

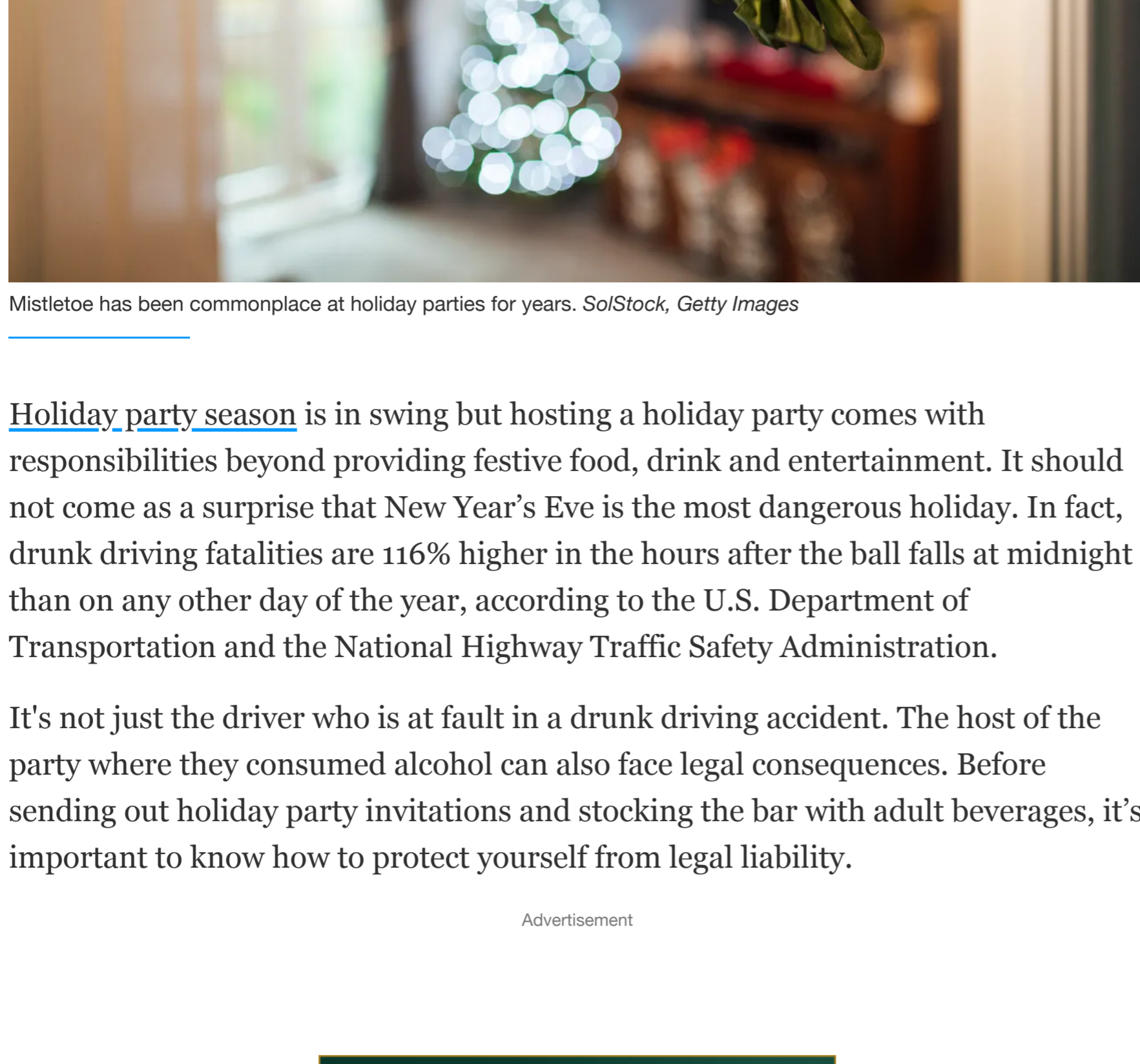
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Commentary: Important facts on how to protect yourself from legal liability as a party host

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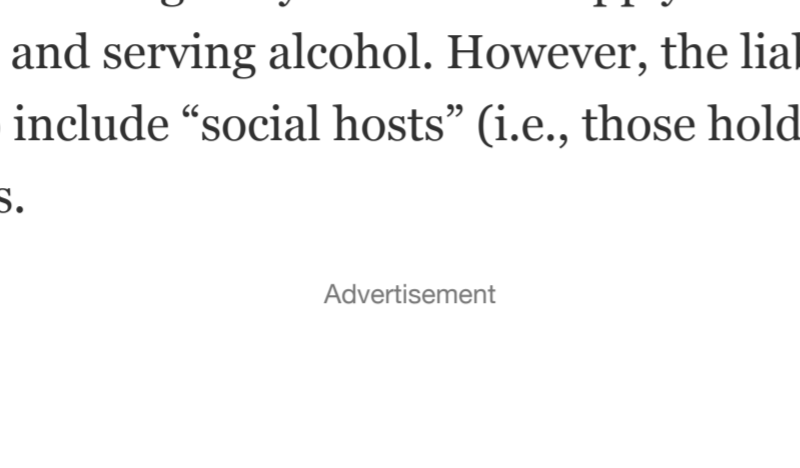


Mistletoe has been commonplace at holiday parties for years. SolStock, Getty Images

Holiday party season is in swing but hosting a holiday party comes with responsibilities beyond providing festive food, drink and entertainment. It should not come as a surprise that New Year's Eve is the most dangerous holiday. In fact, drunk driving fatalities are 116% higher in the hours after the ball falls at midnight than on any other day of the year, according to the U.S. Department of Transportation and the National Highway Traffic Safety Administration.

It's not just the driver who is at fault in a drunk driving accident. The host of the party where they consumed alcohol can also face legal consequences. Before sending out holiday party invitations and stocking the bar with adult beverages, it's important to know how to protect yourself from legal liability.

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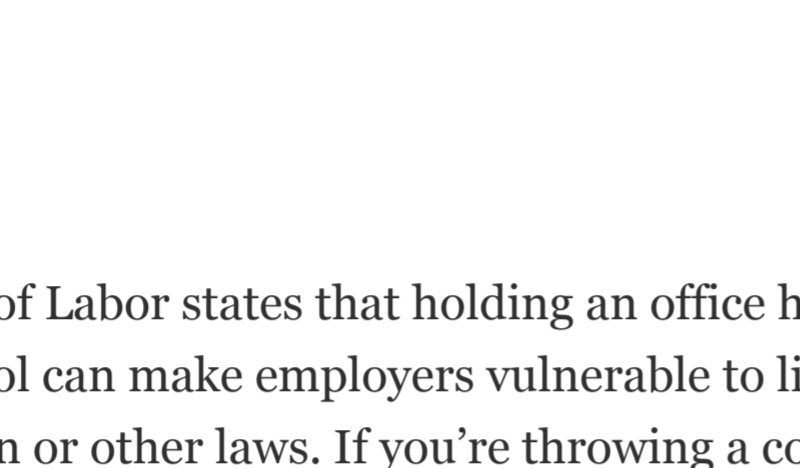
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Here are a few important facts that you, as a "social host," need to be aware of

Forty-four states (including Florida) have liquor liability laws that make it possible for a plaintiff to hold those who serve alcohol to an intoxicated or underage person responsible for any damage or injury caused by them after they leave the party.

Liquor liability laws were originally intended to apply to taverns, bars and other establishments selling and serving alcohol. However, the liability laws have expanded over time to include "social hosts" (i.e., those holding a holiday party in their home or business).

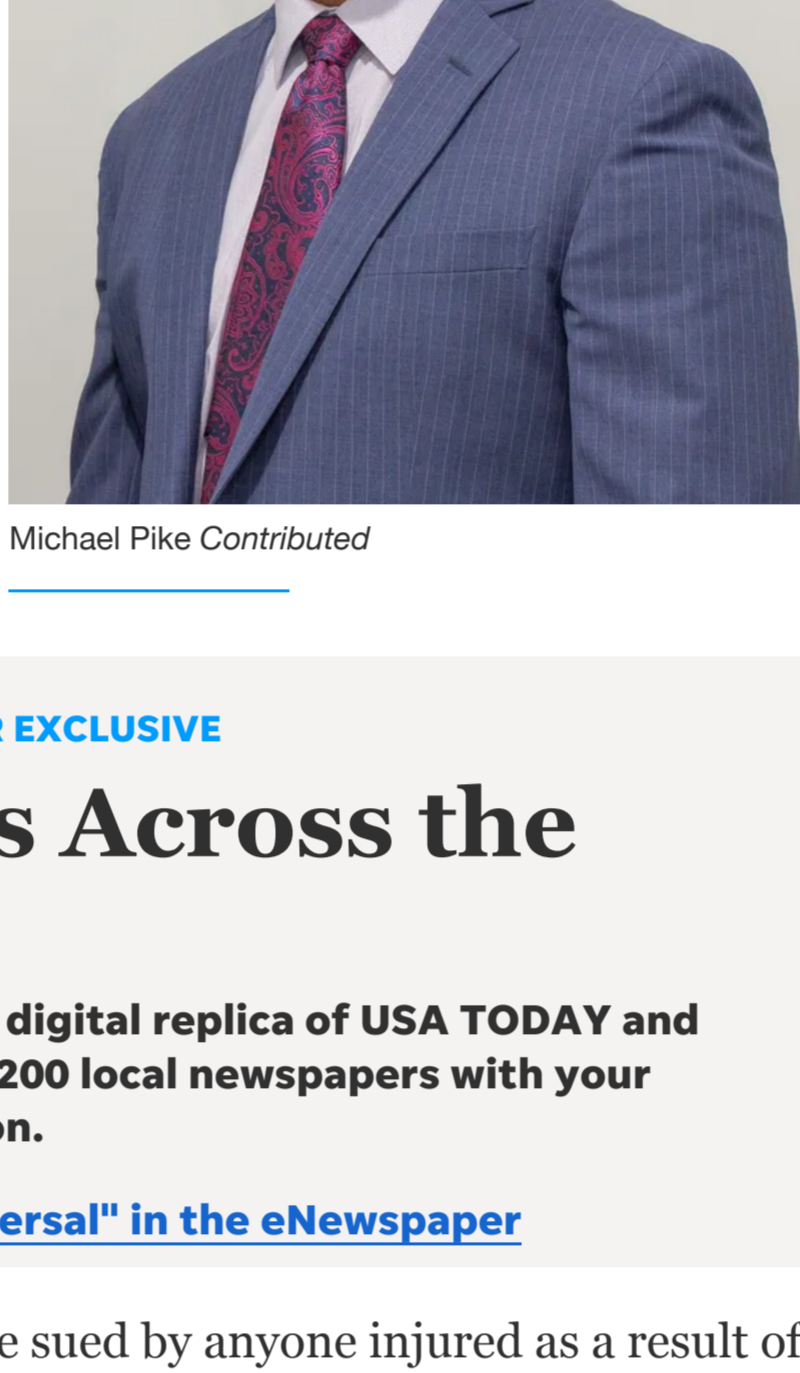
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The US Department of Labor states that holding an office holiday party with improper use of alcohol can make employers vulnerable to liability under tort, workers' compensation or other laws. If you're throwing a company holiday party, make sure your insurance covers you.

When hosting a holiday party for family and friends, it is quite common that there will be guests under the legal drinking age of 21, so here are a few things to keep in mind:

Florida law imposes a duty on social hosts with regards to the consumption of alcohol by guests. Known as the "Open House Party" law, it is a crime for any person 18 years or older to host an "open house party," which is defined as any social gathering at a home, apartment, etc. if "the person knows that an alcoholic beverage or drug is in the possession of or being consumed by a minor at the residence and where the person fails to take reasonable steps to prevent the possession or consumption of the alcoholic beverage or drug."



Michael Pike Contributed

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Florida law ALSO allows a "social host" to be sued by anyone injured as a result of a minor's intoxication (either by alcohol or illegal drugs). So, before you get too festive this year, here are four tips:

- 1. Limit alcohol at your office holiday party through a ticketing process or onsite bartender.
- 2. No alcohol is to be present in any home or event space where minors are home having a party. Ensure that there is adult oversight at all times. No exceptions!
- 3. For your office party, designate one or two employees to watch employees and ensure that no one is excessively drinking, acting inappropriately or about to drive home while intoxicated.
- 4. Offer a car service or Ubers for guests (family, friends or employees) to use at no cost if they are driving home from the party after drinking.

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