

# Out of Bounds

In the summer of 2007, a new synthetic turf field was constructed for the Barrow High School football team. The field (pictured) was a regulation high school football field, measuring 120 yards long (including end zones) by about 160 feet wide. In addition, the field included a “skirt” of synthetic turf approximately 10 to 12 feet wide that bordered the field along all four sides and was surrounded by orange plastic construction fencing 25 feet from the field of play.

The Barrow football team played its first game on the new field on Aug. 17 of that year. With an overflow crowd of more than 3,000, some of the people in attendance had to watch the

game from the sidelines. At one point during the game, several players ran out of bounds and at least one of them collided with Helen Barton, one of the standees, knocking her to the ground and breaking her leg.

Barton sued, alleging in *Helen Barton v. North Slope Borough School District* [268 P.3d 346 (Alaska, 2012)] that the school district had negligently designed, operated and supervised the field and had failed to provide adequate barriers or warnings during the game. The district argued that it owed no duty to protect Barton, a spectator, from the open and obvious risk of being struck by players while standing near the sidelines during a

football game.

At trial, the superior court, after noting that Alaska case law does not specifically address the liability of landowners to spectators of sporting events, ruled that the district was not liable for Barton’s injuries, and that the distance between the playing field and the spectators watching the game on the sidelines was appropriate. On appeal to the Supreme Court of Alaska, Barton argued that the superior court’s decision should be overturned because it did not allow one of her expert witnesses, a landscape architect, to testify. In affirming the decision of the lower court, the

Supreme Court of Alaska found that Barton’s expert would not have added any new evidence with regard to the proper distance between a football field and spectators. Given that the run-off areas on professional football fields is 25 to 30 feet, and that the Barrow field met the appropriate standard for a run-off area for high school football fields, the court concluded that the district had satisfied its duty to Barton.

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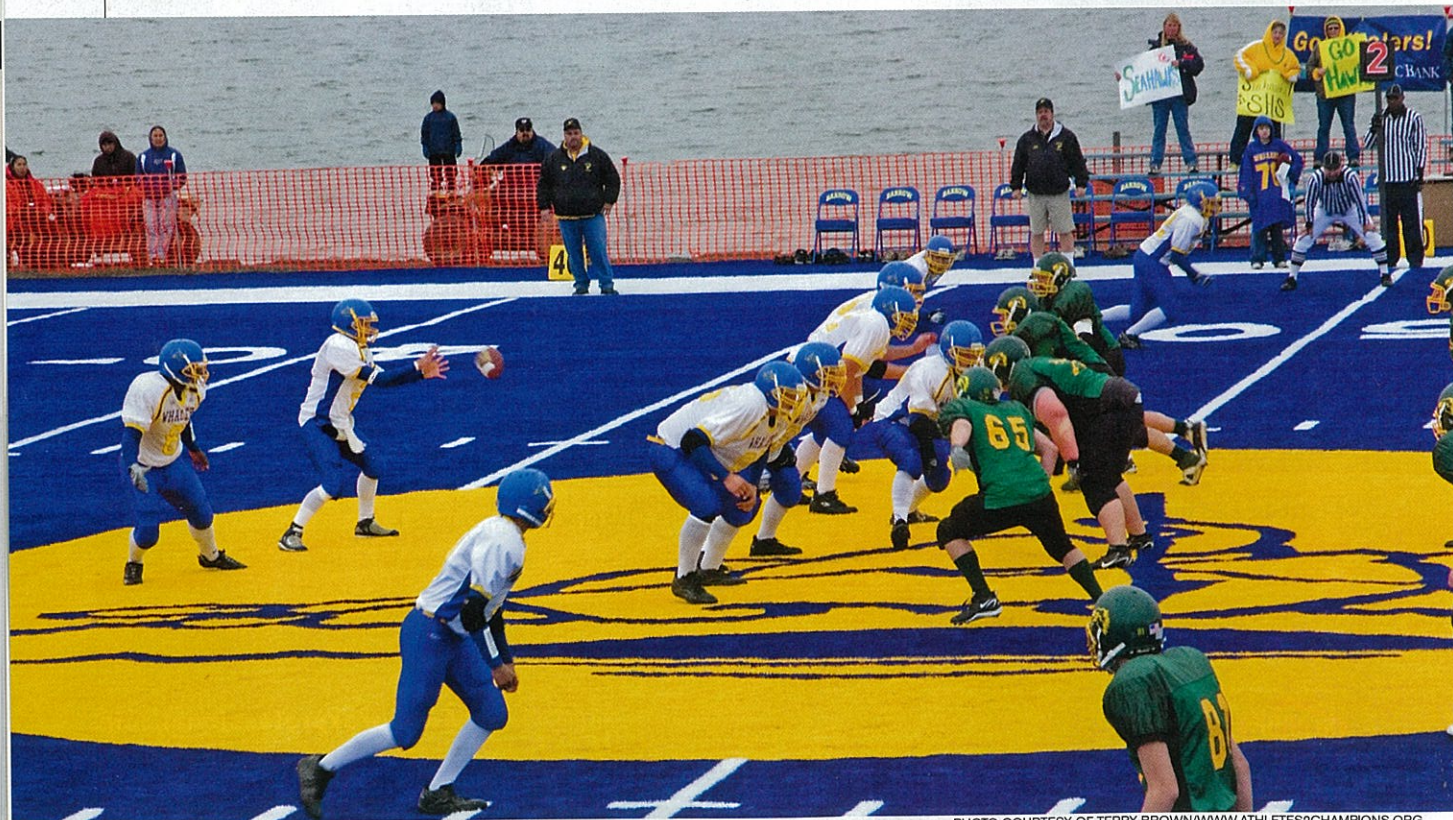


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