

The Reference Handbook on the Comprehensive General Liability Policy

Reviewed by Gina Bongiovi

Having recently slogged my way through a client's two-inch-thick insurance policy to dispute a denial of coverage by his insurance company, I have a new appreciation for a publication such as this one. Any attorney dealing on any level with a public or private business of almost any size will inevitably need to read, interpret, translate, and probably defend the client's general liability policy. These policies may be the most litigated insurance product on the market. Therefore, it is imperative that attorneys representing businesses thoroughly understand these policies.

General liability insurance policies are voluminous documents that extend coverage and almost immediately retract it. Although lawyers are skilled at reading and writing legalese, which should itself qualify as a foreign language, these policies have a dialect all their own. In addition to understanding the coverages that giveth and the exclusions that taketh away, a practitioner must be able to translate the terminology used, to clearly and concisely explain the policy provisions to the client in layman's terms, to speak intelligently about the policy to enforce its provisions against a carrier unwilling to pay a claim, and accomplish all of this as expeditiously as possible. Enter *The Reference Handbook on the Comprehensive General Liability Policy*.

Sure, there are treatises, CLE courses, and volumes upon volumes of scholarly works on these types of policies. But who has the time to work through these sources? We need to get in, understand the situation, and get out with a plan. This book enables the reader to do just that. It is well organized, with chapters corresponding to the analysis an attorney would perform to determine whether coverage should apply in a given situation; chapter topics include occurrences, damages, triggers, key conditions, principal exclusions, bad faith, and more.

Gina Bongiovi operates a solo practice serving as outside general counsel for small businesses in Las Vegas, Nevada; she may be reached at gina@bongiovilaw.com.

One caveat: The handbook is a compilation of chapters, each written by a different member of the Insurance Coverage Litigation Committee of the ABA Tort Trial and Insurance Practice Section. In their individual professional positions, the members serve either policyholders or insurers, which creates an inherent bias that sometimes seeps into the discussion. The reader should be mindful of this and refer to each author's biography, which clearly states whether the author plays for the policyholders or the insurers. Although the authors have done a commendable job of providing a balanced discussion, it is to their credit that they go one step further and reveal their professional affiliation, which makes comprehending the material that much easier.

This handbook fulfills the authors' objective to provide a resource that makes understanding these complex policies a little easier. It features a comprehensive and useful index, often lacking in publications of this type. The index allows for easy access to the needed information, which is written in plain, digestible language. There is nothing quite as frustrating as referring to a handbook that further muddies the waters. The concepts are explained as simply as possible and are backed up by case law cited in footnotes for easy reference. This book is written to facilitate, not impede, understanding of the standard general liability policy.

When read from beginning to end by a lawyer new to the practice area, the handbook outlines the steps involved in thoroughly analyzing coverage issues. When used as a reference guide by a more seasoned practitioner, the index offers quick, easy access to the information needed.

At \$129.95, the publication is priced right even for those practitioners for whom this topic arises only occasionally. (You may order it at www.ababooks.org.) Those practitioners focusing more heavily on this area should certainly keep a copy of this book within reach. It should also grace the bookshelves of those representing businesses in any capacity, as insurance issues are bound to arise. **GPSOLO**