Golf-Related Injuries: Court Decisions and Implications for Venue Managers

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Legal aspects Thursday, May 29, 2014 20-minute oral presentation (including questions) (Frick)
Abstract 2014-060 3:25 PM

Many people view golf as a sort of entertainment. However, the sport of golf has potential hazards that can lead to injuries. In conjunction with the sport’s popularity, there has been a remarkable increase in golf-related injuries. Golfers, spectators, or even neighbors of golf courses can be injured by errant balls. Golf equipment, such as golf clubs or golf carts, also can be a possible cause of golf-related injuries. Golfers may be injured or even killed by lightning strikes because the sport is enjoyed outdoors. In 2009 alone, more than 41,000 Americans needed emergency-room care as a result of a golf-related injury (National Safety Council, 2011). Accordingly, golf venues may face increasing number of lawsuits and how to prevent and manage golf-related risks may be an important issue for venue managers.

There have been many court decision studies relevant to golf-related injuries resulting from golf ball, golf club, golf cart, lightning, or slip, trip, and fall accidents (DeVoto, 1993; Flynn, 1995, 1996, 1997, 2002; Kircher, 2001; Scoffield, 2004; Shadiack, 1998; Tonner, Sawyer, & Hypes, 1999). Given that legal cases concerning golf-related injuries usually include information about how a plaintiff was injured on or near a golf course, examining such cases can be used as a good source to understand injury trends among U.S. golf participants. However, there has been an apparent lack of research regarding court decisions using statistical analyses to examine the accident profiles of injured plaintiffs, including the leading causes of golf-related injuries, the most commonly injured body parts, age and gender differences in injuries, and the accident sites.

Most court decision research on golf-related injuries has used a small number of legal cases to concentrate on legal aspects associated with golf-related injuries on or near a golf course, including potential plaintiffs or defendants in golf injury lawsuits, types of claims brought by the plaintiffs, and liability and defense theories that the defendants can use under the law of tort. This method of examining a small number of legal cases on a particular subject is referred to as traditional legal analysis (Hall & Wright, 2008; Levine, 2005). This approach can help identify legal issues on a given topic (Levine, 2005). Using this method, however, the small number of legal cases can make it difficult to determine overall characteristics in all of the legal cases concerning the topic (Hall & Wright, 2008; Levine, 2005) and to identify certain factors that explain the parties’ success or failure in the legal cases associated with the topic (Levin, 2005). In an effort to supplement the limitations of traditional legal analysis, many legal scholars have tried to quantitatively analyze a large number of legal cases using an empirical method called content analysis (Hall & Wright, 2008). However, to date, relatively little research of court decisions on golf-related injuries has been done to analyze a large number of legal cases using quantitative content analysis.

Thus, this study investigates the characteristics of golf injury lawsuits brought against golf courses, specific injury patterns among injured plaintiffs on or near golf courses, as well as certain factors that can affect the golf course’s success in litigation. For these purposes, the study will analyze golf-related injury legal cases between 1930 and 2013 using quantitative content analysis. The study will be based on the methodological steps for conducting quantitative content analysis that Clement and Otto (2007) provided: (a) case selection, (b) coding scheme, and (c) statistical analysis. Using guidelines Neuendorf (2002), Weber (1985), and White and Marsh (2006) presented, the reliability and validity on coded data will be assessed.

The LexisNexis and Westlaw legal search engines will be used to find legal cases for this study. Key variables for this study will be obtained using the content of the selected cases. To examine the characteristics of golf injury lawsuits brought against golf courses, the following variables will be obtained from the legal cases, including types of plaintiffs, types of claims, types of legal defenses, age, gender, and types of golf courses. To examine the accident
profiles of injured plaintiffs on or near golf courses, the following variables will be extracted from the cases, including age, gender, the leading causes of golf-related injuries, the severity of golf-related injuries, the most frequently injured body parts, and the accident sites. Finally, to determine the most influential factors that can influence the golf course’s success in litigation, the following variables will be obtained from the cases, including age, gender, the leading causes of golf-related injuries, the severity of golf-related injuries, the most frequently injured body parts, types of plaintiffs, types of plaintiffs, types of claims, foreseeability, known dangers to a plaintiff, types of legal defenses, types of golf courses, and case outcome. The coded data will be analyzed using descriptive statistics for categorical variables, a chi-square test for independence, and binary logistic regression.

This presentation will present three types of information. First, it will show particular injury patterns among injured plaintiffs on or near a golf course due to errant ball, golf club, golf carts, lightning, or slip, trip, and fall accidents. Second, it will indicate trends in golf injury lawsuits against golf courses. Finally, it will identify factors that can explain the golf course’s success in litigation. The results of the study may be used to help golf course management design preventive measures for their golf courses. In the end, it is hoped that this study will contribute to the prevention of accidents or injuries occurring at golf courses and decrease the number of lawsuits against golf courses. Also, the information may help attorneys hired by golf courses to establish effective strategies to win a golf injury lawsuit. Conversely, using the results of the study, it may be helpful to potential plaintiffs and the plaintiff’s lawyer to develop a plan to be successful in golf injury lawsuits.