



## HOW AND WHEN TO USE THE WAIVER OF LIABILITY FORM

Since 1972, Kiwanis International has provided a program of public liability insurance for its local clubs and their members. The purpose of this insurance is to protect Kiwanis clubs against claims for bodily injury or property damage caused by the negligence or the wrongful actions of a club member during a Kiwanis activity or event.

However, because of the highly litigious nature of our society, claims have been filed, in the past, against Kiwanis clubs for simple accidents which occur during an event even though the accident was not in any way caused by Kiwanis. Certainly if someone is injured due to the negligence of a Kiwanian, Kiwanis should be held accountable, but, frivolous claims have been filed under this insurance for incidents incurred accidentally for which no one is to blame.

After many years of study and working with the insurance company to resolve this problem, the Kiwanis Board of Trustees, together with the Kiwanis insurance advisor and legal counsel, is recommending to all local clubs the use of a Waiver of Liability form.

The purpose of this form is to require people to take responsibility for their own actions and to assume the risk of foreseeable injuries when they voluntarily choose to participate in a Kiwanis event. We are requesting that every local club ask each participant in an athletic event to sign a Waiver of Liability. The forms should be retained, on file, by your club for a period of two years following the event. This form is designed to cover participatory events such as:

1. Marathon or 10K races
2. Basketball, football, and various leagues and tournaments
3. Bike-A-Thon and Walk-A-Thon events
4. Tennis and golf tournaments
5. Baseball leagues and tournaments

Kiwanis feels that there is a foreseeable risk of injury as a participant (not a spectator) in these types of athletic events and that this risk should not be borne by Kiwanis as sponsor, but by the participant.