



## At a Glance

- NOAA National Centers for Environmental Information (NCEI) offers Department of Commerce (DOC) certified data for satellite, radar and in-situ, or surface observations that serve as evidence in a court of law.
- Weather can be a defining element in a range of legal cases such as slip and fall incidents, transportation accidents, and property damage from a variety of weather events including: snow, ice, hail, high winds, tornados or lightning strikes.
- The \$250.3 billion legal services sector relies on NCEI certified meteorological data to serve as evidence when weather is a factor in legal proceedings.

## Sector Overview

The U.S. legal services industry, comprised of small, mid-sized, large, and corporate law firms, is the largest in the world, employing millions of Americans and contributing 1.3% or \$250.3 billion to the U.S. economy (2017).

When weather plays a role in a legal case, for example a transportation accident or a slip and fall incident, legal service providers turn to NCEI to obtain DOC certified data, the only official standalone meteorological data accepted without expert testimony, as evidence in the court of law.

These data have the potential to determine legal liability. This trusted, publicly available resource is indispensable to analyzing weather-related aspects of legal cases.



“Certified data must come from the government, not a third party. For legal matters you need a final authority to certify meteorological data and that’s NCEI.

– Thomas Downs, Forensic Meteorologist, WeatherBELL Analytics

# Select Applications of NCEI's Data in Legal Services

## Slip and Fall Incidents

NCEI's certified data are commonly used forensically to reconstruct a past event, such as a slip and fall incident, when weather is a factor.

If a plaintiff brings forward a slip and fall case, the verdict may depend on the timing of the incident. If the plaintiff slipped and fell during a snowstorm and the defendant did not have sufficient time to clear the snow, the defendant may be absolved of legal liability. If the plaintiff fell two days after the snowstorm, the defendant could be liable for negligence for not clearing the walkway.

In cases where weather plays a role in the accident or damage, NCEI's information is fundamental to arriving at a lawful resolution.



Image: NCEI data are used to resolve lawsuits in which weather plays a role, such as slip and fall incidents.

## Insurance Claims

In regions where hail events are frequent, property damage claims for roofs are common. In some instances, homeowners and/or contractors have intentionally damaged roofs to imitate hail damage.

NCEI's Next Generation Radar or NEXRAD data are used to verify whether hail events occurred, the size of the hail, and the location in which the event took place.

These data help prove whether a hail event was actually capable of producing the damage claimed and whether the claims were valid.



Image: NCEI data can serve as evidence for hail claims.

## "Act of God" Events

Railways are prone to extensive liability given their exposure to weather and frequency of derailments that can cause injury or death, damage to freight, and property damage.

If a train derailed due to an unavoidable weather-related incident such as a tornado, NCEI's information can be used as evidence to prove that the incident was an "Act of God" and potentially absolve the railway of liability.

In this way, NCEI's certified historical weather data can help protect railways against costly legal liability.



Image: NCEI's historical data shows whether an event is unlikely enough to count as an "Act of God" event.

NOAA National Centers for Environmental (NCEI), part of the U.S. Department of Commerce, provides access to one of the most significant archives of comprehensive oceanic, atmospheric, and geophysical data on Earth. From the depths of the ocean to the surface of the sun and from million-year-old ice cores to near-real-time satellite images, NCEI hosts over 37 petabytes of data. Public and private sectors rely on NCEI's authoritative and trusted information to create economic opportunity, mitigate climate- and weather-related losses, and preserve ecological resources.



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