

Bar for the course – Arbitrating disputes on the links

by [Alexander Soule](#)

Robert Harris has no hesitation when asked to tee up his favorite case: an attorney vacationing on Long Island 100 years ago who was forced to play a round of golf with an unfamiliar club, due to a repair company having lost his favorite “cleek” (1 iron) in the shop.

After a nightmare 18 holes, he did what any self-respecting lawyer would do – he sued and won damages totaling \$1 from a sympathetic jury.

“Then he did what really obnoxious lawyers do – he appealed,” Harris recalled. “He ended up with \$4.”

An attorney and mediator in the Westport law firm Levett Rockwood P.C., Harris has seen his fair share of golf disputes, so much so that today he is a founding member of an American Arbitration Association advisory board to the industry, one of just a few such AAA committees to include construction, health care and the broader arena of sports, including Olympics and doping disputes.

Yes, the AAA golf committee has examined the legal implications of a ball hooked into an innocent bystander. And yes, there is much more to golf law than that.

Harris became interested in the topic several years ago with the idea of writing a book and today writes a column for the National Golf Foundation while maintaining his own blog called Golf Dispute Resolution to track cases of note.

The blog includes both a topical menu (under the “celebrities” option, an April entry recounts Donald Trump’s taking on Scotland’s parliament over planned offshore wind turbines that would be visible from his new Aberdeen course) and the ability to track cases by location.

In Connecticut, Harris chronicled Darien’s recent efforts to resolving tax disputes with Country Club of Darien, Wee Burn Country Club, and most recently Woodway Country Club – award lower property valuations and so tax bases in exchange for clubs agreeing to preserve the courses as open space and giving the town the right of first refusal to purchase any property they put up for sale.

And of course, Harris covers the quirky and unusual – for instance the San Antonio course that sued a nearby shooting range over what it says are errant bullets that caught one golfer in the chest and menaced others; or the 2011 golf “cart-jacking” in which a man stole an elderly woman’s cart during a round at Brooklawn Country Club in Fairfield, driving it clear to Fairchild

Wheeler Golf Club in Bridgeport and smashing into multiple carts before golfers tackled him on the 16th hole and held him until police arrived.

Harris is not convinced that he is breaking any major new legal ground with his American Arbitration Association golf committee and blog, but he sees a connection between golf's status as the genteel game and the use of mediation to resolve legal disputes.

And the template is there if AAA wants to create other committees to help niche industries work through their disputes.

“I had a friend tell me it would be nice to have a croquet dispute resolution committee,” he said.