



Case Study: Williams v. Sigma Chi

Presented by Risk Management Foundation

Directions

1. You have been chosen as either the prosecutor representing the estate of Tom Williams, or as the counsel representing Sigma Chi.
2. Discuss with your colleagues the best arguments and prepare to present your position to the opposition in a mock trial.

The Case

Initiation Week at a Midwestern Chapter turned deadly when actives and pledges were allowed free time between events. Some chose to go to the bars, hang out and drink until they were to report to the off-campus site. The tradition at the chapter was to travel to a site 10 miles away for an initiation lecture. Approximately 30 actives and 15 pledges were to travel from the chapter house to the ritual site on back roads, with each pledge blindfolded and riding in an automobile with actives.

One of the cars carried three active members and one pledge; an active, Sam Dillon age 21 drove. The other actives, both 20 years old, were Terry Simpson and Mitchell Hampton. The pledge Tom Williams was age 19.

On the way to the site Sam turned around to reach in the back seat for a cigarette from Terry; it was at this time that he lost control of the car. The vehicle flipped and landed in a ditch. Terry and Mitchell were thrown from the backseat and landed in a field. Tom was thrown through the window, crushed by the car, and died instantly.

Sam tested negative for intoxication, but Tom, who was only 19, had a blood alcohol level of 1.8, well above the legal limit for intoxication. Tom was served alcohol at a nearby bar, The Beach. The bar had closed at 1:00 a.m. but Tom was still intoxicated at 3:30 a.m. when the crash took place.

Despite the fact that it was an accident, Tom's parents filed a lawsuit against your organization for creating an unsafe environment and taking Tom, blindfolded and under the care of the chapter, to the event.

Facilitator's Guide

LEADING THE CASE STUDY

We suggest this exercise be completed in one of two ways:

1. All participants being assigned to “plaintiff” and “defendant” teams.
2. If there is a larger group, assign a group to be “jurors,” and send them out of the room while the “plaintiffs” and “defendants” prepare their arguments. Next, hold the trial and have the “jurors” decide fault and monetary reward.

Read to the participants:

By the end of this exercise, you will know more about Risk Management while also learning new ways to use preventative measure in all chapter activities in order to lower the chances of a claim occurring. The case study you will be given is based upon an actual claim. All names have been changed.

Hand out the case study. Spend a few minutes with the group, reading through the case study. Depending upon the size of the group, read one of the following:

1. We will divide into two groups. One will play the role of “plaintiff,” arguing facts in an attempt to convict the fraternity. The other group will take on the role of “defendant” and defend the fraternity against the accusations that they were responsible for the activities that took place. Please take 15 minutes to prepare your arguments. Please agree on one representative to present your case.
2. I need volunteers – you will be jurors and decide the fault and monetary reward in this case. Please leave the room, returning in 15 minutes. The remaining group will be divided into two groups. One will play the role of “plaintiff” and argue facts that will attempt to convict the fraternity. The other group will take on the role of “defendant” and defend the fraternity against the accusation that they were responsible for the activities that took place. Please take 15 minutes to prepare your arguments. Please agree on one representative to present your case.

During this time, spend a few minutes with each group and ensure they are discussing the issues at hand. Also, be sure to set up the room in order to facilitate a mock trial.

CONCLUSION

The organization managed to settle the case.

The total cost that they incurred for this case was \$468,305.22.

REFLECTION QUESTIONS

- Do the actions of the chapter members cast a favorable light on Greek life to the non-Greek World?
- How do you justify the chapter's actions?
- Are they in line with the values and creeds your organization professes?
- What can you do to improve?

CONCLUDING THOUGHTS

Many chapters often think, “What is the bare minimum we have to do to comply with our organization’s policies?” This preoccupation with the bare minimum and finding “loop holes” seriously misses the point.

Consider this, in the Greek World we expect more of ourselves than we do of others. Is this case an example of adhering to such expectations? How could have things been done differently? What will you do to make a difference for your chapter and organization?