

**Is your child's
happiness or popularity
worth
an \$ 8,000,000 party?**

COMMONWEALTH OF MASSACHUSETTS
SUPERIOR COURT DEPARTMENT
CIVIL ACTION NO. 04-5182E

ESSEX, ss:

Neil Bornstein, a minor by and through his parents et al.)	
Plaintiffs,)	
v.)	JUDGMENT
William E. White and Gateway Liquor Store,)	
Defendants)	

David and Mary Zinck, Parents of Deceased Trista Zinck	\$7,062,924.00
Neil Bornstein, suffered fractured leg, fractured skull & brain contusions	1,431,238.00
Saul Bornstein and Carolyn E. Roy-Bornstein, Parents of Neil Bornstein	200,000.00

Total Damages Awarded

\$8,694,162.00



CAMPBELL CAMPBELL
EDWARDS & CONROY
PROFESSIONAL CORPORATION
One Constitution Center
Boston, MA 02129-2025
(617) 241-3000
(617) 241-3115 fax
www.campbell-trial-lawyers.com

Be a Parent, Not a Pal is a *pro bono*, multimedia program designed by attorney Richard P. Campbell and the law firm of Campbell Campbell Edwards & Conroy to educate students, parents, teachers and members of the community about the Social Host Law and to illustrate the legal consequences of allowing those under the age of 21 to possess alcoholic beverages.

Visit our resource site on the web
for more information about
social host liability:

www.socialhostliability.org



**Furnishing alcohol
to minors
is a CRIME**

Be a

PARENT

NOT a PAL™

The law in Massachusetts is clear:

... **whoever** furnishes alcohol for a person under 21 years of age shall be punished by:

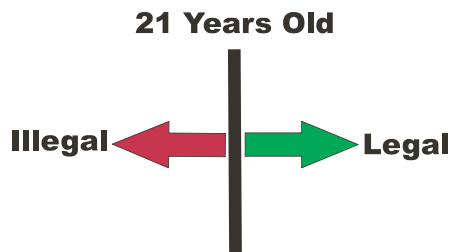
- Fine of up to **\$ 2,000**
- **Imprisonment** for up to a year; or
- **Both.**

“Furnish” shall mean to knowingly or intentionally

- Supply
- Give
- Provide to; or
- **Allow to possess**

alcoholic beverages on premises or property owned or controlled by the person charged.

M.G.L.c. 138, § 34



Frequently Asked Questions

Does the Social Host Law apply to my son, who is not yet 21 years old?

Yes. The Massachusetts Court of Appeals has ruled that “whoever” means exactly that—the law applies to everyone.

Can I avoid liability by renting a hotel room for my daughter’s graduation party?

No. Since you control the hotel room, the Social Host Law applies.

If my child hosts a party while I am away, can I still be held liable?

Yes—if you have reason to believe that minors will be consuming alcohol in your home when you are not there.

Can I serve alcohol to my own children?

Yes. An exception to the Social Host Law allows you to serve alcohol to your children and grandchildren. However,



Two sides of the tragedy of underage drinking

should an injury result, you may still be liable for substantial monetary damages in a civil suit.

What should I do if one of my daughter’s underage friends brings alcohol into my home and starts drinking?

- Call the child’s parents
- Call the police

Will my homeowner’s policy cover the costs of litigation and any judgment against me or my child?

Probably not. If you are charged criminally, your policy will not apply. If it does apply, the limits of your policy will likely be too small to cover the legal fees and substantial damages awarded for death or catastrophic injury.