

Dram Shop Litigation

Overview

Alcohol-related incidents can pose significant legal, financial, and reputational risks for restaurants, bars, hotels, retailers, and other businesses that sell or serve alcoholic beverages. Steptoe & Johnson's Dram Shop Litigation Team helps Texas businesses defend against high-exposure dram shop and liquor liability claims, from investigation through administrative proceedings, litigation, and trial.

Our attorneys have deep experience in dram shop litigation, Texas Alcoholic Beverage Commission (TABC) matters, and the restaurant and hospitality industry. The team's industry experience includes serving as general counsel to franchisees, franchisors, and restaurant development and management companies; holding leadership positions with the Texas Restaurant Association, including president and chair; and serving on the TABC's Public Safety Committee. This combination enables us to evaluate the regulatory and litigation issues that can arise after an alcohol-related incident and develop a coordinated strategy tailored to each client's circumstances.

Dram shop claims can involve serious injuries, fatalities, significant damages, and complex questions about alcohol service, intoxication, causation, and employee practices. Our attorneys work with clients early to investigate the circumstances, preserve evidence, assess potential exposure, and identify opportunities for early resolution or dismissal. When litigation is unavoidable, our experienced trial lawyers are prepared to defend clients through dispositive motions, trial, and appeal.

Our team understands the operational realities of restaurants and other businesses that sell and serve alcohol, including the importance of employee training, established service practices, and protecting the business when litigation is pending. We provide practical guidance to help clients manage immediate legal concerns, minimize operational disruption, and protect long-term business interests.

Our representation is designed to supplement existing alcohol liability insurance, as most of our litigation team is on the approved panel lists for most of the insurance carriers in Texas. Additionally, our services are specifically designed to assist those clients that have alcohol insurance coverage but have high deductibles or self-insured retention. Finally, in situations where a client cannot obtain alcohol liability insurance due to excessive costs, Steptoe & Johnson can work with the client to implement training, investigation, and other measures.

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Representative Experience

- Handled dram shop matters involving serious injuries and fatalities, including those resolved at the summary judgment stage
- Handled administrative and civil investigations involving dram shop and regulatory issues for restaurants, bars, nightclubs, and convenience store operators
- Assisted clients with matters involving alcohol service and related regulatory compliance

Areas of Focus

Our attorneys assist clients with matters involving:

- Dram shop and liquor liability claims and litigation
- TABC investigations and administrative proceedings
- Presuit investigations and early case assessment
- Claims involving alleged service to visibly intoxicated individuals
- Claims involving the sale or service of alcohol to minors
- Seller/server training and safe harbor issues
- Causation and comparative responsibility defenses
- Serious personal injury and wrongful death claims
- Evidence preservation and witness investigations
- Dispositive motions and other early resolution strategies
- Settlement negotiations and alternative dispute resolution
- Trial and appellate proceedings



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