

Summertime Pool Safety Tips

Keep your children safe



Did you Know? Drowning is the leading cause of injury-related death among children between 1 and 4 years old and it's the third leading cause of death among children in the United States.

<http://www.ctsafekids.org/safetyinformation/water-safety/>

Did You Know? The Virginia Graeme Baker Pool and Spa Safety Act (P&SS Act) is the law which founded the Pool Safety campaign. The law is named after Virginia Graeme Baker, a seven-year-old girl who drowned after she was trapped under water by the powerful suction from a hot tub drain.

Four Pool Safety Tips

1. **Never Leave a Child Unattended in or Near Water**—even if a lifeguard is on duty! Especially town or club pools can become extremely crowded and chaotic, making it difficult for lifeguards to safely monitor every child.
2. **Stay Away from Drains**—bathing suits, hair, loose articles of clothing or swim gear can easily get caught in pool drains or suction openings.
3. Make sure your pool or pools you visit have **safety compliant covers!**
4. Install proper **fences, barriers, covers and alarms** around your pool!



- Check out our new attorney videos at FerryLaw.com
- We are sponsoring CT Breast Health Initiative, so come and visit our booth at Walnut Hill Park on May 12th for the Race in the Park
- We are also a sponsor of Hartford Area Habitat for Humanity and the Special Olympics CT
- Look out for our new Auto Accident app, coming shortly
- Follow us on social media [f](#) [in](#) [t](#)

All Lawyers Are Not Created Equal

CONTINUED FROM PAGE 1

In fact, the client was being threatened with a lawsuit by a debt collector because of the firm's lack of attention and care to the client's file.

In less than 7 months with Ferry Law, not only was the client's case immediately put into suit and quickly settled, but Ferry Law was able to resolve the client's debt collections mess that he was left with from the prior attorney.

The point is... do not hire a lawyer who spends the most on advertising. Hire the lawyer who cares about your case and shows up to fight for you until the job is done.



connect

Volume 2 // Spring 2018



FERRY
LAW

All Lawyers Are Not Created Equal

Unfortunately, not all lawyers will fight hard for their clients, advocate to the best of their ability, and protect their clients like we do at Ferry Law. We recently settled a case for \$435,000 involving a 26-year-old NCAA Division 1 and Semi-Professional athlete who was involved in a serious motor vehicle accident that resulted in two surgeries of his right knee. The client sustained a 7% permanent partial disability to his right knee.

Hire the lawyer who cares about your case, and fights until the job is done.

The client was first represented by one of the typical TV lawyers that you likely always see on the back of a city bus. After 11 months of representation by this TV commercial law firm, the client discharged the firm of all services and hired Ferry Law. This "big box" commercial firm had done little to no work on the client's file, failed to put the case into suit, failed to reach out and check up on the client even once during an 11 month period, and let multiple medical bills go into collections.

(Continued on page 4)

- 1 **ALL LAWYERS ARE NOT CREATED EQUAL**
How to tell the differences.....Page 1
- 2 **SPRING AND SUMMER ARE COMING**
Drinking and driving safety tips.....Page 2
- 3 **RECENT CASES**
Social Host LiabilityPage 3
- 4 **SUMMERTIME POOL SAFETY TIPS**
Keep your children safe.....Page 4

Call us for a free consultation at 833-FerryLaw, and visit our website at FerryLaw.com.

Spring And Summer Are Coming

Drinking and driving safety tips for you



Summer is quickly approaching! This means an increase in barbecues, pool parties & beach parties! Make sure that if you drink, you drink responsibly! **Did You Know?** Drunk driving is still the #1 cause of death on our roadways. 2 out of every 3 Americans will be affected by a drunk driving crash in their lifetime.

Connecticut Drunk Driving Statistics

<https://www.madd.org/state-statistics/>

- Annual Drunk Driving Deaths: 100
- Drunk Driving % of Traffic Fatalities: 34%
- In 2014, CT improved its ignition interlock law, pushing 6,500 offenders onto interlocks. In 2016, CT also made driving drunk with a child an enhanced penalty.

Drive Safe & Plan Ahead—Drinking & Driving Safety Tips

1. If you're planning on drinking, **make sure you have a designated driver** or use Uber/Lyft for transportation
2. **Protect others**—don't let anyone get behind the wheel who you know has been drinking or is under the influence.
3. **Avoid erratic drivers on the road**—pull over and call the police to protect others from being injured or killed.
4. **Know the Law.** In CT, Drivers over age 21 have an elevated blood alcohol content (BAC) if it is

found to be 0.08% or more. Drivers operating a commercial motor vehicle (e.g. a large truck) have an elevated BAC if it is 0.04% or more. Under CGS §14-227g, people younger than 21 have an elevated BAC if it is found to be 0.02% or more. <https://www.cga.ct.gov/2012/rpt/2012-R-0279.htm>

5. **Don't chance it.** Do you know you can buy your own Breathalyzer to keep in your car at an affordable price? Check your local BestBuy.



Ferry Law Attorneys



Recent Cases: Glastonbury Teen Death

Social Host Liability

For the Glastonbury family whose daughter was killed in a motor vehicle accident following two nights of teen drinking at a Glastonbury home in 2013, the litigation nightmare is over. The party house in Glastonbury in 2013 was "Finks House". The Finklestein's home was where the juniors in High School would gather most every weekend. Every gathering would be an occasion to consume alcohol, smoke pot and have sex. For the 16 and 17 year old Glastonbury kids, a place to play grownup. The end result of the Las Vegas in Glastonbury for the Glastonbury High School students, Class of 2014, is that a beautiful, promising girl, never got the chance to graduate.

The problem with it is 16 year old kids don't have the maturity to understand the dangers of

alcohol. In fact, our case law says very clearly. In *Ely v. Murphy*, 207 Conn. 88, 89-90, 540 A.2d 54 (1988), the Court first held that adults could be responsible for serving/providing/purveying

A defendant may incur social host liability where he or she has provided a venue for consumption of alcohol by minors.

alcohol to minors due to their incompetence and inability to understand the specific dangers of drinking while driving. The law also says that a homeowner is responsible for the results of underage drinking in his home. Relevant case law suggests that

homeowners may be liable when they have created a permissive atmosphere of underage drinking. Whether home when the damage is done or not, is irrelevant. In *Schwarz v. Piro*, No. FSTCV106004487S, 2015 WL 522060, (Conn. Super. Ct. Jan. 9, 2015), the Court held that a defendant may incur social host liability where he or she has provided a venue for consumption of alcohol by minors; see also *Reynolds v. McAvoy*, Superior Court, judicial district of Danbury, Docket No. CV-02-0346701-S (November 4, 2004) (Nadeau, J.); and *Geise v. Gipstein*, Superior Court, judicial district of New London, Docket No. CV-09-5010726 (January 25, 2011) (Martin, J.) (holding that "a duty of care exists on behalf of the social host of a party where underage drinking is encouraged, regardless of whether the intoxicated minor consumed alcohol purchased by the social host, or alcohol brought from outside the premises. Whether that duty of care was breached... and the defendant knowingly or

negligently provided a venue for his minor guests to consume alcohol, constitutes a genuine issue of material fact..."). In addition, our Courts have consistently held that most defenses, such as assumption of the risk, are not viable against an underage drinker or victim that is driven by an intoxicated driver.