COURSE NAME: Products Liability

COURSE NUMBER: Law 8815

PROFESSOR: Allen Rostron

ESSENTIAL PREREQUISITES: None

DESIRABLE PREREQUISITES: Torts

COURSE BOOKS: We will not use a traditional textbook. 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.

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. A small part of the grade may 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?
- 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 a subject tested on the multi-choice and essay portions of the Missouri bar exam.