

How Michael Haggard, Aquatic Attorneys, Approaches Drowning and Pool Injury Cases

When a family loses a child to a drowning or suction entrapment, the first call often goes to a general personal injury lawyer. That is a natural reaction, but water-related deaths and injuries come with a set of legal and technical problems that most trial attorneys never see. The physics of a pool drain, the history of a spa suction cover, the CPSC data on entrapment incidents - these are not things a typical firm deals with. That is why a specialized practice like Michael Haggard, Aquatic Attorneys exists, and why the Haggard Law Firm built an entire division around aquatic injury and drowning cases.

I have spent years in the courtroom on the defense side of premises liability, and I can tell you that the difference between a generalist and a specialist in this field is not just knowledge. It is the ability to walk into a deposition and know exactly what the maintenance records should show, what the manufacturer's warnings should have said, and how the Virginia Graeme Baker Act changed the standard of care for public pools. When you are up against a hotel chain or a cruise line, that depth matters.

The Reality of Drowning Litigation

Drowning is the leading cause of death for children ages one to four in the United States, and it happens fast. A child can slip under the water in a residential pool, a community spa, or a hotel swimming pool in under thirty seconds. The legal questions that follow are brutal: Was there a gate that should have been locked? Was the drain cover compliant with federal safety standards? Did the property owner have adequate supervision or alarms? These are not abstract issues. They are facts that a lawyer has to prove with documents, expert testimony, and inspection reports.

I once worked a case where a toddler wandered through an unlatched gate at a vacation rental and drowned in the pool. The rental company argued that the gate latch was working fine the day before. But the maintenance log showed complaints going back months. That is the kind of detail that wins or loses a case. A firm like [Michael Haggard, Aquatic Attorneys](#) lives in those details. They do not just ask about the gate. They ask about the manufacturer, the installation date, the inspection history, and whether the latch met the ASTM standard for pool safety barriers.

Suction Entrapment and the Physics Nobody Talks About

Suction entrapment is one of the most horrifying injuries I have seen in litigation. A child sits on an open drain in a spa or a shallow pool, and the suction from the pump holds them

underwater. The force can be strong enough to disembowel or drown a child in minutes. It is not a rare accident. The CPSC has documented hundreds of entrapment incidents, and most of them involve residential spas or public wading pools.

The Virginia Graeme Baker Act, passed in 2007, required public pools and spas to install anti-entrapment drain covers and safety vacuum release systems. But compliance is spotty. Many facilities still operate with old equipment, and enforcement depends largely on state and local inspections. If you are handling an entrapment case, you need to know the exact model of the drain cover, whether it was properly tested, and whether the pump system met the ANSI/APSP standards. That is not something a general personal injury lawyer typically has in their toolkit.

The Haggard Law Firm, based in Coral Gables, Florida, has built a reputation for taking these cases nationwide. Their Aquatic Attorneys division focuses specifically on pool and spa injuries, including drowning, suction entrapment, and negligent security around water features. When you combine decades of trial experience with a team that understands the engineering and regulatory side of pool safety, the result is a practice that can go toe-to-toe with the insurance defense firms that represent hotels, cruise lines, and property owners.

Negligent Security Around Water

Not every pool injury involves a drain or a gate. Some involve a lack of security. I have handled cases where a child was attacked in a pool area that had no fence, no lighting, and no security patrols. The property owner knew the area had a history of trespassing but did nothing. That is negligent security, and it is a growing area of swimming pool litigation.

Hotels and apartment complexes have a duty to protect guests from foreseeable harm in common areas, including pools and spas. When a property is located in a high-crime area or has had previous incidents, the owner must take reasonable steps to prevent another tragedy. That can mean hiring security, installing cameras, or simply locking the pool gate after hours. A good aquatic injury lawyer will look at the crime statistics, the incident history, and the security measures that were in place - or, more often, the ones that were missing.

Boating and Cruise Injuries

Aquatic injury is not limited to pools and spas. Boating accidents and cruise ship injuries present their own set of challenges. Federal maritime law governs most cases that happen on navigable waters, and the rules are different from state negligence law. For example, a cruise passenger who slips on a wet deck may have only a year to file a claim, and the ticket contract often limits where and how you can sue. A boating accident in a lake or river might fall under state admiralty law, which can be confusing even for experienced personal injury attorneys.

I have seen cases where a family lost a loved one in a boating accident because the operator was inexperienced and the boat lacked proper safety equipment. The legal questions include whether the operator was negligent, whether the boat manufacturer failed to warn about a known defect, and whether the rental company should have provided a safety briefing. These are not easy cases, and they require knowledge of both state and federal law.

The Aquatic Attorneys group at the Haggard Law Firm handles these cases as part of their practice. Whether it is a cruise injury in international waters or a boating accident in the Florida Keys, the firm brings the same focus on evidence, safety standards, and accountability.

What the Virginia Graeme Baker Act Means for Pool Owners

I want to take a moment on the Virginia Graeme Baker Act because it is one of the most important pieces of pool safety legislation in the country, and many property owners still do not understand their obligations. The act requires that all public pools and spas - including those at hotels, apartment complexes, and community centers - have compliant drain covers and, in most cases, a safety vacuum release system that shuts off the pump if a blockage is detected.

Compliance is not optional. The CPSC has the authority to issue recalls on drain covers that fail testing, and several major brands have been recalled in the past decade. If a pool owner ignores the requirement and a child is injured, the legal consequences can be severe. In a wrongful death case, the fact that the owner knew about the requirements and failed to act can be the difference between a settlement and a jury verdict that sends a message.

I have seen defense lawyers argue that the pool owner "did not know" about the Virginia Graeme Baker Act. That argument rarely works because the law has been in effect since 2008, and the industry has published extensive guidance. A good plaintiff's lawyer will show that the owner had a duty to know, and that ignorance is not a defense.

The Role of the Aquatic Safety Group

Organizations like the Aquatic Safety Group provide training and resources for pool operators, but they also serve as a resource for attorneys who need expert opinions on pool safety standards. In a complex case, you might need a certified pool operator or a safety engineer to explain why a particular drain cover was defective or why a gate design was inherently dangerous. The Aquatic Safety Group and similar organizations help bridge the gap between the legal world and the technical world of pool operation.

For a firm like Michael Haggard, Aquatic Attorneys, having relationships with these experts is part of the job. You cannot walk into a trial and just argue that something was unsafe. You

have to prove it, with standards, testing data, and testimony from people who know the equipment inside out.

Drowning Prevention and the Law

Drowning prevention is not just a public health message. It is a legal obligation for anyone who owns or operates a pool or spa. The law imposes a duty of reasonable care, and what is reasonable changes as safety standards evolve. A pool that was built in 1990 may have been safe at the time, but if the owner has not updated the drain covers or added a safety vacuum release system, that pool may now be unreasonably dangerous.

I tell property owners all the time: the cost of upgrading a drain cover is a few hundred dollars. The cost of a drowning lawsuit is measured in millions, not to mention the human cost. The same goes for fencing, alarms, and security cameras. The investment is small compared to the risk.

When a case does go to trial, the jury is going to look at whether the owner acted responsibly. If the evidence shows that the owner cut corners on safety to save money, the verdict will reflect that. That is why having a lawyer who understands both the law and the practical side of pool safety is so important. The Haggard Law Firm has been doing this work since 1972, and they have seen the full range of what can go wrong. Their Aquatic Attorneys practice is the result of that experience, and it is a resource for families who need someone who truly understands the field.

If you are dealing with a drowning, suction entrapment, or any aquatic injury, the first step is to find a lawyer who knows the difference between a drain cover and a skimmer, who can read a maintenance log and spot the gaps, and who has the resources to take on a national hotel chain or a cruise line. That is what Michael Haggard, Aquatic Attorneys brings to the table, and it is why families across the country turn to Coral Gables for help.