

FIRST CLASS DOG TRAINING

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Michigan Dog Bite Statute, MCL 287.351, states: 1).If a dog bites a person, without provocation while the person is on public property, or lawfully on private property, including the property of the owner of the dog, the owner of the dog shall be liable for any damages suffered by the person bitten, regardless of the former viciousness of the dog or the owner's knowledge of such viciousness.

2) A person is lawfully on the private property of the owner of the dog within the meaning of this act if the person is on the owner's property in the performance of any duty imposed upon him or her by the laws of this state or by the laws or postal regulations of the United States, or if the person is on the owner's property as an invitee or licensee of the person lawfully in possession of the property unless said person has gained lawful entry upon the premises for the purpose of an unlawful or criminal act.

The state of Michigan has a "strict liability" statute. Which means dog owners or the person in possession of the dog is responsible for any physical injury which the dog causes. Michigan doesn't have the "one free bite" rule and the dog's prior friendly behavior doesn't protect the owner from a lawsuit nor do you have to prove that the dog owner knew the dog was dangerous.

Two Legal Elements to win your case

1. Prove that the defendant was the owner or had legal possession of the dog that attacked.

- Who had control / possession over the dog?
- Who has custody of dog?
- Grooming or vet records
- Prior police or animal control reports
- Witnesses, Neighbors, Friends, Relatives

2. Prove that the dog bite or injury occurred from that dog

- Witness statements: ask to have one written if possible at the scene
- Photograph before injury is cleaned and after. Medical attention being priority
- Get copy of medical records before leaving hospital

Michigan Statute of Limitations for Dog Bite Lawsuits

3 (three) years from the date of the dog attack. .A child under the age of 18. As a legal minor, bitten by a dog has until his or her 19th birthday to start formal legal suit against the owner of the dog. On the other hand, it's a good idea not to wait.

How much I am going to get from my Dog Bite Case?

Contact an experienced attorney, many factors play into deciding the amount you will get.

What to do after you are bitten?

- Follow your policies and procedures if you're working
- Go to a safe area
- Call ambulance, get medical attention
- Call Police (safety issue) or Animal Control dog complaint
- Look around for witnesses and tell the arriving officer to contact them
- Keep a mental note of what witnesses said and document when time permits
- Inform officer where the dog was when the attack occurred and where it lives if known. Officer will get owner information - name, address, phone number
- Request veterinarian's name and phone number before going to hospital
- If dog is a stray give animal control or police a complete description. Make a follow up phone call if dog was pick up and who picked it up from police custody or animal control.
- Get names of police officer or animal control officer and request report numbers

What to do if the dog owner or the insurance company contacts you?

- Do not sign any document
- Refer all questions to your attorney and provide them with the attorney's name
- Request their name and insurance company, document all information and present it to your attorney.