

# Introduction to Negligence

# Negligence as a Tort

Duty

Breach

Causation

Harm

# Negligence as a Concept

Reasonable care

Reasonable person

# California Negligence Jury Instruction:

Negligence is the doing of something which a reasonably prudent person would not do, or the failure to do something which a reasonably prudent person would do, under circumstances similar to those shown by the evidence.

It is the failure to use ordinary or reasonable care.

Ordinary or reasonable care is that care which persons of ordinary prudence would use in order to avoid injury to themselves or others under circumstances similar to those shown by the evidence.

- 1. What is reasonable care?**
- 2. Who is this reasonable person?**

How do you define reasonable care?

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Is that definition workable?

Reconciling...

**Adams v. Bullock**

**Braun v. Buffalo Gen. El. Co.**