

BPL Analysis

Torts I
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Konomark - Most rights sharable.

B < PL

B = burden

P = probability

L = loss

B = burden

\$\$\$

measured in dollars

how much the defendant must spend
to undertake the precaution

L = loss

\$\$\$

measured in dollars

how much the plaintiffs stand
to lose if the preventable accident
comes to pass

P = probability

∈ 0..1

measured as a fraction
the likelihood that the preventable
accident comes to pass

IF
B < PL

THEN

the defendant is
NEGLIGENT

because the precaution would have been
worthwhile from the perspective of society
as a whole

IF
B > PL

THEN

the defendant is
NOT NEGLIGENT

because the precaution was not worthwhile
from the perspective of society as a whole