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**MAKE THE SNEWS® LAW REVIEW WORK FOR YOU:** Inside the password-protected pages of the SNEWS® Law Review, you'll find a wealth of legal advice, case reviews and articles about legal issues pertaining specifically to the outdoor recreation and fitness industries. Jim Moss serves as the editor and grand pooh-bah of the Law Review, which is a good thing because he's not only an attorney, he's also a really nice guy who can translate legalese gibberish into understandable English. Maybe that's why he teaches and lectures on law around the country too.

Recent Law Review stories with legal analysis that you could be reading now at [www.snewsnet.com/lawreview](http://www.snewsnet.com/lawreview) include:

**LEGAL ISSUES IN WILDERNESS FIRST AID:** Jim Moss has undertaken a vast research project looking into possible impacts and legal issues presented by current first-aid practices and trends in our industry. This editorial, "Protocols can, by their very existence, put the rescuer at risk," is the first in what will be a series of editorials regarding his findings. Moss begins, "It's understandable that a person would want to create protocols for wilderness first-aid situations, and remove some stress from these trying events. But if you create protocols, you'll likely create liability, rather than eliminate it."



The Law Review launched a new feature in late November 2005 that will provide you with quick summaries of court decisions and legal cases as reported by news services around the country. Recent news summaries include:



**VAIL COUNTER-SUING INJURED SKIER:** Vail is counter-suing a skier who is suing Vail over an injury she received while skiing at the resort. Julia Parsons was a season pass holder at Vail. She was skiing Feb. 20, 2004, when she struck her leg against a bridge. When she got home, she found she had injured her knee. She sued Vail for the damages. As a season pass holder, Parsons had signed a release, which states she cannot sue Vail for her injuries. Vail is counter-suing under the terms of the release for its costs of defending the lawsuit.



**VERMONT STARTS CHARGING FOR SEARCH COSTS:** The Vermont State Highway Patrol is charging lost skiers for search-and-rescue costs. In at least two instances from the 2004-05 ski season, skiers who left ski area boundaries and became lost were charged for the costs of finding and rescuing them. Vermont has a statute that specifically allows the recovery of these costs pursuant to V.S.A. § 1038(c) Skiing off designated ski trails; collision; duty to report; recovery for rescue expenses.



**COLORADO SKIERS AGREE TO PAY PART OF SEARCH-AND-RESCUE COSTS:** The Summit County News reported that three skiers agreed to pay search-and-rescue costs in a criminal case as restitution. The three skiers had ducked ski area boundaries at Breckenridge Ski Area and skied down the chutes in the Ten Mile Range near Copper Mountain. The men were charged with violating the ski safety act and fined \$200. As part of the criminal case, they agreed to restitution in the amount of \$1,175.96—the cost of the helicopter.



**CONNECTICUT SUPREME COURT REVERSES POSITION ON RELEASES:** The Connecticut Supreme Court, in a 4 to 3 decision, reversed its prior decision on the effect of releases used by providers of recreational activities. The state Supreme Court stated in its ruling that snow-tubing patrons cannot be made to sign a waiver that absolves a facility of all liability, including acts of negligence by the operator. The Connecticut ruling goes beyond what most other states have done to exempt recreational facility operators from liability for negligence. In its ruling, the court also said it violates public policy to offer snow-tubing patrons a "take it or leave it" proposition of signing such a waiver, when they have no bargaining power over its terms. More information will be provided on this case by the *Law Review* as it becomes available.



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