

# ALLIANCE WEBINAR

Managing Local Chapter Liability Related to COVID-19

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# ALLIANCE WEBINAR

## *Managing Local Chapter Liability Related to COVID-19*



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# Managing Local Chapter Liability Related to COVID-19

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Presented by Todd Martin

July 13, 2020



# Agenda

- What are the Theories for Covid-19 Liability?
- Chapter Liability Issues
- General Arguments Against Liability
- Specific Ideas for Helping Minimize Chapter Liability Risk

# What Are Theories for COVID-19 Liability?

Torts - Negligence or similar

- Duty of care to an individual
- Failed to meet the duty of care
- Caused injury

Statutory - Violation specific mandate

# Chapter Liability Issues

- Chapters separate entities from the parent society (generally unincorporated associations under state law)
- Chapters operate through chapter officers and members
- Chapter liability does not necessarily pass through to parent society but plaintiffs may argue against separation
- May be other theories to try to connect the society



# General Arguments Against Liability

- No duty
  - Someone else responsible
  - Assumption of risk/ waiver
  - Immunity
- Met duty
- No causation

# Specific Ideas for Helping Minimize Chapter Liability Risk

- Prohibition of in-person events
- Making available alternatives to in-person events
- Requirements/ guidelines/ communications about best practices
  - CDC guidelines
  - Local mandates
  - Other best practices
- Holding events in places equipped to manage risk

# Specific Ideas for Helping Minimize Chapter Liability Risk

- Participant Communications
  - Instructions
  - Warnings
  - Disclaimers
  - Waivers
- Insurance
- Monitor and communicate as conditions change
- Document reasonable procedures
- Other ideas?

# Thank You

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# UPCOMING EVENTS

## Alliance Virtual Roundtables & Webinars

**July 15 | 11:15 AM CDT**

**Webinar - Monthly Compliance Update & Discussion**

**July 29 | 11:15 AM CDT**

**Virtual Roundtable - Fraternal Distribution in a Remote Environment**

- Sales volume discussion (first quarter; by product; by region)
- Providing representative with the right tools; education, motivation
- Outlook for 4th quarter
- What have you learned? What has surprised you about your field force in this difficult time?



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