



California High Court to Address Occurrence Caused by Accident, *Insurance Journal*

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The California Supreme Court is set to address the issue of whether there is an “occurrence” under an employer’s commercial general liability policy when an injured third party brings a claim against an employer for the negligent hiring, retention or supervision of an employee who sexually abused a student.

The Ninth Circuit Court of Appeals, in certifying the issue, explained it is unsettled under California law, and is of exceptional importance to injured parties, employers, and insurance companies doing business in California.

The Ninth Circuit further noted a deep division of the federal district courts of California exists given the absence of a controlling decision. The ruling could extend beyond the employment context, potentially affecting many allegedly injured by the willful acts of individuals supervised by an insured.