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- TRIAL LAWYERS -

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*The choice of a lawyer is an important one and should not be based solely upon advertisements.*

## SLIP, FALL ... SURPRISE!

*Alex Reflects on Missouri's Surprising Slip-and-Fall Rules*



Here's to 2026! The year 2025 was an incredible one for us, and I am excited to kick off another New Year. This transition always presents a natural "reset" moment, when we set new

goals for the business and new aspirations to achieve. To start off the year, I'd like to introduce a fascinating legal rule we follow in Missouri that can have a major impact on premises liability claims in our state: the so-called "Massachusetts Rule."

The beginning of the year in St. Louis is often cold and chilly, bringing snow and ice. Not surprisingly, we see a seasonal increase in premises liability claims. The possibility of slipping and falling on snow or ice is an unfortunate and scary scenario. Victims often suffer severe, life-changing injuries. Yet a plaintiff's potential personal injury claim against a landowner or business owner can be quickly gutted under Missouri law. Remember, for a personal injury claim to be successful, we have to prove that another party breached a legal duty, and that their actions caused damage to our plaintiff.

Under the Massachusetts Rule (as applied in Missouri), landowners or business owners generally do not have a duty to remove snow or ice that accumulates on their premises. Why? Because these elements accumulate naturally and reflect a general condition in the community. What does this mean for plaintiffs? If a business or landowner chooses not to clear their premises of snow or ice and you fall and get hurt, they generally face no legal liability.

However, Missouri recognizes exceptions to the rule. The first exception creates liability if the property owner assumed a duty to remove snow or ice based on its course or prior conduct. The second exception creates liability if someone entered a written agreement to remove the snow or ice. The timing of a plaintiff's injury matters as well, based on whether snow or ice is actively falling.

This rule under Missouri law begs the question: Why would a landowner undertake the duty to remove snow and ice in the first place? I'm curious to know your thoughts. Happy New Year!



# TRIALS & THEIR TALES

- NEWSLETTER -

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## WORK HARD, WORK SMART BLUEPRINT FOR A BREAKOUT YEAR

It's getting harder and harder for me to make these deadlines for my column. I don't like that. As this year begins, we are working hard on our end to make sure we have some standard operating procedures for certain things.

These days, we are inundated with new technology, AI, and many other products that are solutions looking for a problem. If there's one thing we learned in 2025, it was that "more" doesn't necessarily mean "better" or "easier." More tech doesn't always make the office run more smoothly.

*"One of our core values is intelligent effort. Work hard and work smart. Don't just spin your wheels."*

One of the goals I have for this year is to find the right technology to solve the right problems. Much of what we have been shown solves tons of issues that really aren't very big problems. Most of these AI programs want to be everything to everyone. We don't need that.

It is the same around our office. We are trying to put the right people in the right seats so we can be the most

successful in what we are doing. At this point, we don't really need a jack-of-all-trades. We need specialists. We need everybody taking a role, working toward a common goal. That's why one of our core values is intelligent effort. Work hard and work smart. Don't just spin your wheels.

To keep that focus, we're looking to add another attorney. We're looking for someone to help us on our pre-litigation cases. That will bring our total employees to 13. Everything takes longer than you think. I heard an influential person say that, and I can say from my experience that it is true. Cases take longer than you think. Hiring takes longer than you think. Implementing new ideas and systems takes longer than you think, too. Patience truly is a virtue.

I think it was the legendary basketball coach John Wooden who said, "Be quick, but never in a hurry." In order for us to be quick and agile, we have to have things planned out. We have to have people who can do their jobs, who have clear expectations about their role, and who can deliver upon that. This sounds easy to do, but it takes a long time. Different individuals belong in different roles, and we often figure that out only after they've been in a role that doesn't suit them well. Putting the right people in the right seats is such a simple idea. But it takes time, energy, and examination.

As excited as I am for what we are doing and what we will do, I also believe we need to take stock of where we've come from. Not too long ago, the firm was just two people. We were working in a subsidized office my cousin allowed me to rent. We had a handful of cases we were able to work on and push forward. We didn't have much of an idea about what the next six months would bring or where the firm would be in three, five, or 10 years. There is a certain freedom in being in that space. You're just moving cases, working cases, and developing cases. You're not concerned about what type of space you'll need in five years, or what the rent's going to be, or what your office layout looks like, or what your marketing plan is, or anything like that. You're just working cases.

Our goal will continue to be to work cases and nurture clients and get to know them better ... to consistently do what's in clients' best interest so they have a positive outcome, whatever that may be. Here's to growing and learning ... even more in 2026 than we did in 2025!

*Ch.*



# One Jar, Countless Smiles

## KICK OFF THE NEW YEAR WITH GRATITUDE



The start of a new year always feels like a blank page full of possibilities. While many families dive into resolutions and goal-setting, try another tradition just as powerful (and a lot more fun): creating a family gratitude jar.

Instead of focusing on what to change, this little project helps you notice and celebrate what’s already good in your life. With nothing more than a jar, scraps of paper, and a few minutes daily, you can build a collection of joyful moments your family will treasure all year.

### Getting Started

*Pick a container.* It doesn’t have to be fancy. A mason jar, decorated tin, or clear plastic container all work as long as they can sit where you’ll see them daily.

*Prepare the supplies.* Cut paper into squares (3-by-3 inches works nicely) and have pens, crayons, or markers nearby. If someone doesn’t love writing, they can draw, circle options, or dictate for an adult to write. Have extras ready so you’re never scrambling.

*Set a daily ritual.* Decide together when you’ll pause to think and share. It could be after dinner, tucked into bedtime routines, or first thing in the morning. What matters is consistency. Stick with it long enough that it becomes part of your rhythm.

*Use a simple prompt.* Here’s an easy method: Ask each person, “What was a bright moment today?” Encourage them to name something specific, even if it’s small, like “the puppy barking” or “a funny joke.” Give them

space. Then have them write or draw it, slip it into the jar, and (if you like) share aloud.

*Make it meaningful later.* Open the jar together once a month or at the end of the year and read through the notes. You’ll be surprised how small moments you may have forgotten feel powerful all over again. Use them to spark intention for the coming year: “I want more of that,” or “Let’s do more kind acts like this.”

Starting a gratitude jar is about building a modest, consistent habit that opens your eyes to abundance. Over time, the jar becomes a treasure chest of your family’s stories, reminders, and unseen miracles. That collective memory anchors your family in kindness, wonder, and connection as each new year unfolds!

# Helmet Up!

## Protect Against Head Injuries During High-Speed Winter Sports

Countless recreation lovers are taking to the slopes, forests, and ice rinks this winter to enjoy their favorite sports, from skiing and snowboarding to snowmobiling and hockey.

Amid their excitement, many participants fail to think ahead about protecting themselves against traumatic brain injury (TBI). In recognition of January as National Winter Sports TBI Awareness Month, this is a good time to reflect on the head-injury risks posed by these cold-weather sports.

Many of us have seen or heard of cases when skiers collided on the slopes or a hockey player hit their head on the ice. It’s easy to understand how these TBIs happen: Take the usual risks of injury in sports, then add the potential to slide on ice or snow or collide with another person, tree, or rock at high speeds. Given these conditions, the risk of TBIs can go sky-high at this time of year.

Head injuries are among the most frequent causes of death and severe disability among skiers and snowboarders. Some 10 million Americans participate in these sports each year, and about 120,000 of them report severe head injuries. Helmet usage among skiers and snowboarders is on the rise,

but participants in the 18-24 age group still have relatively low helmet-wearing rates. For parents, a National Ski Areas Association website at [NSAA.org](http://NSAA.org) offers helmet-sizing information and other safety tips.

Hockey and ice skating are also leading causes of wintertime head injuries that send large numbers of adult and youth participants to the emergency room (ER). And riding on powered recreational vehicles, such as snowmobiles, is another activity likely to inflict head injuries among children 14 and younger.

To maximize your enjoyment this winter and avoid accidents, wear a helmet when taking part in high-speed sports on snow or ice. Be mindful of hazards in your surroundings, including rocks, patches of ice, rivers or streams, or other people.

Don’t venture out-of-bounds at ski or snowmobiling areas. Always bring along a companion or partner who can provide help if needed. Also, make sure your children and other companions know and follow these rules, too!

We at Finney Injury Law wish you a safe, satisfying, and exciting winter sports season!



## Early Nightfall, Rising Risks

### Staying Safe on Dark Wintertime Roads

Many people see changing their clocks twice a year for daylight saving time as a major inconvenience, leading to fatigue, reduced productivity, and increased mental health problems such as depression and anxiety.

The earlier onset of darkness also leads to additional hazards on the highway. While fatal crashes are most likely to occur between 8 p.m. and 11:59 p.m. during the spring and summer months, the deadliest hours from November

through March are 4 p.m. to 7:59 p.m., according to the National Safety Council.

Nightfall arrives more than 3 1/2 hours earlier this month, compared with the longest day of the year, June 21. The sun sets in the St. Louis area at 4:50 p.m. on Jan. 1, compared with 8:29 p.m. on June 21. That means several daily periods of increased traffic take place after dark, including rush hour for commuters and after-school activities for children and teens.

The highways are more dangerous after dark for several reasons. The body tends to feel more fatigued in darkness, slowing drivers’ reflexes and increasing the possibility of falling asleep behind the wheel. Drivers’ visibility is reduced, making it harder to spot pedestrians, pets, wildlife, or other vehicles crossing in front of them. Darkness also increases the difficulty of spotting hazards approaching an intersection from the side, such as another driver speeding toward a red light without stopping.

Also, some people are more likely to drive under the influence of alcohol or drugs when it’s dark, in hopes that they won’t be noticed and pulled over by police.

To protect yourself and your loved ones from highway hazards, try to avoid trips late in the day, if possible. Make sure your headlights are in good working order, including both high and low beams. Allow more time to complete nighttime trips and errands to reduce the risk of feeling rushed. Drive more slowly in general to allow yourself more time to react to hazards ahead.

And if you fall victim to a highway accident because of another driver’s negligence after dark or at any time of day, contact us for a free consultation. We will take all these factors into account to make sure your rights are protected and you are fairly compensated for any injuries or other harm you experience.



### INGREDIENTS

- 3 dried guajillo chiles
- 2 dried ancho chiles
- 1 medium onion, chopped
- 4 garlic cloves
- 1 (14.5-oz) can diced tomatoes
- 3 lbs beef chuck roast
- 2 cups beef broth
- 2 tbsp apple cider vinegar
- 1 tbsp dried oregano
- 2 tsp ground cumin
- 2 bay leaves
- 1 tsp salt
- Pepper, to taste
- Corn tortillas
- Fresh cilantro and diced onion for garnish

### DIRECTIONS

1. Soak dried chiles in hot water for 15 minutes.
2. Process chiles, onion, garlic, and tomatoes in a blender until smooth.
3. Place beef in a slow cooker and pour the chili mixture over it.
4. Add beef broth, vinegar, oregano, cumin, bay leaves, salt, and pepper.
5. Cook on low for 8-10 hours or until the beef is tender.
6. Shred the beef using forks, then mix back into the sauce.
7. Fry tortillas in oil until crispy, then assemble tacos as desired.

*Inspired by SimpleWhisk.com*

## YOUR REFERRALS MEAN THE WORLD TO US

There is no greater compliment we can receive than a client telling a friend or loved one about us. If you know somebody who has been injured and needs an attorney who will fight on their behalf and give their case the attention it deserves, please pass along this newsletter and have them call us at 314-293-4222. Thank you for spreading the word about Finney Injury Law.