for Kids: Dog Bite Prevention

According to the American Veterinary Medical Association,⁹ there are easy tips you can use to help kids understand how to respect dogs and avoid dog bites.

- Avoid unknown dogs.
- Ask the owner for permission to pet their dog.
- Teach children how to walk away if they're confronted by an aggressive dog.
- Help kids understand that yelling, hitting, running, or making sudden movements can scare a dog and escalate the situation.
- Teach children that the dog can decide when it's done playing. When the dog walks away, don't follow it, because walking away indicates the dog needs some quiet time. They should also learn to leave the dog alone if it is eating or sleeping.
- Let kids know that dogs are like their friends — they should never tease a dog or take its toys, food, or treats. Also warn children about pulling on a dog's ears or tail, and that they should never try to climb or ride a dog.
- Never leave dogs and children together unsupervised.

While these tips are no guarantee that a dog won't act unpredictably, the more education you can provide your children, the better armed they will be when encountering a dog.

⁹ American Veterinary Medical Association. *Teaching Children How to Prevent Dog Bites*. Retrieved from <https://www.avma.org/public/Pages/Teaching-children-about-dog-bite-prevention.aspx>

Reducing the Risk of Your Own Dog Biting

All dog owners must take responsibility for their dog's behavior. Ensuring that your dog is well trained will cut down on the potential incidents of the dog biting you, someone in your family, or a stranger. To reduce the risk of your dog attacking, be sure to:

Spay or Neuter Your Dog

Studies have shown that most dog bites came from a dog that had not been spayed or neutered. Spaying or neutering your dog is critical to help correct potential behavioral problems before they get out of control. Unneutered male dogs are most likely to attack, especially when they are older. Additionally, spaying and neutering helps control the pet population and reduces the number of potentially dangerous dogs at large. A female dog can have two or more litters per year with approximately six to ten pups per litter — that's anywhere from twelve to twenty puppies over a one-year period!

Supervise Your Dog

Always supervise your dog when around other people, especially children. Teach children who are going to be around the dog to treat it gently and with respect. Let them know that sometimes the dog will need its space and teach them safe ways to engage with the dog.

Socialize Your Dog

It is very important to expose your dog to a wide variety of surroundings and introduce your dog frequently to new people and other dogs. This will greatly diminish any fears that your dog may have of the outside world, which will in turn make it less likely to be fearful and frightened. One important rule to remember when socializing your dog is to take it slow. If you see that your dog may need more time dealing with certain scenarios, ease back and let your dog progress at its own pace. You do not want your dog to

become so uncomfortable and frightened that it lashes out and bites someone.

Make Your Dog a Part of Your Family

Don't keep your dog tied up in the back yard all day. This can make your dog feel lonely and defenseless, which is a trigger for aggressive behavior. When dogs are constantly restrained and not able to move freely, they are significantly more likely to bite.

Avoid Stressful Situations with Your Dog

A dog will almost always try to get out of a stressful situation before attacking. If you know your dog gets upset in certain situations, such as being around lots of people or moving vehicles, do your best to keep your dog out of these situations entirely. If you notice your dog becoming uncomfortable, remove it from the situation as soon as possible.

Participate in Formal Training

A trained dog is less likely to bite and is easier to handle if a potentially dangerous situation does present itself. Consider enrolling your dog in formal obedience training when it is old enough to follow commands, usually around the age of six months. Also, be sure that each member of your family learns and gives the same commands and uses the same training techniques to avoid confusing your dog.

Be Responsible with Your Dog

Make sure your homeowner's insurance policy covers injuries and damages caused by a dog attack on your property and always follow the leash laws in your area. Do not allow your dog to roam at large, and don't keep it tied up on a chain or alone in the backyard in a doghouse. Dogs that aren't socialized or who spend a great deal of time alone and in small spaces are much more likely to attack.

Does Your Dog Bite? Why This Could Spell Trouble for You

A little nip from a puppy may not seem like a big deal, but as your puppy becomes a dog, those bites can become more serious. As dogs get bigger, their jaws develop more strength and they have the potential to do a lot more damage. To protect your family, your friends, and even your dog, you need to put a stop to the behavior as soon as possible. Even if it's your dog's one and only bite, the victim can file a claim or lawsuit against you.

To prevent your dog from biting, try to identify why it wants to attack. For instance, if it nipped you when you tried to take a toy back from it, your dog may be biting due to possessiveness. To prevent this, you can train your dog to "drop" or "leave" items on command. You should also train it to "wait" before giving treats, so it doesn't encroach upon your plate or your hand when you're eating.

Also, reduce stranger anxiety by exposing your dogs to several different situations, but do so slowly and progressively so as not to rush the dog. For instance, you can let your dog meet some of your friends when it's safely on a leash, but you should consider limiting the interaction to 10 or 15 minutes at first. Also, get to know the signs that your dog is feeling anxious and may be about to bite so you can remove it from the situation.

Liability Concerns

If your dog bites someone, confine your dog as quickly as possible. Evaluate the individual's injuries and, if necessary, help them get medical assistance. Cooperate with law enforcement and animal control authorities and provide your dog's medical records. If your dog has bitten or attacked another person, it is critical that you obtain legal advice as soon as possible.

In addition to thinking about your family's safety, you also need to think about your own liability if your dog bites someone else. If your dog has a history of aggressive behavior, you may face legal action when it bites someone. The prosecuting attorney may try to argue that you should have acted before your dog attacked. Ensuring that your dog can maintain appropriate behavior at all times is key to reducing your own liability for your dog's actions.

CHAPTER 3

Know What to Do After a Dog Attack

Despite your best efforts at preventing a dog attack, sometimes this frightening experience can happen when you least expect it. If you were attacked by a dog, be sure to follow these steps. Not only will this course of action secure the medical attention you need to reduce the risk of complications, but it can also help strengthen your case if you decide to pursue a lawsuit against the dog's owner.

Steps to Take Immediately After a Dog Attack

Get Medical Treatment

Dog bites of any kind require prompt medical treatment, regardless of how minor the wound may seem. This is particularly true in the case of puncture wounds, where the dog's long canine teeth can cause injuries that are more severe than they appear.

Visit your local emergency room as soon as possible after the attack. In cases where children are mauled by a dog, or when the dog bite is in a precarious location, it is critical that you call 911 or get to the hospital as quickly as possible.

Identify the Dog and Its Owner

It is of utmost importance to identify the dog and the dog owner. If the dog is a stray, you face the possibility of having to endure rabies treatment, a painful and expensive process.

In order to file an insurance claim or lawsuit, you must be able to identify the dog and its owner. In cases where the individual was bitten in their own neighborhood, they may already know the dog and/or its owner. However, in cases where a vicious dog has been allowed to run at large, it may be more difficult to find who the dog belongs to.

Write down as much as you remember about the attack, including where you were and what the dog looked like. Report the incident to law enforcement and animal control. In some cases where the victim is having difficulty locating the dog in question, animal control may be able to help. While the hospital may make a report regarding your attack, do not rely on them to do so.

You should always make your own report to animal control. That agency has investigators who can interview witnesses and take care of other things that may help your case, as well as prevent the offending dog from biting others in the future. Filing a dog bite report also provides a paper trail that may help the next victim. Without these records, authorities cannot enforce dog bite laws effectively.

In cases where the dog is identified, you may be able to have the dog tested for rabies. If the dog tests negative, you will not need treatment for rabies. However, if the dog tests positive, or if you are unable to locate the dog in question to have it tested, you will need to receive rabies treatment as a preventative measure.

In addition, if you are attacked by someone's pet, you may be entitled to compensation that you can use to pay medical bills, cover time off work, and pay for cosmetic surgery if needed.

Get the Names and Addresses of Any Witnesses

If there were any witnesses present at the time of the attack, it is important to obtain their contact information as soon as possible. If you wish to file an insurance claim or bring a lawsuit forward to seek compensation for your injuries, witnesses may be able to provide valuable testimony about what happened during the attack. Remember that memories can fade quickly and ask if they'll let you or your attorney record them making a statement about what they saw.

Take Photos of Your Wounds

Although your medical records will be an important part of your injury case, photographic evidence can be even more valuable when demonstrating the severity of the injuries caused by the attack. Take photos of your injuries before medical treatment if possible, as well as after. Continue taking photos of your wounds as they heal and keep the images in a safe place.

Also, start a journal as soon as possible. Spend a bit of time each day recording your thoughts, feelings, and pain levels for the first few weeks after the attack. If you make a claim for compensation, know that it could take several months or even years to complete, so consider keeping this journal as you wait.

Don't Discuss Money or Settlements with the Dog Owner

In some cases, the dog's owner may apologize and immediately offer you a private settlement for your injuries. Do not necessarily accept that settlement. It is impossible to calculate what the attack is going to cost until you seek medical treatment, and even then, some injuries may take time to resolve or determine what damage may be permanent. Keep in mind that even an offer that sounds high may not be enough.

Contact a Dog Bite Injury Attorney

Once you have received medical treatment, it is imperative that you contact an attorney experienced in dog bite law. The financial burden of treating dog bite wounds is great, and you may have multiple options for financial recovery. It's also important to ensure the dog's owner or keeper is held responsible for negligence.

Common Injuries from Dog Bites

If you were attacked by a dog and are bringing an insurance claim or lawsuit against its owner, the type of injury and its location is one of the most significant factors in determining compensation. Here's a look at the most common injuries, along with a few tips on what to do in each case.

Abrasions

Abrasions refer to superficial injuries such as grazes and scrapes that don't go past the first layer of skin. Usually, when you suffer abrasions from a dog attack, there isn't a lot of bleeding. However, in severe cases you may experience scarring. Typically, these injuries can be treated at home, but seek medical attention regardless to ensure you don't have any infections or complications. Additionally, medical records are essential if you bring forward a lawsuit.

Lacerations

Lacerations are deep cuts or tears in the skin. They go past the epidermis and you're your muscles, bones, nerves, and blood vessels. Often, these wounds are marked by uneven, zig-zag patterns and excessive bleeding. To treat lacerations from a dog attack, medical attention is critical. Do not try to close these wounds on your own with skin repair tape or glue. This can "lock in" infection, causing it to quickly become systemic and potentially deadly.

Punctures

Punctures occur when the dog's teeth pierce your skin. Although these wounds often appear much smaller than lacerations, they tend to be deeper. This heightens the risk of infection, and other complications like tetanus.

Infections

Approximately 10% to 15% of dog bites¹⁰ lead to infections. Often, infections come from bacteria in the dog's mouth, but they can also arise from bacteria on your skin. That's why it's critical to clean any wounds caused by a dog thoroughly and frequently until it's healed. You should also be aware of the signs of infection, such as pain, redness, swelling, and discharge. In some cases, the site of the infection may feel warm to the touch. If you see any of these symptoms, contact a medical professional right away.

Rabies

Worldwide, there are about 50,000 deaths per year¹¹ due to rabies. Luckily, that risk is relatively minimal in the United States.

After getting bitten, try to find out if the dog has had a rabies shot. If the dog is not vaccinated or you can't find out for sure, head to the emergency room immediately. You will need to be treated as a preventative measure. The only situation where you would *not* need to be treated for rabies is if you were able to confirm the dog was vaccinated or it tests negative for rabies.

Also, be aware that rabies symptoms may start in a day or two after the dog attack, but they may also take over a year to show up. Usually, the first symptom is tingling around the wound. Then, you may feel confused and aggressive. You may experience muscle spasms, paralysis, difficulty speaking, and sensitivity to bright lights and sounds as well.

¹⁰ Healthline. *Animal Bite Infections*. Retrieved from <https://www.healthline.com/health/animal-bite-infections>.

¹¹ Elana Pearl Ben-Joseph, MD. (2019, February). *Rabies*. Retrieved from <https://kidshealth.org/en/parents/rabies.html>.

Tetanus

Although not as common as rabies, tetanus can also occur after a dog bite. Generally, this doesn't come from the saliva of the dog but rather from bacteria from the environment that enters the wound. If you're worried about this risk, ask your doctor to screen you for tetanus, and update your immunizations.

Symptoms of tetanus include:

- Difficulty swallowing
- Stiff jaw and/or neck muscles
- Abdominal pain and stiffness
- Painful spasms affecting the whole body

Thanks to the widespread use of the tetanus vaccine, tetanus infection is very rare in the United States.

Crush Injuries

Crush injuries usually occur in attacks involving large dogs. Large dogs can exert a tremendous amount of force with their jaws that can injure soft tissue and crush, break, or fracture bones. Sadly, many dogs have even been known to completely crush the heads of babies, and infants make up about 12% of dog bite-related fatalities¹².

Scarring

Scarring is common with dog bite wounds. To reduce the long-term effects of scarring, your doctors may be able to use laser technology or skin grafting procedures to repair damaged tissue. It's important to note that scars from a dog bite are not the kind you would see following a typical surgical procedure. Many dog bites leave jagged edges which can lead to significant scarring despite immediate and

¹² CDC. (2001, May 2). *Dog-Bite-Related Fatalities -- United States, 1995-1996*. Retrieved from <https://www.cdc.gov/mmwr/preview/mmwrhtml/00047723.htm>.

excellent medical care. Extensive scarring can be embarrassing and socially debilitating.

When a dog bites a person's face, the lips and cheeks could tear. Not only will this leave an unsightly scar, but it also impacts the ability to eat, drink, and speak.

Nerve Damage

If the bite extends into the nerves, you may experience nerve damage. Depending on the extent of the injury, this can lead to the temporary loss of function or permanent loss of ability in that part of your body. In extreme cases, nerve damage can cause permanent paralysis.

What Body Parts Are Most Likely to Be Injured in a Dog Attack?

Dogs kill and injure significantly more people per year than crocodiles, alligators, bears, and sharks combined. In fact, even if you consider humans killed by spiders and snakes, dogs are still the leader of the pack. Whether a dog bite leads to death or not, man's so-called "best friend" tends to target the following body parts:

Hands

Hands are the body part most likely to be affected by a dog bite. This happens because people often "test" a dog's demeanor by reaching out their hand and allowing the dog to sniff it. Additionally, hands naturally hang in a position where dogs can reach them easily.

However, the location of dog bites varies depending on the person's relationship with the dog. When people are attacked by dogs they don't know, the initial wounds are typically on their hands and legs, but if someone is attacked by their own dog, the bites tend occur on the face or neck.

Lower Extremities

Canine attack analysis shows that dogs usually try to disable the victim by attacking the limbs and trying to get the person on the floor. This often results in the dog attacking the lower extremities first.

Upper Extremities

If the dog successfully gets the victim to the ground, it typically goes for the throat, neck, and head. Generally, the human tries to protect these sensitive areas with their hands and arms, leading to wounds in the upper extremities. Keep in mind that when dogs attack, they don't want to play with their prey like cats — their goal is to kill.

Face

Children are more likely to get bitten in the face than adults. This is generally due to their shorter stature and the fact that they often play or sit on the ground. Dog bites to children can be particularly concerning and are at a higher risk for fatalities because a large dog's mouth can create a pressure equivalent to 200 to 400 pounds per square inch.

Children also are at risk of severe bleeding, infections, and permanent scarring. If bitten in the face, both children and adults will likely need cauterizing and suturing for cuts. They may also need reconstructive surgery to repair damaged tissue. Rabies and tetanus injections are also a possibility if the dog is in poor or unknown health, and antibiotics will likely be needed.

Buttocks

Unfortunately, the buttocks are not usually exposed to a dog bite as the victim runs away. Rather, by the time the dog is attacking the buttocks, it is because the victim is on the ground, trying to protect their body, and the dog is biting the buttocks along with the lower extremities.

Common Treatments for Dog Bites

Here are some essential tips to help you care for your wounds and what to do if your condition does not improve:

Minor Dog Bites

Minor dog bites don't necessarily require extensive treatment. If your skin is broken by a dog's teeth, you do need to seek medical attention to reduce the risk of infection.

If the dog is up to date on its shots, you may not require additional treatment. More likely than not, if it's a minor wound, you'll have one visit to the hospital and a follow up with your doctor, if necessary. You may need a few stitches and an antibiotic, but these wounds tend not to require a significant amount of medical treatment.

Severe Dog Bites

With more serious dog bite injuries, surgery is typically needed to repair extensive damage to the skin, muscles, tendons, and nerves. Surgery is sometimes also recommended for what appears to be minor puncture-type wounds, since the damage could be more severe underneath the skin. Scar revision or plastic surgery is also common to help reduce the cosmetic impact of a dog bite wound.

How Medical Treatments for Dog Bites Affect a Court Case

Some attorneys will not even consider a dog bite case resolved if scarring is involved; usually, you need to wait and see how the scar heals a year after the attack. This gives all parties involved a better idea of what additional treatment may be necessary to reduce the appearance of scarring, or if it's possible to reduce scarring, which significantly impacts the settlement value of the case.

Complications from Dog Attacks

Some complications may arise above and beyond the initial bite wound.

Rabies

Dogs can transmit rabies with a single bite. Left untreated, the disease is universally fatal. Typically, rabies symptoms show up in two to 10 days, but once the symptoms appear, the risk of survival is slim. If your dog isn't inoculated against rabies and they get bitten by another dog who may be rabid, you should take your dog to the vet immediately.

Rabies first manifests in a manner like the flu — general discomfort, weakness, fever, and/or headaches. If not treated, these symptoms progress to the more well-known symptoms of rabies: cognitive impairment, anxiety, confusion, and agitation. This leads to delirium, abnormal and aggressive behavior, hallucinations, and insomnia.

Rabies also causes the body to overproduce saliva as the principle mechanism of the virus's spread and causes difficulty swallowing. This overproduction of saliva is what gives rabid animals the appearance of foaming at the mouth. Perhaps as a combination of this, late-stage rabies is often marked by hydrophobia — the fear of water — due to an inability to drink properly.

Rabies can be cured, but success depends heavily on treating it as early as possible. Once symptoms manifest, survival becomes incredibly unlikely. It's vital to seek medical attention immediately when you have been bitten by a wild animal, an ownerless or stray dog, or by any animal that might have the possibility of being infected with rabies.

Rabies treatment consists of multiple vaccines at regular intervals. If your doctor or hospital is unable to arrange regularly scheduled treatments, make sure that they arrange treatments with another facility.

If your dog was bitten by a rabid animal and is not vaccinated against rabies, the CDC recommends that you have your pet euthanized immediately. Obviously, that is a traumatizing recommendation and

many owners will have trouble doing so without explicit proof that the attacking animal is rabid.

In those cases, the CDC advises owners to put their dog under quarantine for at least six months for observation, and to vaccinate it at least a month before the quarantine ends.

Infections

Of the 4.7 million dog bites that occur every year in the United States, 18% — nearly 1 in 5⁷ — become infected without treatment.

Relatively minor dog bite infections can be caused by several types of bacteria. For example, *Capnocytophaga* spp. is a weak bacterium that rarely harms people; you could be infected with it and never feel sick. However, it can present a greater risk to people with compromised immune systems or preexisting medical conditions.

Another potential infector is the *Pasteurella* bacterium, which is found in 50% of all infected dog bites. Usually, *Pasteurella* simply causes a painful but local infection around the bite wound. In some cases, however, it can cause more dangerous symptoms such as swollen glands, painful joints, and difficulty moving. Any of these symptoms should be examined and treated by a medical professional as soon as possible.

Dog bites can also cause other life-threatening infections like MRSA, a powerful strain of Staph bacteria that is unaffected by ordinary antibiotics. MRSA requires extensive medical attention and a battery of unique antibiotics, as it can be as life-threatening as rabies.

When a dog bite punctures the skin, you are at an increased risk for the wound to become infected. The signs of infection include pain or soreness around the injury site, redness, swelling, drainage of pus or fluid, or the development of a fever.

Prevent infections by caring for a minor bite at home; wash the wound carefully with warm, soapy water, then apply antibiotic cream and cover with a bandage or wrap. Try and keep the injury elevated. If the wound becomes

inflamed at any time or you develop a fever, seek immediate medical attention. For deeper wounds, apply firm pressure with a clean cloth to stop the bleeding and call 911 or visit your local emergency room right away.

Emotional Trauma

PTSD, or post-traumatic stress disorder, is a psychological and emotional condition that can occur after a person is involved in any traumatic event. Often, soldiers will come home from war with PTSD, or someone who has been involved in a car accident or other traumatic event will experience symptoms of PTSD.

Dog bite victims can also experience PTSD from the attack. They often become extremely emotional, whether they are around a dog or not. They may find themselves reliving the event and wondering what they could have done differently or have nightmares and a fear of being near dogs. When a dog is nearby, they may panic, but PTSD can cause a victim to live in fear all the time — not just when they see a dog.

For children, emotional trauma could appear in different ways other than obvious fear. For example, many parents state that their child has trouble sleeping, or that their grades have declined after they were attacked by a dog.

Parents are encouraged to seek professional help, even if they just have a feeling that they can't put their finger on it. Parents of children attacked by a dog also could suffer from PTSD. They may feel guilt that they shouldn't have let the child get close to the dog, or that they should have done something differently. Adults and children may suffer PTSD after a dog bite incident, even if they have a dog of their own.

Cosmetic Surgery

Immediately after getting severely bitten by a dog, many people need primary reconstruction. However, it's critical for healthcare providers to be extremely careful with sutures and other repairs.

A dog's mouth has over a thousand species of pathogenic bacteria, and if "locked in," the bacteria can lead to potentially deadly infections. Children who have been bitten by a dog should receive care from a Level I pediatric trauma hospital.

People with soft tissue injuries to their mouth, jaws, or face may need secondary reconstruction months or potentially even years after the injury. Often, it takes multiple procedures to partially or fully restore function and appearance after a dog attack. Beyond working with plastic surgeons, you may need a care team that involves a dermatologist, an ophthalmologist, and other specialists.

Flap reconstruction is necessary when a dog's bite clenches down; as they pull away from the victim, they can damage skin. Also called autologous tissue reconstruction, this procedure is commonly used to rebuild breasts after a mastectomy, but it can also be used to rebuild areas such as nasal passages. It involves taking skin, muscle, or bone from one part of your body and moving it to another part. Specialists have used forehead flaps to reconstruct the nose or forearm flaps for ear reconstruction.

Surgeons may also use grafts on dog bite victims. This is just like a flap in that it involves moving skin or tissue from one area to another, but the key difference is that a flap has its own blood supply while a graft needs to be placed specifically where it can access the blood supply of the area. For example, surgeons may take cartilage or bones from ribs to reconstruct the nose.

Many patients have scars even if they don't need reconstructive surgeries, and other patients may still have scars after extensive reconstruction work. Unfortunately, in both cases, facial scars can contribute to issues such as low self-esteem and PTSD. This intersection means that scar repair isn't just cosmetic – it can have a significant impact on the physical and emotional healing process.

To reduce the appearance of scars after a dog bite, plastic surgeons may use some of the following techniques:

- Laser resurfacing to smooth scars

- Fraxel laser treatments to minimize the appearance of scars
- Intense Pulsed Light (IPL) lasers to reduce redness of scars
- Fillers to remove indentions
- Z-plasties to improve the appearance of scars through surgery

Plastic Surgery for Children

Children are disproportionately affected by dog attacks. One study looked at the dog bite injuries of 108 children¹³ from ages five months to 18 years. Approximately 60% of these children had injuries to their faces while 30% had injuries on their extremities.

Immediately after the attack, 39% of these children had their wounds closed in the emergency room, and they needed a consultation with a plastic surgeon. Another 21% of the children needed skin flaps or other types of reconstructive surgeries as part of their initial treatment.

Over a quarter of the children had to be hospitalized after the initial treatment, and close to 10% needed to stay in the hospital for an extended period due to infection. Based on this study, the breed of dog involved affected the likelihood of needing surgery or hospitalization. Half the children who were bitten by pit bulls needed surgery. That was triple the rate experienced by children who had been bitten by other breeds of dogs.

Dog Bite Death Statistics

Tragically, about 20 people die from dog attacks every year. People can die due to severe bleeding from wounds, head injuries, infections and other causes.

¹³ Ross, Adam. (2017, August 3). *Complex Dog Bites in Children – Experience and Recommended Treatment*. Retrieved from <https://www.plasticsurgery.org/news/press-releases/complex-dog-bites-in-children-experience-and-recommended-treatment>.

Children Are Disproportionately Killed by Dog Attacks

One study¹⁴ published in the Pediatrics medical journal looked at 109 dog-bite fatalities that occurred over a six-year period from 1989 to 1994, and it discovered that over half (57%) of the victims were children under the age of 10. Experts speculate that this happens due to the small stature of children as well as their potential lack of caution when approaching dogs. In addition, 10% of fatal attacks involved sleeping infants.

The Most Fatal Attacks Happen on the Dog Owner's Property

The Pediatrics study indicates that 18% of deadly attacks are caused by dogs on chains, but most fatal attacks (59%) involved unchained dogs on the owner's property. In contrast, only 22% of attacks happened off the dog owner's property.

Multiple Dogs Are Often Involved in Deadly Attacks

In the CDC research on dog-bite-related fatalities from 1994 to 1995, most of the attacks involved multiple dogs. Over a third of deadly attacks involved two dogs, 8% involved three dogs, and 20% were caused by a pack of six to 11 dogs. In fact, during this time period, all the attacks that occurred off the dog owner's property involved two or more dogs.

Certain Breeds of Dogs Are Responsible for the Majority of Deaths

To narrow in on the deadliest breeds of dogs in the United States, the non-profit group DogsBite.org looked at the breeds of dogs responsible for the most attacks between 2005 and 2018¹⁵. Based on that research, the following breeds are responsible for the most deaths:

- Pit bulls 311 deaths
- Rottweilers 47 deaths

¹⁴ MedicineNet. (2018, June 13). *Fatal Dog Attacks*. Retrieved from https://www.medicinenet.com/dogbite-_fatal_dog_attacks/views.htm.

¹⁵ 14 year U.S. dog bite fatality chart. (n.d.). Retrieved from <https://www.dogsbite.org/pdf/14-year-dog-bite-fatality-chart-dogsbiteorg.pdf>

- German shepherds 20 deaths
- Mixed-breeds 20 deaths
- Mastiffs and bullmastiffs 17 deaths
- American bulldogs 15 deaths
- Huskies 13 deaths

The remaining nine fatalities were caused by a combination of 35 different dog breeds.

Tragic Consequences: When a Dog Attacks a Baby

In May 2018, a three-month-old baby was mauled to death by dogs¹⁶ in Los Angeles. The family owned a Rottweiler, a Labrador, and a terrier, but officials weren't sure which dogs were responsible for the attack. The same month, an eight-month-old baby girl died when her grandmother's pit bull¹⁷ attacked her in Florida. The dog was three years old and the family had owned her since she was a puppy.

Tragically, these stories are not uncommon. Children are more likely to die from dog attacks than adults, and 10% of fatal attacks¹⁵ involve infants.

Dogs are also more likely to bite children and infants in the face¹⁸, while they target the hands or extremities of adults. American pit bulls, German shepherds, and Rottweilers have an average strength of 269 pounds of pressure when they bite down.

¹⁶ Branson-Potts, Hailey. (2018, May 6). *Dog attack that killed baby girl in Sherman Oaks a 'true tragedy,' police say*. Retrieved from <https://www.latimes.com/local/lanow/la-me-ln-dog-mauling-20180506-story.html>.

¹⁷ Cummings, William. (2018, May 30). *8-month-old baby girl dies after she was attacked by pet dog in Florida*. USA Today. <https://www.usatoday.com/story/news/nation-now/2018/05/30/pet-dog-kills-florida-baby/656666002/>.

¹⁸ Alessandro Leite Cavalcanti, Edgleys Porto, Bruno Ferreira dos Santos, Christiane Leite Cavalcanti, Alidianne Fábila Cabral Cavalcanti. (2017, October 10). *Facial dog bite injuries in children: A case report*. Retrieved from <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC5645476/>.

Treating Infant Dog Bites

Fortunately, most dog attacks are not fatal for infants, but they can cause puncture wounds, lacerations, and crush injuries. Dogs also carry a lot of bacteria in their mouths, and their bites can lead to rabies, tetanus, or other infections.

If a baby gets bitten by a dog, you should call 911 immediately. They may ask you to rinse the wound with sterile or saline water. You should not try to close the wound on your own due to the risk of trapping the infectious bacteria in the wounds. The child should be taken to the hospital where they can sanitize the area and close the wounds with sutures. In extreme cases, plastic surgery may also be required.

After a baby was attacked by the family pit bull in East Falmouth, Massachusetts¹⁹, the child needed several operations. Due to intense trauma to her face and skull, she needed a tracheotomy, reconstructive jaw and facial surgery, and a replacement for the bridge of her nose. The dog was a family dog with no history of attacks, and to save the baby, the dad had to stab the dog.

Avoiding Dog Attacks on Babies

Although many attacks just seem to come out of nowhere, there are steps parents can take to protect their infants from dog attacks.

- Always supervise dogs and babies when they are together. Many of the above attacks happened when the caretakers left for just a few minutes.
- Never have a baby sleep on the floor or in a seat close to the floor when a dog is nearby.
- Be cautious of unfamiliar dogs. For instance, never wheel a stroller toward a strange dog.
- Don't let crawling babies interrupt dogs when they are eating, nursing their young, or sleeping.

¹⁹ McCormick, Cynthia. (2019, January 20). *Baby attacked by pit bull in Falmouth undergoes 4th surgery*. Retrieved from <https://www.capecodtimes.com/news/20180119/baby-attacked-by-pit-bull-in-falmouth-undergoes-4th-surgery>.

- Teach your child never to put their face at the dog's level.

As the child gets older, teach them how to act around dogs, but when practicing, make sure to use a well-trained dog on a leash.

What to Do If Your Baby Has Been Attacked

If your baby has been attacked by a dog, seek medical help as described above. If the dog was not yours, get the owner's name and contact details, and find out if the dog is up to date on vaccinations. Also try to obtain contact details for any witnesses in the area.

Report the dog to the authorities as soon as possible. This step could save other people's lives, and if you don't file an insurance claim or lawsuit quickly, you may run out of time. Contact an attorney to discuss your options to ensure that medical bills are taken care of and that any payment for scarring or permanent disability is covered.

How to React If You Are Bitten by a Neighbor's Dog

This is a sensitive scenario, so be mindful of the relationship that you or your child may have with that friend or neighbor. In the same respect, the friend or neighbor who owns the dog must consider the trauma that the person who was bitten is going through. Any reaction should be proportionate to the type of incident or the severity of it.

If you know the person well, communication should already be open between the parties involved. However, keep in mind that the friend or neighbor may be unwilling to share information about prior biting incidents with their dog for fear of what will happen to the animal. So, while being considerate is appropriate, the victim must also obtain as much information as possible, particularly when it comes to rabies vaccination, tetanus shots, and other health information about the dog.

What Will Happen to Your Neighbor's Dog?

This is really an issue that is up to the local town and the animal control officer within it. This decision cannot be made by the dog bite victim, the owner's insurance company, or any attorneys. What happens to the dog depends on its history, including whether they have attacked in the past.

CHAPTER 4

Lawsuit Alternatives for Dog Bite Injuries

Filing a lawsuit can be stressful at times, and it can be a good idea to explore ways to resolve a dog bite injury without litigation, especially if you're feeling a little uncomfortable.

Here are the top two alternatives to filing a lawsuit:

- 1 Settling the matter privately, directly with the dog owner
- 2 Filing an insurance claim, usually with the dog owner's homeowner's insurance company

1. Privately Resolving a Dog Bite Injury without an Insurance Company or Lawsuit

If you're considering resolving the matter directly with the dog owner, here are three questions to ask:

Should You Talk to the Dog Owner Privately?

Whether you should talk the owner of the dog that bit you privately really depends upon the relationship between you (or your child, if they were the victim) and the dog owner.

If they are a family member or friend, this can be uncomfortable.

On the other end of the spectrum, you may be dealing with someone you don't know at all. If you have no connection to the dog owner, it's likely in your best interest to avoid contact with the dog owner.

It's human nature for someone to want to reach out to make sure that the victim is okay after an attack. That's a fair inquiry. Assuring the dog owner that the victim is okay and will be okay is fair communication.

The difficult part is when the dog owner is a family member or a friend. In that instance, it's important to be careful. You may not want to create a divide among friends and family members, but you do want to make sure, whether it's you or your child that was bit, that you get the proper medical treatment that you need.

Document the bite as best you can and give only as much information to the dog owner as is necessary.

Sometimes the insurance company representatives will be surprised at the extent of the injury, because they've either been misinformed by their insured, the dog owner, or they just didn't truly appreciate what happened. However, if what you say is recorded and can potentially be used to defend your claim, it will be by the insurance company.

You'll need to decide what's in your or your child's best interest. If it's in your best interest to make a claim, that's what you should do. However, if it's in your best interest to maintain the relationship with the family as best as possible, then that's the decision you need to make.

***Is a Private Settlement with a Dog Owner Possible?
If So, How Should It Be Approached?***

It is possible in some situations to settle with a dog owner privately. However, it's not recommended without advice, because an inexperienced person isn't going to know the extent of what the claim might be worth.

For example, if a child is bit and a person makes an offer of a few thousand dollars, that might sound great at the time. But the victim might not appreciate that the scar might be with them forever and that the few thousand dollars being offered now wouldn't be fair compensation into the future.

Dog owners that offer a monetary offer of settlement may require a release of all claims.

This means that once the owner hands over that check and that check clears, you can no longer pursue legal action against them. If a dog owner wants to give a victim a few thousand dollars without any protection, then there's nothing necessarily legally binding about.

The difficulty with dealing with dog owners privately, without an attorney, can be dangerous in the context of a child. You may not know how the injury or wound will develop and heal over time, and as the child grows, the scars may stretch or affect their ability to move.

If you do decide to resolve a dog bite privately for yourself or on behalf of a child and later the wound or injury is much worse than you originally anticipated, you may be forfeiting your right to pursue legal remedy.

How Do I Protect Myself and My Family in a Private Dog Bite Settlement Agreement?

It's important to be very careful in a situation where the dog owner wants to keep things private and prefers to speak with you directly. If they offer some sort of private negotiation, you should certainly consult an attorney to make sure that everybody's rights are protected.

There's nothing wrong with settling it privately if there's no homeowner's insurance and a dog owner steps up and takes responsibility for what his or her dog did. However, it's important that even private settlements go through the court system to be approved by a judge and to ensure it's a fair settlement.

2. Resolving a Dog Bite Injury with an Insurance Company, but without a Lawsuit

Here are a few ideas for potentially working with an insurance company as you navigate the emotional rollercoaster after a dog attack and decide how to move forward.

Before getting into specifics, it's important to know who usually pays for dog bites. In many circumstances, the dog owner's homeowner's insurance company covers the costs of a dog bite claim, settlement or judgment.

The animal owner often doesn't pay anything. Homeowners insurance companies paid out \$675 million in liability claims related to dog bites and dog-related injuries in 2018, according to the Insurance Information Institute and State Farm®. Even if an owner's insurance pays the full cost of the claim, however, chances are high that the insurance carrier would drop the insured or significantly raise premiums.

How to File a Dog Bite Insurance Claim

Although a dog owner's homeowner's or renter's insurance may cover a dog bite claim, be aware that insurance companies are compelled to offer a low settlement; it's simply their business model.

Insurance companies will assess and evaluate risk, claims, and injuries and look for ways to either deny the claim or award the lowest possible settlement – otherwise, they wouldn't turn a profit.

Insurance Requirements

As a dog owner, you are not legally required to carry coverage on your dog, but to protect yourself financially, you should ensure that you have adequate liability coverage through your homeowner's policy. Most homeowner's insurance plans offer between \$250,000 and \$300,000, however, many policies offer more or less than these amounts.

When you take out homeowners' insurance, make sure you let your insurer know that you have a dog in the home. Also, notify your insurer if you get a dog after taking out your policy. If you don't let your insurer know and your dog injures someone, your insurer may deny the claim due to material misrepresentation.

Insurance Coverage for Certain Dog Breeds

As previously discussed, some states say it is illegal for any municipal or county government to make laws banning specific breeds of dogs. In other states, this decision is left up to local governments.

However, these laws do not extend to the practices of insurance companies. Insurers can refuse to cover injuries caused by dogs based on their breed and they can also increase premiums when homeowners have specific breeds of dogs. Some of the breeds that are most likely to incur higher premiums include the following:

- Akita
- Alaskan Malamute
- American Staffordshire Terrier
- Boxer
- Chow Chow
- Doberman Pinscher
- German Shepherd
- Great Dane
- Husky

- Pit Bull
- Rottweiler
- Saint Bernard
- Siberian Husky
- Wolf-Dog Hybrid

Coverage varies from insurer to insurer, and some companies do not vary their rates or rules regardless of whether you have a pit bull or a chihuahua.

However, just as car insurers offer discounts for teens who take safe driving courses, homeowner's insurance may offer similar discounts for dog owners. You may be able to get a reduction in your monthly premium if your dog passes a Kennel Club Canine Good Citizen program or a similar training program.

Recommended Liability Coverage

According to the Insurance Information Institute²⁰, dog bite claims represented approximately one-third of all homeowners' insurance claims, and insurers pay out hundreds of millions of dollars in these claims annually. In 2017, insurance companies paid out over \$700 million in dog bite claims. Every year, the average claim seems to go up. For instance, in 2016, the average claim for a dog bite was \$33,230, but in 2017, that number increased to \$37,051. That's an increase of over 10%. In fact, over the last 15 years, claims have increased by 90%.

When taking out your insurance policy, you shouldn't just focus on these averages. Instead, you should take a worst-case scenario approach. For instance, in one case, the plaintiff won a \$450,000 settlement after being attacked by a pit bull. If your liability coverage doesn't cover the amount of the damages suffered by the other party, you may be held personally liable, meaning that your assets or wages may be at risk.

²⁰ Insurance Journal. (2018, April 6). *Dog Bite Claims Cost Insurers \$700 Million*. Retrieved from <https://www.insurancejournal.com/news/national/2018/04/06/485542.htm>.

Negotiating with an Insurance Company

It's not always in a victim's best interest to negotiate with an insurance company themselves. It's often difficult for victims to be objective and they aren't experienced at negotiating with insurance adjusters.

In most states, dog owners are financially responsible for any damage caused by their dogs. That means you are responsible if your dog bites someone, but you also need to cover the costs involved if your dog causes property damage or injury through other actions. Typically, your homeowner's or renter's insurance covers these expenses but if not, you may be personally responsible.

Should an Attorney Get Involved?

Reputable law firms will not rush to file a lawsuit; they start by investigating the claim and determining the damage and injuries involved, then they will contact the dog owner's insurance company.

Often, the dog owner does have insurance and it can be resolved amicably with the insurance company through properly presenting the claim. However, if there is either a denial of coverage or an issue regarding the value of the claim, your lawyers may be able to file a lawsuit at that time.

If a dog bite victim files the paperwork on their own to the insurance company and are faced with what they believe to be a low settlement offer, they should speak with an attorney for advice.

Depending upon the severity of the attack, a victim may decide to contact an attorney before contacting the insurance company. This is recommended for injuries that are very severe, so an attorney can be a liaison between the victim and the insurance company.

Attorneys can help a victim ensure all the paperwork is properly completed and that they receive the compensation necessary to cover medical bills and future medical treatment.

What If the Dog's Owner Doesn't Have Insurance?

If the dog's owner doesn't have insurance, an attorney can investigate further into a dog bite claim to determine who else may be financially liable. For instance, perhaps the dog was at someone else's home during the attack or was another person's care. These types of situations indicate that someone other than the dog's owner may bear some responsibility for the attack.

Otherwise, the fact that a dog owner doesn't have homeowner's insurance will not prevent the victim from making a claim. Victims are entitled to seek compensation directly from the dog owner if they have assets that are recoverable.

Lawsuits are not always the answer, but given how hard insurance companies work to avoid paying claims and how complex it can be working to resolve a matter privately, speaking with an attorney will help you more easily manage this emotional and often confusing process. Together, you can decide what options are best for your unique situation.

CHAPTER 5

File a Lawsuit for Compensation

If you've been bitten, attacked, or injured by a dog, you should contact an attorney to learn about your legal rights. Your attorney can help you decide if filing an insurance claim or a lawsuit is in your best interest. If you move forward with a lawsuit, here's what you should know.

The Basics of a Dog Bite Lawsuit

Public Hearings

Dog bite cases might involve a public hearing. You, your legal representative, and the dog owner or handler goes in front of a hearing authority. You'll explain what happened and the hearing authority either decides to dismiss the complaint or label the dog as a dangerous or nuisance animal.

This is effectively a criminal trial for the dog. If the dog is labeled as dangerous or a nuisance, it may need to be euthanized or its owner may be required to follow strict protocol such as muzzling the dog in public, keeping it crated, or enrolling it in obedience classes.

In some states, the dog bite attack is first reported to the authorities and the dog owner can choose to waive their right to a criminal trial by paying a forfeiture fee. However, if the dog is guilty of its second attack in a 12-month period, the owner must appear in district or municipal court. Based on the verdict of this trial, the owner may have to take certain actions ranging from training to euthanasia.

Civil Cases and Negotiations

With or without a public hearing, you can bring forward a civil case against the dog's owner. Essentially, this is where you show how the dog attack has impacted you financially and emotionally, and you attempt to obtain a financial settlement from the owner's insurance company.

If the dog owner doesn't have insurance, your lawyer will help you look at alternative ways to seek compensation. For instance, if a friend or relative was walking the dog, their insurance may cover the attack. Similarly, if a professional was walking the dog, their employer may be responsible. If the attack happened on someone else's property, they may be liable.

Allowable Defenses

Dog bite victims have the right to bring forward a lawsuit for damages, however, dog owners also have the right to defend themselves. To avoid paying damages, the dog owner or their representative will likely try to argue that they are not liable. However, some states have strict liability laws, meaning that the owner is almost always liable except in a few rare situations.

The most common defense dog owners use is that the victims teased or tormented the dog, therefore prompting the attack. Other dog owners may defend themselves by arguing that the victim trespassed on their property. Generally, these rules don't apply to children under the age of seven. In the past, judges have taken liberal definitions of provocation, and they have relieved owners of liability in cases where, for example, the victim accidentally stepped on the dog's tail, intervened in a dog fight, or petted a strange dog while it was eating.

For victims, responding to these defenses begins as a credibility issue. For example, if the dog bite victim is a baby, they won't have the ability to consciously tease or torment a dog. Therefore, if the dog owner says that the baby tormented their dog, the defense would not be credible.

Regarding trespassing, it is sometimes seen that the victim was simply walking by the home or yard of the dog and the dog broke free from its restraint or fenced-in area. Clearly in this situation, the person was not trespassing. Witnesses for both sides are integral to assessing the credibility of each side's story. The trespassing defense also may not work when the victim is a delivery person or mail carrier, as they would not be considered trespassers.

If the case goes to trial, the dog bite victim can expect to be scrutinized to some extent regarding their credibility. Often, the dog owner's insurance company will be the legal team leading the defense. They will gather information and see what, if any, information can be used as a potential defense for their client to mitigate the case or present the victim in a bad light.

The victim must take appropriate precautions, particularly with social media. Victims must be very cautious about posting photographs or descriptions of what happened on Facebook, Twitter, and other social media platforms. Social media is fair game when an insurance company is investigating; it has the potential to put a victim in a negative light.

Damages Covered in a Dog Bite Lawsuit

Medical care for a dog bite can get expensive, which is a significant reason why someone may pursue a lawsuit. Here are the types of damages a dog bite lawsuit may cover to ensure the victim is appropriately compensated for the trauma of the ordeal and subsequent expenses:

Medical Care

The chief damages that a dog bite lawsuit is designed to cover are the medical costs associated with the attack. This can include

hospitalization, surgical procedures, doctor's visits, physical therapy, and other medical expenses.

It is imperative that you keep diligent records of all medical treatment and related costs. Make copies of your medical bills and submit them to your dog bite attorney in order to help increase the value of your dog bite lawsuit.

Scarring and Disfigurement

This type of injury and damage resulting from a dog attack is why you need an experienced attorney to represent your interests. It is vital to consider future medical treatment and scar revision surgery when evaluating a dog attack case for purposes of a settlement.

Emotional Trauma

Often, dog attacks will create significant emotional trauma for the victim. Costs for these services may be able to be included on your dog bite lawsuit if you are obtaining counseling or psychological care directly in relation to the attack. Additionally, the court may award you damages simply for pain and suffering. Discuss how these damages may be able to increase the value of your dog bite lawsuit with an experienced personal injury attorney.

How to Obtain Maximum Compensation

Like any legal case, compensation in a dog bite lawsuit is based on a variety of factors. Dog bite victims are entitled to recover damages for their injuries. This may be able to be accomplished using the following strategies:

- **Involve plastic surgeons.** Since scarring is common, your attorney may work directly with a plastic surgeon to gather information on future scar revision to make the scar look less dramatic, and the likelihood of permanent disability. If nothing can be done to lessen the scar or if a person is left permanently disabled, that information will be considered when seeking compensation.

- **Involve the insurance representative and insurance defense attorney.** Having people on the defendant's side meet with the dog bite attack victim gives them the opportunity to physically inspect the scarring. Photographic evidence is helpful, but it sometimes doesn't show the full extent of the injury. This step is within the presentation of the case.
- **Get appropriate medical care.** Victims should prioritize getting immediate medical care and following physician recommendations. Victims should also retain all medical information and take photos throughout the healing process. Photos are important since many dog bite lawsuits may come to fruition years later; at that time, the injury may appear minimal. It's important for insurance companies to understand what the victim went through during the first several months after the attack.

How to Choose a Dog Bite Lawyer

Whether you intend to file a lawsuit or want to explore filing an insurance claim or other legal remedies, it's important to work with a dog bite attorney. Hiring an attorney does not mean you have to go to court. Be critical of the attorneys you interview to take on your case. Ideally, you should hire a dog bite attorney who meets the following criteria:

Understands Your State Laws

Dog bite laws vary a lot from state to state. Some states are strict liability states, meaning that the owner is almost always liable when their dog attacks. But in other states, liability can be harder to prove. To ensure you get the best settlement for your case, you need a lawyer who is experienced handling cases in your state.

In most cases, if a lawyer practices in a certain state, that means they have passed the bar exam for that state, and by extension, they understand the laws in that state. However, some states offer reciprocity,

meaning that if a lawyer passes the bar in one state, they may become automatically licensed to practice in a neighboring state. To ensure you're obtaining the best legal counsel, make sure they are licensed to practice law in your state.

Experienced with Dog Bite Cases

Armed with experience, a lawyer knows how to fight common defenses from the dog owner's attorneys. They also have a network of quality expert witnesses they can call on, and those witnesses can be essential for linking your injuries to the dog attack and for establishing the pain and suffering you've endured.

Experienced dog bite attorneys also know how to evaluate your injuries, damages, and pain and suffering in a way that gets you the best settlement possible for your situation. In contrast, an inexperienced attorney may fail to note all the damages you suffered from the attack.

Well-Rated by Professional Organizations

There are a lot of lawyers out there, and to ensure you're hiring the best dog bite attorney, you should look for lawyers who are involved with professional groups and who receive high ratings from third-party organizations. Ideally, the lawyer you hire should be part of bar associations in your state and county. They should also be members of state organizations and federal groups, such as the American Association for Justice.

To learn more about prospective attorneys, you may want to look at sites such as Avvo and Super Lawyers. Both sites have detailed attorney profiles and client satisfaction ratings, which can be helpful in your research process.

Works on a Contingency Basis

After you've narrowed down your options to a handful of lawyers, you should look at how they charge their clients. Most quality dog bite

attorneys work on a contingency basis. They start with a free consultation, and during that meeting, they give you a sense of how your case is likely to progress. If your case is strong, the lawyer typically agrees to work on a contingency basis, which means there's no charge to you unless there is a favorable judgment or settlement.

Does Not Pressure You to Settle or Litigate

Your attorney's job is to inform you of your options, and which is likely to be in your best interests. However, they should also consider what you are or are not comfortable with. If you were bit by a neighbor's dog and are nervous about filing a lawsuit, you shouldn't work with a lawyer who pressures you to take the case to court. Look for an attorney who can be objective and supportive while ultimately leaving the decisions up to you.

Conclusion

Enduring a dog attack is difficult; collecting compensation should be as easy as possible for you. By working with an attorney, dog bite victims can protect their right to the full and fair compensation they deserve for their injuries and losses through insurance settlements or lawsuits.

In 2017, insurance companies paid out nearly \$700 million in dog bite claims. Those settlements covered medical bills, lost time at work, pain and suffering, and other miscellaneous damages stemming from dog attacks. The number of claims increased by 2.2% over the previous year, but in general, claims are holding steady around 18,000 per year.²¹

The average cost of a dog bite claim was \$37,051 in 2017, while it was only \$33,230 in the previous year. Since 2003, this number has increased by more than 90%. However, these numbers are just an average. Some plaintiffs win millions of dollars in dog bite cases. The settlement is based on your damages, but it's also heavily influenced by the skill and experience of the dog bite attorney you hire.

In many circumstances, the dog bite is the result of a dog owner who does not fully understand the responsibility that owning a dog involves. Staying alert of your dog's and other dogs' behaviors is the key to remaining safe, but that's not always possible.

By being proactive about preventing your dog from biting, you can decrease the chances that you and your dog will be involved in an attack scenario. A calm, healthy, and happy dog can be a joyful addition to your family!

²¹ Wickett, Gary. (2019, January 3). *Who Let the Dogs Out? Subrogating Dog Bite Cases*. Retrieved from <https://www.claimsjournal.com/news/national/2019/01/03/288558.htm>

About

The Law Firm of Mazow | McCullough, PC was formed in 2003 when two experienced personal injury lawyers and lifelong Massachusetts residents, Robert E. Mazow and Kevin J. McCullough, combined their experience to create a law firm dedicated to helping injured persons in Massachusetts and New Hampshire achieve fair and just compensation for the emotional, physical, and financial hardship caused by those injuries.

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YOUR FAMILY'S GUIDE TO DOG BITE INJURIES

A Simple Guide to Prevention, Injuries, Claims and Understanding the Legal Process

You can protect your family from the devastating
consequences of a dog attack

Your Family's Guide to Dog Bite Injuries is a comprehensive book that provides dog bite victims and their families with the necessary resources to navigate this painful period. It's a first step in sorting through the legal rights of dog bite victims to ensure they are as educated as possible as they move through the journey of recovery. You'll find information about dog bite laws, how to help prevent a dog from attacking you, how to deal with injuries if you do get bit, and how to get fair compensation for your suffering.

"Robert Mazow Esq. and Kevin McCullough Esq. have extensive knowledge about dog bite cases; they're truly experts in this area of law." - Tom

"Looking for an easy-to-understand guide on dog bite laws, injuries, and prevention? This book covers dog bites and related issues backward and forward." - Sarah

"I've had dogs for about 50 years of my life so I've always been pretty comfortable around them. However, some time ago I was attacked by a pit bull, resulting in a traumatic injury to the palm of my right hand, requiring 20 internal and external stitches to close the wound. As I am right-handed, it was quite disabling until the wound fully healed. Atty. Robert Mazow and his team were extremely supportive during this time. He was a fierce advocate in obtaining a great settlement for me from the dog owner's insurance company." - Mark

"Get this book if you want an inside look at how dog bite lawsuits really work, what the most important evidence is in a dog bite case, and what you need to look for in an attorney." - Jerry



About the Authors

Robert E. Mazow Esq. and **Kevin J. McCullough Esq.** are the founders and principal attorneys at Mazow | McCullough, PC, with decades of combined experience. The two joined forces in 2003 to create a personal injury law firm dedicated to helping injured persons in Massachusetts achieve fair and just compensation for the injuries they have sustained, and the emotional, physical and financial hardship caused by those injuries. Read about Attorneys Mazow and McCullough and get more information about dog bites and other personal injury topics at www.helpinginjured.com.