Savannah Personal Injury Lawyer Discusses Difference Between Negligence And Crime

December 17, 2020

Savannah, Georgia - December 17, 2020 -
The Brown Firm, based in Georgia, is taking the initiative to educate the community about the difference between negligence and actions which will be considered criminal in nature by the states. The firm, which specializes in resolving cases caused by the negligence of others, has chosen to address this topic in a blog post published on their official website. Those interested may read more about the Personal Injury Lawyer in Savannah on their website as well.

The post begins by acknowledging that, ?The terms ?negligent? or ?negligence? are used a lot in the legal world.? Even outside the legal sphere, most people usually have some awareness of the meaning of these words. In most instances, those who have been injured in accidents are told to speak to lawyers if the negligence of others was the cause of the accident. One can see news reports about many such cases all over the media as well.

The questions, ?But what is negligence? Is there a difference between something being deemed negligent and something being considered criminal?? are brought up in the post as well. In the legal world, there are three forms of this concept: negligence, civil negligence, and criminal negligence. The post then goes on to define and list the differences between civil and criminal negligence.

The legal definition of civil negligence is ?failure to use reasonable care, that a reasonable person would, resulting in damage or injury to another.? To quote the post, ?Negligence is an integral part of personal injury cases because injuries are often the result of someone else's negligence.? Negligence can occur in cases that involve car accidents, slip and falls, workplace accidents, and more.

Negligence cases have four basic elements that are used to prove whether or not a person acted negligently. The first element is Duty, which states that the defendant owed a legal duty to the plaintiff under the circumstances. The second element is Breach, which means that the defendant breached that legal duty by acting or failing to act in a certain way. Causation is the next element, and for this, it must be shown that it was the defendant's actions (or inaction) that caused the plaintiff's injury. The final element is Damages, and

it must be shown that the plaintiff was harmed or injured as a result of the defendant's actions.

All four elements must be established in order to win a negligence case. The post explains that it is an attorney's responsibility to prove that the defendant was at fault before the other party will be able to receive any compensation for damages. An example of civil negligence could be a driver running a stop sign and driving well over the legal speed limit.

Criminal negligence is when the conduct of a person ignores an obvious risk or disregards the life and safety of those around them. To quote the post, ?Both federal and state courts describe this behavior as a form of recklessness.? The negligent person would act differently than how an average individual would under similar circumstances. An example of this is a parent or guardian leaving a loaded firearm where a small child can reach it. The post goes on to explain that, ?Certain crimes base culpability on a criminally negligent standard.? An example for this type of crime is involuntary manslaughter. For a person to be convicted of this crime and held criminally negligent, the prosecutor must prove that the defendant killed someone unintentionally ? but acted with unlawful negligence when they did it.

A term that is often confused with negligence is neglect. The terms are related but describe different types of action. It is explained in the blog post as follows: ?Both civil and criminal negligence describes failures to exercise reasonable levels of care in certain circumstances, but neglect describes a type of abuse where a person fails to care for someone who cannot care for themselves.? This often occurs in familiar or caretaking settings. The differences between neglect and negligence are explained in detail in the post. The elements needed to prove it are also addressed in depth.

Proving negligence can be difficult, which is why criminal and civil negligence cases are often complicated, expensive, and unpredictable. That is why, if one has been injured in an accident, one must enlist the help of a Savannah law firm to get the best settlement for your injury accident.

As the victim of someone else's negligence, it is the job of the injured party?s attorney to prove that the defendant was negligent. Experienced personal injury attorneys, such as the ones at The Brown Firm, will not be afraid of taking a personal injury case to court to win compensation for their client. To quote the post, ?Recognizing both criminal negligence and civil negligence keeps society safer by holding people accountable for their behavior. That's why at The Brown Firm our experienced personal injury attorneys hold negligent parties responsible for their actions.?

If one is interested in the services offered by the firm, they are encouraged to contact The Brown Firm today to set up a free consultation to go over the facts of their case. One may contact them directly via call or email as well.

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For more information about The Brown Firm, contact the company here:The Brown FirmHarry Brown JR., DC, JD(912) 274-1904info@harrybrownlaw.com7176 Hodgson Memorial Dr.Savannah, GA 31405

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The Brown Firm

Our Savannah personal injury attorneys aggressively negotiate and litigate on the behalf of our clients?, pursuing their rights to maximum compensation for their injuries.

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THE BROWN FIRM

PROTECTING THE INJURED