



EMO Newsletter November 2015

### **Protect Yourself With an Equine Professional Liability Endorsement**

The EMO Agency's E. Sue Bopp contributed to the United States Hunter Jumper Association's Equestrian Member Life Services Educational Initiative and offered her insights on Liability Insurance in the November issue of *USHJA In Stride* magazine.

Here's an excerpt from the article that you can access in full on the USHJA website as well as the entire series, which includes Long-Term Contingency Planning, Retirement Planning and Employer Information Services (to be published in January 2016): <http://www.ushja.org/programs/bestPractices/resources.aspx>

We all know that riding and working around horses offers inherent risks; after all, we're dealing with 1,000-pound animals with natural instincts and unpredictable behavior.

"One way for professionals to address these risks is to consider adding a Professional Equine Liability Endorsement to a commercial liability policy," said E. Sue Bopp. "This added endorsement may cover you if you become legally obligated to pay for a third-party loss resulting from the rendering or failure to render equestrian professional services.

"Yes, that last sentence was a mouthful, but in the real world accidents do occur, and sometimes they even happen despite professional oversight," she continued. "If an accident happens and the professional is legally obligated to pay damages due to any negligent act, error or omission, professional liability coverage can be vitally important."

While most incidents do not result in bodily injury or property damage and subsequent legal processes, most of us are familiar with instances in which a professional was held liable for a rider or horse injury that occurred during training or competition.

You might be surprised to learn that it's not just trainers who are at risk. Even a person not defined as a professional through the United States Equestrian Federation, such as a judge presiding over a show or a person showing a horse for sale, could become legally obligated to pay for bodily injury and/or property damage to a third party.

Several examples outline these instances:

- During a horse show, a participant is having trouble with her horse. The judge instructs the rider to continue on, and later the rider is thrown from the horse and suffers serious injury.
- The horse that throws the rider (above) subsequently runs into a fence and injures itself to the point of never being able to show again.
- During a summer horse show, a judge puts up an umbrella to shade herself from the sun. Later, a sudden wind gust lifts the umbrella up in the air, spooking two ponies in an under saddle class. Both riders fall off, and one is seriously injured.
- A client is looking for a new horse, and you advise that client to buy a horse. Later, the client finds that the horse doesn't fit his or her skill level, and he or she no longer wants the horse.

In the above scenarios, you may have to pay a loss through your own means if you don't have an Equine Professional Liability Endorsement. If that happens, legal costs and expenses could be an additional burden. The Equine Professional Liability Endorsement may also pay legal costs to defend any suit against you, subject to the policy limits, terms and conditions.

The endorsements can include coverage for judging, sales, training and instruction for regular attending students of the named insured. Depending on the judge's certification, there may be coverage afforded under or included with the specific organization. If you judge horse shows—whether USEF-sanctioned, regional or local—be sure to check with your certification organizations or the associations to learn about their provided liability coverage, if any.

Unfortunately, accidents can happen anytime to anyone, but being prepared and including a Professional Liability Endorsement in your insurance arsenal may help you recover more quickly if something goes wrong.

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