

## TABLE OF CONTENTS

<b>CHAPTER ONE – NATURE OF RECREATIONAL IMMUNITY</b>	1
<b>CHAPTER TWO – LEGISLATIVE HISTORY</b>	13
<b>CHAPTER THREE – RECREATIONAL ACTIVITY</b>	33
a) Intrinsic nature of the activity	43
b) The purpose of the activity	44
c) The consequences of the activity	45
d) The intent of the user	50
e) The nature of the property	51
f) Intent of the property owner	53
g) The reason the plaintiff was on the property	54
Application of the Factors	57
Remoteness in Time	58
Cases Where Activity was Found to be Recreational	63
Cases Where Activity was Found not to be Recreational	66
<b>CHAPTER FOUR – OWNER</b>	71
Case Synopsis	84
<b>CHAPTER FIVE – PROPERTY</b>	87
Case Synopsis	99
<b>CHAPTER SIX – ORGANIZED TEAM SPORTS</b>	103
Team Sport Exclusion	103
Conflict Between Statute and Statement of Intent	114
Case Synopsis	115
<b>CHAPTER SEVEN – CONFLICT OF LAWS</b>	117
Case Synopsis	125

<b>CHAPTER EIGHT – EXCEPTIONS</b>	127
Private Property Owner	129
Payment for use of Property	129
Social Guest Exception	131
Governmental Bodies as Property Owners	133
Nonprofit Organizations	135
Malicious Conduct	135
Case Synopsis	140
<b>CHAPTER NINE – CHILDREN</b>	143
Case Synopsis	158
<b>CHAPTER TEN – OTHER ISSUES PRESENTED BY THE RECREATIONAL IMMUNITY STATUTE</b>	161
Wild Animals	165
Fairs and Similar Activities	175
Picnics, Concerts, etc.	189
Negligent Acts Unrelated to the Land	193
Rescue Operations	193
Lifeguards	196
Active and Passive Negligence	204
Other Acts Not Related to the Land	205
Good Samaritan Rule and Momentary Diversions	209
Case Synopsis	212
<b>CONCLUSION</b>	215
<b>Proposed Jury Instruction</b>	215