

LEADERS ~

What are your responsibilities?

What are your risks?

Every Leader Needs:

The right training

The right tools

The right procedures



What protection do you have?

- *Insurance

- *Liability Releases

- *Volunteer Statute



MOUNTAINEERS STEWARDSHIP/EVENT WAIVER AND SIGN-IN SHEET

Name and Location of Project: _____ Date: _____

THE MOUNTAINEERS SIGN-IN AND LIABILITY RELEASE

I hereby state that I wish to participate in event, courses and/or activities offered by The Mountaineers, a non-profit corporation. I recognize any outdoor activity may involve certain dangers, including but not limited to the hazards of traveling in mountainous terrain, accidents or illness in remote places, force of nature, and the actions of participants and other persons. I further understand and agree that without some program providing protection of its assets and its leaders, The Mountaineers would not be able to offer its courses and activities.

I understand that in this course our activity, I MAY BE PHOTOGRAPHED. I agree to allow my photo, to be used for any legitimate purpose by The Mountaineers.

In consideration of and as part payment for the right to participate in the activities offered by The Mountaineers, **I agree to RELEASE, HOLD HARMLESS AND INDEMNIFY The Mountaineers and its members from any and all liability, claims and causes of action arising out of or in any way connected with my participation, or the participation of any minor that I am signing on behalf of, in any activities offered by The Mountaineers.** This includes but is not limited to all liability claims and causes of action **in any way connected to property owned or leased by the Mountaineers, or the actions or inactions of any Mountaineers employees, members, agents, and or volunteers.**

I personally assume all risks in connection with these activities. If I am signing on behalf of a minor, I further agree to HOLD HARMLESS AND INDEMNIFY The Mountaineers and its members from all liability, claims and causes of action which the minor may have arising from the minor's participation in activities. The terms of this agreement shall serve as a release and indemnity agreement for my heirs, personal representative, and for all members of my family, including any minors (PARENTS OR LEGAL GUARDIANS MUST SIGN FOR ALL PERSONS UNDER EIGHTEEN (18) YEARS OF AGE).

I have read this release and indemnity agreement and have fully informed myself of its contents before I have signed it.

	Name (PLEASE PRINT LEGIBLY)	Signature	Sign out	Under 18?	E-mail	Address	Phone
1							
2							
3							
4							
5							
6							
7							

RCW 4.24.670

Liability of Volunteers

- (1) Except as provided in subsection (2) of this section, a volunteer of a nonprofit organization or governmental entity shall not be personally liable for harm caused by an act or omission of the volunteer on behalf of the organization or entity if:
 - (a) **The volunteer was acting within the scope of the volunteer's responsibilities in the nonprofit organization or governmental entity at the time of the act or omission;**
 - (b) **If appropriate or required, the volunteer was properly licensed, certified, or authorized by the appropriate authorities for the activities or practice,** where the activities were or practice was undertaken within the scope of the volunteer's responsibilities in the nonprofit organization or governmental entity;
 - (c) **The harm was not caused by** willful or criminal misconduct, **gross negligence**, reckless misconduct, or a conscious, flagrant indifference to the rights or safety of the individual harmed by the volunteer;
 - (d) **The harm was not caused by the volunteer operating a motor vehicle, vessel, aircraft,** or other vehicle for which the state requires the operator or the owner of the vehicle, craft, or vessel to either possess an operator's license or maintain insurance; and
- (2)
 - (3) **Nothing in this section shall be construed to affect the liability, or vicarious liability, of any nonprofit organization** or governmental entity with respect to harm caused to any person, **including harm caused by the negligence of a volunteer.**



Ponce v. The Mountaineers



NEGLIGENCE

Negligence is the failure to exercise **ordinary care**. It is the doing of some act that a **reasonably careful** person would not do under the **same or similar circumstances** or the failure to do some act that a **reasonably careful person** would have done under the **same or similar circumstances**.

ORDINARY CARE

Ordinary care for an adult or for a legal entity such as a corporation means the care a **reasonably careful** adult person or corporation would exercise under the **same or similar circumstances**.



UNIVERSITY OF
1917
ALASKA FAIRBANKS

MARY LYNCH

- ✓ Degree in Mechanical Engineering
- ✓ Facilities engineer responsible for overall safety in large manufacturing facilities worldwide for companies like Procter and Gamble and Max Factor
- ✓ Background in safety outdoor recreation
- ✓ Safety courses and certifications
- ✓ Experience in trail building and trail maintenance
- ✓ Specific training on safety for children as a school bus driver for the Issaquah School District
- ✓ Member of Washington State Parks Winter Recreational Council

MARTINIQUE GRIGG

- MBA from Harvard
- Designed an outdoor leadership program for teens
- Safety related training and certification in a number of outdoor pursuits
- Experience in trail building and trail maintenance
- Special Project Manager for the Appalachian Mountain Club (AMC), the largest outdoor recreation club in the country
- Overall responsibility for the planning and development of the Highland Center- one of the most heavily used backcountry winter recreation areas on the east coast