



Slip-and-Fall & Premises Liability Checklist

Essential steps to protect your health, your rights, and your claim after an injury on someone else's property in Missouri and Kansas.

1 AT THE SCENE — SAFETY & FIRST STEPS

If you are hurt on someone else's property — a store, parking lot, apartment building, or business — the first minutes matter, because the hazard that injured you can be cleaned up or repaired before anyone else sees it.

- **Get help and care for your injury:** Ask staff to call 911 for anything serious. Your health comes first.
- **Report it immediately:** Tell the manager, property manager, or owner right away. Ask them to create a written incident report — and request a copy before you leave.
- **Don't brush it off:** When asked if you are okay, don't say "I'm fine." Adrenaline hides injuries. Keep it factual — you are hurt and you want it documented.
- **Find out who is responsible:** Get the name of the manager on duty and the name of the business, building, or property owner.

2 DOCUMENT THE HAZARD BEFORE IT'S GONE

This is what makes a premises case different — the dangerous condition is often fixed within minutes of your fall. What you capture now may be the only proof it ever existed.

- **Photograph the hazard first:** The spill, ice, broken step, torn carpet, loose handrail, or poor lighting — before anyone cleans or repairs it. Shoot from several angles, with something nearby for scale.
- **Capture the whole scene:** Any warning signs (or the absence of them), the lighting, and the surrounding area — then photograph your visible injuries.
- **Get witness information:** Names and phone numbers of anyone who saw you fall or saw the hazard.
- **Write down what happened:** The date, time, exactly what you were doing, and the condition that caused the fall — while it is fresh.



3 PRESERVE WHAT YOU CAN'T SEE

Buildings record far more than people realize — and they erase it just as quickly. Some of the most important evidence may already be on a countdown.

- **Surveillance video runs on a short loop:** Many businesses record over their footage within days. Ask, in writing, that they preserve the video of your fall before it is lost.
- **Get your copy of the incident report:** Follow up in writing for a copy of the report you asked them to create at the scene.
- **Keep your shoes and clothing:** Set aside — unwashed and unworn — the shoes and clothes you had on. In a slip-and-fall, they can be evidence.
- **Don't hand over a recorded statement:** You are not required to give the property's insurer a recorded statement. Decline politely and speak with an attorney first.

4 MEDICAL CARE & YOUR HEALTH

Your health is the priority — and your medical records are the backbone of any claim you bring.

- **Get checked out right away:** Even if you feel fine. Adrenaline can mask serious injuries — concussions, fractures, and back or soft-tissue damage — for hours or days. Go to the ER or urgent care.
- **Follow your treatment plan strictly:** Attend every follow-up and complete physical therapy. Insurers seize on “gaps in treatment” to argue you were not seriously hurt.
- **Keep every record and receipt:** Medical bills, prescriptions, mileage to and from appointments, and any out-of-pocket cost connected to your injury.
- **Track your lost work:** Document missed days, reduced hours, and any income lost because of your injuries.



5 INSURANCE & COMMUNICATION

The property's insurer will work to limit what the company pays – often by arguing you were not watching where you were going. How you handle them matters.

- **Expect a “you weren’t careful” argument:** The insurer will likely claim the hazard was obvious or that you were distracted. Don’t accept blame – let the facts and your photos speak.
- **Do not give a recorded statement:** You are not required to, and your words can be taken out of context to shift blame onto you. Decline politely and speak with an attorney first.
- **Do not accept a quick settlement or sign a release:** Early offers arrive before the full cost of your injury is known. Once you sign, you usually cannot reopen the claim.
- **Stay off social media:** Do not post about the fall, your injuries, or your daily activities. A single photo can be used by the defense to argue your injuries are exaggerated.

6 MISSOURI VS. KANSAS – KNOW WHICH RULES APPLY

In the Kansas City metro, the state where you were hurt sets your deadlines and shapes what you must prove.

Proving the Owner Was at Fault

- **Both Missouri and Kansas:** You generally must show the owner knew, or should have known, about the dangerous condition and failed to fix it or warn you – which is why documenting the hazard, and how long it had been there, matters so much.
- **Expect the “open and obvious” defense:** Owners often argue the hazard was so obvious you should have avoided it. In both states this does not automatically end your claim – it usually becomes a question of shared fault.

Deadlines & Shared Fault

- **Statute of limitations:** Missouri generally allows five (5) years from the date of injury; Kansas generally allows only two (2) years. Miss the deadline and the case is dismissed.
- **Comparative fault:** Missouri lets you recover even if you were mostly at fault (reduced by your share). Kansas bars any recovery if you are found 50% or more at fault.

When It’s More Than a Fall – Inadequate Security

- **Premises liability also covers foreseeable crime:** If you were hurt in an assault or robbery that better security – adequate lighting, working locks, cameras, or guards – could have prevented, the property owner may share responsibility for what happened.



EXTRA NOTES

You deserve clarity, representation, and a full pursuit of what is right.

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