

# SIDELINES

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AND PURSUIT OF HORSES

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RIDING HIGH AND FLYING THE SKIES

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# DOGS AND HORSES: *Who Is Liable?*

By Armand Leone, Jr. and Jessica E. Choper

**D**ogs and horses go hand in hand. Where there's a barn or horse owner, there's often a dog tagging along. More often than not, horses, dogs, and their people can coexist peacefully and without issue.

That said, there's the occasional problem caused by a dog that may have legal ramifications. For example, your dog may be playing in the barn and spook a horse, injuring someone. There's also the scenario in which a loose dog interrupts a horse and rider during competition, causing the rider to go off course or requiring that the horse and rider pull up so that all parties leave the round unharmed. Even if the horse and rider walk out of the ring or off the field in one piece, the dog's interruption may have cost the horse and rider a top placing and even prize money.

So, who's responsible in these scenarios and what can be done upfront to ensure dogs and horses can continue to coexist harmoniously? It starts with taking the necessary precautions, whether you're a property owner, a manager or a dog owner.

First, as a barn owner, put up signs stating your rules regarding dogs on the property. Common sense comes into play a lot here. Signage stating that dogs must be on a leash puts people on notice that dogs cannot run loose. That's the first step as a barn owner in protecting yourself from liability in the event of an injury. The second step is to enforce those rules. If you hang up signs stating that dogs must be on a leash but then allow dogs to roam the property at will, you're opening the door to issues.

Let's use the example of a dog spooking a horse and the rider falling off and sustaining an injury on your property. If there are stated rules that a dog must be on a leash, and a customer's dog is running loose and causes injury to a rider, then the dog's owner may be liable for the injuries. In this situation, the dog owner's failure to leash the dog was likely the cause of the accident. The leash rule may also protect you from liability. If you don't enforce the leash rule, however, then you may be liable along with the dog owner, in part for failing to implement your own rule and protect horses and riders on the property.

The barn owner also needs to abide by the rules; if other dogs are required to be on a leash, and the owner's dog is off leash causing an injury to horse or rider, then the owner may be liable directly. Plaintiffs will go after the party who can pay, whether it's the dog owner, you as the facility owner or both.

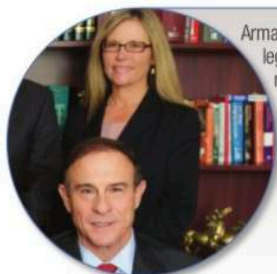
There have also been situations where a dog enters a competition arena causing disruption of the horse's performance. If there's an injury to horse or rider that results from the loose dog in the ring, then the dog owner and the show management and/or venue could be held liable. On the other hand, if the horse and rider aren't injured but the horse's performance is disrupted, it's not



A loose dog can interrupt a horse and rider during competition.  
Photo by Jump Media

likely that the exhibitor can take any legal action that would lend them a more favorable outcome. In this instance, the judges will have to make a field-of-play call as to how to address the situation. In many cases, the dog owner will be subject to a significant monetary fine from the show management, as most competitions have rules about dogs off leash and fines for this violation.

There are risks with all horse-related activities. When it comes to dogs and horses, as a rider, you have to accept that there are things beyond your control that may lead to seemingly unfair outcomes, such as a loose dog interrupting your competition performance. As a property owner, it's wise to have and enforce a leash rule and to carry insurance that will cover alleged negligence. Whether you're at your home barn or at a show, understanding the leash rules can go a long way in protecting the usually harmonious relationship between horses, dogs and people. **S**



Armand Leone, Jr., MD, JD, MBA, and attorney Jessica E. Choper of Leone Equestrian Law provide legal services and consultation for equestrians, ranging from riders and trainers to owners and show managers in the FEI disciplines on a wide variety of issues. Learn more by visiting [www.equestriancounsel.com](http://www.equestriancounsel.com).

Do you have a question you want Armand and Jessica to answer?  
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