Legal Issues

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Introduction

Rort- A civil wrong

Regligence- A failure to exercise due care

Wicarious Liability

Risk Management

Learning Objectives

The student will:

≪ 2. Know how you can be held liable for the acts of others

🛯 3. Understand "Course and Scope"

🛯 4. Use Risk Management steps

🛯 5. Conduct a peer "gut check"

What If?

livestock



You ask an intern to move your truckAnd he loses control damaging property or

What happens if

- You inform a client that ABC Fabricators could make their widget
- They buy one and are injured using it

What happens if • You suggest to client Jones that ABC ranch supply has stirrup extensions that make it easier to mount. They buy one and are injured while losing their mount

What If?



- You suggest that your client might benefit from peer support
- You ask if you can facilitate exchanging phone numbers with other farmers and one is a stalker

What happens if

• You tell your volunteer to have a client demonstrate how he accesses property in his power wheelchair. He does and is injured

What happens if • You tell your volunteer to see what needs to be assessed on access issues. He does and asks client to demonstrate rough terrain and is injured



∝ A <u>tort</u> is a violation of a duty imposed by the civil law

R Duty

Reach

R Causation

Vicarious Liability?

Real How you might be sued for an action performed by someone else

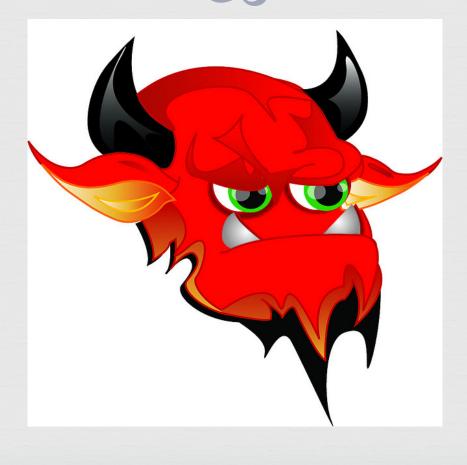
Real Ways to avoid or reduce your exposure

Vicarious Liability defined

○ Vicarious liability is a legal doctrine that assigns liability for an injury to a person who did not cause the injury but who has a particular legal relationship to the person who did act negligently. It is also referred to as imputed Negligence. Vicarious Liability Continued

CR Legal relationships that can lead to imputed negligence include the relationship between parent and child, Husband and Wife, owner of a vehicle and driver, and employer and employee. This includes interns and volunteers. Ordinarily the independent negligence of one person is not imputable to another person

The Seven Deadly Sins



Negligence in:

Appointment

Retention

Rentrustment

Continued:

CR Training

RAssigning

Risk Management

A the identification, assessment, and prioritization
 of risks followed by coordinated and economical
 application of resources to minimize, monitor, and
 control the probability and/or impact of
 unfortunate events

Risk Management

Management techniques
 ACAT

RM Process

R Identify

Apply ACAT

RM Tools



R Avoid

Control

R Accept

CR Transfer





R Torts

Regligence

Risk Management and tools

References

http://en.wikipedia.org/wiki/
 Institute_of_Risk_Management