

Duty for Purely Emotional Harm

Assignment Report Back:

Did you do something kind and restorative for yourself?

Duties of Governmental Entities

Function

VS.

Function

Function

VS.

Function

**Governmental
Function**

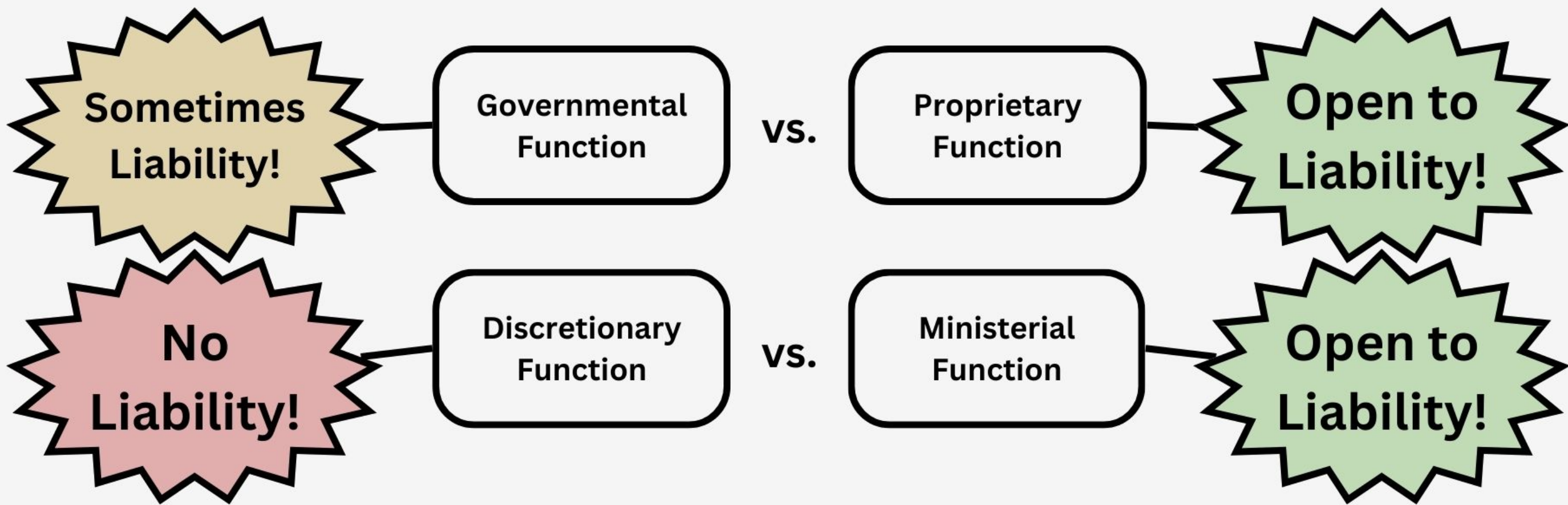
VS.

**Proprietary
Function**

**Discretionary
Function**

VS.

**Ministerial
Function**



Duty for Purely Emotional Harm

Falzone v. Busch

Policy Reasons for “Impact” Rule

1. Flood of litigation
2. Fake claims
3. Problems of proof

“Zone of Danger”

Requires a reasonable fear of immediate physical injury

Two Lingering Questions

1. How is emotional harm different than damages for pain and suffering?
2. Why are we learning about this under the duty chapter?