



Minnesota Youth Soccer Association  
2010 Winter Symposium  
February 6, 2010

# Discussion Items

- Insurance membership coverage
- Certificates of Insurance
- 20 Largest Liability Claims in USYSA

# Insurance Coverage

Coverages provided to MYSA and it's member associations, leagues, clubs "while acting on behalf" of Minnesota Youth Soccer Association

- I. General Liability to include Hired & Non-Owned
- II. Excess Liability
- III. Excess Accident Participant Medical
- IV. Non-Profit Liability

# Coverages not provided under the MYSA policies

- Fire, theft, vandalism claims to building structures owned by it's member associations, leagues, clubs
- Fire, theft, vandalism claims to business property owned or leased by it's member associations, leagues, clubs

- Embezzlement of registration fees, bank balances of it's member associations, leagues, clubs
- Liquor Liability Coverage
- Hired/non-owned coverage for driver transporting players
- No 24/7 liability coverage when owned or leased premises are being leased or subleased to others
- Tournament Cancellation Insurance

# I. General Liability

Purpose: Pays those sums that the “insured” becomes legally obligated to pay as damages due to bodily injury or property damage during a “covered event”.

# Types of Losses Provided Coverage

- Bodily injury to spectators and general public
- Bodily injury liability claims made by athletic participants
- Sexual abuse/molestation claims
- Goal post claims

# Covered Sanctioned Events Consist As Follows:

- Practices
- Tryouts
- Clinics
- Operation of concession stands
- Games
- Tournaments
- 24/7 coverage for fields owned by it's members
- Fund-raising drives
- Parades which teams participate
- Picnics
- Award banquets & ceremonies
- 24/7 coverage for fields leased by it's members under a lease of premises agreement

# Limits of Liability:

- \$1,000,000 per occurrence with an unlimited aggregate
- Sexual abuse sub-limit of \$1,000,000 per occurrence/\$2,000,000 aggregate

## II. Excess Liability

Purpose: Provides additional catastrophic liability coverage protection for those covered activities sanctioned by MYSA and while acting on behalf of MYSA.

- Limits are \$5,000,000 per occurrence with an unlimited aggregate for claims other than sexual abuse
- Includes coverage for sexual abuse claims at limits of \$5,000,000 per occurrence/\$5,000,000 Aggregate

# III. Excess Accident Medical

Purpose: Pays medical bills on an excess basis from accidents occurring while participating in a covered activity while acting on behalf of MYSA.

# Insured's under the policy are as follows:

- Registered team members
- Registered coaches, managers, officials
- Referees
- Volunteers

# Limits

- Reasonable medical expenses up to \$200,000 for injuries sustained in a covered accident for a period of 2 years from the date of accident.
- Each claim subject to a \$500 deductible and the application of an 80/20 co-insurance
- Accidental death benefit of \$5,000

# IV. Non-Profit Liability (D&O)

Purpose: Protects MYSA and its scheduled clubs board members, committee members, volunteers, employees for claims alleging a wrongful act (harm) attributed to the “governance of the organization”.

- Wrongful act is defined as an error, omission, misstatement, neglect, breach of duty committed by an insured in his/her capacity or by the organization

# Limits

- \$2,000,000 in the aggregate
- Unlimited defense costs
- Each claim subject to a retention of \$5,000

# Certificate of Liability Insurance

Purpose: Provides information to field owners as to current limits carried by MYSA for general liability, hired/non-owned liability, excess liability, excess accident participant medical coverages, and additional insured status.

- Certificates confer no rights to the certificate holder. Certificates do not amend, extend, or alter coverage provided under the policies indicated on the certificates.
- General liability policy is provided with a blanket additional insured endorsement.
- Certificate requests should be forwarded to MYSA for issuance through Pullen Insurance Services' Certificate on Demand System

# 20 Largest Liability Claims in USYSA



**LOOK FAMILIAR??**

# Top 20 Youth Soccer Claims

	# of Claims	Percent of Claims	Paid & Reserved
Goal Post	7	35%	\$4,147,000
Sexual Abuse Molestation	3	15%	\$1,665,000
Auto	3	15%	\$7,020,000
Participant Legal Liability	4	20%	\$1,167,481
Spectator	1	5%	\$174,000
Property-Personal Injury	2	10%	\$650,000
<b>TOTAL</b>	<b>20</b>	<b>100%</b>	<b>\$13,823,481</b>

# **Claim #1**

## **UNDER APPEAL**

Coach in personal auto waves player onto highway en route to another practice facility. Player strikes oncoming motorcycle. Motorcyclist has severe head injuries resulting in need for 24/7 residential skilled nursing care. Player admitted fault. However, lower court ruled the player was “an agent of the club” and that it benefited the club to transport the players. Ruling would be adverse for all youth sports nationally. Carrier feels there is a 50/50 chance of the verdict being overturned in 9<sup>th</sup> Circuit Court. Appeal has been heard and awaiting decision from court.

**Loss Amount: \$5,800,000**

**Indemnity Paid: \$1,000,000**

**Indemnity Reserve: \$4,000,000**

**Expense: \$ 800,000**

# Claim #2

Player fatality: Player struck by unanchored, portable goal during practice.

**Loss Amount: \$2,400,000**

**Indemnity: \$2,200,000**

**Expense: \$ 200,000**

# Claim #3

Sexual Molestation of a Minor: Soccer coach allegedly became intoxicated and sexually molested a female player. Case in litigation for two years and settled in 2004. Settlement includes \$300,000 excess.

**Loss amount: \$1,374,849**

**Indemnity: \$1,300,000**

**Expense: \$ 74,849**

# Claim #4

Auto Loss in Rented Automobile: Coach driving rental vehicle on behalf of named insured collided with motorcyclist when failing to yield while making left turn. Motorcyclist sustained severe injuries and had medical costs of almost 2.5 million.

**Loss amount: \$ 1,020,419**

**Indemnity: \$ 995,000**

**Expense: \$ 35,419**

# Claim #5

Player fatality: Player struck by unanchored, portable goal during practice.

13-year-old claim. Settlement does not reflect “time value” of money.

**Loss amount: \$ 570,000**

**Indemnity: \$ 500,000**

**Expense: \$ 70,000**

## Claim #6

Club installed outdoor field lighting system on leased premises. Homeowners Assn. filed suit against field owner and club. Field owner defended under policy as Additional Insured.

**Loss amount: \$ 500,000**

**Indemnity: \$ 150,000**

**Expense: \$ 350,000**

# Claim #7

Player injury: Player injured while performing excessive practice drills at direction of coach. Severe back injury.

**Loss amount: \$ 405,481**

**Indemnity: \$ 300,000**

**Expense: \$ 105,481**

# Claim #8

Player injury: Claim based on player mismatch. A 13-year-old player broke leg after colliding with another player.

Allegations of negligence revolved around U14s playing against U15s. Settled in mediation.

**Loss amount: \$ 401,864**

**Indemnity: \$ 285,000**

**Expense: \$ 116,864**

# Claim #9

## **Case underway but not settled.**

Player fatality: 10-year-old goalie is killed with soccer goal post collapses. Suit is naming multiple defendants. Liability may rest largely with manufacturer, but care and control issues along with inspection issues are involved. There is a strong possibility of a \$1,000,000 policy reserve.

**Loss amount: \$ 535,000**

**Indemnity reserved: \$ 500,000**

**Expense: \$ 35,000**

# Claim #10

Player injury: Unsecured goal falls on player. Coach was player's father. Field owner was initially sued and defense was tendered based on additional insured agreement.

**Loss amount: \$ 253,246**

**Indemnity: \$ 225,000**

**Expense: \$ 28,246**

# Claim #11

Player injury: Poor field conditions were cited as the reason for the injury -- a broken leg which required surgery. Injury was sustained on a wet, muddy field. Settled in mediation. (Total amount represents total loss – Indemnity & Expense show soccer portion.)

**Loss amount: \$ 249,196**

**Indemnity: \$ 115,000**

**Expense: \$ 49,196**

# Claim #12

Auto loss in rented vehicle. A club rented a 15-passenger van to transport team to out-of-state tournament. Vehicle overturned with numerous severe injuries.

**Loss amount: \$ 200,000**

**All defense costs to date.**

# Claim #13

Spectator injury: A 79-year-old female fell over a speed bump in school parking lot while attending a soccer game. She later died of a heart attack caused by an infection from the injury. The school district intended to have their full defense tendered through their indemnification agreement. In mediation, the school district was ordered to pay \$242,500 and a smaller amount was awarded to be paid by soccer league.

**Loss amount: \$ 174,182**

**Indemnity: \$ 82,500**

**Expense: \$ 91,682**

# Claim #14

Pending notification of suit.

Hotel property damage: Players were kicking a soccer ball in the hallways of a hotel. A sprinkler head was knocked off resulting in significant water damage. Coverage review denied coverage to players and families and their Homeowner's policies have been placed on notice of the loss.

**Loss Amount: \$160,000**

**Reserved Indemnity: \$ 150,000**

**Expense paid: \$ 5,742**

**Expense reserved: \$ 4,757**

# Claim #15

Soccer goal injury: League members unlocked and moved a goal that had been secured by the city. Claimant was struck in head when goal fell. \$32,500 was paid on behalf of the League and an equal amount paid on behalf of the city based on Additional Insured agreement.

**Loss amount: \$ 158,680**

**Indemnity: \$ 65,000**

**Expense: \$ 93,680**

# Claim #16

Personal Injury: Coach made soccer player drop his pants in front of teammates during practice because player was not performing drills properly.

**Loss amount: \$ 150,000**

**Indemnity: \$ 120,000**

**Expense: \$ 30,000**

# Claim #17

Sexual abuse: Coach had a consensual affair with a teenaged female team member.

**Loss amount: \$ 140,000**

**Indemnity: \$ 120,000**

**Expense: \$ 20,000**

# Claim #18

Injury to participant: An unanchored, portable goal owned by a club on a municipal field fell and struck a participant not associated with the State Association or club. A head injury resulted.

**Loss amount: \$ 120,000**

**Indemnity: \$ 25,000**

**Expense: \$ 95,000**

# Claim #19

Player injury: Player sustained severe tendon damage after colliding with an unpadded protrusion from a wall during an indoor practice. Soccer League and Board of Education were defended. \$300,000 was sought, but case settled for less.

**Loss amount: \$ 110,653**

**Indemnity: \$ 85,000**

**Expense: \$ 25,653**

# Claim #20

Injury to participant: An unanchored, portable goal struck a player during practice resulting in head and shoulder injuries.

**Loss amount: \$ 110,000**

**Indemnity: \$ 88,000**

**Expense: \$ 22,000**