

Who Is Responsible if My Child Is Injured at Daycare?

Louisiana Takeaway Toolkit • Updated March 2, 2026

Quick Answer

- The daycare company can be responsible if it failed to use reasonable care in supervision, staffing, training, or safety rules.
- Staff conduct matters, and a facility can also be responsible for what employees do while working.
- Other parties may be involved, such as the property owner, a transportation provider, or an equipment/product company.

First 72 Hours Focus

- Get medical care and ask the provider to note that the injury happened at daycare.
- Request a copy of any incident/injury report and save texts, emails, and app messages with the facility.
- Ask the facility to preserve surveillance video and keep a list of staff and witnesses.

Core Documents to Collect

| Document | Why It Matters |
|----------------------------|---|
| Incident/injury report | Locks in the facility's first version of the story. |
| Photos of injuries | Shows timing and severity before bruising changes. |
| Pickup and attendance logs | Helps prove who was present and when. |
| Medical visit notes | Connects symptoms and timing to daycare. |

Tip: Keep a one-page timeline with dates, who you spoke with, and what was said.

Infographic: Evidence Blueprint

5 steps + first 72 hours checklist

Daycare Injury Evidence Blueprint

Proving what happened
starts with a timeline

5-Step Proof Plan



First 72 Hours Checklist

- Take injury photos
- Ask for report copy
- Save texts + emails
- Ask to save video
- List staff + witnesses
- Keep clothes unwashed

Infographic: Defense vs Evidence

Common arguments and proof anchors

**Daycare Injury
Defense vs Evidence**

Common insurer angles
and what closes gaps

| Defense Angle | Evidence Anchor |
|--------------------------------|--|
| Normal kid fall No big deal | Incident report Photos of hazards Day-of doctor note |
| No poor supervision | Staffing logs Video + witnesses Training records |
| Waiver protects us | Keep signed papers Facility policies Licensing rules |
| Happened at home | Pickup timeline Witness notes Day-of doctor note |

Free Case Review: Next Steps

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What We Do First

- Evidence triage: identify what can disappear quickly (video, logs, staff schedules) and act on it.
- Deadline spotting: flag Louisiana prescription issues early so nothing is missed.
- Insurance strategy: protect you from pressure to give a recorded statement or sign broad releases too soon.

Contact

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This toolkit is general information and is not legal advice. Outcomes depend on the facts.