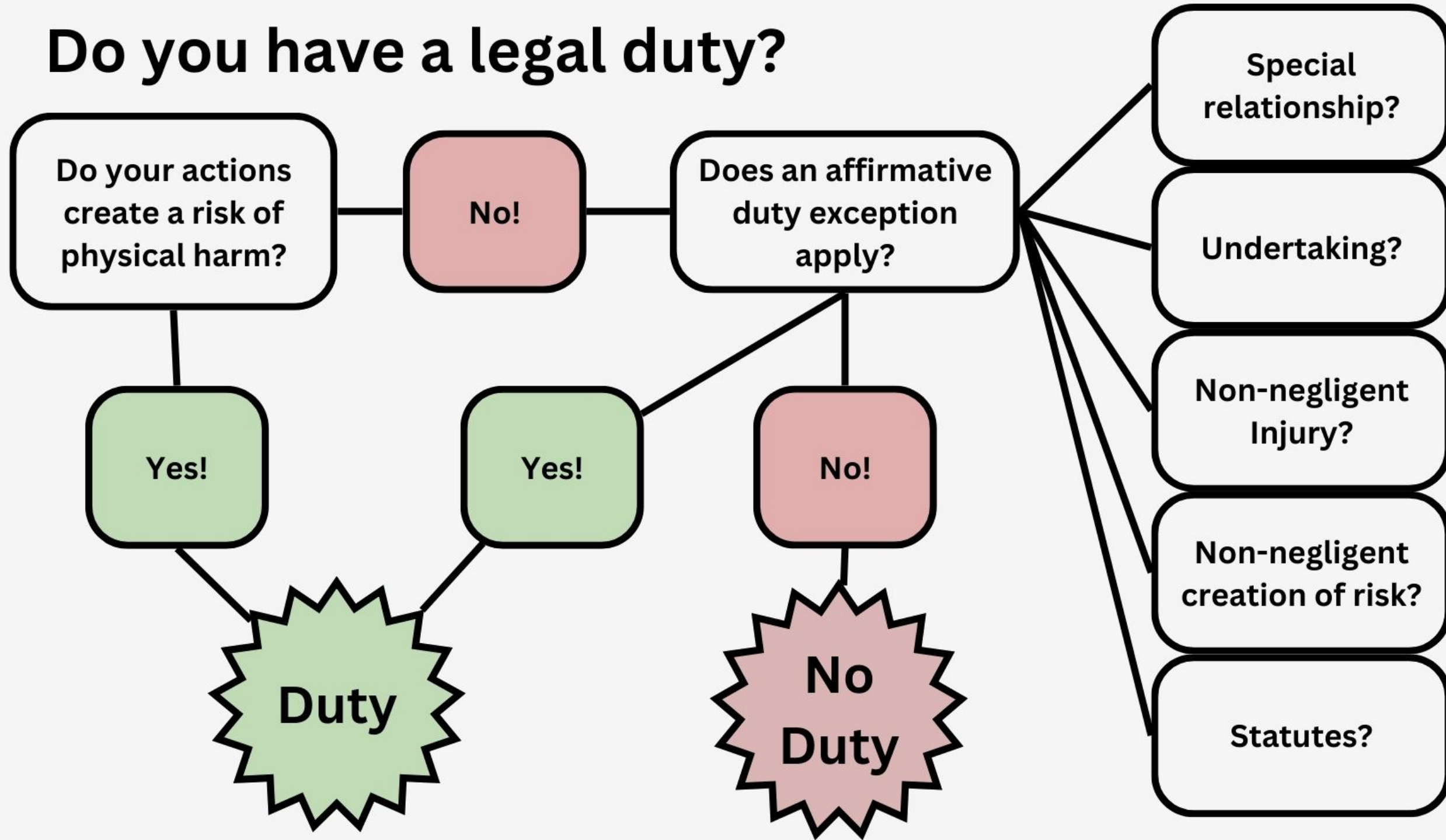


Duty to Third Parties

&

Policy Bases for No Duty

Do you have a legal duty?



Tarasoff v. Regents of the University of California

“The Psychiatrist Who Didn’t Warn the Murder Victim”

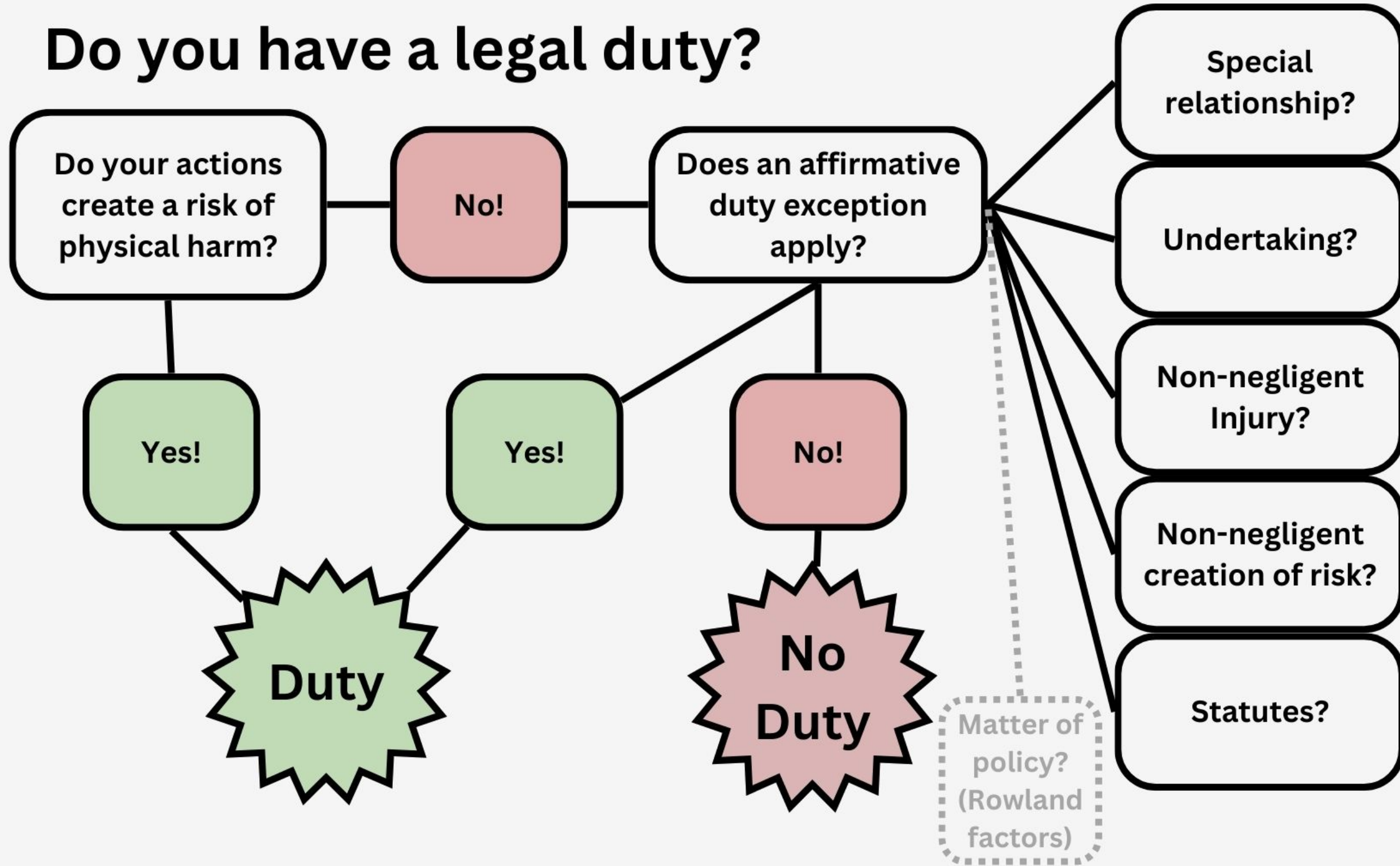
Randi W. v. Muroc Joint Unified School District

“The Alleged Sexual Predator’s Recommenders”

Rowland Factors

- foreseeability of harm
- certainty of plaintiff's injury
- connection between defendant's conduct and plaintiff's injury
- moral blame
- policy of preventing harm
- burden to defendant
- consequences to community
- availability of insurance

Do you have a legal duty?



Policy Bases for No Duty

Strauss v. Belle Realty

Third Restatement

When determining that no legal duty exists for reasons of public policy, courts should use “categorical, bright-line rules of law applicable to a general class of cases.”

Reynolds v. Hicks

Negligence Per Se

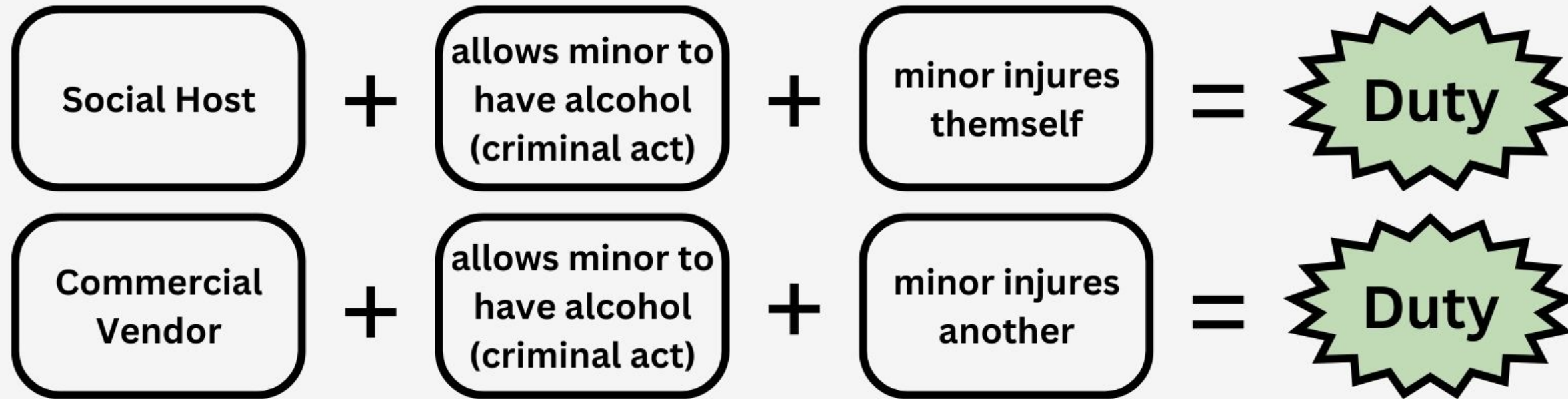
Remember *Martin v. Herzog*?

Negligence Per Se

Under RCW 66.44.270(1) it is a crime to:

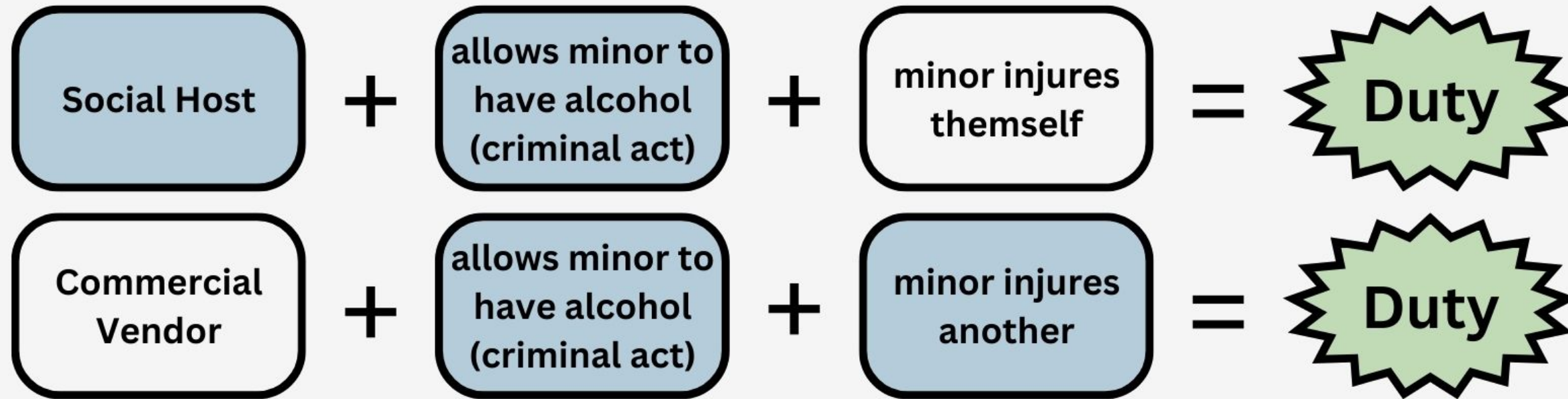
give or otherwise supply liquor to any person under the age of twenty-one years or permit any person under that age to consume liquor on his or her premises or on any premises under his or her control.

Precedent:

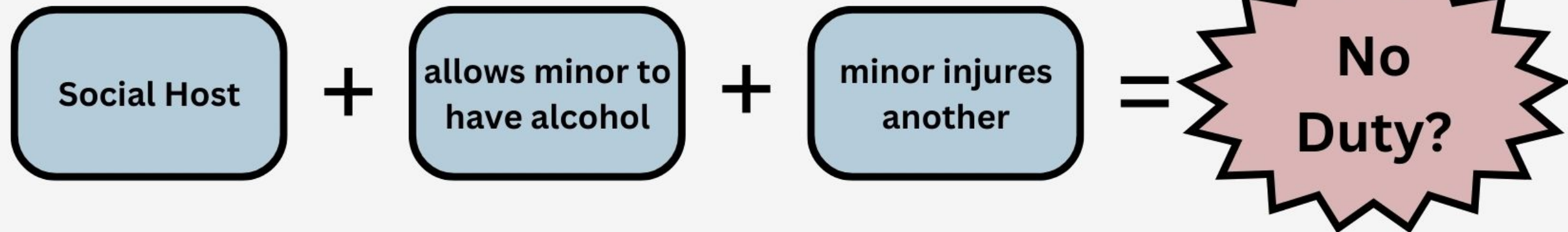


Current Case:

Precedent:



Current Case:



What the heck?

Two Reasons

1. Legal

2. Policy

Do you have a legal duty?

