

Tom: Fall's already begun. Halloween's right around the corner. What we're used to, or the costume parties and trick or treating this year will most likely have to be different. In some jurisdictions are completely banning all Halloween activities, while others are strongly discouraging it. Well, joining us this morning about the owner's responsibilities, attorney Charles Gilman, partner at Gilman and Bedigian Trial Lawyers. Good morning, Charles.

Charles Gilman: Good morning, Tom. How are you?

Tom: I'm doing well. Now we know trick or treating and costume parties are now against new social distancing rules - for some jurisdictions, trick or treating, but for parties almost all across the board. So how can people enjoy the holiday this year. What can they do to do it?

Gilman: Well, Halloween's an interesting activity because people are already wearing costumes and a lot of costumes already involved masks and gloves. So if you put, not a typical mask with a mouth outline on it, but if you can figure out a costume to wear with a mask that's COVID-safe or COVID-approved, add a pair of gloves and you can probably have a very nice time with a small gathering.

And hopefully outdoors, if it doesn't rain, and if within your neighborhood people have been creating bubbles, you could certainly have a part. I don't want to call them parties, but get togethers within your bubble. And that way, you know everybody in the circle, that way you know where most of them have been, and you know they're safe. That will relieve the owner of any responsibility legally, but more importantly, morally and and the way you feel about yourself, because you didn't allow the virus spread.

Tom: Charles, what about if you are a homeowner and you decide to hand-out treats. Are there any possibilities that homeowners will be facing responsibility for a trick or treater that says that they got COVID from you?

Gilman: In Maryland, the answer to that is going to be "no" because there's an assumption of risk doctrine. That stands for the proposition that if you do something inherently dangerous, and I don't want to call trick or treating inherently dangerous, but if you do something that's likely to spread the virus and you're knowingly participating in it, you can't blame somebody when you get the expected outcome.

Tom: Gotcha. What other potential dangers should we be looking out for?

Gilman: Tom, it goes back to the Halloween segments I think you and I have done in the past - you still have to watch out for drunk driving. You still, if you're a driver, have to watch out for the children that might be running around their neighborhood in dark costumes. Hopefully, they're wearing glow-sticks flashlights or some device to make them more visible, but those things are still going to happen. Kids are still going to be outside being kids on Halloween, so we still have to watch out for those types of things.

Tom: All right, Charles Gilman, with Gilman and Bedigian. Thank you so much for your time. We appreciate it.

Gilman: Thanks, Tom. Have a great day.

Tom: You too.