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Daycares Must Fulfill Their Duty

Millions of children attend daycare centers each day.

Parents trust that their kids will be well cared for and protected from undue harm. A great majority of the time, that's the case, but when a child is injured by daycare negligence, daycares should be held accountable.

Daycare negligence can run the gamut from loose staircase handrails, unsteady bookshelves, and unsafe playground equipment, to lack of supervision, improper screening of employees, and abuse, among other forms.

Parents are frequently asked to sign a waiver of liability. The waiver informs parents that parents assume all the risk of injury or harm to their child while the child is at the daycare, essentially absolving the daycare of any liability. **Rest assured that this provision, in nearly every circumstance, has no legal standing.**

Injured children (via their parents) maintain the right to file injury claims. Daycare centers know this but continue the charade to hopefully dissuade unwary parents from filing them.

A personal injury claim must demonstrate the following:

- The daycare had a duty of care to protect the child from harm.
- The daycare breached its duty of care. The courts apply the “prudent daycare center” principle: What would a prudent daycare provider do under similar circumstances? If the injured child’s daycare falls short, they likely acted negligently.
- The breach was the direct cause of the injury; no outside factor was culpable (e.g., a newly purchased chair that most daycares use was defective, collapsed, and caused a harmful fall—the daycare would likely not be liable).
- The injury must have been foreseeable by the daycare.

Some accidents can't be prevented; others can. If daycare negligence injures your child, contact a personal injury attorney to protect their rights. •



Irish Soda Bread

Try this historic whole grain bread for a St. Patrick's Day-inspired treat.

INGREDIENTS

- 2 2/3 c. white whole wheat flour (~12 ounces)
- 3/4 c. wheat bran
- 1/2 c. plus 2 Tbsp. steel-cut oats
- 2 tsp. baking soda
- 1 tsp. baking powder
- 2 tsp. brown sugar
- 3/4 tsp. kosher salt
- 1/4 c. wheat germ
- 2 1/4 c. low-fat buttermilk (room temperature)



PREPARATION

- Preheat your oven to 400 degrees F.
- Lightly spoon flour into dry measuring cups and level with a knife. Combine flour and all ingredients **except the buttermilk** in a large bowl. Stir well with a whisk.
- Slowly add buttermilk, stirring the mixture just until it's moist. Then let sit for 15 minutes.
- Spoon batter into a 9x5-inch metal loaf pan coated with cooking spray.
- Bake at 400 degrees for 40 minutes or until a wooden pick inserted into the center comes out clean.
- Cool in pan 5 minutes on a wire rack, then remove from pan. Continue cooling on the rack. •

March 2020 Notable Dates

March 1 – National Horse Protection Day **March 3** – National Anthem Day **March 6** – National Dentist's Day
March 9 – National Napping Day **March 14** – National Write Your Own Story Day **March 18** – National Sloppy Joe Day
 March 23 – National Near Miss Day **March 28** – National Something on a Stick Day

Spring Daylight Savings Time Heightens Driving Risks



Medical professionals recommend seven to eight hours of sleep per night to function normally. Many people register on the low end of that range, and the Centers for Disease Control and Prevention estimates that one in three people consistently fall short of the mark.

For motorists, lack of sleep translates to decreased alertness, slowed reaction times, and sometimes falling asleep at the wheel, endangering everyone sharing the roadways. Drowsiness can be exacerbated by driving alone, long trips, or monotonous stretches of straight roadway with little change in environment. And the one-hour spring Daylight Savings Time adjustment makes things even worse.

A recent study conducted by researchers at the University of Colorado Boulder showed a 17-percent hike in traffic accidents the Monday following the "spring ahead" adjustment. The rate remains higher than normal for the rest of the week, too, as it generally takes the body's internal clock at least several days to fully adjust.

In addition, the time change means many motorists are now driving in morning darkness. Reduced visibility and high pedestrian-traffic areas are a volatile combination. According to the Governors Highway Safety Association, 75 percent of pedestrian deaths involving a motor vehicle occur between dusk and dawn. Even if darkness is not an issue, drivers may be greeted in their morning commute by a sun sitting low in the sky, creating serious glare problems.

Spring Daylight Savings Time can make things dicey for drivers and pedestrians. If you find yourself the victim of motorist negligence, contact an auto accident or pedestrian accident attorney to protect your rights. •

Descending into Madness

March heralds the start of one of the most prominent events in American sports: the men's NCAA basketball tournament, a.k.a. March Madness. The tournament has mass appeal, creates huge economic waves, but might strain a relationship or two.

The tournament also inspires an uptick in ... vasectomies. Many men who are ready to get snipped conveniently schedule their appointments to coincide with the tournament. Urologists note a 50-percent hike in scheduled vasectomies during this period. Recovery days spent watching wall-to-wall tournament action can ease the pain.

Roughly \$8.5 billion was wagered on the NCAA tournament in 2019, exceeded only by the Super Bowl. (Worldwide, FIFA World Cup soccer blows the roof off the joint.) The American Gaming Association estimates that only 3 percent of that amount was bet legally, as office pools are illegal in most states.

Workplaces suffer from March Madness, with corporate losses estimated at \$4 billion during the 2019 tournament. That encompassed employees discussing the games, following them online, streaming them on mobile devices, filling out brackets, and despairing over crumbling brackets.

The term March Madness was first coined in 1939 by Henry V. Porter, an Illinois High School Association (IHSA) official who used it to describe the frenzy of the state's high school basketball tournament. The IHSA eventually licensed the term but permitted other states to use it for a \$10 fee. All was well until college play-by-play commentator Brent Musburger—formerly a Chicago news reporter—used the term during a nationally televised NCAA tournament game in 1982. It caught fire, friction was created between the IHSA and NCAA (and corporate sponsors), legal action eventually ensued, and a satisfactory agreement was hammered out.

Let the Madness begin! •



A Bunch of Blarney!



The Blarney Stone is a centuries-old stone embedded in the wall of Blarney Castle in Cork, Ireland. It purportedly imbues the gift of eloquence to those who pucker up and plant one on it. Roughly 400,000 tourists do so each year—that's a lot of saliva in a confined space!

The “gift of eloquence” tie-in, though convoluted, allegedly originated in the latter part of the 16th century. The chieftain of the MacCarthy family of Ireland was being pressured to sign over Blarney Castle to Queen Elizabeth I. Whenever the queen dispatched officials to finalize the transaction, the chieftain cleverly talked his way out of it. The queen, fed up by the repeated delays, finally bellowed, “I will hear no more of this Blarney!” Thus, “blarney” came to be associated with eloquence and nonsense in one fell swoop.

To properly smooch the Blarney Stone, a person sits, leans way back, holds on to two vertical bars, and is assisted by the “Keeper of the Blarney Stone.” It appears somewhat precarious, but it's safe—unlike days of yore, when people were held by their ankles and lowered headfirst.

In fact, some archeologists and historians believe the real Blarney Stone is not the stone tourists kiss today. They say tourists were redirected to the current stone beginning in the 19th century for safety reasons. After all, a deathtrap isn't a great selling point for tourists.

As for the stone's original home, legends range from Scotland, to Israel, to the Egyptian desert. However, in 2014, geologists analyzed the Blarney Stone. It was composed of the same limestone and other materials native to Ireland. (But did they analyze the right stone?) Some stories are better left open-ended. •

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Optical Illusions to Improve Pedestrian Safety

Pedestrian injuries and fatalities caused by traffic accidents are a major problem in the United States ... and elsewhere. In 2015, over 129,000 pedestrians paid visits to emergency rooms, and in 2017 nearly 6,000 lost their lives, according to U.S. government figures.

In an effort to improve pedestrian safety, many cities throughout the world are taking an innovative approach: 3D painted crosswalks. This plan of action has also begun to "pop up" throughout the United States.

Crosswalks are painted with 3D (three-dimensional) paint. From a distance, the painted stripes appear to be solid, oblong objects that rise above the ground within the crosswalk—objects you wouldn't want to run into with your vehicle. Close-up viewers see the real deal: paint on the street, no illusions.

The purpose of 3D crosswalks is to grab the attention of drivers, so they slow down at crosswalks, and to break the routine of driver assumption and inattentiveness. Cities/towns that have implemented 3D crosswalks have been pleased with the results, but there are naysayers.

Some critics maintain that a significant percentage of drivers seeing a 3D crosswalk for the first time are startled and swerve or slam on the brakes, potentially creating additional hazards. Others believe that although crosswalks may work initially, once drivers get used to the illusion they'll be back to business as usual. Currently, no formal studies have been done to corroborate these claims.

Time will tell if 3D crosswalks help reverse the recent, upward trend in pedestrian injuries and fatalities. In the meantime, pedestrians injured by negligent motorists should contact a pedestrian injury attorney to protect their rights. •

