

Bond Case Briefs

Municipal Finance Law Since 1971

LIABILITY - ILLINOIS

Bruns v. City of Centralia

Supreme Court of Illinois - September 18, 2014 - N.E.3d - 2014 IL 116998

Pedestrian brought negligence action against city, alleging that she tripped and fell on an uneven sidewalk. The Circuit Court entered summary judgment in favor of city. Pedestrian appealed. The Appellate Court reversed and remanded. City sought review.

The Supreme Court of Illinois held that:

- Mere fact that pedestrian was looking at the door and steps of eye clinic which was her destination did not constitute a distraction, and
- City had no duty to protect pedestrian from open and obvious sidewalk defect.

Mere fact that pedestrian was looking at the door and steps of eye clinic which was her destination did not constitute a “distraction” that would serve as an exception to the open and obvious rule in negligence action against city on the basis of sidewalk defect, where pedestrian failed to identify any circumstance, much less a circumstance that was reasonably foreseeable by the city, which required her to divert her attention from the open and obvious sidewalk defect, or otherwise prevented her from avoiding the sidewalk defect.