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Michael Dickman Discusses Appeals Court Ruling Limiting Homeowner's Coverage for Adult Family Members

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The Massachusetts Appeals Court has ruled that a homeowner's insurance policy did not cover a \$300,000 personal injury judgment against an adult grandson who was allegedly financially dependent on his grandmother. Reversing a Superior Court decision, the Appeals Court held that financial dependence alone is not enough to establish that an adult family member qualifies as an insured "resident of the household" under a homeowner's policy.

Michael Dickman discussed the ruling with *Massachusetts Lawyers Weekly*:

"[The plaintiff] was pushing just the financial dependency piece, but it's pretty clear that the other cases the court cited said this is a much more expansive analysis that needs to be undertaken to see if somebody who is not specifically named as an insured has coverage in a case like this."

From a practical standpoint, Michael said the decision underscores the need for plaintiffs' attorneys to be proactive early in a case when evaluating potential insurance coverage.

He noted that Rule 26(b)(2) of the Massachusetts Rules of Civil Procedure is "a great tool for understanding the insurance landscape in a case," adding that, taken together with the court's multi-factor analysis, the ruling offers litigators a clear roadmap for assessing and improving their chances of securing coverage.

Read the article "[PI defendant not insured by grandmother's homeowner's policy](#)" on the *Massachusetts Lawyers Weekly* website (subscription required).