



Legal Lead Story: Hosting a Fun and Safe Summer Party

Summer brings longer days, great weather, and many opportunities for outdoor activities. Often these activities involve hosting family, friends, and other guests. It is good to have company and a great party but safety should be a primary consideration. Here are some things to think about....

Social host liability Inevitably, libations will abound at parties and gatherings where adults are present. There are many potential liability issues when you serve alcohol. If you will be serving alcohol, be careful in serving your guests and monitor their consumption and level of sobriety. Do not serve someone who appears to have already had too much. Have plenty of food available to counterbalance the alcohol consumption. Encourage designated drivers and have phone numbers available for local taxi or transportation services. Seriously consider establishing a cut-off time for the serving of alcohol. The easiest means of avoiding this topic is not to serve alcohol at your event.

Food safety Keep hot foods hot and cold foods cold. Cover your foods if you are having an outdoors event. If your grill is fired up, be sure to keep your guests a reasonably safe distance away from the heat. For more information on keeping your food and refreshments safe, visit <http://www.cfsan.fda.gov/~dms/fsummer.html> and <http://www.foodsafety.gov/~fsg/fsgadvic.html>.

Dangerous defects The law requires all persons to be vigilant of their surroundings and exercise due caution in moving about. Homeowners do not owe any special duty of safety to their guests and merely sustaining an injury on someone else's property does not automatically mean liability attaches. Nonetheless, prior to inviting guests to your house you should do a walk-through inspection and check for any potentially dangerous conditions. Take care to repair or otherwise address any defects or conditions that could lead to accidents or injuries. Some examples include broken/loose or warped stairs, protruding nails and screws, jagged edges on countertops and walls, dangling cords, frayed electrical wires, broken glass, unstable items in high places, and untacked rugs and carpets. It is especially important to remedy potential hidden defects (ex: buckles in carpet, low-hanging electrical cords and wires). One thought: if you will have young children in your home, it may be a good idea to invest in some cheap outlet covers to prevent little fingers in the sockets. (See Legal Lead Story on p. 2)

Healthful Hints: Light and Healthy Food for the Summer

Summer is almost here and the heat and humidity of the season calls for lighter caloric food with even more flavor. Here are few suggestions for lightening the load but keeping the flavor this summer.

Marinate on this Many store-bought barbecue sauces and marinades are high in sodium and burn quickly on the grill. Use vinegar-based marinades or just use water with an assortment with spices.

Drop fish Get your omega-3 on! Fish is healthy and easy to grill. Use lime or lemon juice to flavor the fish. (See Healthful Hints on p. 3)

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Swimming pools Homeowners and property owners are not required to hire lifeguards to monitor their pools. It is usually a good idea to have on hand some inflatable floatation/lifesaving devices, a long pole, or other equipment in the event an accident occurs. If you volunteer or agree to host a pool party for children, you assume a legal duty to supervise children and monitor their safety. It is best to have adults, not other children, monitoring your child guests' activities in the pool.

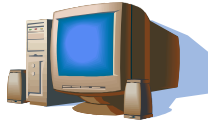
Be sure to clean and service your pool either regularly or prior to hosting a party. Just as you may be liable to guests for defects in your house, you can also be held liable for problems in or around the pool. One other issue related to swimming pools is that of the wandering, trespassing child. This is sometime referred to the case of the attractive nuisance since a swimming pool can be quite attractive to a young child. Erect a gate or fence to prevent entry to your pool when it is not in use. If a child (or adult) trespasses onto your property and is injured or killed in the swimming pool, you have no automatic legal liability.

Pets Many of these extended family members often want to partake in the party too. However, depending on the size, breed, or history of your pet it may be advisable to confine the pet or take it elsewhere when you are hosting an event. There are essentially two ways you can be held liable for injuries caused by a domestic animal: the vicious propensity method or the prior knowledge method. Under the vicious propensity method legal liability exists if (1) it is proven the animal was dangerous, vicious, mischievous, or ferocious, or one deemed by the law as possessing a vicious propensity; and (2) you knew or should have known of the animal's vicious propensity, character, and habits. The prior knowledge method dictates the law will hold you responsible for any attacks or incidents caused by your pet when you knew or had reason to know the attack or incident would occur. If your dog barks ferociously and lunges at young children or your cat swipes at passersby, keep this in mind when deciding if you will allow your pet to roam free at your house party. The prior knowledge method also holds you responsible for injuries caused by reasonably anticipated by your type of pet. For example, horses are known to kick or step on people while Rottweiler and pit bull dogs have been known to attack people.

This article should not be read to discourage you from inviting guests to your home for great summer fun. With some reasonable care, common sense, and paid up homeowners' insurance coverage, you should kick back and enjoy your summer with family and friends! -OLO



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Healthful Hints: (continued from p. 1)

Tuna, salmon, and mackerel are great grill alternatives to the typical hamburger or hot dog.

Visit the farmer's market Frozen may keep longer and canned may be more convenient sometimes but there is nothing like fresh fruits and veggies. Veggies provide flavor for your grilled items and serve as tasty side dishes. Spinach, endive, parsley, lettuce, or other leafy vegetables are the root of a good salad and great fillers on sandwiches. Berries and citrus fruits contain anti-oxidants and valuable vitamins. Fruit makes great snacks and desserts. Explore fresh produce.

Drink light and right My favorite drink is ice cold water with lemon or lime. For more flavor, try fruit juice preferably made from fresh fruit. Limit the soft drinks and alcohol. Alcohol causes dehydration and disorientation in the heat of the summer.

For more ideas on healthy summer food and recipes visit <http://www.mayoclinic.com/health/summer-recipes/RE00129>. Bon appetit! -OLO

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