



Assumption of Risk – Participant Waiver of Liability – Indemnification Agreement (READ BEFORE SIGNING)

The Meijer State Games of Michigan & National Congress of State Games (hereafter referred to as **MSGM & NCSG**) is a multi-sport, Olympic-style event that welcomes athletes regardless of age or ability. The Games embody the values of participation, sportsmanship, & healthy living among residents of the state of Michigan. MSGM & NCSG makes available more than 30 games & activities that may be loosely categorized as 1- Team Sports (such as basketball, lacrosse, rugby, volleyball), 2- Individual Sports (such as archery, disc golf, shooting, track & field), 3- Combative Activities (such as boxing, fencing, Tae kwon do), 4- Water-related Sports (such as diving, wakeboarding, rowing), and 5- Racing Activities (such as 5k, BMX, mountain biking). Some of the many benefits the participant gains from competing in his or her chosen activity include physical fitness, fun & enjoyment, teamwork, opportunity to compete, better health, weight maintenance, social interaction, building friendships, & involvement in wholesome recreation. The required physical exertion ranges from mild to very strenuous, depending upon the activity & the motivation of the participant; the required skill level ranges from moderate to highly skilled, depending upon the activity; & the competitiveness of the activity ranges from moderate to highly competitive. Most fitness, skill, & competition levels can be accommodated.

While the many benefits of these activities are apparent, *MSGM & NCSG & its staff regard participant safety as a top priority & feel it is important that the ADULT PARTICIPANT OR MINOR PARTICIPANT & PARENT/GUARDIAN understand that there are risks inherent in all physical activity. MSGM & NCSG takes great care to reduce the risks associated with the many physical activities offered at the facility.*

Nevertheless, regardless of the care taken to provide safe activities & avoid injuries, some risks are inherent in the activity & cannot be totally eliminated without changing the nature of the activity. These risks are usually called **inherent risks**. It is impossible to list all the inherent risks of a single sport, let alone all the risks in more than 30 sports. All the same, a number of common inherent risks (but by no means, all) that might be present in one or more of the sports offered will be listed here. Some of these include: heat-related illnesses (e.g., heat stroke, heat exhaustion, heat cramps); over-exertion, (e.g., long runs, all-out effort, continuing after severe fatigue) slips/falls due to imperfect playing surfaces (e.g., wet spot on basketball court, wet fields or track from rain, uneven mountain bike path); being struck by an object (e.g., ball, puck, bat, hockey stick, lacrosse stick, arrow, bullet, oar, skateboard, ski, bike, boxing glove, epee); collisions (e.g., with walls, tables, participants, spectators, officials, bikes, diving boards, trees); contact with co-participants or competitors (e.g., scrums, blocking, tackling, rebounding, racing, judo throws, wrestling moves); trips or falls (e.g., rebounding, when blocked, diving for a ball, slips on slick playing surfaces, from skateboard or bikes); drowning (e.g., when injured on a dive, boat capsizes, fall from boat); & other inherent risks (e.g., *participant-related* [participant failure to adhere to posted rules or warnings; careless, erratic, or negligent acts by co-participants]; *facility/equipment-related* [e.g., unexpected equipment failure; unknown facility hazards or defects]; *personnel-related* [e.g., errors in judgment by MSGM & NCSG personnel, game officials, or volunteers -- including, but not limited to, misjudging participant abilities or fitness, misjudging weather conditions, failure to give adequate warnings or instructions, concentration lapses while supervising]; & *opening ceremony activities* [e.g., fireworks & other special activities].

MSGM & NCSG feel that it is important that the ADULT PARTICIPANT OR MINOR PARTICIPANT & PARENT/GUARDIAN understand that three types of injuries can occur. *Minor injuries* are the most common & include, but are not limited to, muscle soreness, headaches, sprains, abrasions, cuts, black eyes, blisters, & bruises. *Serious injuries* are less common but can occur occasionally. They include but are not limited to, broken bones, concussions, torn ligaments or cartilage, eye injuries, cuts, broken teeth, & internal injuries. *Catastrophic injuries* are very rare, but MSGM & NCSG feel that every ADULT PARTICIPANT OR MINOR PARTICIPANT & PARENT/GUARDIAN should be aware of the slight possibility. These infrequent injuries include permanent disability, brain injury, paralysis, blindness, & even death.

Assumption of Inherent Risks: I, the ADULT PARTICIPANT OR MINOR PARTICIPANT & PARENT/GUARDIAN assert that I have previously participated in the sport(s) for which I have registered to participate; I am familiar with the inherent risks associated with the sport(s); & I have been reminded of some of the minor & serious inherent risks by the preceding paragraphs. **I, the ADULT PARTICIPANT OR MINOR PARTICIPANT & PARENT/GUARDIAN, understand that all activities of MSGM & NCSG include inherent risks that cannot be totally eliminated** regardless of the care taken by MSGM & NCSG. I, the ADULT PARTICIPANT OR MINOR PARTICIPANT & PARENT/GUARDIAN, **1) know, 2) understand, 3) and appreciate** the types of injuries inherent in MSGM & NCSG activities. I, the ADULT PARTICIPANT OR MINOR PARTICIPANT & PARENT/GUARDIAN, hereby assert that **participation is voluntary & the ADULT PARTICIPANT OR MINOR PARTICIPANT & PARENT/GUARDIAN knowingly assume all inherent risks of the activity.**

Waiver of Liability for Ordinary Negligence of MSGM & NCSG: In consideration of permission to participate in MSGM & NCSG activities, today & on all future dates, **I, the ADULT PARTICIPANT OR MINOR PARTICIPANT & PARENT/GUARDIAN, on behalf of myself, my spouse, heirs, executors, administrators, personal or legal representatives, & assigns** (hereafter referred to as the Releasing Parties) **do hereby waive, release, covenant not to sue & discharge MSGM & NCSG** [including the West Michigan Sports Commission, Kent County, City of Grand Rapids, Meijer State Games of Michigan, corporate partners, directors, board members, officers, employees, volunteers, independent contractors, agents, equipment suppliers, & owners of all venues] (hereafter referred to as the Protected Parties) **from liability from any & all claims, demands, & actions of every name & nature including those arising from the ordinary negligence of the Protected Parties.**

