

WRMC Preconference 2011 *Final* 3/28/11 submitted electronically

Reb Gregg is a practicing attorney in Houston, Texas, specializing in outdoor adventure and education law. He is a member of the Wilderness Risk Managers Committee and the Accreditation Council of the Association for Experiential Education. He serves as counsel to a number of programs, including summer camps, secondary school and college outdoor programs, challenge courses and outfitters. He is a frequent speaker and writer on subjects important to the industry, and co-authors the *Outdoor Ed Adventure and Recreation Law Center* with Catherine Hansen-Stamp.

Catherine Hansen-Stamp is an attorney in Golden, Colorado. She advises recreation and adventure providers on law, liability and risk management issues. She speaks and writes on these issues both regionally and nationally, and has presented at the WRMC since its inception in 1994. Cathy provides legal counsel to a variety of organizations, including recreation, adventure and sport program providers, camps, schools, outfitters and guides. She is a member of the Wyoming and Colorado Bar Associations, and co-authors the *Outdoor Ed Adventure and Recreation Law Center* with Reb Gregg.

Title: **"What The Courts Want us to Know – 2011: Hot Issues, Hot Cases"**

- 75 word overview description (for Conference Program):

In this interactive seminar we will analyze 2010 -11 court opinions addressing the most significant legal issues in the industry. Participants will consider - and attack or defend - conflicting arguments pertaining to, among other issues: the duty of care owed to minors, negligence as an inherent risk of an activity, who can release whom for what, denial of admission to a program on the basis of a disability, a service provider's liability for gear failure (or misuse), responding to a medical emergency, and other timely issues.

- **Audience** – intermediate to advanced

- **Charge** – \$125

- **Minimum or maximum** – 9 minimum and 25 maximum

- Please provide a detailed outline of your presentation.

- I. Introductions **(20 min.)**
- II. Mini lecture – **(20 min)** Overview of the court system – how cases get filed and proceed through the court system; discussion of how cases get published and how those cases are accessed and used by lawyers and judges.
- III. Legal Cases – Hot topics from the Courts. Cathy & Reb present selected cases for interactive discussion, debate and dialogue on significant issues. Discuss case resolution. **(60 min)**
- IV. Break **(15 min)**
- V. Legal Cases – Hot topics from the Courts. Cathy & Reb present selected cases for interactive discussion, debate and dialogue on significant issues. Discuss case resolution. **(60 min)**

- VI. Interactive Case discussion – Split attendees into 3 groups for interactive review and discussion of last case; attendees will consider case issues and hypothesize with each other regarding the case resolution, etc. **(45 min).**
- VII. Blue Sky and wrap up – Audience can ask questions about cases, their hot topics, and we can raise additional hot topics in the law. **(20 min.).**

- Three tangible action items participants should be able to implement after attending this presentation. These action items should be measurable and should not require significant resources

1. Review your organization's risk management plan and policies to address or identify issues raised in current legal cases.
2. Incorporate discussion of current court cases and lessons learned into your organization's staff training.
3. Work with legal counsel to review organization's operations and significant documents (participant agreement, terms of agreement, website) in light of relevant case or statutory law in your jurisdiction.

Briefly describe specific expertise in the subject area for this presenter and previous presentation experience. (Cathy)

I focus my practice solely on assisting adventure and recreation education and related programs in the legal/risk management area. As a result, I feel comfortable and qualified in speaking on a variety of topics. I have presented at the WRM Conference almost every year since its inception in 1994, and have co-presented a WRM legal pre-conference with Reb every year since its initiation. I co-author (with Reb Gregg) articles for the *ACA Campline* and the *Outdoor Ed Adventure and Recreation Law Center*, and was former co-author with him of the *Outdoor Education & Recreation Law Quarterly* publication (no longer in circulation). I co-chaired (with Reb Gregg) the Recreation & Adventure Law CLE program in Colorado for 4 years, developed the 2 day topic presentation areas, selected the speakers, co-chaired the sessions and presented. I speak at a variety of other national and regional recreation/adventure industry conferences around the country and have done so for many years. In addition to the variety of work I accomplish for my clients in the industry, these speaking and writing opportunities have helped me develop my expertise in this area of the law. Please see my individual bio and website for more information.