

Useful Information for Cases Involving Slips, Trips and Falls

Our Slips, Trips and Falls experts evaluate the causes of these events for legal and insurance clients. Understanding how the human body interacts mechanically with the built environment is critical to this work. They apply their expertise in the biomechanics of gait, falls, and injury to evaluate the cause of a fall and to determine whether it was related to a defect. Our experts use a variety of evidence, such as friction tests, injury patterns, video footage and building code compliance to get answers.

Evidence is always the foundation of their analysis. This guide suggests questions to help gather all the evidence available to help us give you solid, science-based answers that stand up in court.

Guide to Discovery Questions

Basic Information

What was your height, weight and age on the day the incident happened? What clothes were you wearing? What were you carrying, in what hand were you carrying it and how heavy was it? Were you wearing sunglasses? Do you need corrective lenses? Were you wearing corrective lenses? Are you right or left handed? With which foot do you kick a ball?

Footwear

Provide a detailed description of your footwear: type of footwear, brand, model, fastening system (laces, buckle, etc.), sole material, etc. How old is the footwear? Has it ever been repaired? How often do you wear this footwear? How worn is the sole? Is the footwear still available? Has it been worn since the incident? Was the footwear damaged by the incident?

Key Sources of Evidence

1. Scene photographs taken on or close to the date of the incident that show the overall scene layout, conditions, and any alleged or possible defects, as well as surveillance videos from on-site or nearby cameras.
2. The actual footwear.
3. Maintenance records, including inspection schedule and protocols.
4. Property permits and records, including building permits, construction drawings, construction specifications and inspection records.
5. Site inspection, including detailed measurements, friction measurements, and photographs
6. Medical records, including ambulance report, doctor's and nurse's notes, radiology reports, operative notes and medico-legal reports.
7. Photographs of the injuries.

Property/Premises Information

What is the complete address of the property in question? Who owns the property? What type of property is it? What is its primary use? Was it being used for some other purpose? When was it built, remodeled or renovated?

Scene and Surface Information

Where on the property/premises did the incident happen? Mark the exact location on a photograph or drawing if possible. What was the flooring material? What brand and model of flooring was used? Is there product specification information available for the flooring? Has there been a change in the flooring material at the incident site? Was the surface clean and dry? Describe any contaminants (e.g. water, ice, dust, leaves, paper, oil, etc.). Describe any relevant discontinuities (e.g. stairs, ramps, door sills, etc.) or defects (e.g. cracks, ridges, roots, heaves, holes, etc.).

Guide to Discovery Questions

Pre-Incident Motion

Describe your path through the scene (straight, turning, etc.). What direction were you traveling? Where were you going? Were you walking or running? How fast were you traveling? Prior to the incident, did you form an impression of the surface slipperiness? Did you modify your gait to accommodate the floor slipperiness?

Detailed Incident Description

Did you slip or trip? On which foot did you slip/trip? Provide a detailed description of how the slip/trip occurred. Did your heel slip forward or did your toe slip back? How far did your foot slip? Did your foot regain traction at some point? Where in the gait cycle did you trip (start/middle/end of leg swing)? Describe if and how you tried to recover.

Did you fall? Describe how you fell. What did your body, arms and legs do while falling? What part of your body struck the ground first? What other body parts struck the ground? Did you hit any objects other than the ground? Describe your body position when it first came to rest. Which direction were you facing?

Environment and Distractions

What was the air temperature and humidity? If outdoors, was there rain or snow? Where was your attention directed immediately prior to the incident? Where were you looking? Were you using a mobile phone or other electronic device? Were you distracted by something?

Lighting and Warnings

What time of day was it? How was the scene illuminated? Were the lights working? Could you see the ground or floor surface adequately? Were there warning signs present? How many? Where were the signs located? Describe the message and color of the signs. Were there other warning signs such as yellow paint or textured surfaces?

Injuries

Describe each area of your body that was injured. Did you observe cuts, bruises, bumps, abrasions or swollen areas on your body? Do you have photographs of your injuries? Did you seek or receive treatments not covered in the medical documents? Describe prior complaints, injuries, surgeries and medical conditions. What caused the prior injuries? Describe the intensity and duration of their symptoms. Were they active or resolved at the time of the current incident? Did any prior injuries have an effect on your gait at the time of the current incident?

Other Exposures

What is your occupation? Explore work-related tasks (e.g. lifting) relevant to the injuries. Describe your hobbies or sports and the level/frequency of involvement.

