



*The Game for All Kids!*®



# Youth Soccer Insurance Claims

## Claim #1

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.

**Total: \$7,764,674**

**Indemnity Paid: \$5,000,000**

**Expense: \$2,764,674**

## Claim #1

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 was appealed to the 9<sup>th</sup> Circuit Court and verdict was upheld. State Supreme Court refused to hear another appeal.

**Total: \$7,764,674**

**Indemnity Paid: \$5,000,000**

**Expense: \$2,764,674**

## Claim #2

In April, 2004, a chartered bus with an ODP soccer team and chaperones overturned causing multiple injuries and 2 fatalities. The bus was traveling at an excessive speed on wet roads en route to Charles de Gaulle Airport, Paris. Lawsuit filed in US claimed that the State Association did not properly screen transportation company, its driver's record or do any safety planning. Jury awarded \$8,300,000 but settled for policy limits.

**Total: \$5,887,000**

**Indemnity Paid: \$5,000,000**

**Expense: \$ 887,000**

## Claim #3

Player fatality: Player struck by unanchored, portable goal during practice. The team was moving the goal back in place after it had been moved to the side by the groundskeepers.

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

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

**Expense: \$ 200,000**

## Claim #4

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 #5

Auto Loss in Rented Automobile: Coach driving rental vehicle on behalf of named insured failed to yield and collided with motorcyclist while making a 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 #6

Sexual Molestation of Minor: A coach engaged in inappropriate sexual encounters with a 13 year old female player. Coach allegedly had a history of sexual improprieties. Criminal background check, while clear, was not conducted by club at the time of hiring.

**Loss amount: \$ 769,645**

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

**Expense: \$ 269,645**

## Claim #7

Goal crossbar fell on an 8-year-old girl who jumped and hung on the crossbar. She suffered crushed facial bones. This was a portable, 3' goal owned by a local soccer club on city-owned land. Goal was not in use at the time, but it was neither anchored or chained.

**Loss amount: \$ 687,270**

**Indemnity: \$ 635,000**

**Expense: \$ 52,270**

## Claim #8

A large inflatable went airborne due to wind at a soccer fest/tournament. The vendor anchored the inflatable and provided on-site supervision; he was not an additional insured. There were multiple severe injuries.

**Loss amount: \$ 643,949**

**Indemnity to Date: \$ 9,000**

**Reserved Indemnity: \$250,000**

**Expense: \$ 384,949**

## Claim #9

Player fatality: Goalie killed by a falling goal during a scrimmage. In addition to the cost to soccer, \$300,000 was paid by the general contractor and school architect. An undisclosed amount was paid by the school.

**Loss amount: \$ 640,000**

**Indemnity: \$ 500,000**

**Expense: \$ 140,000**

## Claim #10

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

**Loss amount: \$ 580,000**  
**Indemnity Reserve: \$ 500,000**  
**Expense: \$ 80,000**

## Claim #11

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 #12

Spectator injury: A mother going to a game fell in a gopher hole in the parking lot and had to have surgery for ankle and ligament repair. She sued the city. However, the city was an additional insured under the SA policy. It was noted that complex was aware of gophers and could have eliminated them for \$8000. Initial demand was for \$800,000. Case settled for less.

<b>Loss amount:</b>	<b>\$</b>	<b>550,000</b>
<b>Reserved Amount:</b>	<b>\$</b>	<b>475,000</b>
<b>Expense:</b>	<b>\$</b>	<b>75,000</b>

## Claim #13

General liability and D&O: A coach taking a team to Europe was accused of inappropriately touching some of the boys and taking the boys to the red light district to have sex. The coach committed suicide when the information got out. SA was sued by a family for negligent supervision & sexual abuse.

**Loss amount: \$ 530,000**

**Indemnity: \$ 35,000**

**Expense: \$ 495,000**



## Claim #13

Case was fought for 5 years. Re-filed and settled for \$35,000 when boy turned 18. Legal expenses were \$195,000. Assistant coach is now suing for wrongfully termination under the Whistle Blower Policy. He claims he was terminated for bringing this matter forward to the association – not because he participated in the alleged activities.

**Loss amount: \$ 530,000**

**Indemnity: \$ 35,000**

**Expense: \$ 495,000**

## Claim #13

The assistant coach is asking for back pay and reinstatement. This has created \$300,000 in defense costs. The Association is concerned that they will be ordered by the courts to reinstate the coach in direct violation of the State's abuse and background check policies.

**Loss amount: \$ 530,000**

**Indemnity: \$ 35,000**

**Expense: \$ 495,000**

## Claim #14

Coach provided alcohol and beer to team and then engaged in sexual conduct with a player. Claimant has PTSD. Coach fled to Mexico. Incident happened in 2009; first notice of loss came in 2014. SA is having trouble finding registration data due to a change in systems.

**Loss amount: \$ 510,000**

**Indemnity: \$ 500,000**

**Expense: \$ 10,000**

## Claim #15

General liability: Club installed outdoor field lighting system on leased premises.

Homeowners Association 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 #16

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 #17

Player injury: A player had a seizure during a tournament game and quit breathing. CPR was administered immediately but an on premise AED was not used and an ambulance was not on site. Ambulance arrived in 8 minutes. Player has significant impairment – cannot speak, needs feeding tube. Lawsuit claims AED should have been used.

**Loss amount: \$ 395,800**

**Indemnity: \$ 375,000**

**Expense: \$ 20,800**

## Claim #18

Player injury: Blue sky lightning struck a player during practice. There was a clear sky and no thunder. Smart phone app like WeatherBug was not used. Child has permanent brain injury and bills in excess of \$1,000,000. State had liability cap for non-profits of \$500,000. Field owner was non-profit as was soccer club. Both contributed.

**Loss amount: \$ 278,742**

**Indemnity: \$ 250,000**

**Expense: \$ 28,742**

## Claim #19

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

<b>Loss amount:</b>	<b>\$</b>	<b>253,246</b>
<b>Indemnity:</b>	<b>\$</b>	<b>225,000</b>
<b>Expense:</b>	<b>\$</b>	<b>28,246</b>



## Claim #20

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 #21

Class action lawsuit naming US Youth Soccer, a State Association and others asking for a change in rules to limit the risk of concussion. Case was settled.

<b>Loss amount:</b>	<b>\$ 189,252</b>
<b>Indemnity Reserve:</b>	<b>0.00</b>
<b>Expense:</b>	<b>\$ 95,701</b>
<b>Reserved Expense:</b>	<b>\$ 93,551</b>

## Claim #22

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 #23

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.

**Loss amount: \$ 164,196**

**Indemnity: \$ 115,000**

**Expense: \$ 49,196**

## Claim #24

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 #25

Bullying: Coach bullied a player at practice and made him drop his pants in front of his teammates when the player did not perform drills properly.

**Loss amount: \$ 154,679**

**Indemnity: \$ 104,000**

**Expense: \$ 50,679**

## JUST FYI

# Original Reserve \$150,000

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. Families' homeowner policies paid \$90,000.

**Loss Amount: \$ 40,000**

**SA paid: \$ 15,000**

**Expense: \$ 25,000**

# What Can You Do?

## **LEARN:**

- **Know your State's laws and how they might impact your liability. For example, are coaches bound by law to report child abuse?**
- **Inventory your equipment – especially goal posts – make sure you know they are in good condition and used properly.**



# What Can You Do?

## **EDUCATE:**

- **Coaches should be instructed that portable goals must be secured before any activity. Don't rely on referees or field owners – check the goals.**
- **Goalpost safety policies should include anchoring and storage of club-owned goals when not in use on public fields.**
- **Educate all stakeholders – coaches, admins, parents & players -- in proper goal practices.**

# What Can You Do?

## **EDUCATE:**

- **Coaches should not be alone with a player. When necessary such as during one-on-one training, they should be in an open, public area.**
- **Coaches, parents and players should be made aware of what is professional coaching behavior and what crosses the line to a relationship that is too personal.**

# What Can You Do?

## **ASK:**

- **If you have questions or are aware of a potential problem, turn to the experts. Be sure your actions are correct. Stop problems before they grow.**
- **Contact your insurer, your attorney or any governmental agency necessary. Ask questions and get answers.**

# What Can You Do?

## REMEMBER:

- **Buy goals from recognized manufacturers who also carry liability insurance. Eliminate and remove any homemade goals.**
- **Don't add "additional insured" parties to your policy unless necessary – understand the contracts you are signing & pay special attention to hold-harmless & indemnity wording.**
- **When using vendors, seek to become an Additional Insured under the vendor's general liability policy.**



**Pullen Insurance noted that they have not received any liability claims for concussions to date other than the FIFA/US Soccer/US Youth class action suit.**



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