



Torts: Proximate Cause (Turning Point Series)

Joseph Page

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This law school study aid identifies the various factual contexts that give rise to extent-of-liability issues, and then examines the different tests courts use to place limits on tort liability. It then applies these tests to the factual scenarios to see how well they work. Three basic approaches are discussed-the risk-foreseeability test, imposing liability based on what a “reasonable defendant” should have anticipated, miscellaneous hindsight tests, and the duty-risk test, which makes extent of liability a question of law. Also covers how these approaches square with notions of economic efficiency, corrective justice, and the smooth functioning of the judicial process.

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