

**5.70 PARENTAL SUPERVISION – UN-EMANCIPATED CHILD
FOR PERSONAL INJURIES (Approved 2/92)**

A parent is liable for injuries to his or her un-emancipated child only if the parental supervision or lack of it is willful or wanton.¹

The words “willful or wanton” mean conduct or inaction which is less than an intention to harm. To establish that conduct or inaction is willful or wanton, it is not necessary that the defendant parent recognize his/her (the parent’s) conduct (or inaction) as being extremely dangerous; it is sufficient that he/she (the parent) knew, or had reason to know, of circumstances which would cause a reasonable person to realize the highly dangerous character of his/her (the parent’s) conduct (or inaction).²

¹*Mancinelli v. Crosby*, 247 N.J. Super. 456, 463 (App. Div. 1991). (How to safely cross street not subject to immunity.) *Murray by Olson v. Shimalla*, 231 N.J. Super. 103 (App. Div. 1989). (Storing gasoline.) *Foldi v. Jeffries*, 93 N.J. 533, 548, (1983).

²*McLaughlin v. Rova Farms, Inc.*, 56 N.J. 288, 306 (1970).