



3-Essential Elements an Expert Witness Provides for a Ski Injury Case

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This article explains 3-essential elements that Snowsports Expert and Consulting provides for complicated ski injury cases.

1. Clarity on how compliance with State statutes and industry standards establishes the Duty of Care and responsibilities for the plaintiff and the defendant.

Litigation looks at compliance with state and local statutes, as well as the voluntary compliance with national standards originated by professional organizations. Ski areas have the duty to keep their premises in a reasonably safe condition in accordance with those standards. Similarly, skiers are responsible for following the rules and guidelines, such as knowing how to ride a lift, skiing within their ability level, yielding to downhill skiers, and heeding all posted signs, closures, and hazard warnings.

2. Highly skilled forensic analysis to determine not only the cause but the potential or foreseeable cause of an incident, and to answer this important question, was the behavior of the individuals involved reasonably prudent?

This analysis would include, but not be limited to site investigation, review of incident and eyewitness reports, accident reconstruction, review of state and industry standards, equipment analysis, employee training records and background checks, risk assessment, comparative analysis, and regulatory compliance. The actions of the parties, the conditions, and the specific circumstances of the incident are also considerations of whether the party's actions aligned with what would be expected of a reasonably prudent person.

3. Provide unbiased fact-based expert opinions and reports, testimony, and trustworthy communication that explains complicated concepts in plain easy-to-understand language that educates attorneys, judges, and juries.

Snowsports Expert and Consulting utilizes specialized knowledge of skiing operations, safety protocols, engineering mechanics, and industry standards to determine the facts, document observations, reach conclusions, and render expert opinions regarding the roles and the faults of the parties involved in a ski injury case.

It is important to note specific duties of the parties can vary by jurisdiction based upon the state statutes, national standards, and how these standards overlap, interact, and influence each other. The individuality and uniqueness of the situation, including the ski area, the skier, and the conditions also contribute to the complexity of a ski injury case. An expert witness who knows and understands the sport, national standards, state statutes, inherent risks, the equipment, and engineering mechanics, is necessary to provide the 3-essential elements that bring clarity to the roles and responsibilities of the parties involved in a ski injury case.

If you are involved in such a case and are faced with complicated questions regarding the duty of care of the parties, breach of that duty, foreseeable (proximate) cause, cause, and the harm resulting from that cause, please reach out to Snowsports Expert and Consulting for a free consultation. You can reach me at (208) 972-4670, or randy@snowsportsexpert.com.