

Reasonable Care

and

The Reasonable Person

Adams v. Bullock

and

Braun v. Buffalo Gen. El. Co.

For ~~next~~ this class...

Come prepared to:

- argue for the opposite holding in *Adams* and *Braun*
- with foreseeability as the reasoning behind the holding

The Reasonable Person Standard

An objective standard* designed to clarify what reasonable care requires

*with some exceptions

Justifications for an objective standard

1. Administrative feasibility
2. Consistency & enforcement of community norms
3. Equality & fairness

Exceptions to objective standard

1. Physical disability
2. Children
3. Expertise

Not exceptions to objective standard

1. Mental disability
2. Children engaged in adult activity
3. Old age & infirmity

Bethel v. New York City Transit Authority

The standard of *the highest degree of care*

versus

the standard of *reasonable care*

Readings

Sex and Gender: The Reasonable Woman?

The Right to Live in the World: The Disabled in the Law of Torts