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**FOR IMMEDIATE RELEASE**

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## **Parents Reminded of Social Host Liability as Prom Season Begins**

BOSTON - (May 2011) – Prom and graduation season is the right time for parents to speak to their teenagers about the dangers of drinking and driving. The safety of our children is paramount. Beyond the obvious dangers of their kids drinking and driving, parents need to know about their own potential social host liability if underage drinkers consume alcohol in their home.

It is well known that anyone under 21 who drinks alcohol in Massachusetts can be charged criminally. Anyone who furnishes alcohol to a person under the age of 21 can also be prosecuted. What is not known to most citizens of the Commonwealth is the fact that under the state's social host responsibility law, there are also serious consequences for parents who allow teens and their friends to consume alcohol in their homes. Parents may face imprisonment and fines under the law, as well as civil penalties.

“The most important reason to follow this law is the safety of our children and other travelers on the road,” said Boston attorney Marc L. Breakstone. “Even if the parents are not home and not aware of the illegal consumption of alcohol in their homes, they can still be criminally and civilly liable under this law.”

Breakstone added, “Prosecutors are aggressive about enforcing teen drinking laws against teens and their parents. Furthermore, there have been several large civil judgments in these cases. This should send a very clear message that parents who allow underage drinking on their property are asking for trouble.”

Breakstone urged parents to intervene to ensure that prom celebrations do not include alcohol and to make sure that prom season does not result in needless injuries or loss of life.

*Marc L. Breakstone is a Boston lawyer with 25 years of experience handling personal injury and premises liability cases. He can speak about the civil liabilities homeowners may face for allowing underage drinking on their property. Contact him by telephone at 617-723-7676, cell phone at 617-851-0808 or e-mail at breakstone@bwglaw.com.*

### **Questions and Answers About the Social Host Liability Law**

#### **Can I be charged criminally if underage guests are drinking in my home?**

Yes. The legal drinking age in Massachusetts is 21. It is against the law to allow a person under 21 years of age, "to possess alcoholic beverages on premises or property owned or controlled by the person." M.G.L. c.138, sec. 34.

#### **What are the penalties for serving underage guests alcohol in my home?**

You could face a fine up to \$2,000, imprisonment for up to a year or both. You may also be civilly liable.

#### **What if my underage child has a party at my home and serves alcohol to underage guests when I am not there?**

Your child may be charged criminally for allowing underage guests to drink, whether he provided the alcohol or not. Even if you are not home you have a duty to prevent teens from drinking in your home.

#### **What if my underage child is drinking at someone else's home?**

You could still be civilly liable in this situation if you gave permission for your underage child to drink in someone else's home and he injures or kills a third party.

#### **Will my homeowner's insurance policy cover a judgment against me if I am found civilly liable?**

It may, but your insurance policy may not cover the full judgment.

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### **About Breakstone, White & Gluck, PC**

Breakstone, White & Gluck, PC, is a Boston law firm which represents injured plaintiffs in personal injury and medical malpractice cases. The firm has established a reputation as one of the top personal injury firms in Massachusetts. Notable cases include the case against a surgeon who left a patient on the operating table to cash a check, and several multi-million dollar cases arising from medical malpractice, EMT malpractice and motor vehicle accidents.