COURSE NAME: Products Liability
COURSE NUMBER: Law 8815
PROFESSOR: Allen Rostron

ESSENTIAL PREREQUISITES: Torts
DESIRABLE PREREQUISITES: None

Please note that the use of laptop computers will NOT be permitted during classes in this course, except that you are welcome to use a computer for writing the essay on the final exam.

COURSE BOOKS: We will not use a traditional textbook. Instead, we will use a set of materials that I selected and edited. It will emphasize Missouri and Kansas cases, but also include significant or interesting decisions from other jurisdictions.

OBJECTIVES: The primary goal of this course is for each student to obtain a strong and detailed understanding of products liability law. This will build on what students learned in their initial course on tort law. In particular, the course will focus on the distinctions between negligence and strict liability regimes. Along the way, students will practice skills such as developing arguments, utilizing and presenting facts to support arguments, analyzing judicial opinions, understanding the significance of other sources such as statutes and Restatement provisions, and identifying the impact that historical, economic, and other forces have had on the development of law.

METHOD OF GRADING & APPRAISAL OF STUDENT FOR GRADE: The grade will be based primarily on a final exam, which will contain multiple choice questions and an essay question. Part of the grade might be based on other tests or assignments throughout the semester, such as a quiz with multiple-choice questions like those on the Multistate Bar Exam.

COURSE CONTENT: Products liability is the part of tort law that focuses on the liability of manufacturers and sellers for injuries caused by their products. It has been a controversial subject in recent years, with some people arguing that businesses face excessive risks of liability for their products. The following are some examples of issues that can arise in this area of law:

- Should a manufacturer be liable any time that it sells a flawed product, or only if the flaw was the manufacturer’s fault?
- What sort of warnings should a manufacturer be required to give about a product? Does anybody really pay attention to warnings? What about consumers who cannot read an English-language warning because they are visually impaired, illiterate, or speak a foreign language?
- Should special rules apply to innovative products like new prescription drugs?

RELEVANCY OF COURSE FOR CAREER PURPOSES: Many lawyers specialize in products liability cases, and a significant portion of those who do civil litigation will assert or defend against products liability claims at some point.

RELEVANCY OF COURSE FOR BAR EXAM PREPARATION: Torts, including products liability, is a subject tested on bar exams.