The Mellino Law Firm is the only plaintiff law firm in Northeast Ohio that has been accepted into Primerus, an international society of boutique law firms recognized for its quality of selection.

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**BIRTH INJURY GUIDE**

What to watch for

with your infant’s health
The category “birth injury” is a broad one. It includes any injury to the infant suffered during the birthing process, whether inside or outside the mother’s body. Some birth injuries are mild, while others do severe damage to the baby’s delicate bones, muscles, nerves, or brain. Some symptoms resolve on their own, while others linger throughout the child’s life.

According to a 2004 study in the Journal of the Chinese Medical Association (JCMA), parents and caregivers are the first ones to spot signs of 80 percent of all developmental delays diagnosed in babies and young children. Often, these parents and caregivers are also the first ones to spot the signs of a birth injury.

If you suspect your child is struggling with speech, motor skills, behavior, cognitive processes, or other developmental milestones, speak up! The sooner you bring your concerns to the attention of a doctor, the sooner your child can receive needed support. Time may also be of the essence; head injuries, such as concussions, can often be treated effectively, provided that they’re caught and treated early.

Meanwhile, consider also speaking with an experienced birth injury attorney to determine what potentially happened during the birth and whether any negligent medical professionals could be held accountable.
To know whether your child is missing his or her developmental milestones, you need some way to gauge what a “typical” baby's development looks like. Obviously, different children develop at different rates. However, the Centers for Disease Control and Prevention (CDC) suggests that typically-developing babies can generally display the following behaviors:

- **Two Months:** Baby begins to smile at people and perform brief self-calming behaviors like sucking on hands or fingers. Baby will turn his or her eyes or head to look toward sounds or parents; hold up his or her own head; and begin to push up when lying face-down.

- **Four Months:** Baby smiles spontaneously at people, gets fussy when playing stops, and tries to copy some movements and facial expressions. Baby may begin to babble, and different cries for different needs – like hunger, pain, or sleepiness – become apparent. Baby can hold his or her head steady, hold a toy, and may even be able to roll over.

- **Six Months:** Baby can tell the difference between a familiar face and a stranger and enjoys playing with familiar people. Baby may enjoy looking at himself or herself in a mirror. At this age, most babies will respond to sounds by making sounds, respond to their own names, and look around curiously at things. Baby becomes more mobile, rolling over, rocking back and forth, and beginning to sit without support.

- **Nine Months:** Baby can tell the difference between familiar grownups and strangers and may become quite “clingy” when around strangers. He or she will have clear “favorite” toys and will understand many simple words, like “no.” Babies at this age often copy other people's sounds and gestures, like pointing. They will watch things as they fall and pick up objects with the thumb and index finger. Baby can stand while holding onto things, sit up, and crawl.
Birth injuries can affect development in any number of ways, depending on the site and severity of the injury and the systems it affects. Since children develop physically, mentally, and emotionally all at the same time, you need to watch how your child moves, plays, and interacts with the world to gauge your child’s overall development.

For example, according to the Cerebral Palsy Family Network, children with cerebral palsy – a birth injury caused by damage to the brain during the birth process – may miss the “typical” developmental milestones. Instead, a two-month-old with CP may have a “floppy” head, stiff or shaky arms or legs, and difficulties with sucking or feeding. Poor head control might persist as the child develops, along with problems eating and drinking or difficulty rolling over by the age of six months, when most typically developing children have mastered this skill.
The sooner your baby's doctor is alerted to the possibility of a birth injury, the sooner he or she can run the necessary tests to diagnose an injury – and the sooner your baby will receive necessary treatment. Waiting for developmental signs to develop, however, can take months.

Luckily, there is a quicker way to become aware of the risk of a birth injury and to begin to seek answers. The following list of signs and symptoms could indicate that your baby suffered a birth injury:

- Baby was born via emergency C-section.
- Baby’s APGAR score was 5 or below.
- Baby’s skin was blue, or had a blue tinge, at birth.
- Baby needed resuscitation immediately after birth, or Baby was not crying, not breathing, or not moving at birth.
- Baby was transferred to the intensive care unit (ICU or NICU) upon being born.
- Baby had a prolonged stay in the intensive care unit after being born.
- Baby suffered seizures or tremors during his or her first week of life.
- Baby’s arms and legs are floppy or stiff – not merely “wiggly.”

If this list sounds familiar, talk to your pediatrician as soon as possible.
Atypical Development After Birth Injury: Signs to Look For

Talk to your doctor if your baby doesn’t seem to reach developmental milestones at the typical age. For example, it may be time to schedule an appointment if any of these signs occur, according to the CDC:

- **Two Months:** Baby doesn't respond to loud or sudden noises, watch things as they move, bring hands to mouth, or smile at people. Baby's smile is uneven on one side; or Baby cannot hold his or her head up when pushing up while face-down.

- **Four Months:** Baby doesn’t watch moving objects, smile at people, or make sounds. Baby may also have trouble with head steadiness, moving the eyes in all directions, or pushing down with the legs when feet are placed on a hard surface.

- **Six Months:** Baby doesn’t demonstrate curiosity toward people or sounds or try to grab items within reach. Baby struggles to make vowel sounds and roll over or seems unusually stiff or floppy in the muscles.

- **Nine Months:** Baby doesn't bear weight on legs with support or sit with help. Baby may not babble, respond to his or her own name, or seem to recognize people seen every day.