

RECENT FLORIDA SUPREME COURT OPINION

Declares Child Waivers Invalid

by Andrew Weinstein of the Weinstein Law Firm

As parents trying to keep our children active, entertained, and safe, we have many options to consider. Be it a day at a theme park, a water park, a carnival or a local fair, we want our children to fully enjoy the experience. Many of the rides and attractions at these parks utilize equipment that must be properly maintained for safety and many owners of these attractions require parents or guardians to sign documents that protect businesses from any unforeseen accidents.

For some time these businesses have done their best to carefully craft child waivers designed to exclude all forms of risk and liability on their part. Fortunately, a recent opinion by the Supreme Court of Florida has declared these child waivers invalid. In response, the business community then attempted to convince the legislature to create a law which would allow child waivers but the Florida Justice Association and others prevented that bill from passing in the most recent legislative session.

The recent Florida Supreme Court opinion helps better protect our children by ensuring that child activity providers exercise due care before subjecting children to dangers that could have easily been avoided. Businesses need to take the necessary precautions in the basic upkeep and maintenance of equipment in order to reduce risk and protect our children.

If you have any questions regarding the latest child safety laws in the State of Florida please feel free to contact me, **Andrew Weinstein of the Weinstein Law Firm** • (954) 757-7500. See ad on page 20. You can also find useful consumer information on the Weinstein Law Firm website at www.weinstein-law.com.



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