

We do our best to keep our kids safe, but the reality is that our children face numerous hazards every time they leave the house. If they were injured by another adult, we know who we can hold accountable. But what do you do if your child is injured by another child? Can you hold the child's parents accountable for their injuries? This is a complex issue and we encourage you to speak with an experienced [personal injury attorney](#) as soon as possible if your child has been injured by another minor.

Was the Injury Intentional or Caused by Negligence?

Whether or not you can bring a claim against the other child's parents is, to some extent, dependent upon whether the harm was intentional. If the harm was intentional, it is more difficult to hold parents accountable.

The answer to the question is more complex in cases where your child was injured as a result of another child's negligence. Generally speaking, North Carolina does not hold parents responsible for the negligence of their children. However, there are exceptions to this rule.

What Makes These Claims Unique

In most personal injury cases, the injured party pursues a claim directly against the party who caused their harm.

However, in cases involving minors and their parents, the injured party is actually pursuing a claim against a third party who was uninvolved or not responsible for causing the accident. While employers can be held liable for the negligence of their employees, parents cannot generally be held liable for the negligence of their children, except in some very specific circumstances. You should not assume that you can hold the other child's parents accountable. Speak with a personal injury lawyer.

When the Parents May Be Held Liable

The fact that their child harmed your child is, by itself, not enough to hold the other parents liable. You may be able to pursue a claim against the parents if you can prove the following two elements:

1. The parents knew or should have known the likelihood that their child would cause harm to someone else; and
2. The parents had the ability and opportunity to control their child at the time of the child's actions.

While this sounds straightforward, proving these elements in real-world situations will be more complex than you might think and will depend largely upon the facts that are unique to your case. Children and teenagers often have poor impulse control, which can make them unpredictable. As a result, proving the first element can be difficult.

And even if the child has a strong propensity to do something that would result in harm to others, the parents must be in a position to do something about it. For example, a teenager with behavioral problems and a tendency to harm others might sneak out of the house at night after the parents have gone to sleep and cause injury to another person. Unless the parents were aware that this would happen and had a reasonable ability to stop them, it's unlikely that you would be able to hold them liable for any injuries caused to you or your child.

Again, the facts will be critical and your case will need to be thoroughly investigated in order to determine whether the child's parents can be held liable. The best thing to do is contact an experienced personal injury attorney to discuss your options.

Is There Someone Else That Can Be Held Responsible?

Many children are injured by other children while at school, daycare, or on the sports field. In those situations, you may have a stronger claim against the organization that was responsible for your child at the time they were injured than the parents of the child who caused the accident.

These cases are typically based on the theory of negligent supervision - the party responsible for supervising your child failed to exercise reasonable care in order to keep them safe. For example:

- Your child was injured by another child who was being overly aggressive at football practice and your child suffered a [severe concussion](#). Investigating the incident, you discover that the coach was encouraging the child to be overly aggressive and had failed to instruct them as to how to tackle safely. You may be able to pursue a claim against the coach and the league for the injuries and other losses that your child suffered.

Teens and Car Accidents

One of the most common scenarios where the parents may be held liable for the injuries caused by their child is in the context of a [car accident](#). This is typically because the car is owned by the teen's parents and the teen is covered by

their parent's car insurance. If their insurance is insufficient to cover your losses, you may be able to pursue the parents personally if you can prove either of the following:

- The parents negligently entrusted the car to their child. This is essentially the same as the theory outlined above - the parents knew their child would likely cause harm and failed to prevent it.
- The child was driving the car for a "family purpose" - the car was owned by the family for general family use and the child had express or implied permission to drive it.

Contact Martin & Jones if Your Child Has Been Injured by Another Child

These cases are extraordinarily complex and you must proceed carefully in order to be successful. [Contact us](#) today to discuss your options - call us at 800-662-1234 to schedule a free consultation.