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## Elderly Woman Attacked by Two Vicious Dogs



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Walton Barber represents an elderly woman who was seriously injured after being attacked by two vicious dogs while she was walking in her neighborhood. The two english bulldogs broke through their yard gate and attacked the woman and her small dog, causing serious injuries to both.

In California, the owner of any dog is liable for the damages suffered by any person who is bitten by the dog while in a public place or lawfully in a private place, including the property of the owner of the dog, **regardless of the former viciousness of the dog or the owner's knowledge of such viciousness.** This is considered strict liability. Many people are under the mistaken belief that the dog must have vicious propensities the owner is aware before liability will attach. This is untrue. Virtually anytime a dog bites a human being in a public place or while lawfully on private property, the owner of that dog will be held liable.

The analysis is a bit different if the dog is under the care of a keeper at the time of the attack. The keeper of a dog, who is not the owner, who bites a person on public property or while lawfully on private property is not automatically liable. California law requires that keeper was aware of the dog's vicious propensities before liability will be found.

For more information about legal liabilities related to animal bites please contact Walton Barber LLP.

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