

Useful Information for Cases Involving Children in Vehicle Collisions

Properly securing a child in a vehicle requires that the appropriate Child Restraint System (CRS) device is used, that it is installed correctly in the vehicle, and that the child is properly belted into the CRS.

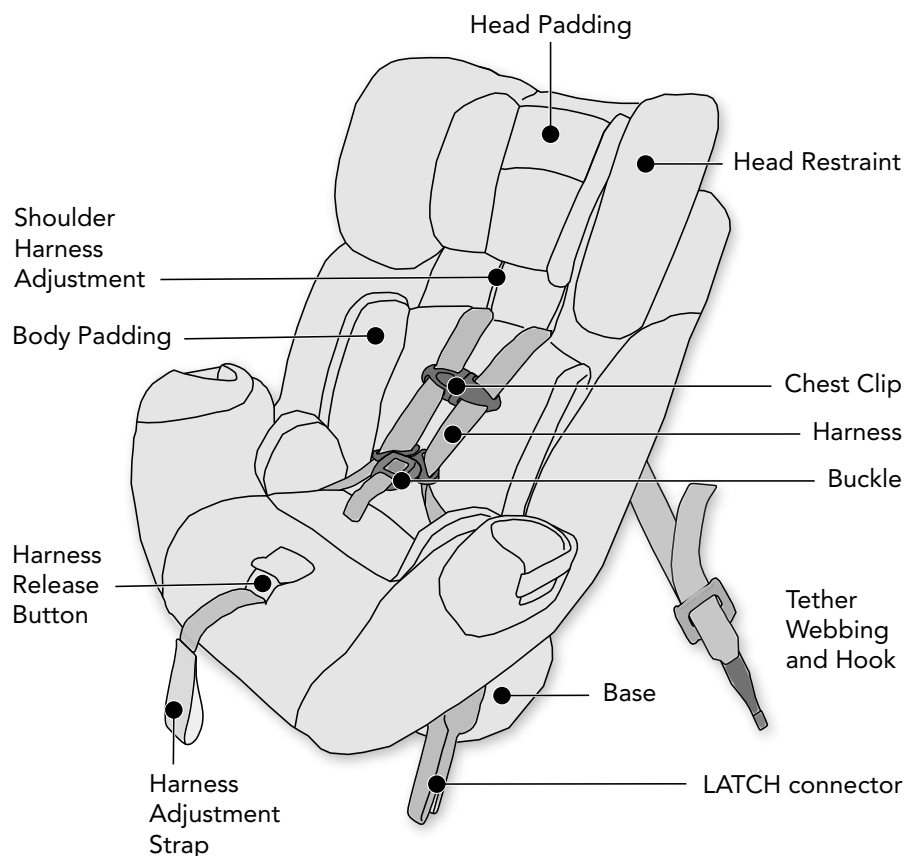
In cases involving a CRS, it is best to have the CRS inspected while it is still installed in the damaged vehicle. If an inspection is not possible, it is important to preserve the CRS or, at minimum, specific details about the CRS. Since cases involving children can take years to resolve, other information about the child and the vehicle should also be preserved.

This guide summarizes the key sources of evidence and can be used to help formulate discovery questions.

Key Sources of Evidence

1. Vehicle inspection or photographs with the CRS still installed in the damaged vehicle.
2. Preserve the damaged CRS if removed from the vehicle.
3. Document the child's injuries including medical imaging, hospital records, and photographs or descriptions of these injuries, especially lacerations, abrasions and bruises.
4. Pre-crash photographs of the CRS installed in the vehicle and the child in the CRS.
5. Photographs of the other CRSs installed in the vehicle.
6. CRS recall information prior to and on the date in question.
7. CRS and vehicle manuals.

Figure 1. Common terminology used to describe the components of a CRS. Shown is a convertible CRS that can be used rear-facing, forward-facing and as a booster seat. Refer to the manufacturer's CRS manual for terminology related to a particular CRS.



Guide to Discovery Questions

Basic Information

What was the child's age, height and weight on the incident date? Where was the child seated in the vehicle? Were they seated in a child restraint system (CRS)? What was the child wearing? What was the child doing at the time of the incident (e.g., sitting upright, slouching, sleeping with head tilted)? Describe the child's posture in detail.

Vehicle Information

What is the year, make, model, body style and vehicle identification number (VIN) of the vehicle? Was there any intrusion near the child's seat? What airbags deployed? Were any of the airbags deactivated before the collision? Did the vehicle have inflatable seatbelts in the rear seats? Did they inflate?

Child Restraint System (CRS)

What was the make, model, manufacture date and expiry date of the CRS? Was the CRS rear- or forward-facing? Where was the CRS purchased? Who installed the CRS? Was the CRS installed using a lap and shoulder belt, a lap belt only, or using an integrated anchoring system? Describe the seatbelt path on the CRS. Was the vehicle seatbelt locked when you belted the CRS to the vehicle? Was the CRS harness buckled? How tight was it fastened? Was the chest clip buckled? Where did the chest clip lie relative to the anatomy of the child's chest? Focus on details of how the CRS was installed by referring to the installation manual. Have someone describe in detail how the CRS was installed and how the CRS was adjusted to fit the child. Had the CRS been repaired or altered in any way?

Rear-Facing CRS

Did the CRS have a separate base that was being used? Where was the CRS handle positioned? Was the seat reclined for infant or toddler? Was there any extra padding in the CRS? Was the padding provided with the CRS? If not, describe the type, make and model of the padding. Was the shoulder harness adjusted below the child's shoulders? Did the CRS use a tether or a load leg?

Forward-Facing CRS

Describe how the tether was routed. What was the tether hooked to on the vehicle? How tight was the tether? Was the recline angle adjustable? Was the shoulder harness routed at or above the level of the child's shoulders?

Booster Seat

Was the booster seat a no-back, high-back or integrated booster seat? Was the booster seat itself attached to the vehicle? Was the child using the seatbelt? Was it a lap and shoulder belt or only a lap belt? Describe how the seatbelts were positioned across the child's body and the booster seat. Was a booster seat shoulder belt guide being used?

Other Occupants

Who else was in the vehicle, where were they seated, were they belted? What was everyone's age, height and weight on the incident date? Provide details regarding the type, make, model, manufacture date, seat position, and attachment method of other CRSs in the vehicle.

