

Swimming Pool Accident Lawyer in California

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The statistics and stories surrounding unintentional drowning in the United States are sobering. [According to the Centers for Disease Control and Prevention \(CDC\)](#), approximately 10 people die from unintentional drowning every day. Of these 10 people, 2 are 14 years old or under. Specifically, where children are concerned, drowning remains the fifth leading cause of death by unintentional injury in the United States.

In California—where swimming is nearly always in season—drowning remains the leading accidental cause of death to children five years or under. For children fortunate to survive near-drowning accidents, the end of the story isn't necessarily a happy one. For each child who dies by drowning, 5 end up in the E.R. with potential long-term injuries and disabilities. Bottom line: Drowning is a serious problem in the United States that can and should be avoided at all cost to protect the lives of our kids and the families who love them. It is no secret that the culprit in many of these situations is the backyard swimming pool.

If you or someone you love suffered injury from a drowning incident, it is critical that you find a swimming pool accident lawyer in California who specifically understands the laws regarding drowning accidents. Here at [Johnson Attorneys Group](#), we are committed to protecting your rights so that you can focus on what matters most. Contact us today for [a free consultation](#).

Establishing Fault for a Drowning Accident

“Fault” in this case is simply the legal way of answering the question, “Who is responsible?” And the answer will generally fall into one of the following four categories:

Negligence

Negligence is failing to exercise reasonable care, resulting in injury or death to someone else. From a legal perspective, if one party's negligence caused a drowning accident for you or the person you love, that party must be held liable for the injuries and the consequences sustained by the victim and the victim's family.

Examples of negligence include the following:

- failure to properly supervise the children playing in or near the pool
- failure to keep swimming pool or accompanying pool equipment in good working condition
- failure on the part of the property owner to keep the area safe
- failure to hire qualified lifeguards
- failure to properly train hired lifeguards
- failure to operate a boat or other watercraft *sans* the influence of alcohol or drugs

Negligence per se (also known as strict liability)

Strict liability involves a violation of local, state, or federal regulation, statute, or law that contributes to the cause of the accident. In other words, if a party violates a regulation, statute, or law that contributes to or directly causes a drowning accident or death, that party must be held strictly liable for the injuries or the damages sustained as a direct result of that violation. In California, landlords and/or homeowners are required to install drowning prevention safety measures on new or recently remodeled pools or spas at the home.

An overview of these measures includes :

- A required enclosure
- Removable mesh fencing
- Safety cover
- Exit alarms for doors leading to the pool area
- Self-latching, self-closing devices on all doors with direct access to the pool area
- Swimming pool alarms that detect accidental entrance
- Independently verified protection measures greater than or equal to one of the above safety measures—as approved by the proper authority

If you aren't sure whether your case fits the qualifications for any of the above, we are here to help. Do not hesitate to contact one of our drowning accident lawyers for a [free consultation](#). We will carefully review the details of your case to determine whether or not we can help you find the compensation you deserve.



Premises liability: Property owners remain responsible for injuries that occur on their property specifically due to hazardous or dangerous conditions that the property owner knew about and didn't adequately address. Property owners with a pool must take responsibility to ensure it is safe for anyone entering the property—including someone who trespasses.

Inadequacies on the party of the property owner include (but are not limited to):

- failure to maintain adequate pool or safety equipment in reasonably safe conditions
- failure to provide adequate fencing that could have prevented a drowning accident
- failure to warn swimmers of potential dangers (including posting signs about the depth of the pool or lack of a lifeguard)

- failure to supervise guests
- failure to provide proper, working safety equipment (including first-aid kits and/or defibrillators)
- failure to provide safe pool equipment (such as working diving board or ladders)

Important to note: As it pertains to premises liability, the following people may be held responsible for injuries or death as a result of a swimming pool drowning:

- Property owner(s) of private residential pool or spa
- Property owner(s) of private or commercial pool or spa used for the benefit of guests or renters
- Owners of government property with pool or spa (including but not limited to municipal or school pool)
- Possessor(s) or operator(s) of property (such as tenants or renters) where a pool or spa is present
- Product liability: Product liability refers to a defect in a piece of equipment (such as a fence or drain) that holds the manufacturer responsible for the drowning accident. In this case, it would be appropriate to file a liability lawsuit against a manufacturer.

Damages Compensated in Drowning Accident Cases

Especially in the case of death or long-term disability, no amount of compensation can adequately fix the hurt and harm that has been done, but compensation can go a long way in paying for the resulting medical bills, counseling services, etc., that happen as a direct result of the drowning accident. Damages as a result of drowning accident cases can be understandably enormous. ***If you or your loved one has suffered injury from a drowning accident, it is critical that you find a swimming pool accident lawyer in California who can help you receive maximum compensation for the injury and harm you and your family have suffered.***

This compensation includes:

- Funeral and burial expenses
- Future medical expenses
- Loss of companionship
- Lost income
- Medical bills (current and/or past)
- Mental and emotional distress
- Modifications to the home
- Occupational therapy
- Permanent disability
- Physical pain and suffering
- Physical therapy
- Rehabilitation

Johnson Attorneys Group are Drowning Accident Lawyers in California

If you or someone you love has been involved in a swimming pool accident or other drowning accident, do not hesitate to contact one of our drowning accident lawyers. Someone from our office specifically competent in California drowning accident law is ready and able to review the details of your case for you to see if we can help. Our goal is to allow you or the person you love to focus on recovery while we fight for what was lost. We have won

thousands of cases and have the necessary skills and resources to help you reach the highest recovery possible. [Contact us](#) today and ***receive the compensation to which you are entitled!***