

## **I WASN'T INJURED BUT MY PET WAS; WHAT CAN I DO?**

At Millar & Mixon, LLC we protect the rights of injured people but sadly not of your pets. Although many consider their beloved pets to be members of the family, in the State of Georgia, pets are considered property, much like your house or car. This means no additional damages for an injury to or the loss of your pet can be recovered beyond the value of your pet and/or any vet bills you incur as a result of the attack. When a dog is injured, the person responsible for the injury can be found legally liable for the veterinarian's bills. The benefits a pet provides to his owner such as, companionship, security, and entertainment are noneconomic, unique and not covered under Georgia Law as a compensable loss. Generally, a court will allow the owner to be reimbursed for "reasonable" treatment to an injured or dead pet, so one should not expect to be compensated for additional treatment that is not as a result of the attack.

## **I WAS ALSO INJURED BY THE ANIMAL THAT ATTACKED MY PET WHILE I TRIED TO INTERVENE**

If during the rescue of your pet you were also bitten by the animal that attacked, you would then have an injury claim, as that is a dog bite/attack on a person. Please give us a call and we can speak to you about your claim.

## **SO WHAT SHOULD I DO IF ONLY MY PET HAS BEEN ATTACKED BY ANOTHER DOG/ANIMAL?**

Call your local animal control and make a report, even if the owner promises to pay your pet's vet bills. A dog that will attack a pet could, and possibly may, attack a child or another neighbor. Animal control can cite the other owner if they were not complying with your local laws and you may be able to use that to your advantage if you decide to take them to court to reimburse you for vet expenses.

Keep records of all bills for treatment and medications so that you can be compensated for those expenses. It is likely that missed time from work will not be reimbursed, so keep that in mind as you consider the amount of reimbursement you believe you deserve.

Talk to the owner and obtain information on any homeowner's insurance or liability insurance they have. Once you have that information, you can file a claim with the insurance company to cover the bills or value of the animal. If there is no insurance coverage, you can file a civil suit in magistrate court against the dog owner (Please consult your county's clerk's office if you are unsure of where to file. They can also help direct you to the forms, as well as they may be accessible on the county's website). Understand that there is a limit of \$15,000 to the amount you can recover in magistrate court. Keep this in mind when determining a course of treatment for your pet. Procedures that may be deemed unnecessary could possibly be non-recoverable. However, if you have a rare breed, or large animal that is valued above the \$15,000 cap, you may want to consult an attorney and have your claim filed in State Court.

You may also want to talk with the owner. If they are willing to negotiate paying for any vet bills you may incur, that may be an easier solution and a way to resolve the issue outside of a court room setting.

Weigh your options to determine if taking the owner of the other dog to court is worth your time and effort. Keep in mind you would have to file all the necessary paperwork on your own or obtain a lawyer that will handle property damage only cases (and you may have to pay them whether you win in court or not).

### **I WITNESSED MY PET'S ATTACK; CAN I RECOVER FOR MY EMOTIONAL DISTRESS?**

The short answer to this is no. Although witnessing an injury or the death of your beloved animal at the hands of another can prove to be very traumatic, the State of Georgia does not allow recovery for simply witnessing the destruction of property. Again, because pets are considered personal property, witnessing the attack of a pet falls under that rule. However, if you are injured by the animal that is attacking your pet, then you would have your own personal injury claim for your pain and suffering. Again, in that event, please contact us and we would be glad to speak with you about your claim.