COURSE NAME: Products Liability
COURSE NUMBER: Law 815
PROFESSOR: Allen Rostron

ESSENTIAL PREREQUISITES: None
DESIRABLE PREREQUISITES: Torts

COURSE BOOKS: We will not use a traditional textbook in this course. Instead, we will use a set of materials that I selected and edited. It will heavily emphasize Missouri and Kansas cases, but also include significant or interesting decisions from other jurisdictions. These materials will be available from Roo Prints in the law library or by downloading them from the course website.

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. We will also have a test near the end of the semester that will count for a relatively small portion of the grade. It will be a multiple-choice test with questions designed to be just like the questions about products liability that appear on the multi-state portion of the bar exam. A small portion of the grade may be based on other assignments, such as exercises in which students will draft a complaint, discovery requests, or other litigation materials.

COURSE CONTENT: Products liability is the portion 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 but risky products like new prescription drugs?
- Do television commercials misleadingly minimize the risks of products like beer?

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 one of the subjects tested on the multi-state, multiple-choice portion of the bar exam.