

# **Bond Case Briefs**

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## **IMMUNITY - ILLINOIS**

### **Corbett v. County of Lake**

**Supreme Court of Illinois - November 30, 2017 - N.E.3d - 2017 IL 121536 - 2017 WL 5894189**

Bicyclist who was injured when she was thrown off her bicycle while riding over an allegedly defective portion of a bike path brought action against county and city for entities' allegedly willful or wanton conduct with respect to the bike path's condition.

The Circuit Court entered summary judgment for county and city. Bicyclist appealed with respect to city only. The Appellate Court reversed and remanded. City appealed.

The Supreme Court of Illinois held that the bike path was not a "trail" under the statute that gave local public entities immunity from liability for injuries caused by a condition of any hiking, riding, fishing, or hunting trail.

Allegedly defective bike path on which bicyclist fell was not a "trail" under the statute that gave local public entities immunity from liability for injuries caused by a condition of any hiking, riding, fishing, or hunting trail, and thus city in which path was located was not absolutely immune from bicyclist's suit for city's allegedly willful or wanton acts or omissions as to the path's condition; the legislature intended to apply blanket immunity only to primitive, rustic, or unimproved trails, but the path in question was a 10-mile-long, shared-use path, paved with asphalt and held out for the use of bicycles, pedestrians, and in-line skaters.