

How to Stay Clear of the Courtroom

Nobody becomes an official in order to spend time in court. Yet officials have to acknowledge that it is a litigious society and they could be blamed for a number of things that occur in the games they work.

Officials can take some steps to stay out of court — or if that is unavoidable, at least win if they're in court. The most important thing officials can do is prepare for the business aspects of officiating. Officials need to master the rules of their sport and meet the certification requirements of their governing body. Having professional credentials and mastery of what one does gives an official more credibility if he or she ends up in court.

An official's work begins well before the game. Officials should inspect the field or court before the game. They also should inspect the players' equipment to ensure that the equipment complies with safety rules. Officials

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should know whether certain items are not permissible for safety reasons, and they should know what standards the equipment has to meet. Letting a player participate with jewelry on or allowing an

illegal bat in a softball game could lead to a lawsuit if a player is injured.

Master player injury rules. Officials have to know when to stop games for injuries as well as whether and under what circumstances a player can return to a contest. Officials must also know if there are special procedures for bleeding players or unconscious players and how those procedures work.

Understand and enforce sportsmanship rules. An injury or fight in an out-of-control game can lead to litigation. Even if the official isn't sued, he or she can become involved in the time-consuming details of litigation. Of course, an official could do things properly and still be involved in litigation. However, an official who enforced the sportsmanship code holds a stronger position than the official who doesn't enforce the rules.

Know and enforce ejection procedures. At some levels of play, ejected players aren't ejected from the arena. Rather, they're confined to their bench in order to keep them under adult supervision. At other levels of play, the ejected player is ejected from the arena. Applying the wrong procedure at the wrong time in the wrong game could lead to a problem that would not look good in court.

When it's over, keep your mouth shut. Officials don't need to be in the local sports column badmouthing people — especially if there were fights or injuries in a game. The official's obligation is to write a written report of the incidents that occurred and either keep the report or file it with a designated person in the association.

When officials inform schools, teams or leagues of ejections, they need to stick to the facts and avoid characterizations. In other words, "Player 22 hit player 12 from the other team; earlier in the game player 22 had been warned for pushing another player from the other team" is OK. "Player 22 was playing dirty throughout the game as he always does, and he lost his cool and hit player 12 from the other team" is not appropriate as it strays from the facts of the game and gets into the characterization of the player as "dirty."

An official should complement professional training and actions with good insurance. Good insurance may not keep you out of court, but it will sure help once you're in court.

Written by Don Collins, executive director of the San Francisco section of the California Interscholastic Federation. He is a longtime basketball official and lawyer. This material is for informational purposes only and is not legal advice. □

Injured on the Job

Your rights to recover for injuries you experience while officiating diminish when you participate in a contact sport. Most courts consider that by participating in a contact sport you have implicitly consented to the risk of injuries inherent in the sport. For example, if you are the referee in a pro hockey league, you generally have no legal recourse against a player who crashes into you en route to a loose puck. The player may have been careless and there may have been other routes to reach the puck, but you're out of luck. It is simply a risk inherent in hockey.

There may be times when the behavior of an athlete is so egregious, and the physical injury to the official so substantial, that it is worthwhile to seek a remedy in court. But generally, going to court will be an emotional and financial drain with little hope of recovery.

Get Wise About Weather

It is common to hear about outdoor games being postponed due to inclement weather, even basketball games being cancelled because of a leaking roof. Officials or athletic administrators have to suspend or cancel games for various weather reasons.

You and your officials association should devote attention to the avoidance of potential liability that may result from weather-related problems. Cover key issues, such as communication, league guidelines and the importance of safety, in your group meetings.