

March 24, 2005

William J. Sachs, National Chairman  
National Ski Patrol  
83 Ski Run Trl.  
Fairfield, PA 17320-8536

VIA Email and Regular Mail  
[dsachs@myactv.net](mailto:dsachs@myactv.net)

Dear Chairman Sachs:

I have been a proud member of the National Ski Patrol for nearly 30 years.

Now in the twilight of my service to the skiing public I've learned that the NSP Board of Directors has decided that the words "National Ski Patrol" and other identifying insignia are not to be displayed on the patrol parka.

I am terribly saddened by the Board's action and would urge you in the strongest terms possible to do everything in your power to reverse this ill-advised decision.

Allow me to share some background information with you before sharing my concern for the direction the NSP is heading.

I am a Life Member of the National Ski Patrol, my National Number is 7885. I am a first aid instructor and have served as our region's Legal Advisor.

I am honored to be the recipient of two NSP Yellow Merit Stars. The first was awarded for my role in passing legislation that provided "Good Samaritan" protection for ski patrollers here in Michigan.

I'm a certified Association Executive (CAE) and a Fellow of the Life Management Institute (FMLI).

I was President of my college fraternity for two years, President of the Student Bar Association while in law school and President of the Law School Alumni Association after graduation.

For the past 16 years I've served as President and General Counsel of the Life Insurance Association of Michigan. I've practiced law with a medium size firm that specialized in, among other things, tort liability. Prior to that I was Vice President of the Michigan Bankers Association and Director of Government Relations for the Michigan Credit Union League.

I've served on the boards of several organizations including Chairman of the Michigan Society of Association Executives, Chairman of the Insurance Advisory Committee at Olivet College, Secretary/Treasurer of the Michigan Insurance Hall of Fame and the Michigan Services Credit Union.

My only point in mentioning this (at some risk of criticism for self indulgence) is to show my working knowledge of volunteer membership organizations, insurance and tort liability.

**The two most important lessons I have learned from my experience is that the members of any organization need a sense of ownership and a sense of identity.**

**It seems to me that the NSP hierarchy took the ownership of our organization from us when it decided to create a self-perpetuating board of directors. Never in my entire experience have I even heard of a volunteer organization that has a self-perpetuating board. How can you justify this?**

**Now the hierarchy wants to bury our sense of identity by prohibiting us from displaying "National Ski Patrol" on our parkas.**

**Question:** Will you also prohibit the display of National Ski Patrol on our first-aid belts, national pins, sweaters, windbreakers and letterhead?

I have never seen the members of an organization more upset with their leadership. I have never seen the membership of an organization more unhappy with the direction their leadership is taking them.

I have read very carefully Karl Jurries email letter to you dated Feb. 18, 2005. Karl's letter raises a number of points that beg for a response. I will not restate the many cogent points that Karl makes but I will implore you to take them seriously.

Every member of the NSP knows that they expose themselves to personal liability every time they pull on the rusty parka. That is the nature of our organization. There is no way to totally eliminate personal risk nor risk to the NSP. It is inherent in what we do. The issue is whether we have taken all reasonable steps to protect ourselves from the risk of liability.

Removing the NSP name from our parkas is an ineffective step for limiting or reducing liability.

**Can you cite any organization that has removed their name from a piece of clothing and somehow managed to avoid liability for negligence?**

If liability is the issue I would urge you to follow up on Karl Jurries suggestion that the NSP take steps to secure affordable coverage for patrollers and include it in our dues or as an option for individual members to purchase.

If we were to purchase liability coverage via a group policy there would undoubtedly be considerable savings.

In Michigan, as referenced earlier, we took the initiative to enact a “Good Samaritan” statute for ski patrollers. As a matter of fact Michigan is the only state in the nation to specifically mention the National Ski Patrol in the statute. If the Board is worried about liability perhaps you should consider launching a legislative effort in the states where there is no Good Samaritan protection. I worked on the Good Samaritan legislation for months. I talked with dozen of legislators. The most frequently asked question was “Where do National Ski Patrollers get their first-aid training?”

The answer was simple, direct and persuasive, the American Red Cross.

That more than satisfied even the most skeptical legislator. Why? Because the ARC has an international reputation for quality. Very much like the reputation for quality that the NSP enjoys.

If the ARC was not the source of our first-aid training, I doubt that the Michigan Good Samaritan Statute for National Ski Patrollers would have been enacted into law.

Several years later the United States Congress granted a Federal Charter to the then democratically controlled National Ski Patrol. Now we have a self-perpetuating board. I’m fairly certain that the members of Congress I know wouldn’t look favorably on the NSP Board’s decision to take voting rights away from the members and create a self-perpetrating board. Again, how can that be justified?

Let me conclude by again asking: Are there any examples that you can point to where liability was avoided by removing the name of an organization from a piece of clothing? This is not a rhetorical question. I would really like to know if you have some tangible justification for the decision that the NSP Board has made. I would be the first to withdraw my objection if any rational argument can be made.

Chairman Sachs I would urge you to take into account the strong feelings of the rank and file members of the NSP.

I would urge you to be more responsive to the opinions of the members of the NSP. I would urge you to:

1. Return the vote to the members of this glorious organization.
2. Reverse the Board’s decision prohibiting the display of National Ski Patrol on our parkas.

Sincerely,



Lawrence J. Kish, Member  
Boyne Mountain  
National Ski Patrol