

'Host Liability' Applies When Serving Alcohol to Adults, Minors

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LINWOOD, N.C. -- A Davidson County couple is charged with 7-counts of Contributing to the Delinquency of a Minor after authorities found minors as young as 13-years-old intoxicated in their house.

Davidson County Sheriff Deputies responded to Brandi Craver and Robert Craver, Jr. house on Saturday evening after getting a report of possible underage drinking. The report came from a parent who told authorities their juvenile child came home drunk after leaving the Craver's house. According to authorities, deputies found multiple opened, discarded and unopened beer cans all around the yard and inside the house. Deputies say the Carvers allowed the juveniles to party and drink.

North Carolina has a zero tolerance policy when it comes to allowing minors to drink underage. Violators can be punished in criminal and civil court.

"If that minor goes out and harms somebody else, that harmed individual can make a claim back against the parent for their damages, lost wages, medical expenses and other damages," explained David Daggett, Attorney, Daggett Shuler Attorneys at Law.

That same liability is on hosts who provide alcohol to adults of legal age. Attorney David Daggett says party hosts have a responsibility to the public, even those who weren't invited.

"Whenever you are a social host, the law puts responsibility on you. You have to beware of the public that's out on the road. You have a responsibility to them," explained Daggett.

He added, "If I served somebody who I knew or should have known was impaired, and I know they're going to drive a motor vehicle, and they go out and harm a third party, I can be held responsible for that incident."

The liability doesn't stop for hosts of house or office parties - bars and restaurants can also be held accountable.

"Any sort of host needs to be careful. North Carolina has social hosting liability laws – we also have dram shop laws. A bar tender down at a bar, even though they know the person is there drinking, if they knew or should have known the person is impaired and they're going to operate a motor vehicle, the bar tender and the establishment can be held responsible. The ABC Store can be held responsible," said Daggett.

As for the Carvers, they were released on a written promise. Their court date is set for January 20, 2015.