



General Liability Insurance Coverage: Key Issues In Every State

Randy J. Maniloff, Jeffrey W. Stempel

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Those involved with general (and professional) liability insurance claims, such as insurance company claims professionals, coverage counsel, risk managers and brokers all respond to a new claim scenario with the same three words: Is it covered? [That may also be the last time that they agree on anything.] It's just three words -- but the answer can be vexing. Despite the relative uniformity of general liability policies, states can differ widely in their interpretation and application of them. So the answer to the "Is it covered?" question can depend a great deal on whether the case arises on one side of the street (or river or mountain) or another. General liability issues usually involve one or more rules, or schools of thought, that govern their resolution. The task for courts is often to identify and examine these various rules and decide which to apply to the claim before it. "General Liability Insurance Coverage -- Key Issues in Every State" sets forth the rules that have been adopted by all 50 states, and the District of Columbia, for 21 important and commonly occurring general liability insurance coverage issues. And about half the issues are just as relevant for professional liability claims scenarios. 50 State Surveys on insurance coverage issues are inherently limited. "Key Issues" understands this and seeks to provide as much relevant information as possible to maximize their usefulness. To the extent possible, "Key Issues" sets out the aspects of cases (e.g., facts and/or policy language) that were at issue in the court's decision. This enables the reader to compare the cases in the book, to his or her claim at hand, and come away with an understanding of how the issue may be resolved by a court. Although "Key Issues" is aimed at attorneys and insurance professionals with some degree of experience, it is accessible to entry-level readers as well. Chapter 1 provides an overview of the CGL policy. Each chapter after that contains an overview of the nature, background, development, and competing schools of thought concerning a key issue followed by a comprehensive state-by-state summary of relevant law, including the latest cases and developments.

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