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Wilkins v. City of Haverhill

Supreme Judicial Court of Massachusetts, Essex - May 9, 2014 - N.E.3d - Mass.

Pedestrian, who was attending a parent-teacher conference, brought personal injury action against city for injuries she sustained when she slipped and fell on ice that had accumulated on the walkway of the public school. The Superior Court granted city summary judgment. Pedestrian appealed.

The Supreme Judicial Court of Massachusetts held that city was not immune under the public use statute from pedestrian's personal injury action.

Limitation on liability provided by public use statute extended solely to land open to the general public, and during the relevant time the school was open only to a discrete group and not to the general public since only parents, students, and teachers could participate in parent-teacher conferences.

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