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**SKATING RINK ACCIDENT INVESTIGATION –  
AVOID "INVESTIGATUS INTERRUPTUS"**

Here is an all-too-typical situation in a roller skating rink claim: A skater falls and injures himself while skating during a public session. A manager arrives at the scene of the accident and asks the skater what happened. The skater states that "I lost my balance and fell" which is noted on the accident report. The manager does not conduct any additional investigation at the scene because the skater simply lost his balance and fell and there is nothing else to investigate. A year later, the skater's attorney files a lawsuit claiming that the skater's rental skates were defective causing him to fall. Since the manager never checked the skates at the time of the accident, the skating rink cannot dispute the skater's story. Because of the adverse liability, the skating rink's insurance company settles the case before it goes to trial and raises the rink's premiums for the following year.

This scenario is all too common in the roller skating industry. The skating center manager who heard the skater say "I lost my balance and fell" assumed that the accident could not possibly be the fault of the roller skating rink and that no further investigation was necessary. Therefore, the manager did not check the claimant's skates, did not inspect the area around the fall and did not ask the plaintiff about contact with any other skaters. The manager's decision to cut off his investigation is a good example of "investigatus interruptus" and can lead to serious consequences for the rink and the RSA Insurance Program.

The manager's decision to interrupt his investigation after he heard the magic words "I lost my balance and fell" allowed the skater's story to morph into a real theory of liability which was pursued by the plaintiff's attorney. The manager's inadequate investigation undermined the skating center's ability to defend itself and the insurance company had to settle.

By following the RSA/IALDA Risk Management Guidelines, "investigatus interruptus" can be avoided. Section 3 of the Risk Management Guidelines covers incident investigation, tips and techniques. The Guidelines recommend that every accident report should include an investigation into every potential claim that a plaintiff could make against a skating rink, regardless of the plaintiff's stated cause of the accident. Even if a skater states "I lost my balance and fell", the accident investigator should thoroughly examine the patron's skates and the floor area around where the patron fell. The manager should also ask questions about whether the patron was bumped into by another skater before he lost his balance and fell. If so, try to have the skater identify the other person and obtain his or her name and address. The manager's observation should be written in the accident report in every case, regardless of how the patron states the accident occurred.

The Risk Management Guidelines state that accident report are an important part of a risk management program. Accident reports should be clearly written and not scribbled; they should include complete information about the claimant including the time of arrival and the time of the accident. The names and addresses of witnesses and employees on duty should be noted and conditions in the rink, including the number of skaters on the floor at the time of the accident, should also be estimated on the report. In addition, accident reports should be reviewed periodically to determine if there are any patterns of accidents that have to be addressed with additional risk management procedures.

The Risk Management Guidelines endorsed by the RSA contain valuable suggestions for reducing the number of accidents in your rink and investigating accidents that do occur. By adopting the Guidelines, you will be creating a culture of safety in your rink and will improve your investigation if unfortunate accidents do occur.

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